



Independent Environmental Audit 2019

Sunnyside Coal Mine

29 October 2019

Project No: 0513868

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Signature Page

29 October 2019

Independent Environmental Audit 2019

Sunnyside Coal Mine



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Independent Audit Certification Form

Independent Audit Certification Form	
Development Name	Sunnyside Coal Project
Development Consent No.	DA 06_0308 (Mod 3, January 2019)
Description of Development	Sunnyside Coal Mine is a conventional open-cut coal mine
Development Address	6 Coocooboonah Ln, Gunnedah NSW 2380
Operator	Whitehaven Coal Limited
Operator Address	231 Conadilly Street, Gunnedah NSW 2380 Australia
Independent Audit	
Title of Audit	Sunnyside Mine Operations Conditions of Approval Independent Environmental Audit
<p><i>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <ul style="list-style-type: none"> <i>The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i> <i>The findings of the audit are reported truthfully, accurately and completely;</i> <i>I have exercised due diligence and professional judgement in conducting the audit;</i> <i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i> <i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i> <i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i> <i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i> <i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i> <p><i>Note.</i></p> <p><i>a) The Independent Audit is an ‘environmental audit’ for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead / Principal Auditor	Nicole Whittaker
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Date	29 October 2019

EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Sunnyside Coal Mine ('SCM') located 15km west of Gunnedah, NSW on behalf of Whitehaven Coal Limited (herein referred to as 'WCL'). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE) 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 1 October 2016 through 13 September 2019 (the date the site visit was completed as part of the audit).

The audit included a review of:

- DPIE, Ministers Conditions of Approval PA 06_0308 (Modification 3) issued 17 January 2019;
- Environmental Protection Licence (EPL) 12957;
- Mining Leases 1624; and
- Implementation of Management Plans developed as part of the Ministers Conditions of Approval.

Whitehaven Coal has established the control systems generally required for the stage of development i.e. rehabilitation 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 4360:2004 Risk management and HB 436:2004 Risk Management Guidelines Companion to AS/NZS 4360:2004 and as described in the Department of Planning & Environment publication "Independent Audit Guidelines" issued October 2015. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in *Table E1* below.

Table E.1 Summary of Audit Findings

Review	Non-compliances (NC)	Administrative non-compliance (ANC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	9	11	4	6
Implementation of Plans	1	5	-	-

An action table addressing all findings of the audit has been developed by Whitehaven Coal and will be issued separately to this report.

1. INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Sunnyside Coal Mine (SCM). The mine is located 15 km west of Gunnedah, New South Wales (NSW), on behalf of Whitehaven Coal Limited (herein referred to as 'WCL'). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE)¹ Ministers' Conditions of Approval (CoA) Project Approval number PA 06_0308 (Modification 3), which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 1 October 2016 through to 13 September 2019 (the date the site visit was completed as part of the audit). The audit must:

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

The Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report. It is noted that a request for extension was submitted by ERM to the DPIE, with the submission date being 2 November 2019.

1.1 Overview of Operations and 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. PA 06_0308 MOD 3 was approved on the 17 January 2019 and extends the expiry date of the consent to 5 November 2020.

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 wholly owned subsidiary of Whitehaven Coal Limited.

The current site Environmental Protection Licence (EPL) 12957, was granted on 19 September 2017.

During the audit period the mine has been in care and maintenance, which is understood to have commenced in 2012 and ceased in 2017. Mining operations recommenced approximately 4 September 2017, with initial drilling operations taking place. Following drilling activities, blasting restarted at the end of September 2017 with mining immediately following this. The first coal haulage since recommencement of operations occurred in February 2018. Coal transport is undertaken by a haulage contractor and is transported to Whitehaven Coal Handling and Preparation Plant at Gunnedah for processing.

Mining continued until August 2019, when all coal extraction activities ceased. Coal haulage of the run of the mine (ROM) coal is estimated to continue to mid-November 2019 at which time the ROM coal stockpiles should be depleted. At the time of the audit, the mine is now considered to be in the closure phase. Significant reinstatement, rehabilitation and revegetation works were observed to be occurring at the site at the time of the audit. SCM is currently tracking ahead of the planned rehabilitation targets set out in the approved Closure Mining Operations Plan (Closure MOP).

¹ Formerly the Department of Planning and Environment (DP&E).

1.1.1 Description of primary processes undertaken during the audit period

Since the recommencement of mining operations, activities on-site predominately include the following:

- Drilling;
- Blasting;
- Earthworks and associated haulage;
- Coal extraction;
- Coal stockpiling;
- Coal haulage;
- Rehabilitation including landform establishment, contouring, topsoiling and seeding;
- Water Management;
- Maintenance Facility; and
- Waste Management.

1.1.1.1 Maintenance Facility

Maintenance of plant and equipment occurs within the maintenance workshop which is utilised and managed by the SCM Maintenance staff. The workshop was observe to be on hardstand with housekeeping generally noted to be good. Adjacent to the workshop is a concrete washbay which is connected to an above ground oil water separator unit. Drainage lines from the refuelling bay sump is understood to be connected to the washbay. Sludge waste from the washbay is pumped into nearby empty IBC units (noted to be stored within the bunded area) for removal offsite. Diesel fuel was noted to be located near the maintenance workshop in an above ground self bunded 10,000L tank.

1.1.1.2 Waste Management

Wastes produced at the site include general waste, scrap metal, waste sludge and hydrocarbon impacted wastes, which are removed from site as required by licenced contractors on an as needs basis (typically monthly). Waste segregation was noted to be good during the audit.

Sewage is directed to an underground septic tank.

1.1.1.3 Rehabilitation

At the time of the audit, the mine was considered to be in the closure phase with operational activities focused on land reinstatement, reshaping, rehabilitation and revegetation activities. The site has reportedly completed 12 hectares of shaping and landform establishment in 2019, notably against a target of zero hectares, and therefore are ahead of the rehabilitation schedule outlined within the Closure MOP. During the site tour, auditors inspected tube stock along the south east corridor and along the north eastern boundary of the mine which was advised to have been planted over three planting events between April and July 2019. The Operations Manager emphasised that the mine was trying to learn from recent failed attempts of tube stock planting and applying different methodology which appeared to be showing signs of success. These methods included change in plant casings, watering regimes and methods. Transplanting efforts were also noted in newly reinstated land near the south eastern boundary of mature. Annual rehabilitation monitoring is undertaken as per the Closure MOP, with the 2019 monitoring to occur in spring 2019. Auditors observed a good commitment to rehabilitation at the mine.

1.1.1.4 Water Management

Water management at SCM is undertaken in accordance with the approved Water Management Plan. The site has a series of water dams divided into four classes – clean water, dirty water, contaminated water and pit water. Water that has come into contact with coal is classed as contaminated and directed to dirty water dams SB4, SB5 and SD4. Water from SD3 and SD4 are licenced to discharge if required. The Environment Officer reported that no offsite discharge events occurred during the audit period. Water collected within SB4 is utilised for water storage and tree watering. Potable water is trucked in on a weekly basis from Gunnedah town.

Site water management comprises with surface water monitoring as per the WMP. Groundwater monitoring is undertaken on a quarterly basis as per the WMP.

1.2 Audit Objectives

The primary objectives of the audit included:

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

1.3 Audit Scope

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

- the audit to be carried out in accordance with AS/NZS ISO 19011:2014: Guidelines for auditing management systems;
- review of compliance against the documentation identified in CoA (as it relates to the current activities at the Sunnyside Mine) which included;
 - document review of compliance against the CoA;
 - a site inspection to assess compliance against field based CoA;
 - review of supporting plans developed as part of the Consent Conditions and assessment of their adequacy towards effective environmental performance;
 - draft report with results of compliance assessment; issued for comment to Whitehaven Coal; and
 - a final report issued for submission to the DPIE.

The audit covers the period 1 October 2016 to 13 September 2019 and is limited to assessing the activities completed during the audit period.

1.4 Audit Criteria

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

- Conditions of Approval PA 06_0308 (Modification 3) including Statements of Commitments;
- Mining Leases 1624;
- EPL 12957;
- implementation of Management Plans:
 - Rehabilitation and Landscape Management Plan / Closure Mining Operations Plan (Sch3 C30);
 - Aboriginal Cultural Heritage Management Plan (Sch3 C33);
 - Energy Saving Action Plan (Sch3 C42);
 - Air Quality Management Plan (Sch3 C19A);
 - Environment Management Strategy (Sch5 C1);
 - Environmental Monitoring Program (Sch5 C2);
 - Noise Management Plan (Sch3 C9A);
 - Blast Management Plan (Sch3 C17B);
 - Site Water Management Plan (Sch3 C22); and
 - Waste Management Plan (Sch3 C43).
- monitoring results and trends;
- comparison of monitoring results against regulatory limits and CoA limits (where applicable);
- community complaints with review completed for any trends and identifying the source of an established trend; and
- regulatory actions including any letters, penalty notices and prosecutions.

1.5 Limitations of this report

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

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

- a) client/third party information which was not verified by ERM except to the extent required by the scope of services, and ERM do not accept responsibility for omissions or inaccuracies in the client/third party information; and
- b) information taken at or under the particular times and conditions specified, and ERM do not accept responsibility for any subsequent changes.

This report has been prepared solely for use by, and is confidential to, the client and ERM accepts no responsibility for its use by other persons. This report is subject to copyright protection and the copyright owner reserves its rights. This report does not constitute legal or financial advice.

2. AUDIT METHODOLOGY

2.1 Methodology and Process

The audit comprised a site inspection, interviews with key personnel and review of records and other related documentation during the dates 11 to 13 September 2019.

The audit process included the following primary components:

- development of a Terms of Reference developed which included:
 - audit scope and objectives;
 - date and location of audit;
 - members of audit team;
 - list of people to be audited; and
 - list of reference documents and audit criteria;
- a project inception meeting was held on 8 July 2019 to confirm details of the Terms of Reference, site inspection logistics and request for documentation required prior to the site inspection component of the audit;
- an opening meeting was held on 11 September 2019 at site to confirm the audit objectives and scope for the site inspection. Attendees included:
 - Nicole Whittaker (ERM Lead Auditor);
 - Andrew Raal (Environmental Officer);
 - Craig Sullivan (Operations Manager);
 - Daryl Robinson (Project Manager – Mine Rehabilitation); and
 - Lynden Cini (Group Superintendent – Environment).

2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning, Industry and Environment (DPIE) (including its various departments such as Compliance, Post approvals, Resources Regulator and Biodiversity and Conservation Division), CCC, New South Wales Environment Protection Authority (NSW EPA), as well as the Gunnedah Shire and Narrabri Councils. Emails were issued on 7 August 2019, with a follow up email submitted on 30 August 2019 to those that has not yet replied. A call was made to those that had not replied on 10 September 2019. Responses are outlined in *Table 2.1*.

Table 2.1 Agency and Stakeholder Consultation Summary

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Department of Planning, Industry and Environment (DPIE) – Compliance	Email on 7 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<p>DPIE suggested the following areas of interest:</p> <ul style="list-style-type: none"> ■ MLs ■ MOP compliance ■ Rehabilitation progress and monitoring ■ Rehabilitation success <p>Separately DPIE also suggested the following areas of interest:</p> <ul style="list-style-type: none"> ■ Blast Management Plan ■ Koala Management Plan ■ Rehabilitation and Landscape Management Plan 	<p>Mining Lease – compliance with the relevant mining lease (ML 1624) was undertaken as part of the audit. Findings associated with the ML conditions were identified and are captured in Table 3.4, with the complete audit assessment provided in Appendix A.</p> <p>MOP Compliance – findings associated with the approval and implementation of the MOP are provided in Table 3.4, with the complete assessment of the MOP outlined in the below conditions:</p> <ul style="list-style-type: none"> ■ CoA – Conditions 3.29, 3.30 (Table 3.4, 3.5 & Appendix A) ■ ML 1624 – Conditions 3a to e (Table 3.4 & Appendix A) <p>Rehabilitation progress and monitoring – refer to the below conditions:</p> <ul style="list-style-type: none"> ■ CoA – Conditions 3.29, 3.30 (Table 3.4, 3.5 & Appendix A) ■ ML 1624 – Condition 7 (Appendix A) <p>Rehabilitation success – refer to the below conditions:</p> <ul style="list-style-type: none"> ■ CoA – Conditions ■ ML 1624 – Condition 7 (Appendix A) <p>Blast Management Plan – refer to CoA Condition 3.17B (Table 3.4)</p> <p>Koala Management Plan – refer to CoA Condition 3.28 (Appendix A)</p> <p>Rehabilitation and Landscape Management Plan – refer to CoA Condition 3.30 (Table 3.4)</p>

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Department of Planning, Industry and Environment (DPIE) – Post approvals (Management Plans)	Email on 7 and 30 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Forwarded to DPIE – Compliance.	N/A
Department of Planning, Industry and Environment (DPIE) – Resource Regulator	Email on 7 and 30 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Response received. No further requirements.	N/A
Department of Planning, Industry and Environment (DPIE) – Biodiversity and Conservation Division	Email on 7 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Response received. No further requirements.	N/A
Natural Resource Access Regulator (Water)	Email on 7 and 30 August 2019 Call 10 September 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received.	N/A
New South Wales Environment Protection Authority (NSW EPA)	Email on 7 and 30 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Response received. No further requirements.	N/A
Narrabri Council	Email on 7 and 30 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received.	N/A

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Gunnedah Council	Email on 7 and 30 August 2019 Call 10 September 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Response received. No further requirements.	N/A
Community Consultation Committee (CCC)	Email on 7 August 2019	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	CCC suggested the following areas of interest: <ul style="list-style-type: none"> ■ Final rehabilitation and closure planning ■ Spontaneous combustion ■ Access road closure plan 	<p>Final rehabilitation and closure – refer to the below conditions:</p> <ul style="list-style-type: none"> ■ CoA – Conditions 3.29 to 3.31 (Table 3.4, 3.5 & Appendix A) <p>Spontaneous combustion – in SCM's closure planning spontaneous combustion is managed through the placement and capping required over the carbonaceous material, this is in accordance with commitments within the Closure MOP. Refer to ML 1624, Condition 3b (Table 3.4)</p> <p>Access road closure plan – at the time of the audit there were still ongoing commercial discussions relating to this location and if the realigned access road will remain or be removed. The scope of the audit does require ERM to audit this aspect in further detail.</p>

In each case, an email was sent to representatives of each agency requesting feedback on those issues considered most relevant by their Department at the time of the audit. The consultation outlining the terms of reference was provided prior to the site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit. The Departmental correspondence is provided in *Appendix B*.

Responses received required the audit to focus on compliance against CoA as well as biodiversity management, rehabilitation, management plans and environmental monitoring. These areas are captured in the audit findings.

2.3 Classification of Audit Findings

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

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit.
- **Not Verified (NV):** insufficient verifiable evidence to demonstrate that the intent and all elements of the audit criteria have been complied with within the scope of the audit.
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity.
- **Administrative Non-compliance (ANC):** technical conformance with audit requirements that would not impact on performance and is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval). Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).
- **Observation (O):** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.
- **Not Triggered (NT)** – A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made.
- **Note:** A statement or fact, where no assessment of compliance is required.

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

The overall level of risk was estimated by combining the likelihood of harm occurring with the estimated level of harm associated with each finding. Risk levels have been assigned as follows:

- **High:** Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence;
- **Medium:** Non-compliance with:
 - potential for serious environmental consequences, but is unlikely to occur; or
 - potential for moderate environmental consequences, but is likely to occur;
- **Low:** Non-compliance with:
 - potential for moderate environmental consequences, but is unlikely to occur; or
 - potential for low environmental consequences, but is likely to occur.

3. AUDIT FINDINGS

3.1 Previous audit follow up

The last audit was conducted by ERM for the period September 2012 to 23 March 2016. A summary of the 2016 audit findings and their status is summarised below in *Table 3.1 and Table 3.2*.

Table 3.1 Summary of 2016 Audit Findings

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status						
Minister's Conditions of Approval PA 06_0308											
3.10	<p>The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 5 at any residence on privately-owned land. Table 5: Airblast overpressure impact assessment criteria</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>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts in a 12 month period	120	0%	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion.</p> <p>Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. The blast event occurred in relation to works to manage an area of spontaneous combustion which required drill and blast to access suitable capping material. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview.</p> <p>The affected landowners were notified. No complaints were received from neighbouring landowners.</p>	NC	A Blast Management Plan will be prepared and implemented in accordance with Schedule 3 Condition 17B	Addressed and deemed Compliant during this audit, however a separate Non-compliance was identified in relation to the Blast Management Plan.
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance										
115	5% of the total number of blasts in a 12 month period										
120	0%										
3.20	During the project, the Proponent shall ensure there is a suitable continuously operating meteorological station on site that complies with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales (DECC, 2007), or its latest version.	<p>No meteorological station on site. Site relies on data from nearby WHC site.</p> <p>It is recommended that clarification is sought from the regulator with regard to the need for a meteorological station on site during the care and maintenance phase, or any future operational phase of the project.</p>	NC	WHC to seek DP&E agreement that current EPL 12957 weather monitoring location (Gunnedah BOM Station) satisfies this condition.	Addressed and deemed Compliant during this audit.						
3.23	<p>The Site Water Balance must:</p> <p>(a) include details of: sources and security of water supply; water use on site; water management on site; off-site water transfers; reporting procedures;</p> <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>	<p>(a) Water transfers are not addressed in the WMP. No water has been transferred from the site to the No. 5 underground workings during the audit period.</p> <p>(b) Section 2.4 of WMP</p> <p>Section 2.4.1 of WMP - Review prior to recommencement of mining.</p>	O	N/A	N/A						
3.26	<p>The Groundwater Monitoring Program must include:</p> <p>(a) further development of the regional and local groundwater model;</p> <p>(b) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality (including at any privately owned bores in the vicinity of the site);</p> <p>(c) groundwater impact assessment criteria;</p> <p>(d) a program to monitor the impact of the project on groundwater levels, yield and quality; and</p> <p>(e) procedures for reporting the results of this monitoring.</p>	<p>(a) Section 5.3 of WMP. A Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A) was commissioned to summarise previous 2008 groundwater assessments and review all data collected since 2008. The report concludes that data collected since 2008 supports predictions of limited change in groundwater levels and no impact to private bores.</p> <p>(b) Section 5.3 of WMP</p> <p>(c) Section 5.3 of the WMP – Groundwater Chemistry provides baseline groundwater data with values compared up ANZECC 2000</p>	ANC	Water Management Plan to be updated in accordance with Schedule 5 Condition 5.	Addressed and deemed Compliant during this audit.						

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		<p>default trigger values for upland rivers in one instance and 95% trigger values for toxicants in another. Section 5.5.2 of the WMP refers to assessment of data being provided in AEMR. The AEMR assesses groundwater data against criteria for stock watering. Impact assessment criteria are not clearly defined in the WMP.</p> <p>(d) Section 5.5 of the WMP</p> <p>(e) Section 5.5.2 of the WMP addresses reporting to CCC and AEMR.</p> <p>Clearly define groundwater impact assessment criteria and update WMP.</p>			
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>(d) Section 6.2 of WMP</p> <p>(e) Section 6.2 discussed exceedance of trigger values and responses, however trigger values are not clearly defined in the WMP.</p> <p>(f) Section 6.3 of WMP</p>	ANC	Water Management Plan to be updated in accordance with Schedule 5 Condition 5.	Not addressed and identified as Non-compliant during this audit.
3.28	<p>The Proponent shall implement the koala habitat management and enhancement actions described in the EA (shown conceptually in Figure 6 in Appendix 4) in consultation with the OEH and to the satisfaction of the Secretary</p> <p><i>Note: Conditions 29 – 31 must be read in conjunction with Section 17 of the Statement of Commitments.</i></p>	<p>Apparent typographical error in condition. Figure 5 in Koala Management Plan was treated as this figure. Site visit confirmed onsite actions are partially in compliance with figure.</p> <p>Evidence of satisfaction of the Secretary predates the scope of this audit.</p> <p>Modification EA (s4.5) (2015) states that a Koala Management Plan has been developed (consistent with this condition 28) and would continue to be implemented.</p> <p>Previous IEA identified damaged or missing sections of the southern koala fence. The fence was observed during the site visit to be in good condition.</p> <p>Koala habitat corridor enhancement planting was observed experiencing good tree growth of koala feed tree species listed in SEPP 44 White Box (<i>Eucalyptus albens</i>) and Bimble Box and the secondary feed tree species listed in the Western Slopes and Plains Koala Management Area Yellow Box (<i>E. melliodora</i>) Kurrajong (<i>Brachychiton populneus</i>). Connectivity is good where Coocooboonah Lane meets the western mine boundary koala corridor although an approximate 30m gap exists between the eastern corridor and the Coocooboonah Lane Koala habitat (note this is not able to be closed further due to neighbouring land owner). Connectivity</p>	NC	Undertake additional tree plantings to fill identified gaps in Koala corridor.	Addressed and deemed Compliant during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		between the southern end of the eastern boundary Koala corridor and the bushland to the south is absent and should be improved.			
3.37	Within 6 months of this approval the Proponent shall enter into an agreement with Council for the maintenance of the section of the Oxley Highway between Coocooboonah Lane and Blackjack Road.	The Road Maintenance Agreement was established outside of the required 6 month timeframe, however this is outside the current audit period.	O	N/A	N/A
3.40	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Secretary	The Auditor was informed that the Department has not been contacted to seek approval of for this condition. Although the site is non-operational and there have been no complaints regarding visual impact, this is considered and administrative non-compliance.	ANC	Seek DP&E satisfaction of condition.	Addressed and deemed Compliant during this audit, through the acceptance of the Closure MOP.
5.2	The Proponent shall prepare and implement an Environmental Monitoring Program for the project to the satisfaction of the Secretary. This program must be submitted to the Secretary within 6 months of this approval and consolidate the various monitoring requirements in schedule 3 of this approval into a single document.	The current version of the EMP, prepared 19 November 2013. EMP indicates the program has been approved by the Director General of the DP&I, however the most recent approval for the EMP is dated 10 October 2011. The program consolidates the monitoring commitments made in the various management plans / monitoring programs.	NC	Revised EMP to be submitted in accordance with Schedule 5 Condition 5.	Addressed and deemed Compliant during this audit.
5.5A	Within 3 months of the submission of an: (a) AEMR under condition 5 of schedule 5 above; (b) incident report under condition 4 of schedule 5 above; (c) audit under condition 6 below; or (d) any modification to the conditions of this approval, the proponent shall review, and if necessary revise, the strategies, plans and programmes required under this approval to the satisfaction of the Secretary. Where this review leads to revision of any plan then within four weeks of the review the revised document must be submitted to the Secretary and any other relevant agency for approval.	Whitehaven does not maintain a system for tracking updates to AEMR, IEAs or modifications to approvals and therefore has limited ability to track the need to update or revise documents. Develop document and record tracking system to track revisions and to ensure the condition is met.	ANC	Develop document and record tracking system.	Not addressed and identified as Administrative Non-Compliance during this audit.
Statement of Commitments					
7.5	Direct all water from wash-down areas and workshops, except some mobile equipment to oil / water separators and containment systems	One of the two on-site workshops (the contractor workshop) is not connected to the water collection and oil separation system. These workshops have not been in use during the audit period. Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.	O	Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.	Addressed and deemed Compliant during this audit.
7.7	Construct two turkey's nest dams for the storage of any surplus open cut pit inflows (rather than direct placement into underground workings).	Only one dam has been constructed to date. The auditor was advised that up until the time of moving to care and maintenance, and during this recent non-operational period there has not been a need for the second dam. This situation may	ANC	Review the need for a second dam for operational purposes and construct as may be required.	Identified as Observation Non-Compliance during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		<p>however change should the mine be brought back into operation, thus requiring dewatering of the mine void.</p> <p>Review the need for a second dam for operational purposes and construct as may be required.</p>			
9.3	Erect a Koala-proof fence around the active mine area.	<p>Koala proof fencing observed separating the mine pit and the woodland to the south. Fence of cyclone wire to 1.5m tall with metal sheeting on the outside top 40cm of the fence. Fence appeared in good condition.</p> <p>No fencing separates the koala habitat corridors which run along the western and eastern boundaries of the site from the mine pit.</p> <p>When active mining recommences a koala proof fence should separate active mine and koala habitats (including corridors for connectivity) to reflect requirements of the EA.</p>	O	When active mining recommences a review of the existing Koala proof fence to confirm alignment with requirements of the EA.	Addressed and deemed Compliant during this audit.
9.4	Restrict speeds of all vehicles on the Project	<p>Minesite in care and maintenance with very few vehicles. Operational vehicular traffic ceased prior to the scope of this audit. Although noted that the condition applies to the entire mine life.</p> <p>No evidence of speed restrictions in place, Whitehaven general site rules restrict speed to 60km/h.</p> <p>Opportunity to rectify in future with minimal impacts due to being in care and maintenance.</p>	O	Opportunity to rectify in future with minimal impacts due to being in care and maintenance.	Addressed and deemed Compliant during this audit.
9.11	Control noxious weeds at all times.	<p>Declared noxious weeds observed onsite included Prickly Pear (<i>Opuntia stricta</i> var. <i>stricta</i>) and Patterson's Curse (<i>Echium plantagineum</i>). It was noted that the only Prickly Pear observed onsite was two individuals in the south eastern corner of the site which were both senescent.</p> <p>Generally weed control is ad-hoc with no monitoring data collection providing triggers for management actions. Programs exist for weed monitoring and they are not being implemented.</p> <p>Weeds are controlled, as reported by the AEMR / AR, in a manner triggered by monthly inspections. Sampled monthly inspection forms that would have triggered reported weed treatment in August and October 2015 contain no weed management actions being required.</p> <p>Weed control is not being recorded to the level of detail described in the Rehabilitation and Landscape Management Plan.</p> <p>No evidence of weed monitoring activities being undertaken as listed in Rehabilitation and Landscape Management Plan. These include:</p>	NC	<p>Generally weed control is ad-hoc with no monitoring data collection providing triggers for management actions. Programs exist for weed monitoring and they are not being implemented.</p> <p>Weeds are controlled, as reported by the AEMR, in a manner triggered by monthly inspections. Sampled monthly inspection forms that would have triggered reported weed treatment in August and October 2015 contain no weed management actions being required.</p> <p>Weed control is not being recorded to the level of detail described in the Rehabilitation and Landscape Management Plan.</p> <p>No evidence of weed monitoring activities being undertaken as listed in Rehabilitation and Landscape Management Plan.</p> <p>These include:</p> <ul style="list-style-type: none"> ■ vegetation cover transects in rehabilitation areas; ■ weed control species and control actions by treatment personnel; and ■ bi-annual ML-wide weed surveys. 	Addressed and deemed Compliant during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		<ul style="list-style-type: none"> ■ vegetation cover transects in rehabilitation areas; ■ weed control species and control actions by treatment personnel; and ■ bi-annual ML-wide weed surveys. <p>Field observations identified an abundance of locally common weed species across the site. Two individuals of the noxious weed Prickly Pear were observed in the field in senescence.</p>		Field observations identified an abundance of locally common weed species across the site. Two individuals of the noxious weed Prickly Pear were observed in the field in senescence.	
9.12	Adopt a strategy to rehabilitate specific areas of the Project Site to native vegetation, create and / or improve habitat corridors on and adjacent to the Project Site, and protect areas of native vegetation from agricultural activities on NMPL land external to the Project Site.	<p>Rehabilitation and Landscape Management Plan (EcoLogical 2011) satisfies this requirement for a plan to be adopted. Table 5 identifies the rehabilitation actions as being to revegetate in accordance with the Koala Management Plan and contains the completion criteria for native woodland areas which is to achieve 18.8ha of koala habitat corridor.</p> <p>Koala Management Plan (KMA 2007) satisfies this requirement for a plan to be adopted</p> <p>MOP (Care and Maintenance) Plans 2 (2016) and 4 (final) demonstrate rehabilitation plans.</p> <p>Site visit identified MOP (Care and Maintenance) Plan 2 (2016) site conditions reflected the plan, with the exception of 2009-2010 woodland rehabilitation which has largely failed. Koala habitat corridors along the western and eastern boundaries are in place and exhibiting good tree growth. In general all native woodland rehabilitation and koala enhancement woodland has poor non-tree native species and very high weed species presence. Weed species in the non-tree layer should not impact the utility of the areas to the koala, however species composition is currently inconsistent with MOP (Care and Maintenance) rehabilitation objectives described in Table 6 (although acknowledged that these are final landuse goals and the mine is not yet at closure planning or relinquishment. It is noted now as these areas would require renewed rehabilitation effort to achieve the relinquishment condition.</p> <p>Habitat linkages observed along western and eastern minesite boundaries for Koala habitat enhancement experiencing good tree growth although linkage missing between eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.</p>	NC	<p>Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.</p> <p>Future work towards mine closure and relinquishment will require significant renewed rehabilitation efforts to improve the currently poor native non-tree species presence (e.g. ground and shrub layers).</p>	Addressed and deemed Compliant during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		<p>Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.</p> <p>Future work towards mine closure and relinquishment will require significant renewed rehabilitation efforts to improve the currently poor native non-tree species presence (e.g. ground and shrub layers).</p>			
9.13	Maintain, expand and / or create several koala habitat corridors to promote the linkage of remnant vegetation in the local area.	<p>Good tree growth observed along western and eastern minesite boundaries providing habitat linkages for koalas. However the linkage is missing between the eastern corridor and Coochooboonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.</p> <p>Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.</p>	NC	Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.	Addressed and deemed Compliant during this audit.
9.15	Carry out, where possible, tree removal, especially the mature trees in late spring and early autumn to avoid spring nesting birds and over-wintering bats.	<p>No clearing has occurred during the period covered by this audit scope.</p> <p>No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.</p>	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	Identified as Observation – Compliance during this audit.
9.16	Undertake inspections of mature trees for nesting birds and roosting bats prior to each clearing campaign where mature tree with hollows are to be removed.	<p>No clearing has occurred during the period covered by this audit scope.</p> <p>No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.</p>	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	Identified as Non-Compliance during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
9.17	Relocate any nesting and roosting hollows, as well as nests, used by listed threatened species to appropriate locations nearby.	No clearing has occurred during the period covered by this audit scope. No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	Identified as Non-Compliance during this audit.
9.18	Bury all stumps, branches and tree trunks from felled timber within the overburden emplacements.	No clearing has occurred during the period covered by this audit scope. No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	Identified as Observation Compliant during this audit.
9.19	Commence post-mining rehabilitation of the Box Cut area as soon as possible. Re- establish the connectivity of habitat corridor along Coccooboonah Lane. Commence post- mining establishment of the koala habitat corridors between Coccooboonah Lane and the remnant woodlands south of the Project Site as soon as practicable to re-establish and enhance the connectivity of local koala habitat corridors.	Good tree growth observed along western and eastern minesite boundaries providing habitat linkages for koalas. However the linkage is missing between the eastern corridor and Coccooboonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2. Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.	NC	Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.	Addressed and deemed Compliant during this audit.
9.20	Include a vertebrate pest control program as part of the mining operation and management plan.	Rehabilitation and Landscape Management Plan describes pest management in these sections: 6.7.2 describes feral species control measures as being baiting for the two identified declared pests (Wild Dog and Rabbit) and warren destruction for the rabbit. Note that the Feral Pig was not considered in the strategy as may not have been identified onsite prior. 7.7 describes feral pest completion criteria as being control undertaken in accordance with the LHPA officer. 8.4.2 describes recording requirements for feral pest control efforts including bait emplacement and take rates, and rabbit warren destruction activities. The latter should be followed by monitoring rabbit and warren activity.	NC	Activities described in the Rehabilitation and Landscape Management Plan were not undertaken in the 2013/2014 or 2014/2015 AEMR periods because of low feral species prevalence. Pig trapping is ongoing.	Addressed and deemed Compliant during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		<p>Selection of monthly inspection forms (June through to November 2015, February and July 2016) sighted and contains rudimentary section for feral species observations.</p> <p>AEMR 2013/2014 s3.18 states that due to the low frequency of feral animals that no targeted baiting programs are undertaken beyond monthly monitoring. The section reports that Feral Pig trapping has occurred since mid-2013 with nine pigs captured (although does state the fate of the animals).</p> <p>AEMR 2014/2015 s6.2.4 states that due to the low frequency of feral animals that no targeted management programs are undertaken beyond monthly monitoring.</p> <p>No evidence was provided to justify the alteration in vertebrate pest management as outlined in the Rehabilitation and Landscape Management Plan to the current practice.</p> <p>Site visit observed Feral Pigs on minesite and one trap which could be set for pigs.</p> <p>Activities described in the Rehabilitation and Landscape Management Plan were not undertaken in the 2013/2014 or 2014/2015 AEMR periods because of low feral species prevalence. Pig trapping is ongoing.</p>			
10.3	Direct all water from wash-down areas and workshops to oil/water separators and containment systems.	<p>The "igloo" contractor workshop washdown area does not report to the oil/water separators and containment systems. This workshop is not currently in use.</p> <p>Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.</p>	O	Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.	Addressed and deemed Compliant during this audit.
10.10A	Minimisation of erosion and sedimentation.	<p>The auditor observed on section of the overburden emplacement whereby rehabilitation was not fully established and some shallow gully erosion was occurring. Overall the remainder of the site was well established with stabilising vegetation.</p> <p>It is recommended that the area with gully erosion be rectified and stabilised to prevent further erosion.</p>	O	It is recommended that the area with gully erosion be rectified and stabilised to prevent further erosion.	Addressed and deemed Compliant during this audit.
11.1	Fence off all land which is not to be disturbed to encourage natural regeneration.	No fencing was observed separating the mine site operational areas from the regeneration areas (those relevant being the wildlife corridors along the eastern, northern and western boundaries of the site.	O	Identify areas suitable for fencing to encourage natural regeneration in those boundary corridors as stated.	Deemed to be Not Triggered , as this commitment was required "[a]t start of mining" and is therefore outside of the audit period.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
		Identify areas suitable for fencing to encourage natural regeneration in those boundary corridors as stated.			
11.29	Undertake an air quality monitoring program to demonstrate compliance with the nominated goals specified in the Environment Protection Licence. Deposited dust at selected residences and strategic locations surrounding the Project Site. Continuous wind speed and direction at the Project Site weather station. PM10 dust at a residence six day cycle.	The monitoring program in place reflects the intent of the condition, with the exception of the requirement to monitor wind speed and direction at the site. Whitehaven to seek confirmation that this condition can be satisfied with weather monitoring from the Gunnedah CHPP.	ANC	WHC to seek DP&E agreement that current EPL 12957 weather monitoring location (Gunnedah BOM Station) satisfies this condition.	Addressed and deemed Compliant during this audit.
11.34	Install and maintain an automatic weather station within the Project Site.	There is no functioning weather station on site. Whitehaven to seek confirmation that this condition can be satisfied with weather monitoring from the Gunnedah CHPP.	NC	WHC to seek DP&E agreement that current EPL 12957 weather monitoring location (Gunnedah BOM Station) satisfies this condition.	Addressed and deemed Compliant during this audit.
14.3	Strip further subsoil to bedrock and segregate each SMU	Soil segregation not observable in the field due to pasture vegetation growth on stockpiles. End of month survey plan from the period when site mining activities last occurred has topsoil areas labelled. No evidence of SMU segregation aside from topsoil emplacement.	NC	No evidence of SMU segregation aside from topsoil emplacement.	Addressed and deemed Compliant during this audit.
14.4	Place higher alkalinity soils over the surface of the overburden emplacement to provide neutralising capacity in the event pockets of acid forming rock are encountered	Higher alkalinity soils emplacement not observable. No evidence available to confirm if triggered. Anecdotal evidence that acid forming rock is known or that there is some capacity or ability to detect when this becomes a problem. Recommended that soil pH is recorded during soil management and emplacement.	O	Recommended that soil pH is recorded during soil management and emplacement.	Addressed and deemed Compliant during this audit.
14.5	Install erosion protection around stockpiles of this material with direct transfer from source to sink commenced as soon as practicable.	No transfer from source to sink observable. South eastern corner stockpile protected by contour bank and dense pasture and weedy vegetation growth. No observation of recent stockpile emplacement to inspect sediment fencing or drainage controls. If mining is recommenced in future, recommendation for sediment fencing around bare stockpiles.	O	If mining is recommenced in future, recommendation for sediment fencing around bare stockpiles.	Addressed and deemed Compliant during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
14.6	Topsoil stockpiles not exceed 2m in height and where practicable, be maintained as windrows in preference to larger structures	<p>Labelled topsoil stockpiles on the end of month survey plan from 2012 (last time soils were moved) show soil stockpiles at 4m or greater above surrounding ground level. Confirmed by field observation.</p> <p>Topsoil stockpiles exceed committed height.</p>	NC	Topsoil stockpiles exceed committed height.	Addressed and deemed Compliant during this audit.
14.8	Subsoil stockpiles to generally not exceed 3m in height and typically be placed in larger stockpiles than the topsoil	No subsoil stockpiles observable on the only available plan. Soil segregation in stockpiling unclear.	O	Soil stockpile segregation should be improved.	Addressed and deemed Compliant during this audit.
14.12	Monitor erosion from soil stockpiles or rehabilitated surfaces throughout the life of the Project with remedial works undertaken should erosion be observed.	<p>Selection of monthly inspection forms (June through to November 2015, February and July 2016) sighted and contains rudimentary section for erosion observations. Periodic noting of erosion presence however not accompanied by recommended actions, nor does it report on erosion control actions performance.</p> <p>AEMR 2013/2014 s5.2.10 reported minor erosion presence on the western area of soil cover on the overburden emplacement. The report stated control actions being seeding of a cover crop and installation of contour banks. Cover crop was observed during the site visit however no contour banks were observed.</p> <p>AEMR 2014/2015 made no mention of erosion or follow up of the above proposed actions beyond that erosion monitoring would be ongoing.</p> <p>Site visit identified areas of erosion rilling down slope observed in area of soil shaping and emplacement on western side of overburden emplacement.</p>	O	<p>Monitoring is occurring on a monthly basis (with some months in which no inspections apparent). Unidentifiable consequence of erosion risks identified (e.g. recommended control measures or later inspection of erosion control measures undertaken).</p> <p>AEMR 2013/2014 contains recommendations to control some erosion areas on the western side of the overburden emplacement however no follow up reporting is detailed in the AEMR 2014/2015.</p>	Addressed and deemed Compliant during this audit.
17.5	Rehabilitate out-of-pit emplacement with agricultural pasture species and incorporate random tree plantings	<p>Site visit observed out-of-pit emplacement rehabilitated with pasture species common to the pastures of the region (listed above). No random tree planting in pasture areas.</p> <p>Tree planting not random in 2010-2011 rehabilitation, rather species listed in rehabilitated areas above planted at regular spacing along cross-slope channels (approximately 5m apart) in regularly spaced parallel cross-slope rows (approximately 5m apart).</p> <p>General failure of 2009-2010 rehabilitation has resulted in a more random tree distribution but has created a sparse tree layer.</p> <p>Future tree planting should be done with a more random planting.</p>	NC	Future tree planting should be done with a more random planting.	Addressed and deemed Compliant during this audit.

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
EPL 12957					
L4.4	<p>To determine compliance:</p> <p>(a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or</p> <p>ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable</p> <p>iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.</p> <p>(b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.</p> <p>(c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) at the most affected point at a location where there is no dwelling at the location; or</p> <p>ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.</p>	<p>The Noise Monitoring Program stipulates these criteria however no noise monitoring was completed during the audit period. Although DP&I approved the cessation of quarterly noise monitoring while the site is in care and maintenance (16 January 2013) this agreement was not reflected in the EPL updated in July 2015. WHC submitted a licence variation application in February 2016 requesting removal of noise monitoring requirements. The variation was approved and EPL reissued 1 November 2016 however this is not updated on the WHC website.</p>	ANC	WHC to inform EPA of correspondence with DP&I.	Addressed and deemed Compliant during this audit.
L5.1	<p>The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded</p>	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion.</p> <p>Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. The blast event occurred in relation to works to manage an area of spontaneous combustion which required drill and blast to access suitable capping material. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview.</p> <p>The affected landowners were notified. No complaints were received from neighbouring landowners.</p>	NC	A Blast Management Plan will be prepared and implemented in accordance with Schedule 3 Condition 17B	Addressed and deemed Compliant during this audit, however a separate Non-compliance was identified in relation to the Blast Management Plan (refer to CoA 3.17B in <i>Table 3.5</i>).

Item No	Assessment Requirement	Comment	2016 Audit Classification	Response/Action	2019 Status
L5.2	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Refer L5.1	NC	A Blast Management Plan will be prepared and implemented in accordance with Schedule 3 Condition 17B	Addressed and deemed Compliant during this audit, however a separate Non-compliance was identified in relation to the Blast Management Plan (refer to CoA 3.17B in <i>Table 3.5</i>).
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	<p>One incident of environmental harm occurred during the audit period and this relates to the blast overpressure exceedance. Whitehaven emailed NSW EPA and DP&I on the day of the incident but no record of receipt or telephone communication was able to be provided.</p> <p>Ensure records of decision process for determination of environmental harm are kept when determining the requirement to notify. If notification is required maintain records of receipt or telephone communications are recorded and maintained in relation to incident notifications.</p>	ANC	Ensure decision making process, records of receipt or telephone communications are recorded and maintained in relation to incident notifications.	Addressed and deemed Compliant during this audit.
R4.4	<p>A noise compliance assessment report must be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:</p> <p>a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and</p> <p>b) an outline of any management actions taken within the monitoring period to address any exceedance of the limits detailed in the limit conditions of this licence.</p>	<p>A letter from DP&E, dated 16 January 2013 approves the cessation of quarterly noise monitoring while the site is in care and maintenance. As such a noise compliance assessment report has not been issued during the reporting period.</p> <p>Confirm with EPA that requirement for reporting noise monitoring is superseded to align with cessation of quarterly monitoring. WHC requested removal of condition in October 2016.</p>	NC	Confirm with EPA that requirement for reporting noise monitoring is superseded to align with cessation of quarterly monitoring.	Not triggered. No longer an EPL condition.
Mining Lease 1624					
15.b	<p>Blast Overpressure</p> <p>The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.</p>	Refer PA 06_0308 Schedule 3 Condition 10	NC	A Blast Management Plan will be prepared and implemented in accordance with Schedule 3 Condition 17B	Addressed and deemed Compliant during this audit, however a separate Non-compliance was identified in relation to the Blast Management Plan (refer to CoA 3.17B in <i>Table 3.5</i>).

Table 3.2 Summary of Plan Implementation Review Findings

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action	Status
<i>Energy Saving Action Plan</i>					
3.42	The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in accordance with the Guidelines for Energy Savings Action Plans (DEUS, 2005), or its latest version; (b) include consideration of energy use by mobile equipment; (c) be submitted to the Secretary for approval within 3 months of this approval; and (d) include a program to monitor the effectiveness of measures to reduce energy use on site.	Not compliant as not updated in accordance with Cond 5(5A)	NC	No action provided by WCL.	Addressed and deemed Compliant during this audit.
<i>Waste Management Plan</i>					
3.43	The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval prior to commencing of construction; (b) identify the various waste streams of the project; (c) describe what measures would be implemented to reuse, recycle, or minimise the waste generated by the project; (d) ensure irrigation of treated wastewater is undertaken in accordance with Environmental Guidelines: (e) Use of Effluent by Irrigation (DEC, 2004), or its latest version; and (f) include a program to monitor the effectiveness of these measures.	Not compliant as not updated in accordance with Cond 5(5A)	NC	No action provided by WCL.	Addressed and deemed Compliant during this audit.
<i>Additional Plans</i>					
18.17	Bushfire Management Plan.	The Bushfire Management Plan was developed in November 2009 and states it is to be revised at least every two years.	ANC	No action provided by WCL.	Addressed and deemed Compliant during this audit.

3.2 Complaints summary

Complaints registers for the auditing period were available online and/or for review. One complaint was received during the auditing period. This complaint related to “*metallic’ taste in a rain water tank*” of a nearby resident. This was investigated and determined to be unrelated to mining activities and was safe for human consumption.

It was also identified that while there were no complaints for 2019 as at the time of the audit, however the register demonstrating this was not published online (refer to CoA 5.10).

3.3 Incident Summary

A review of the incidents was undertaken through a review of the WHL incident management system, as well as the notified exceedances. Below outlines the incidents recorded during the audit period:

- Two blast fume incidents on 10 and 29 November 2017;
- Six blast exceedances on 11 April, 14 May 2019 and 7 June 2019;
- A minor oil spill on 08 June 2018; and
- Two noise exceedances on 21 June 2018 during the quarterly monitoring.

3.4 Environmental monitoring performance

3.4.1 Noise

Quarterly noise monitoring was undertaken in 2018 and 2019 by a third party contractor, SLR. Two exceedances were reported for the 21 June 2018, however these were reported to be associated with adverse weather and inversion conditions. Exceedances were reported to the DP&E (now DPIE), who issued a Warning Letter (dated 30 August 2018). The Department did not require any further action from SCM. It was noted that whilst works at SCM recommenced in September 2017. Noise monitoring for Q4 2017 was conducted by third party contractor, Global Acoustics Pty Ltd in November 2017. No non-compliances were raised.

Traffic noise monitoring is required to be undertaken to ensure that the traffic noise generated by the SCM haul trucks combined with the traffic noise generated by other mines does not exceed the level in Table 4 of CoA 3.6. Whilst the house on Torrens Road is owned by SCM, it was leased to a resident in February 2019, and therefore should warrant noise monitoring at this location to ensure reasonable and feasible measures are in place to minimise the impact of haulage trucks below the criteria (55 dB(A)) during day/ evening. However, monitoring was only completed in Q2, and not Q1 or Q3 results from 2019 (refer to CoA 3.6). No noise complaints were received by SCM during the audit period.

3.4.2 Air Quality

Daily site condition observations are undertaken as part of the site inspection checklist by mine operators. This was introduced to assist with managing and monitoring spontaneous combustion through the identification of ‘hot spots’. Daily inspection checklists are reviewed and signed off by a competent person (typically the Operations Manager or the SCM Open Cut Examiner).

Monthly dust deposition was conducted by ALS during the audit period, and PM₁₀ monitoring is conducted every 6 days. Five exceedances of PM₁₀ over the 24 hour period were noted during the audit period, two in 2018 and three in 2019. However, these were reported to be associated with regional and local weather events.

Auditors sighted the weather station onsite which provides the site’s meteorological data. Meteorological data from the onsite weather station was provided for the audit period.

3.4.3 *Blasting*

Blasting recommenced at the site on the 27 September 2017. Blast monitoring occurred during blast events and six recorded exceedance events were reported to the Department during the audit period. The six exceedances occurred on the 11 April 2018, 14 May 2018 and 7 June 2019. Exceedances were recorded at Plainview, Ferndale, and Illili properties.

DPIE issued a Warning Letter to the site for exceeding the 5% allowable exceedance threshold. This was due to five exceedances across 12 blast events for the year. Auditors sighted evidence of appropriate notification the Secretary and landholders (as required under CoA 4.2). No complaints were received from neighbouring landowners with regards to blasting.

3.4.4 *Water Management*

3.4.4.1 *Surface Water*

Surface water management comprising water storage dams, sediment basins and clean / dirty surface water drains appeared to be in place and established as per the Water Management Plan. Licenced surface water discharge points onsite included storage dams 4 (SD4). At the time of the site tour, SD4 contained water, however was considered to be less than half of the capacity of the dam. The Environment Officer advised that no discharge offsite had occurred during the audit period and recent water quality testing had been completed for SD4, which allowed the use water within SD4 to be utilised for tree watering.

No significant issues were observed or identified with regards to erosion or sediment run off during the site tour, and none were reported.

3.4.4.2 *Groundwater*

Groundwater monitoring locations are stipulated within Table 8 of the approved WMP (dated June 2018). 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 WMP does not stipulate a frequency to groundwater monitoring. Groundwater monitoring data provided showed that monitoring is typically completed once a quarter. The CoA requires the mine to have in place a groundwater contingency plan to mitigate the impacts of groundwater quality or quantity to privately owned land surrounding the site (CoA 3.27). Whilst the WMP includes a groundwater contingency plan, no defined or established trigger levels are stipulated within the WMP as required by the condition.

3.5 *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 and approval during the audit period as part of the recommencement of mining operations in 2017. Based on information provided, the Environment Officer last conducted a review of SCM Management Plans in May 2019, and did not identify any changes required to management plan. In general, Management Plans were considered to be appropriate for the site's operations at the time of the site visit. The findings of the Management Plan review are outlined in *Table 3.5* and *Appendix A*.

3.6 Environmental Protection Licence

The site operates under Environment Protection Licence (EPL) 12957 issued to Namoi Mining Pty Ltd. The site submitted Annual Returns to the EPA, as required for the audit period. The following non-compliances were noted:

2017:

- EPL M4.1 - The non-compliance was raised due to technical failures in receiving data from the weather station unit. However noted that technical issues did not have a material impact on the weather information available.

2018:

- EPL L4.1 - Exceedance of quarterly noise monitoring at Glendower and Illili properties on the 21 June 2018. This was reported to be a result of mine operational noises which were enhanced by weather conditions. A sound power testing was conducted, and reported that no issues or actions were required to be taken.
- EPL L5.1 – Exceedance of airblast overpressure on two separate occasions (11 April 2018 and 14 May 2018) above the limit of 115 dB at two and three monitoring locations, respectively. The Annual return stipulates that local residences were notified and review and re-engineering of blast designs were to occur
- EPL M2.2 – The non-compliance was raised as a deposited dust sample was destroyed for the month of November 2018 during laboratory assessment.

Findings identified against the site's EPL are outlined in *Table 3.4* and *Appendix A*.

3.7 Mining Leases

Sunnyside Coal Mine lies within the mining lease (MLs) 1624 issued to Namoi Mining Pty Ltd on 5 November 2008. Sunnyside Coal Mine is wholly owned and managed by Whitehaven Coal.

Two non-conformances and two administrative non-conformances were noted. The two non-compliances relate to the compliance exceedances with criteria stipulated within the Conditions of Approval relating to air quality and blast overpressure. The administrative non-compliance is related to submission of the MOP after an expiry date, so no further action is required. The Mining Lease conditions and the summary of audit findings are provided in *Table 3.4* and *Appendix A*.

3.8 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 A. Non-compliances and observations for each component are summarised in *Table 3.4* and *Table 3.5*.

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

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

Table 3.3 Summary of 2019 Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action						
Minister's Conditions of Approval PA 06_0308										
3.3	<p>The Proponent shall ensure that the noise generated during mining operations and other activities on the site does not exceed the level set out in Table 2:</p> <p><i>Table 2: Operational noise impact assessment criterion dB(A)</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Day/Evening LAeq(15 minute)</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">35</td> <td>Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </tbody> </table> <p><i>Refer to Appendix A for Notes related to this condition.</i></p>	Day/Evening LAeq(15 minute)	Land	35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")	<p>Noise exceedances were noted above 35 dBL during the audit period.</p> <p>On 21 June 2018, during the quarterly noise monitoring, two exceedances were recorded of day criteria, of 37 dBL (Glendower property) and 38 dBL (Illili property).</p> <p>The consultant undertaking the monitoring reported that the exceedances were likely due to adverse weather and inversion conditions and also noted that noise monitoring results returned to below the criteria during the same monitoring event. Therefore, no additional mitigation measure were proposed.</p> <p>The exceedances were reported to DP&E, who issued a Warning Letter dated 30 August 2018 for the exceedances. No further action was required by the Department.</p>	NC			
Day/Evening LAeq(15 minute)	Land									
35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")									
3.10	<p>The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 5 at any residence on privately-owned land.</p> <p><i>Table 5: Airblast overpressure impact assessment criteria</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Airblast overpressure level (dB(Lin Peak))</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">115</td> <td>5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td style="text-align: center;">120</td> <td>0%</td> </tr> </tbody> </table> <p><i>Refer to Appendix A for Notes related to this condition.</i></p>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts in a 12 month period	120	0%	<p>During the audit period there have been six recorded events where blast results have been above the blast criteria of 115 dB(Lin Peak).</p> <p>On 11 April 2018 two readings were recorded:</p> <ul style="list-style-type: none"> ■ 117.9 dB at Plainview; and ■ 115.9 dB at Ferndale. <p>On 14 May 2018, a further three events were recorded:</p> <ul style="list-style-type: none"> ■ 115.8 dB at Plainview; ■ 115.7 dB at Illili; and ■ 117.7 dB at Ferndale. <p>On the 7 June 2019, one blast exceedance was recorded:</p> <ul style="list-style-type: none"> ■ 116 dB at Plainview. <p>SCM issued an email to the DP&E to advise of exceedances in blast criteria at the mine for the months of April and May 2018.</p> <p>SCM received a warning letter from DP&E dated 10 July 2018 for exceeding the 5% allowable exceedance threshold, as there had been five exceedances across 12 blast events.</p> <p>SCM engaged blast consultants (Terrock) in September 2018 to investigate the airblast exceedances and provide additional mitigation measures to prevent future exceedance in blast criteria. The report concluded that airblast over pressure exceedances occurring in May and April 2019 may have been impacted by face direction, firing direction and powder factor, and should be considered when designing or implementing future blasts.</p> <p>The blast non-compliance in 2019 was lodged to the DP&E on 7 June 2019. No measures were taken given that the blast was the last one associated with mining activities. This blast was also outside the 5% allowable exceedance threshold, as there had been 12 blasts in the preceding 12 months.</p> <p>There have been no exceedances of the 120 dB(Lin Peak) blast criteria during the audit period.</p>	NC	No further action required as there is no further blasting proposed at SCM.
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance									
115	5% of the total number of blasts in a 12 month period									
120	0%									

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action																							
3.18	<p>The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 7, 8 and 9 at any residence on privately owned land.</p> <p><i>Table 7: Long term impact assessment criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Average period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>TSP Matter</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>PM₁₀</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 8: Short term impact assessment criterion for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Average period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>PM₁₀</td> <td>24hrs</td> <td>50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 9: Long term impact assessment criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Average period</th> <th>Max increase</th> <th>Max Total</th> </tr> </thead> <tbody> <tr> <td>Deposited Dust</td> <td>Annual</td> <td>2 g/m²/month</td> <td>4 g/m²/month</td> </tr> </tbody> </table> <p>Refer to Appendix A for Notes related to this condition.</p>	Pollutant	Average period	Criterion	TSP Matter	Annual	90 µg/m ³	PM ₁₀	Annual	30 µg/m ³	Pollutant	Average period	Criterion	PM ₁₀	24hrs	50 µg/m ³	Pollutant	Average period	Max increase	Max Total	Deposited Dust	Annual	2 g/m ² /month	4 g/m ² /month	<p>Compliance against criteria in Table 7, 8 and 9 during the audit period (up to 31/07/2019) was as follows:</p> <p>Table 7:</p> <p>TSP data is not measured directly but rather determined by multiplying PM10 concentration by 2 as per AQMP. Annual average for TSP for 2017, 2018 and 2019 was in compliance, therefore less than 60 µg/m³.</p> <p>Annual averages for PM10 were below 30µg for 2017, 2018 and 2019.</p> <p>Table 8:</p> <p>The following exceedances and associated explanations were noted in relation to the criteria stipulated for Table 8:</p> <p>2018:</p> <ul style="list-style-type: none"> 51.3 µg/m³ on 21/11/18 – due to NSW dust storm 57 µg/m³ on 27/12/18 - no explanation within the published deposited dust data. <p>The 2018 Annual Review stated that exceedances were caused by the ‘state wide dust storms that occurred in November and December 2018’.</p> <p>2019:</p> <ul style="list-style-type: none"> 160 µg/m³ on 13/02/19 – regional dust storms 64.5 µg/m³ on 19/02/19 – regional dust storms 69.1 µg/m³ on 9/03/19 – high winds and dust storms <p>Table 9:</p> <p>Dust deposition: 2016 DD was 0.6 g/m²/month and in 2017 - 3.1 g/m²/month.</p> <p>No exceedances of 4 g/m²/month annual average in 2017, 2018 and 2019 to date. No exceedances of 4 g/m²/month average in any year at any locations.</p>	Obs - C	Implement a process for ensuring that regional events are consistently recorded at the time of the event and are recorded against exceedances in all instances.
Pollutant	Average period	Criterion																									
TSP Matter	Annual	90 µg/m ³																									
PM ₁₀	Annual	30 µg/m ³																									
Pollutant	Average period	Criterion																									
PM ₁₀	24hrs	50 µg/m ³																									
Pollutant	Average period	Max increase	Max Total																								
Deposited Dust	Annual	2 g/m ² /month	4 g/m ² /month																								
4.2	<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>Letters to the affected landowners and notification to the Department of Planning in relation to exceedances of the operational noise assessment criteria were provided.</p> <p>Noise, air quality and blast exceedances were recorded during the audit period. As part of this condition, the site is required to notify the Secretary and affected landowners of exceedances and provide quarterly monitoring results to each party until results comply with Schedule 3. Evidence was provided to demonstrate SCM notified the Secretary and landowners regarding noise and blast exceedances. Air quality exceedances were reported to be independent of mine operations, namely dust storms, and therefore did not require notification to landowners or the Secretary.</p>	Obs - C	Where required, ensure records of written notification to impacted landholders are provision of exceeding monitoring results are maintained. For example, if notification is sent via post, ensure signed scanned copies of correspondence are maintained. Where email notification is provided, maintain copies of sent emails and/or confirmation of receipt. Monitoring results are to be provided to impacted landowners until results are compliant.																							
5.5A	<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, 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</p>	<p><i>Sunnyside Management Plan Review.xlsx</i> sets out when management plans have been reviewed and which 5.5A condition ((a) to (d)) has triggered the review. It is noted that submission of MOD 3 (granted in January 2019) would trigger a review of management plans to occur within three months of approval, therefore by April 2019. According to the <i>Sunnyside Management Plan Review.xlsx</i>, reviews were completed in May 2019.</p>	ANC	Ensure that a review of management plans is undertaken to ensure alignment with the latest MOD and that this review and future reviews consider the Rehabilitation and Landscape Management Plan.																							

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	review the revised document must be submitted to the Secretary and any other relevant agency for approval. <i>Refer to Appendix A for Notes related to this condition.</i>	It is also noted that the tracking spreadsheet does not currently track the review of the Rehabilitation and Landscape Management Plan (as required by condition 3.30).		
5.10	The Proponent shall: (a) make the following information publicly available on its website: <ul style="list-style-type: none"> ■ the EA; ■ all current statutory approvals for the project; ■ 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 (b) keep this information up to date, to the satisfaction of the Secretary.	Most information stipulated in Condition 5.10 is publically available via the Whitehaven Coal website. However, it was noted that blast monitoring results were not consistently published in monthly EPL monitoring results on the website as required. Examples include: <ul style="list-style-type: none"> ■ Air blast overpressure data was not provided for January 2018 or July 2019, despite blast activity occurring on the 5/1/2018 and 5/7/2019, respectively; ■ Air blast overpressure and ground peak particle velocity monitoring data for location 26 ('Ivanhoe') was not included for September 2017 to January 2018, March to July 2018. Furthermore, whilst no complaints were reported for the 2019 period, monthly complaint register had not been available on the WCL website.	ANC	Ensure monthly EPL monitoring data is included within the Published Monthly EPL monitoring data published on the website. Ensure complaints are updated on the website on a monthly basis. Where no complaints are received, upload a complaint register stipulating this.
Statement of Commitments				
5.3	Collect industrial waste regularly.	Industrial waste is collected on a monthly basis. The Environment Officer advised that as part of the weekly domestic waste collection, industrial waste volumes are noted to assist with scheduling of collection. Whilst the initial commitment was made by WCL to collect industrial waste fortnightly, auditors acknowledge SCM considered the volume of industrial waste generated onsite, which does not require fortnightly collection.	ANC	In the next modification of the CoA, request an update the SoC to remove timing requirement for removal of industrial waste.
5.4	Collect waste oils and grease and pump to bulk storage tanks.	Auditor were advised that waste oil and grease collection trays are utilised on a daily basis. During the site inspection, the auditors observed the storage of these trays to be stored under a covered hardstand. However, it was noted that the area was not bunded, nor sufficient for the number of container stored under the covered hardstand area.	Obs C	Consider relocating storage of daily waste oil collection containers to the bunded area next to the IBCs,
6.14	Submit Mining Operations Plan to the Department of Primary Industries.	Refer to ML3a	ANC	Repeat finding – refer to ML3a
7.6	Ensure all storage tanks are either self-bunded tanks or bunded with an impermeable surface and a capacity to contain a minimum 110% of the largest storage tank capacity	Storage tanks were noted to be self bunded and no visible evidence of impact was noted. Temporary waste oil drip trays were observed to be stored under cover, however was not bunded. It was noted that most drip trays were empty, however some contained liquid.	Obs C	Relocated storage of waste oil drip trays to bunded areas near storage of IBC units adjacent to the washbay.
7.7	Construct two turkey's nest dams for the storage of any surplus open cut pit inflows (rather than direct placement into underground workings).	No turkey's nest dams are onsite. However, the auditor observed dams in place that are understood to take pit water. No underground workings at the site. Auditors were advised by WCL that the dams was not required for operations conducted at SCM, as the water storage observed during the site visit was assessed to be sufficient for the operations conducted. Thus, the requirement for two turkey's nest dams was not met.	Obs NC	No actions required, as coal mining works have now been completed at the site.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
7.8	Preferentially use water in the two turkey's nest dams for on-site dust suppression (rather than placing water from these dams underground).	No turkey's nest dams are onsite. However, the auditor observed dams in place that are understood to take pit water. Void water and inflow water is utilised for dust suppression.	Obs C	No actions required, as coal mining works have now been completed at the site.
7.13	Develop contingency measures identified to address any impacts identified by monitoring.	WMP defines contingency measures however does not specify triggers to action the contingency measure. Refer to CoA 3.27	NC	Refer to CoA 3.27
8.21	Ensure all blasts are designed to comply with blast limits specified in the Environment Protection Licence.	The blast criteria outlined in Table 5 of CoA 3.10 was exceeded five times during the audit period.	NC	No further action required as there is no further blasting proposed at SCM.
9.15	Carry out, where possible, tree removal, especially the mature trees in late spring and early autumn to avoid spring nesting birds and over-wintering bats.	Auditors sighted an example of a permit to disturb associated with land clearing required for preparation of the final landform. The permit allowed for works to be conducted between 16 April and 15 June 2019. It was noted that a vegetation clearance permit was required, but not provide for review. The permit to disturb provided did not provide details on tree removal or control measures associated with management of fauna.	Obs - C	Where vegetation clearance is required under a permit to disturb, ensure records of vegetation clearance and associated control measures to manage fauna are
9.16	Undertake inspections of mature trees for nesting birds and roosting bats prior to each clearing campaign where mature tree with hollows are to be removed.	SCM provided a permit to disturb for review. This was associated with preparation of the final landform. Whilst the permit to disturb identified vegetation clearing activities, a vegetation clearance permit was not available for review. SCM was unable to provide evidence of inspections undertaken during vegetation removal or prior to clearing campaigns during the audit period.	NC	Where mature vegetation clearing activities are conducted, ensure records of vegetation clearance permits are maintained.
9.17	Relocate any nesting and roosting hollows, as well as nests, used by listed threatened species to appropriate locations nearby.	SCM undertook clearing activities associated with preparation of the final land form as part of the Closure MOP. Auditors sighted a permit to disturb which indicated that vegetation clearing was required, however no vegetation clearing permit was available for review. The disturbance permit did not specify how SCM would manage relocation of nesting and roosting hollows and nests, if any.	NC	Where vegetation disturbance is to occur, ensure associated permit, inspection and control measures are in place to manage the potential identification and relocation of nesting and roosting hollows, as well as nests.
9.18	Relocate any nesting and roosting hollows, as well as nests, used by listed threatened species to appropriate locations nearby.	Within rehabilitated areas no tree trunks, stumps or branches were observed. The Closure MOP does not outline the commitment to ensure the burying of trucks and stumps and does not currently outline how these are going to be dealt with during rehabilitation.	Obs C	Ensure that stumps, branches and tree trunks are managed in accordance with this commitment. When the MOP is next revised this commitment should be captured.
10.4	Ensure all storage tanks are either self-bunded tanks or bunded with an impermeable surface and have a capacity to contain a minimum 110% of the largest storage tank capacity.	Storage tanks were noted to be self bunded and no visible evidence of impact was noted. Temporary waste oil drip trays were observed to be stored under cover, however was not bunded. It was noted that most drip trays were empty, however some contained liquid.	Obs C	Refer to SoC 7.6
11.29	Undertake an air quality monitoring program to demonstrate compliance with the nominated goals specified in the Environment Protection Licence. <ul style="list-style-type: none"> ■ Deposited dust at selected residences and strategic locations surrounding the Project Site. ■ Continuous wind speed and direction at the Project Site weather station. ■ PM10 dust at a residence nearby six day cycle. Refer Section 4B.5.8.	Monitoring has been undertaken at all sites for the duration of the audit period. Deposited dust sample at location 6 (SD7) in November 2018 was destroyed in laboratory during analysis.	Obs NC	The Annual Return for 2018 stated that the SCM discussed the issue with the laboratory. No additional actions recommended.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
12.5	Conduct a Cultural Heritage Awareness Induction Course for staff, contractors and any heritage monitors working on the Project Site to help raise awareness and ameliorate any impact on heritage sites during site establishment and subsequent mining activities.	The Aboriginal Cultural Heritage Management Plan provides that cultural awareness is included in site specific induction. Visitor induction training provided for review, advises of four heritage locations within the lease area, and the nearest cultural heritage location, however does not provide further details around awareness to the level to satisfy this commitment. Specific Cultural Heritage Awareness training was reported to be provided by WCL. The Operations Manager had reported to complete the training but was not aware who is provided the training.	Obs NC	Ensure that training provided to all staff and contractors, is appropriately detailed that it supports the commitment to "help raise awareness and ameliorate any impact on heritage sites"
16.2	Provide a local induction kit to any new workers (from outside the district) including contact details for community groups and services throughout the region.	HR team provide verbal advice. No formal induction kit for new non-local employees. No new recruits for Sunnyside. WCL advised that no more full time workers will be employed at Sunnyside due to cessation of operations.	ANC	Develop formal induction kit for new non-local employees, where applicable.
18.17	Bushfire Management Plan.	Management plan in place. Review of the Sunnyside Management Plan Review document did not include review of the Bushfire Management Plan in May 2019.	Obs C	SCM should ensure all management plans are captured and reviewed during the annual review process.

Environmental Protection Licence 12957

P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point. Air <i>Refer to Appendix A for condition table.</i>	Monitoring has been undertaken at all sites for the duration of the audit period. Deposited dust sample at location 6 (SD7) in November 2018 was destroyed in laboratory during analysis.	ANC	No additional actions to be undertaken. Monitoring was undertaken as per the requirement, however one result was destroyed during laboratory analysis.						
L4.1	Noise generated at the premises must not exceed the noise limits in the table below. <table border="1" data-bbox="320 1262 744 1436"> <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	Day-LAeq (15 minute)	Evening-LAeq (15 minute)	All surrounding residences	35	35	Noise exceedances were noted above 35 dBL during the audit period. On 21 June 2018, during the quarterly noise monitoring, two exceedances were recorded of day criteria, of 37 dBL (Glendower property) and 38 dBL (Illili property). The consultant undertaking the monitoring reported that the exceedances were likely due to adverse weather and inversion conditions and also noted that noise monitoring results returned to below the criteria during the same monitoring event. Therefore, no additional mitigation measure were proposed. The exceedances were reported to DPE, who issued a Warning Letter dated 30 August 2018 for the exceedances. No further action was required by the Department.	NC	No additional actions required. Continue monitoring surrounding residences as required.
Locality and Location	Day-LAeq (15 minute)	Evening-LAeq (15 minute)								
All surrounding residences	35	35								
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	During the audit period there have been six recorded events where blast results have been above the blast criteria of 115 dB(Lin Peak). On 11 April 2018 two readings were recorded: <ul style="list-style-type: none"> ■ 117.9 dB at Plainview; and ■ 115.9 dB at Ferndale. On 14 May 2018, a further three events were recorded: <ul style="list-style-type: none"> ■ 115.8 dB at Plainview; ■ 115.7 dB at Illili; and 	NC	No additional action required as there is no further blasting proposed at SCM.						

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<ul style="list-style-type: none"> ■ 117.7 dB at Ferndale. <p>On the 7 June 2019, one blast exceedance was recorded:</p> <ul style="list-style-type: none"> ■ 116 dB at Plainview. <p>SCM issued an email to the DP&E to advise of exceedances in blast criteria at the mine for the months of April and May 2018. SCM received a warning letter from DP&E dated 10 July 2018 for exceeding the 5% allowable exceedance threshold, as there had been five exceedances across 12 blast events.</p> <p>SCM engaged blast consultants (Terrock) in September 2018 to investigate the airblast exceedances and provide additional mitigation measures to prevent future exceedance in blast criteria. The report noted concluded that airblast over pressure exceedances occurring in May and April 2019 may have been impacted by face direction, firing direction and powder factor, and should be considered when designing or implementing future blasts.</p> <p>The blast non-compliance in 2019 was lodged to the DP&E on 7 June 2019. No measures were taken given that the blast was the last one associated with mining activities. This blast was also outside the 5% allowable exceedance threshold, as there had been 12 blasts in the preceding 12 months.</p> <p>There have been no exceedances of the 120 dB(Lin Peak) blast criteria during the audit period.</p>		
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <ul style="list-style-type: none"> (a) the date(s) on which the sample was taken; (b) the time(s) at which the sample was collected; (c) the point at which the sample was taken; and (d) the name of the person who collected the sample. 	<p>ALS COC includes field data sheet which includes this information.</p> <p>SLR reports do not include the person name who is undertaking the sampling. WHL advised that this information is held by SLR, but not contained within the report. Whilst this is the case, the EPL imposes requirements on the mine operator, and therefore these details should be held by SCM.</p>	ANC	Ensure SLR and all contractors undertaking monitoring include all details required by this condition (i.e. name of sampler)
M5.2	<p>The record must include details of the following:</p> <ul style="list-style-type: none"> (a) the date and time of the complaint; (b) the method by which the complaint was made; (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; (d) the nature of the complaint; (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and (f) if no action was taken by the licensee, the reasons why no action was taken. 	<p>One complaint (29/01/2018) was recorded during the audit period. The published complaint register includes all requirements excluding the personal details. Personal details of the complainant were provided in a separate email from Environment Officer (dated 17 September 2019). SCM advised that details of complaints are maintained on WHC CMO Complaint system. From a review of the CMO system, it did not appear that the system is maintained or updated regularly, with the 2018 complain still identified as 'under investigation'. From discussion with the Environment Officer during the audit, the complaint had been closed and no outstanding action was required.</p>	ANC	Update and maintain the CMO system to ensure the status of complaints are kept current and relevant.
Mining Licence 1624				
3a	<p>Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.</p>	<p>The Auditors were advised that the site has received a penalty notice (NTCE0003223) from the Regulator for operating the mine without an approved MOP between the period of 19th and 22nd January 2019.</p> <p>The Operations Manager advised that whilst the operational period referred to in the Notice falls across three days, mine operations without an approved MOP constituted one operational day (as the mine does not operate on the weekends).</p>	ANC	No action required, the site is now operating under an approved MOP.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>The site presently has an approved MOP in place (approved 22 January 2019) providing approval for period up to 22 January 2026.</p> <p>The current MOP is referred to as the Closure Mining Operations Plan (Closure MOP) for works until 5 November 2025.</p>		
3b	<p>The MOP must:</p> <ul 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 of approval under: <ul style="list-style-type: none"> ■ the <i>Environmental Planning and Assessment Act 1979</i> ■ the <i>Protection of the Environment Operations Act 1997</i> ■ and any other approvals relevant to the development including the conditions of this lease; and vi) have regard to any relevant guidelines adopted by the Director-General. 	<p>The approved Closure MOP generally addresses the requirements of this condition.</p> <p>The Closure MOP Section 2.3.4 Overburden Emplacement and Supplementary Earthworks, identifies that 2m of inert material is required for carbonaceous material, whereas the remainder of the Closure MOP, in a number of sections, identifies the need for a minimum 5m of inert material above carbonaceous material. From site interviews it was established that the site is installing 5m of inert material.</p>	ANC	Ensure that when the MOP is next updated this inconsistency is removed.
15b	<p>Blast Overpressure</p> <p>The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.</p>	Refer to CoA Condition 3.10 for exceedances related to 115 dB.	NC	Refer to CoA Condition 3.10
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>	Refer to CoA Condition 3.18 for some air quality exceedances for PM ₁₀ .	NC	Refer to CoA Condition 3.18

Table 3.4 Summary of 2019 Audit Findings – Management Plans

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
Minister's Conditions of Approval PA 06_0308				
<i>Blast Management Plan</i>				
3.17B	<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>The BMP was approved by the DP&E (dated 24 October 2017) and submitted in May 2017 (prior to the recommencement of activities).</p> <p>Whilst it is noted from review of EPA correspondence for other management plans that the EPA does not provide comment on management plans to the site; no evidence was available to demonstrate that the site had submitted the BMP to the EPA for consultation as required by the CoA.</p>	ANC	SCM should ensure that management plans are provided to all relevant authorities for consultation and evidence of this is maintained by the site. It should be noted that blasting at SCM is now complete, as the site is now in closure.
<i>Air Quality Management Plan</i>				
3.19A	<p>The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Secretary. The plan must:</p> <p>(a) be prepared in consultation with the EPA and submitted to the Secretary for approval prior to recommencing any ROM coal mining operations on site;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this approval;</p> <p>(c) describe the air quality management system in detail; and</p> <p>(d) include an air quality monitoring programme that:</p> <p>a. uses air quality monitors to evaluate the performance of the project against the air quality criteria in this approval;</p> <p>b. adequately supports the air quality management system;</p> <p>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>The Air Quality Management Plan dated October 2017 was approved on 24/10/2017 by the DP&E and was submitted in May 2017 (prior to the recommencement of activities).</p> <p>The conditions are satisfied through the Air Quality Management Plan, as the Management Plan has included the following:</p> <ul style="list-style-type: none"> ■ measures to be implemented to ensure compliance with Tables 7, 8 and 9 of the CoA; ■ an air quality management system and programme; ■ reports on compliance against the air quality operating conditions; and ■ defines that is an air quality incident and includes protocol to notify relevant parties of any potential non-compliance. <p>Whilst it is noted from review of EPA correspondence for other management plans that the EPA does not provide comment on management plans to the site; no evidence was available to demonstrate that the site had submitted the BMP to the EPA for consultation as required by the CoA.</p>	ANC	SCM should ensure that management plans are provided to relevant authorities for consultation and evidence of this is maintained by the site.
<i>Water Management Plan</i>				
3.22	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be submitted to the Secretary for approval prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coocoboona Lane) in consultation with the EPA and DPI Water by suitably qualified expert/s whose appointment/s have been approved by the Secretary and include a:</p> <p>(a) Site Water Balance;</p> <p>(b) Erosion and Sediment Control Plan;</p> <p>(c) Surface Water Monitoring Plan;</p> <p>(d) Groundwater Monitoring Program; and</p>	<p>The Water Management Plan was approved by the DP&E on 31/01/2019 and includes sections relating to:</p> <ul style="list-style-type: none"> ■ Site Water Balance; ■ Erosion and Sediment Control Plan; ■ Surface Water Monitoring Plan; ■ Groundwater Monitoring Plan; and ■ Groundwater Contingency Plan. <p>According to the approval of the WMP by the DP&E, the site is required to review the WMP 3 months after receiving approval of the WMP. Whilst the 'Sunnyside Management Plan Review.xlsx' document showed review of the water management plan was conducted in May 2019 as part of the annual review, this</p>	ANC	Ensure that a review of the WMP, as per the requirements of the Department, is undertaken.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	(e) Groundwater Contingency Plan; and	falls outside of the 3 month period post approval; and therefore is an administrative non-compliance.		
3.27	<p>The Groundwater Contingency Plan must:</p> <ul style="list-style-type: none"> (a) provide measures to mitigate any impacts of the mine on the quality or quantity of groundwater supplies available on privately-owned land; (b) establish trigger levels, benchmarks and contingency criteria; and (c) provide for negotiated agreements with affected landowners, including compensation where mining impacts result in increased extraction costs for landowners. 	<p>A groundwater contingency plan is captured within the WMP, 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>	NC	<p>Review and update the WMP to establish groundwater trigger levels, benchmarks and contingency criteria are established. This should include groundwater quality triggers, sources of groundwater data and criteria which would require additional groundwater monitoring events to test whether the contingency plan should be enacted. It should be noted that coal mining at SCM is now complete and therefore interaction with the groundwater due to this activity has now ceased.</p>
<i>Rehabilitation and Landscape Management Plan</i>				
3.30	<p>The Proponent shall prepare and implement a detailed Rehabilitation and Landscape Management Plan for the site to the satisfaction of the Secretary and the Resources Regulator. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with OEHL, DPI Water and Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; and (b) be submitted to the Secretary and the Resources Regulator for approval by 1 March 2009; (c) include: <ul style="list-style-type: none"> ■ the rehabilitation objectives for the site; ■ a description of how the rehabilitation of the site would be integrated with the landscape of the surrounding area; ■ detailed performance and completion criteria for the rehabilitation of the site; ■ a detailed description of the measures that would be implemented to achieve the performance and completion criteria for each site, including the procedures to be implemented for: <ul style="list-style-type: none"> ○ managing impacts to water quality and flows; ○ protection and enhancement of koala habitat; ○ progressively rehabilitating the areas disturbed by mining operations; ○ restoration of agricultural land suitability; ○ revegetating the site; ○ protecting and/or enhancing areas in the vicinity of the disturbance area; ○ conserving and re-using any topsoil; ○ controlling weeds and feral pests; ○ controlling access; and ○ bushfire management. ■ a program to monitor the performance of the rehabilitation against the stated objectives, performance and completion criteria; ■ a description of the potential risks to successful rehabilitation, and a description of the contingency measures that would be implemented to minimise these risks; and ■ details of who is responsible for monitoring, reviewing and implementing the plan. 	<p>As per the Mining Operations Plan, the DP&E agreed to consolidate the Rehabilitation and Landscape Management Plan into the 2017 MOP and the Closure MOP has been prepared in consideration of the requirements listed in Condition 3.30.</p> <p>Correspondence between SCM and DP&E was provided which indicated consultation was undertaken with the OEHL, DPI Water and Councils (assumed to be both Narrabri and Gunnedah Shire Councils), when the MOP was submitted to DP&E on the 22 September 2017. However, the Auditors were not provided evidence of this consultation being undertaken.</p>	ANC	<p>SCM should ensure that management plans are provided to relevant authorities for consultation and evidence of this is maintained by the site.</p>

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
<i>Aboriginal Cultural Heritage Management Plan</i>				
3.33	<p>The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be submitted to the Secretary prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coochooboonah Lane); (b) be prepared in consultation with the OEH 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. 	<p>Consultation with the OEH and local Aboriginal community is required prior to approval of the ACHMP. Auditors have not sighted documentation to confirm that such consultation occurred prior to approval in 2017.</p>	ANC	<p>SCM should ensure that management plans are provided to relevant authorities for consultation and evidence of this is maintained by the site.</p>

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

Table 4.1 Summary of Audit Findings

Review	Non-compliances (NC)	Administrative non-compliance (ANC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	9	11	4	6
Implementation of Plans	1	5	-	-

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

**APPENDIX A CONDITIONS OF APPROVAL, ENVIRONMENTAL
PROTECTION LICENCE AND MINING LEASE COMPLIANCE
TABLES**

Table A.1 Compliance with Ministers Conditions of Approval DA 06_0308 (Modification 3 issued January 2019)

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
2.1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.	This audit	Review of management plans, implementation of plans and site inspection to confirm – refer tables of this audit.	Note	
Terms of Approval					
2.2	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. Notes: ■ The general layout of the project is shown in Figure 1 of Appendix 2; and ■ The Statement of Commitments is reproduced in Appendix 3.	This audit	Refer to Table A2 of this Audit	Note	
2.3	If there is any inconsistency between the above documents, the latter document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Note	Noted	Note	
2.4	The Proponent shall comply with any reasonable and feasible requirements of the Secretary arising from the Department's assessment of: (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.	Note	Noted	Note	
Limits On Approval					
2.5	Mining operations may take place on the site until 5 November 2020. 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.	Interview with Environment Officer SUN-MOP, November 2018	Noted According to the site's MOP, mining operations (i.e. rehabilitation and minor earthworks) will continue through to November 2025. Whilst this is beyond the current audit period, an extension to the CoA may be required under this condition.	Note	
COAL EXTRACTION					
2.6	The Proponent shall not extract more than 1 million tonnes of ROM coal a year from the site.	SUN-Annual Review 2017 SUN-Annual Review 2018 Interview with Environment Officer	The Annual Reviews indicated ROM volumes of: 2017 – 0 tonnes 2018 – 515,702 tonnes 2019 – 92,945 tonnes	C	
2.7	The Proponent shall use the coal transport route shown in Figure 2 of Appendix 2 to transport all coal from the site to the Whitehaven Siding CHPP.	Site observations	Transport trucks were noted to utilise the designated coal transport route during the site tour.	C	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

Hours of Operation					
2.8	Construction activities may take place only between 7 am to 6 pm each Monday to Friday and 7 am to 4 pm on Saturdays, and not on Public Holidays.	Interview with Environment Officer	The auditor was informed that no construction activities have occurred during the audit period.	NT	
2.9	Mining operations may take place only between 7 am to 10 pm each Monday to Friday and 7 am to 6 pm on Saturdays, and not on Public Holidays.	SUN-Annual Review 2017 SUN-Annual Review 2018 Interview with Operations Manager and Site Maintenance Supervisor	As per the SUN-Annual Review 2018, mining operations were conducted as per Condition 2.9. The Operations Manager and Site Maintenance Office advised that standard operating hours at the site is from 7am to 5:30pm Monday to Thursday; and 7am to 3pm Friday. No operations occur during the weekend or Public Holidays.	C	
2.10	Transport of coal may take place only between 7 am to 6 pm Monday to Friday (or between 7 am to 8 pm during Eastern Summer Time) and between 7 am to 4 pm on Saturdays, and not on Public Holidays <i>Note: See condition 39 of Schedule 3.</i>	Interview with Operations Manager and Site Maintenance Supervisor	The Operations Manager and Site Maintenance Office advised that the site's subcontractors, Qube (who undertake haulage and crushing of coal), do not operate outside of the WCL operating hours, and typically conduct activities between 7am -5pm Monday to Thursday; and 7am to 2:30pm on a Friday. No operations occur during the weekend or Public Holidays.	C	
Management Plans/Monitoring Programs					
2.11	With the approval of the Secretary, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	Correspondence from DP&E Management plans for Sunnyside Mine (06_0308), dated 24 October 2017	Review of management plans/ programs are assessed as described within this report. The following management plans were approved by the Department of Planning and Environment (DP&E): <ul style="list-style-type: none"> ■ Noise management plan (NMP); ■ Blast management plan (BMP); ■ Air quality management plan (AQMP); ■ Water management plan (WMP) (incorporating the Site Water Balance, erosion and sediment control plan, surface water monitoring program, groundwater monitoring program and groundwater contingency plan); ■ Koala management plan (KMP); ■ Aboriginal cultural heritage management plan (ACHMP); ■ Energy saving action plan (ESAP); ■ Waste management plan (WMP); ■ Environmental management strategy (EMS); and ■ Environmental monitoring program (EMP). 	C	
Structural Adequacy					
2.12	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. <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. 	Interview with Environment Officer and Operations Manager	Auditors were advised that no alterations or new buildings and structures were developed during the audit period.	NT	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

Demolition					
2.13	The Proponent shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Interview with Environment Officer and Operations Manager	Auditors were advised that a historic farm windmill was removed during the audit period by a third party contractor. Removal of the windmill is not anticipated to be subject to AS 2601-2001. Therefore no demolition works were undertaken during the audit period.	NT	
Operation Of Plant And Equipment					
2.14	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Interview with Environment Officer and Operations Manager EMECO Week 38 Maintenance Plan, (16 September – 22 September) QUBE fortnightly maintenance forecast, 2 September 2019	Heavy vehicles and equipment is maintained by the onsite maintenance staff. This is completed on a planned scheduled maintenance programme to which the Auditors were advised is typically based on 250hr operational hours. Qube heavy vehicles and equipment was reported to be undertaken by Qube on a routine basis. This work is conducted by Qube both on and offsite. The auditors reviewed the 'QUBE fortnightly maintenance forecast' as of 2 September 2019 and 'EMECO Week 38 maintenance plan (16 September – 22 September)' which confirmed regular maintenance of plant and equipment is undertaken.	C	
Community Enhancement Funds					
2.15	By 31 November 2008, and on each anniversary of that date until and including 2012, the Proponent shall provide development contributions of \$100,000 per annum to the Gunnedah Shire Council for expenditure by the Council on community enhancement projects.		Requirement falls outside the audit period.	NT	

SCHEDULE 3 – ENVIRONMENTAL PERFORMANCE CONDITIONS

ACQUISITION OF AFFECTED PROPERTIES

Acquisition Upon Request

3.1	Upon receiving a written request for acquisition from the owner of "Lilydale", the Proponent shall acquire the land in accordance with the procedures in conditions 8-10 of schedule 4.		According to the previous IEA, the Lilydale property was acquired by the site in 2008.	NT	
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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

3.2	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 Environment Officer and Operations Manager	The Environment Officer advised that no construction activities have occurred at the site during the audit period.	NT					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day/Evening LAeq(15 minute)</th> <th style="width: 85%;">Land</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">40</td> <td>Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </tbody> </table>						Day/Evening LAeq(15 minute)	Land	40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")
Day/Evening LAeq(15 minute)	Land								
40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								

Operational Noise Impact Assessment Criteria

3.3	<p>The Proponent shall ensure that the noise generated during mining operations and other activities on the site does not exceed the level set out in Table 2:</p> <p><i>Table 2: Operational noise impact assessment criterion dB(A)</i></p> <table border="1" data-bbox="284 338 1202 485"> <thead> <tr> <th>Day/Evening LAeq(15 minute)</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>35</td> <td>Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> ■ To determine compliance with the LAeq(15 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 3oC/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 LAeq(15 minute)	Land	35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")	<p>SUN- Annual Review 2017 SUN-Annual Review 2018</p> <p>EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly</p> <p>Warning Letter from DP&E, dated 30 August 2018</p>	<p>Noise exceedances were noted above 35 dBL during the audit period.</p> <p>On 21 June 2018, during the quarterly noise monitoring, two exceedances were recorded of day criteria, of 37 dBL (Glendower property) and 38 dBL (Illili property).</p> <p>The consultant undertaking the monitoring reported that the exceedances were likely due to adverse weather and inversion conditions and also noted that noise monitoring results returned to below the criteria during the same monitoring event. Therefore, no additional mitigation measure were proposed.</p> <p>The exceedances were reported to DP&E, who issued a Warning Letter dated 30 August 2018 for the exceedances. No further action was required by the Department.</p>	<p>NC</p>	
Day/Evening LAeq(15 minute)	Land								
35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								
3.4	<p>If the noise generated by the project exceeds the level in Table 3, the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 8-10 of schedule 4.</p> <p><i>Table 3: Land acquisition criterion dB(A)</i></p> <table border="1" data-bbox="284 1157 1202 1304"> <thead> <tr> <th>Day/Evening LAeq(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> <p>Note: Noise generated by the project is to be measured in accordance with the notes presented below Table 1.</p>	Day/Evening LAeq(15 minute)	Land	40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")	<p>Interview with Environment Officer</p>	<p>Land acquisition criteria was not exceeded during the audit period. Further, the Environment Officer advised that no written requests were received with regard to noise complaints to trigger this requirement.</p>	<p>NT</p>	
Day/Evening LAeq(15 minute)	Land								
40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								

Additional Operational Noise Mitigation Measures

3.5	<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) LAeq(15 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>	<p>Interview with Environment Officer</p>	<p>Auditors were advised that no written requests were received with regard to noise complaints to trigger this requirement.</p>	<p>NT</p>	
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Traffic Noise Impact Assessment Criteria									
3.6	<p>The Proponent shall implement all reasonable and feasible measures to ensure that the traffic noise generated by the project combined with the traffic noise generated by other mines does not exceed the level in Table 4:</p> <p><i>Table 4: Traffic noise criterion dB(A)</i></p> <table border="1"> <thead> <tr> <th>Day/Evening LAeq(15 minute)</th> <th>Road</th> </tr> </thead> <tbody> <tr> <td>55</td> <td>Any residence adjacent to Torrens Road</td> </tr> </tbody> </table> <p><i>Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the EPA's NSW Road Noise Policy.</i></p>	Day/Evening LAeq(15 minute)	Road	55	Any residence adjacent to Torrens Road	Interview with Environment Officer Noise Monitoring Report, SLR, June 2019	<p>Auditors were advised by the Environment Officer that only one residential property remains on Torrens Road which was purchased by WCL in July 2009. At the time of the audit, the land was leased to Gunnedah High School (lease term 1/10/2017 through to 30/09/2022). Use of the land was reported to be for educational purposes and not residential.</p> <p>According to the Community Relations Officer the house associated with the property has been leased for the period 01/02/2019 to 31/01/2020 to a teacher at the Gunnedah High School. The Environment Officer advised that no noise complaints had been received from the property.</p> <p>SCM advised that annual noise monitoring is conducted at the property to test compliance. SLR completed monitoring in June 2019 and based on the report, traffic noise was within the limits of this condition.</p>	C	
Day/Evening LAeq(15 minute)	Road								
55	Any residence adjacent to Torrens Road								
Additional Traffic Noise Mitigation Measures									
3.7	<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, 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>		No exceedance of Table 4.	NT					
Continuous Improvement									
3.8	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible best practice noise mitigation measures; (b) investigate ways to reduce the noise generated by the project, including off-site road noise; and (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR, <p>to the satisfaction of the Secretary</p>	<p>SUN-Noise Management Plan –dated June 2018</p> <p>SUN-Annual Review 2018</p>	<p>The current Noise Management Plan was revised June 2018.</p> <p>No proposed improvements were reported in the 2017 and 2018 AEMR.</p> <p>Two non-compliances occurred in June 2018, however were reported to be a result of weather inversion conditions within the AEMR. The Environment Officer advised that sound power testing was undertaken in September 2018 to investigate potential noise mitigation measures as a result of the exceedances. Refer to CoA 3.9 below.</p>	C					
Operating Conditions									
3.9	<p>The Proponent shall undertake the following to the satisfaction of the Secretary:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible measures to minimise the operational and road noise generated by the development; 	<p>SUN-Annual Review 2017</p> <p>SUN-Annual Review 2018</p>	Noise monitoring is conducted quarterly to ensure that all exceedances are captured and further sound	C					

TABLE A1 – CONDITIONS OF APPROVAL

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(Modification 3 issued January 2019)

	<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>SUN-Noise Management Plan dated June 2018</p> <p>EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly 2018 Quarterly Noise Monitoring Data 2019 Quarterly Noise Monitoring Data</p> <p>SLR Sound Power Level Survey-2018, 9 October 2018</p>	<p>attenuation improvements may be implemented if necessary.</p> <p>As per the Noise Management Plan, predictive meteorological forecasting allows for planning to adapt operations as required.</p> <p>SCM have also implanted a number of further control measures should noise levels exceed the CoA. These include:</p> <ul style="list-style-type: none"> ■ additional testing to confirm the elevated noise is systemic in nature; ■ changes to operational procedure or equipment type; and ■ the installation of sound attenuation measures to plant and equipment, where necessary. <p>The Environment Officer advised that, as a result of the two noise exceedances in July 2018, SLR were commissioned to conduct a Sound Power Level Survey, to determine the sound power level of fixed and mobile plant and equipment in use at the SCM to capture the typical 'maximum operating noise performance' for equipment utilised onsite against in service sound power level.</p> <p>The Environment Officer advised that the results of the survey did not result in the requirement to undertake additional actions at the Site.</p>		
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Noise Management Plan

3.9A	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. The plan must</p> <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>SUN-Noise Management Plan – dated June 2018</p> <p>Email correspondence from DP&E to the Environment Officer confirming approval letter for the Noise Management Plan to be prepared and provided (dated 23 July 2018)DP&E Approval letter for NMP, dated 6 September 2019</p>	<p>The current Noise Management Plan (NMP) was revised in June 2018 and has been developed to meet the intent of the condition. A previous version of the NMP was submitted in May 2017 (prior to the commencement of activities).</p> <p>Auditors sighted an email sent to the EPA requesting consultation on the NMP (14 June 2018). It was noted that the EPA's response to WCL was that the EPA does not provide comment on management plans. The NMP was approved by the DP&E on the 6 September 2018</p>	C	
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BLASTING AND VIBRATION

Note: These conditions should be read in conjunction with section 8 of the Statement of Commitments.

Airblast Overpressure Limits

3.10	<p>The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 5 at any residence on privately-owned land.</p> <p><i>Table 5: Airblast overpressure impact assessment criteria</i></p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: center;">Airblast overpressure level (dB(Lin Peak))</th> <th style="text-align: center;">Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">115</td> <td style="text-align: center;">5% of the total number of blasts in a 12 month period</td> </tr> </tbody> </table>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts in a 12 month period	<p>SUN-Annual Review 2017 SUN-Annual Review 2018</p> <p>EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019</p>	<p>During the audit period there have been six recorded events where blast results have been above the blast criteria of 115 dB(Lin Peak).</p> <p>On 11 April 2018 two readings were recorded:</p> <ul style="list-style-type: none"> ■ 117.9 dB at Plainview; and ■ 115.9 dB at Ferndale. <p>On 14 May 2018, a further three events were recorded:</p> <ul style="list-style-type: none"> ■ 115.8 dB at Plainview; ■ 115.7 dB at Illili; and 	NC	No further action required as there is no further blasting proposed at SCM.
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance								
115	5% of the total number of blasts in a 12 month period								

TABLE A1 – CONDITIONS OF APPROVAL

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120	0%	<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>	Warning Letter from DP&E, dated 10 July 2018.	<p>■ 117.7 dB at Ferndale. On the 7 June 2019, one blast exceedance was recorded:</p> <p>■ 116 dB at Plainview. SCM issued an email to the DP&E to advise of exceedances in blast criteria at the mine for the months of April and May 2018. SCM received a warning letter from DP&E dated 10 July 2018 for exceeding the 5% allowable exceedance threshold, as there had been five exceedances across 12 blast events.</p> <p>SCM engaged blast consultants (Terrock) in September 2018 to investigate the airblast exceedances and provide additional mitigation measures to prevent future exceedance in blast criteria. The report concluded that airblast over pressure exceedances occurring in May and April 2019 may have been impacted by face direction, firing direction and powder factor, and should be considered when designing or implementing future blasts.</p> <p>The blast non-compliance in 2019 was lodged to the DP&E on 7 June 2019. No measures were taken given that the blast was the last one associated with mining activities. This blast was also outside the 5% allowable exceedance threshold, as there had been 12 blasts in the preceding 12 months.</p> <p>There have been no exceedances of the 120 dB(Lin Peak) blast criteria during the audit period.</p>	
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Ground Vibration Impact Assessment Criteria

3.11	<p>The Proponent shall ensure that the ground vibration level from blasting, or any other activity at the project does not exceed the levels in Table 6 at any residence on privately-owned land.</p>	<p>SUN-Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019</p>	The blast criteria outlined in Table 6 has not been exceeded during the audit period.	C							
<p><i>Table 6: Ground vibration impact assessment criteria</i></p>											
<table border="1"> <thead> <tr> <th data-bbox="276 1239 528 1375">Airblast overpressure level (dB(Lin Peak))</th> <th data-bbox="537 1239 1202 1375">Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td data-bbox="276 1375 528 1417">5</td> <td data-bbox="537 1375 1202 1417">5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td data-bbox="276 1417 528 1449">10</td> <td data-bbox="537 1417 1202 1449">0%</td> </tr> </tbody> </table>		Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	5	5% of the total number of blasts in a 12 month period	10	0%				
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance										
5	5% of the total number of blasts in a 12 month period										
10	0%										

Blasting Hours

3.12	<p>The Proponent shall carry out blasting on site only between 10 am and 5 pm each Monday to Friday and 10 am and 2 pm on Saturdays (excepting Public Holidays).</p>	Sunnyside Blast Monitoring Results.xlsx	All blasts were carried out during the approved hours.	C
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Blasting Frequency

3.13	<p>The Proponent shall not carry out more than: (a) 2 blasts a day; and (b) 5 blasts a week, averaged over any 12 month period; on site.</p>	<p>EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019</p>	No exceedance with the number of blasts permitted during this reporting period.	C
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TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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Property Inspections					
3.14	At least 2 months before carrying out any blasting on the site, the Proponent shall advise all landowners within 2 km of proposed blasting activities, and any other landowner nominated by the Secretary, that they are entitled to a property inspection to establish the baseline condition of the property.	Interview with Environment Officer SAI Global report WCL Letter notifying local community of recommencement of mine activities, dated 29 March 2019 Community meeting attendees list	Blasting at SCM recommenced on 27 September 2017, after a period of care and maintenance. Auditors sighted a letter issued to residence, dated 29 March 2017 informing residence of recommencement of mining activities and invitation to the community consultation meeting for the 11 April 2017. Attendance to the meeting was provided for review. The site utilises third party contractor, SAI Global to notify residents within 2km of the Site of daily blasting activities. Auditors sighted notification records on dates where blasting occurred.	C	
3.15	If the Proponent receives a written request for a property inspection from any such landowner, the Proponent shall: (a) commission a suitably qualified person, whose appointment has been approved by the Secretary, to inspect and report on the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and (b) give the landowner a copy of this property inspection report. <i>Note: It is preferable for the property inspection to be carried out prior to the commencement of blasting activities on the site, and the Proponent should facilitate this occurring wherever possible.</i>	Interview the Environment Officer	The Environment Officers advised the Auditors that no property written requests for a property inspection was received during the audit period. Blasting has now been completed for the mine.	NT	
Property Investigations					
<i>Note: It is preferable for the property inspection to be carried out prior to the commencement of blasting activities on the site, and the Proponent should facilitate this occurring wherever possible.</i>					
3.16	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: (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 (b) give the landowner a copy of the report. 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. 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.	Interview the Environment Officer	The Environment Officer advised that no requests were received by landowners with regards to vibration.	NT	
Operating Conditions					
3.17	During mining operations on site, the Proponent shall: (a) implement best practice to manage potential blasting impacts associated with the project to: ■ protect the safety of people and livestock in the surrounding area; ■ protect public or private infrastructure/property in the surrounding area from any damage; and ■ minimise the dust and fume emissions of any blasting; ■ operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site.	SUN-Blast Management Plan – dated October 2017 Interview with Environment Officer and Operations Manager	The Blast Management Plan was most recently updated October 2017 and is being implemented to meet the intention of the condition. The Auditors were advised that no complaints regarding blasting had been received and the BMP was implemented as required. Blasting has now been completed for the mine.	C	
3.17A	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:	SUN-Blast Management Plan – dated October 2017 DP&E Approval of Blast Management Plant dated 24/10/17	There are no public roads within 500m of the current SCM activities.	C	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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<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>		<p>However, the Blast Management Plan has stated that no blasting will occur within 500m of land that is not owned by Whitehaven Coal or its subsidiaries.</p> <p>As per the Blast Management Plan, best practice blast design to manage potential blasting impacts 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 from any blasting. <p>Auditors were advised that Lilydale neighbouring property is utilised for livestock grazing. During blast activities undertaken during the audit period, notification was provided to the landholder to move livestock off the land to meet BMP best practice.</p>		
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Blast Management Plan

<p>3.17 B.</p>	<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>SUN-Blast Management Plan – dated October 2017</p> <p>Correspondence from NSW Planning & Environment, Approval of Environment Management plans for Sunnyside Mine (06_0308), dated 24 October 2017</p>	<p>The BMP was approved by the DP&E (dated 24 October 2017) and submitted in May 2017 (prior to the recommencement of activities).</p> <p>Whilst it is noted from review of EPA correspondence for other management plans, that the EPA does not provide comment on management plans to the site; no evidence was available to demonstrate that the site had submitted the BMP to the EPA for consultation as required by the CoA.</p>	<p>ANC</p>	<p>SCM should ensure that management plans are provided to all relevant authorities for consultation and evidence of this is maintained by the site.</p>
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AIR QUALITY

Air Quality Impact Assessment Criteria

<p>3.18</p>	<p>The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 7, 8 and 9 at any residence on privately owned land.</p> <p><i>Table 7: Long term impact assessment criteria for particulate matter</i></p> <table border="1" data-bbox="290 1352 1136 1461"> <thead> <tr> <th>Pollutant</th> <th>Average period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>TSP Matter</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>PM₁₀</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 8: Short term impact assessment criterion for particulate matter</i></p> <table border="1" data-bbox="290 1520 1136 1591"> <thead> <tr> <th>Pollutant</th> <th>Average period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>PM₁₀</td> <td>24hrs</td> <td>50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 9: Long term impact assessment criteria for deposited dust</i></p> <table border="1" data-bbox="290 1650 1136 1717"> <thead> <tr> <th>Pollutant</th> <th>Average period</th> <th>Max increase</th> <th>Max Total</th> </tr> </thead> <tbody> <tr> <td>Deposited Dust</td> <td>Annual</td> <td>2 g/m²/ month</td> <td>4 g/m²/ month</td> </tr> </tbody> </table> <p><i>Notes to Tables 7-9</i></p> <ul style="list-style-type: none"> ■ ^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); 	Pollutant	Average period	Criterion	TSP Matter	Annual	90 µg/m ³	PM ₁₀	Annual	30 µg/m ³	Pollutant	Average period	Criterion	PM ₁₀	24hrs	50 µg/m ³	Pollutant	Average period	Max increase	Max Total	Deposited Dust	Annual	2 g/m ² / month	4 g/m ² / month	<p>Sunnyside PM10 HVAS.xls Sunnyside Deposited Dust Data.xls</p>	<p>Compliance against criteria in Table 7, 8 and 9 during the audit period (up to 31/07/2019) was as follows:</p> <p>Table 7: TSP data is not measured directly but rather determined by multiplying PM10 concentration by 2 as per AQMP. Annual average for TSP for 2017, 2018 and 2019 was in compliance, therefore less than 60 µg/m³.</p> <p>Annual averages for PM₁₀ were below 30µg for 2017, 2018 and 2019.</p> <p>Table 8: The following exceedances and associated explanations were noted in relation to the criteria stipulated for Table 8:</p> <p>2018:</p> <p>51.3 µg/m³ on 21/11/18 – due to NSW dust storm</p> <p>57 µg/m³ on 27/12/18 - no explanation within the published deposited dust data.</p> <p>The 2018 Annual Review stated that exceedances were caused by the 'state wide dust storms that occurred in November and December 2018'.</p>	<p>Obs - C</p>	<p>Implement a process for ensuring that regional events are consistently recorded at the time of the event and are recorded against exceedances in all instances.</p>
Pollutant	Average period	Criterion																										
TSP Matter	Annual	90 µg/m ³																										
PM ₁₀	Annual	30 µg/m ³																										
Pollutant	Average period	Criterion																										
PM ₁₀	24hrs	50 µg/m ³																										
Pollutant	Average period	Max increase	Max Total																									
Deposited Dust	Annual	2 g/m ² / month	4 g/m ² / month																									

TABLE A1 – CONDITIONS OF APPROVAL

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(Modification 3 issued January 2019)

	<ul style="list-style-type: none"> ■ ^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. 		<p>2019: 160 µg/m³ on 13/02/19 – regional dust storms 64.5 µg/m³ on 19/02/19 – regional dust storms 69.1 µg/m³ on 9/03/19 – high winds and dust storms</p> <p>Table 9: Dust deposition: 2016 DD was 0.6 g/m²/month and in 2017 - 3.1 g/m²/month. No exceedances of 4 g/m²/month annual average in 2017, 2018 and 2019 to date. No exceedances of 4 g/m²/month average in any year at any locations.</p>		
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Operating Conditions

3.19	<p><i>The Proponent shall:</i></p> <ul style="list-style-type: none"> (a) implement best practice management, including all reasonable and feasible measures, to minimise odour, fume and dust emissions of the project; (b) implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site; (c) minimise any visible air pollution; (d) minimise the surface disturbance on the site; (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 (f) minimise the air quality impacts of the project during adverse meteorological conditions. 	<p>Site observations SUN-Air Quality Management Plan, October 2017 Energy Saving Action Plan dated 10/2017</p>	<p>Auditors observed the use of water as a dust suppression measure which is considered adequate for the operations undertaken at the site at the time.</p> <p>Air Quality Management Plan provides a range of mitigation measures to meet this requirement in relation to air quality impacts. Energy Saving Action Plan provides measures to meet this requirement in relation to greenhouse gas emissions.</p>	C	
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Air Quality Management Plan

3.19A	<p>The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Secretary. The plan must:</p> <ul style="list-style-type: none"> (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; (b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this approval; (c) describe the air quality management system in detail; and (d) include an air quality monitoring programme that: <ul style="list-style-type: none"> a. uses air quality monitors to evaluate the performance of the project against the air quality criteria in this approval; b. adequately supports the air quality management system; c. evaluates and reports on the effectiveness of the air quality management system and compliance against the air quality operating conditions; and 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>SUN-Air Quality Management Plan, October 2017 DP&E Approval of Environmental Management Plans – dated 24/10/2017</p>	<p>The Air Quality Management Plan dated October 2017 was approved on 24/10/2017 by the DP&E and was submitted in May 2017 (prior to the recommencement of activities). The conditions are satisfied through the Air Quality Management Plan, as the Management Plan has included the following:</p> <ul style="list-style-type: none"> ■ measures to be implemented to ensure compliance with Tables 7, 8 and 9 of the CoA; ■ an air quality management system and programme; ■ reports on compliance against the air quality operating conditions; and ■ defines that is an air quality incident and includes protocol to notify relevant parties of any potential non-compliance. <p>Whilst it is noted from review of EPA correspondence for other management plans that the EPA does not provide comment on management plans to the site; no evidence was available to demonstrate that the site had submitted the BMP to the EPA for consultation as required by the CoA.</p>	ANC	<p>SCM should ensure that management plans are provided to relevant authorities for consultation and evidence of this is maintained by the site.</p>
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METEOROLOGICAL MONITORING

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

3.20	<p>During the project, the Proponent shall ensure there is a suitable continuously operating meteorological station on site that complies with the requirements in <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> (DECC, 2007), or its latest version.</p>	<p>Weather Data: 2017 2018 2019</p>	<p>Weather data has been provided for this audit period. Refer to Table B1, EPL 12597 Condition M4.1 and M4.2</p>	C	
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WATER MANAGEMENT

Note: These conditions must be read in conjunction with Section 7 & 10 of the Statement of Commitments.

Discharge

3.21	Except as may be expressly provided for by an EPL, or in accordance with section 120 of the <i>Protection of the Environment Operations Act 1997</i> , the Proponent shall not discharge any mine water from the site.	Interview with Environment Officer	The auditor was advised that no water was discharged from site during audit period.	C	
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Water Management Plan

3.22	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be submitted to the Secretary for approval prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coccooboonah Lane) in consultation with the EPA and DPI Water by suitably qualified expert/s whose appointment/s have been approved by the Secretary and include a: (a) Site Water Balance; (b) Erosion and Sediment Control Plan; (c) Surface Water Monitoring Plan; (d) Groundwater Monitoring Program; and (e) Groundwater Contingency Plan; and	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019 Correspondence from DPI (NSW Natural Resources Access Regulator) providing consultation on the WMP, dated 29 August 2018	The Water Management Plan was approved by the DP&E on 31/01/2019 and includes sections relating to: <ul style="list-style-type: none"> ■ Site Water Balance; ■ Erosion and Sediment Control Plan; ■ Surface Water Monitoring Plan; ■ Groundwater Monitoring Plan; and ■ Groundwater Contingency Plan. According to the approval of the WMP by the DP&E, the site is required to review the WMP 3 months after receiving approval of the WMP. Whilst the 'Sunnyside Management Plan Review.xlsx' document showed review of the water management plan was conducted in May 2019 as part of the annual review, this falls outside of the 3 month period post approval; and therefore is an administrative non-compliance.	ANC	Ensure that a review of the WMP, as per the requirements of the Department, is undertaken.
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Site Water Balance

3.23	The Site Water Balance must: (a) include details of: <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; (b) describe measures to minimise water use by the project; and (c) be reviewed and recalculated each year using the most recent water monitoring data.	SCM – 2017 Water Balance SCM – 2018 Water Balance Interview with Environment Officer	The 2017 and 2018 Site Water Balance provided in this audit period complies with this condition. The 2019 water balance report was not available for review. The Environment Officer advised that the water balance report will be completed in November 2019.	C	
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Erosion and Sediment Control

3.24	The Erosion and Sediment Control Plan must: (a) be consistent with the requirements of <i>Managing Urban Stormwater: Soils and Construction</i> manual (Landcom, 2004), or its latest version; (b) identify activities that could cause soil erosion and generate sediment; (c) describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to monitor and maintain the structures over time.	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019	The Erosion and Sediment Control Plan is captured in Section 3 of the Water Management Plan and addresses the requirement of this condition.	C	
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Surface Water Monitoring Program

3.25	The Surface Water Monitoring Program must include: (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the project; (b) surface water impact assessment criteria;	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019	The Surface Water Monitoring Program addresses the requirements of this condition.	C	
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TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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	(c) a program to monitor the impact of the project on surface water flows and quality; and (d) procedures for reporting the results of this monitoring.				
Groundwater Monitoring Program					
3.26	The Groundwater Monitoring Program must include: (a) further development of the regional and local groundwater model; (b) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality (including at any privately owned bores in the vicinity of the site); (c) groundwater impact assessment criteria; (d) a program to monitor the impact of the project on groundwater levels, yield and quality; and (e) procedures for reporting the results of this monitoring.	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019	The WMP addresses the requirements of this condition comprising groundwater monitoring on a six monthly basis for parameters and bores detailed in Table 8 of the WMP.	C	
Groundwater Contingency Plan					
3.27	The Groundwater Contingency Plan must: (a) provide measures to mitigate any impacts of the mine on the quality or quantity of groundwater supplies available on privately-owned land; (b) establish trigger levels, benchmarks and contingency criteria; and (c) provide for negotiated agreements with affected landowners, including compensation where mining impacts result in increased extraction costs for landowners.	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019	A groundwater contingency plan is captured within the WMP, 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.	NC	Review and update the WMP to establish groundwater trigger levels, benchmarks and contingency criteria are established. This should include groundwater quality triggers, sources of groundwater data and criteria which would require additional groundwater monitoring events to test whether the contingency plan should be enacted. It should be noted that coal mining at SCM is now complete and therefore interaction with the groundwater due to this activity has now ceased.
LANDSCAPE MANAGEMENT					
Koala Habitat					
<i>Note: This condition must be read in conjunction with Sections 2, 9 and 18 of the Statement of Commitments.</i>					
3.28	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 OEH and to the satisfaction of the Secretary. <i>Note: Conditions 29 – 31 must be read in conjunction with Section 17 of the Statement of Commitments.</i>	SUN-Koala Management Plan – dated October 2017 DP&E Approval of Environmental Management Plans – dated 24/10/2017 Letter WCL to DP&E, RE: Koala Fence Repair, dated 6 June 2019. Koala spotting register for the period of 2017 to 2019 Site observations	The Koala Management Plan was most recently updated in October 2017 and approved by the DP&E on 24 October 2017 and is being implemented to meet the intention of the condition. During an inspection of the koala fence by DP&E, on 29 May 2019, it was observed that some minor repairs to the fence were required. DP&E provided an email the following day requesting these repairs to be completed by 30 June 2019. SCM confirmed these repairs had been completed via letter to DP&E on 6 June 2019, including photographic evidence. Auditor also sighted some of the repaired fence locations. Planting in the koala enrichment corridors was sighted during the site visit.	C	

REHABILITATION													
3.29	<p>The Applicant must rehabilitate the site to the satisfaction of the Resources Regulator. This rehabilitation must comply with the objectives in Table 10.</p> <p><i>Table 10: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine site (as a whole)</td> <td> <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. </td> </tr> <tr> <td>Surface infrastructure</td> <td> <ul style="list-style-type: none"> ■ To be decommissioned and removed, unless the Resources Regulator agrees otherwise </td> </tr> <tr> <td>Final Voids</td> <td> <ul style="list-style-type: none"> ■ No final void and free-draining to the natural drainage system </td> </tr> </tbody> </table>	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	<ul style="list-style-type: none"> ■ To be decommissioned and removed, unless the Resources Regulator agrees otherwise 	Final Voids	<ul style="list-style-type: none"> ■ No final void and free-draining to the natural drainage system 	<p>SUN-Mining Operations Plan – dated November 2018</p> <p>DP&E MOP Approval Letter – dated 22 January 2019</p> <p>Notice under Section 240(1)(c) from Resources Regulator to SCM, dated 18 April 2019 (Ref: NTCE0002483)</p> <p>Sunnyside Rehabilitation Weekly Mine Plan (week commencing 9 Sept 2019)</p> <p>SUN-Rehabilitation fortnightly meeting minutes (dated 30/8/2019)</p> <p>Site observations</p>	<p>The Mining Operations Plan was revised in November 2018 and addresses the objectives listed in Table 10.</p> <p>A notice was issued to SCM from the Resources Regulator on 18 April 2019, requiring a Final Sunnyside Coal Mine Rehabilitation Report be prepared by 29 November 2019. This is in response to observations during inspections by the regulator in 2017 and 2018.</p> <p>Based on site observations, rehabilitation is being conducted in advance of the schedule in the MOP with a portion of the mine observed to be ripped and seeded.</p> <p>Auditors inspected rehabilitation area along the south-eastern boundary, of which the Resource Regulator noted to have failed in May 2018. The Operations Manager advised of three staged tube stock planting occurred in April / May through to June / July 2019 in the area. Seedlings appeared to be surviving.</p> <p>Auditors reviewed fortnightly meeting minutes and weekly mine plan which reported on rehabilitation actions.</p>	C	
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	<ul style="list-style-type: none"> ■ To be decommissioned and removed, unless the Resources Regulator agrees otherwise 												
Final Voids	<ul style="list-style-type: none"> ■ No final void and free-draining to the natural drainage system 												

Rehabilitation and Landscape Management Plan					
3.30	<p>The Proponent shall prepare and implement a detailed Rehabilitation and Landscape Management Plan for the site to the satisfaction of the Secretary and the Resources Regulator. This plan must:</p> <p>(a) be prepared in consultation with OEH, DPI Water and Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; and</p> <p>(b) be submitted to the Secretary and the Resources Regulator for approval by 1 March 2009;</p> <p>(c) include:</p> <ul style="list-style-type: none"> ■ the rehabilitation objectives for the site; ■ a description of how the rehabilitation of the site would be integrated with the landscape of the surrounding area; ■ detailed performance and completion criteria for the rehabilitation of the site; ■ a detailed description of the measures that would be implemented to achieve the performance and completion criteria for each site, including the procedures to be implemented for: <ul style="list-style-type: none"> – managing impacts to water quality and flows; – protection and enhancement of koala habitat; – progressively rehabilitating the areas disturbed by mining operations; – restoration of agricultural land suitability; – revegetating the site; – protecting and/or enhancing areas in the vicinity of the disturbance area; – conserving and re-using any topsoil; – controlling weeds and feral pests; – controlling access; and – bushfire management. ■ a program to monitor the performance of the rehabilitation against the stated objectives, performance and completion criteria; ■ a description of the potential risks to successful rehabilitation, and a description of the contingency measures that would be implemented to minimise these risks; and ■ details of who is responsible for monitoring, reviewing and implementing the plan. 	<p>SUN-Mining Operations Plan – dated November 2018</p> <p>DP&E MOP Approval Letter – dated 22 January 2019</p> <p>Email correspondence between DP&E and SCM for approval and review of closure MOP and SCM.</p>	<p>As per the Mining Operations Plan, the DP&E agreed to consolidate the Rehabilitation and Landscape Management Plan into the 2017 MOP and the Closure MOP has been prepared in consideration of the requirements listed in Condition 3.30.</p> <p>Correspondence between SCM and DP&E was provided which indicated consultation was undertaken with the OEH, DPI Water and Councils (assumed to be both Narrabri Shire and Gunnedah Shire Councils), when the MOP was submitted to DP&E on the 22 September 2017. However, the Auditors were not provided evidence of this consultation being undertaken.</p>	ANC	<p>SCM should ensure that management plans are provided to relevant authorities for consultation and evidence of this is maintained by the site.</p>

TABLE A1 – CONDITIONS OF APPROVAL

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Mine Closure Plan

3.31	<p>At least 2 years prior to the cessation of mining operations on the site the Proponent shall prepare and implement a Mine Closure Plan to the satisfaction of the Resources Regulator. This plan must be prepared as a component of the Mining Operations Plan required under the conditions of the mining lease and must:</p> <ul style="list-style-type: none"> (a) define the objectives and criteria for mine closure; (b) investigate options for the future use of the site; (c) provide a detailed methodology for decommissioning the site's storage dams; (d) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local and regional employment levels; (e) describe the measures that would be implemented to minimise or manage the on-going environmental effects of the project; and (f) describe how the performance of these measures would be monitored over time. (g) include a program of geotechnical assessment and appropriate mitigation actions of all constructed areas of the final landform (including emplacement area, high walls and end walls) to demonstrate the stability of the final landform into perpetuity; and (h) be prepared in accordance with the relevant guidelines. 	<p>SUN-Mining Operations Plan – dated November 2018 DP&E MOP Approval Letter – dated 22 January 2019</p>	<p>The Closure MOP been prepared to comply with the intent of the condition.</p>	C	
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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

3.32	<p>The Proponent shall not destroy any known Aboriginal objects (as defined in the <i>National Parks and Wildlife Act 1974</i>) without the written approval of the Secretary.</p>	<p>Interview with Environment Officer</p>	<p>No additional Aboriginal Cultural Heritage sites or objects have been identified within the audit period.</p>	C	
3.33	<p>The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (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 OEH 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. 	<p>SUN-Aboriginal Culture Heritage Management Plan DP&E Approval of Environmental Management Plans – dated 24/10/2017</p>	<p>Consultation with the OEH and local Aboriginal community is required prior to approval of the ACHMP. Auditors have not sighted documentation to confirm that such consultation occurred prior to approval in 2017.</p>	ANC	<p>SCM should ensure that management plans are provided to relevant authorities for consultation and evidence of this is maintained by the site.</p>

TRANSPORT

Note: These conditions must be read in conjunction with Section 2 of the Statement of Commitments.

Monitoring of Coal Transport

3.34	<p>The Proponent shall keep records of the amount of coal transported from the site each year, and include these records in the AEMR.</p>	<p>Daily Load Sheet 2018.xlsx Daily Load Sheet 219.xlsx</p>	<p>Records were sighted of this information being maintained by the site.</p>	C	
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Traffic Management

3.35	<p>Prior to transporting any coal off-site, the Proponent shall:</p> <ul style="list-style-type: none"> (a) construct a realignment of Coocooboonah Lane to the satisfaction of the landowner and Council; (b) upgrade the intersection of Coocooboonah Lane and the Oxley Highway to the satisfaction of the RMS and Council; (c) upgrade the intersection of the Oxley Highway and Blackjack Road to the satisfaction of the RMS and Council; (d) upgrade the section of Blackjack Road to be used for coal transport to the satisfaction of Council; 		<p>This condition relates to activities undertaken prior to the current IEA audit period.</p>	NT	
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TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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	(e) upgrade the intersection of Blackjack Road and Quia Road to the satisfaction of Council; (f) upgrade the section of Quia Road to be used for coal transport to the satisfaction of Council; (g) upgrade the intersection of Quia Road and Farrar Road to the satisfaction of Council; (h) upgrade the intersection of Quia Road and Torrens Road to the satisfaction of Council; and (i) upgrade Torrens Road to the satisfaction of Council				
3.36	Prior to carrying out any development on site, the Proponent shall prepare, and subsequently implement, a Construction Traffic Management Plan for the project to the satisfaction of the RMS and Council		This condition relates to activities undertaken prior to the current IEA audit period.	NT	
3.37	Within 6 months of this approval the Proponent shall enter into an agreement with Council for the maintenance of the section of the Oxley Highway between Coocooboonah Lane and Blackjack Road.		This condition relates to activities undertaken prior to the current IEA audit period.	NT	
3.38	Prior to transporting coal from the site the Proponent shall construct 2 bus stops on the Oxley Highway to the satisfaction of Council.		This condition relates to activities undertaken prior to the current IEA audit period.	NT	
3.38 A	Prior to recommending any coal haulage from the site, the Proponent shall undertake the road safety improvement recommendations identified.	Interview with Environment Officer	Auditors were advised that no requests with regards to road safety improvements recommendations have been provided to the site by the Council or RMS within the audit period.	NT	
3.39	Notwithstanding condition 10 of Schedule 2, the Proponent shall ensure no coal is transported from the site during AgQuip.	Qube daily load sheets 2018 Qube daily load sheets 2019	Auditor reviewed haulage daily load data for the site and confirmed that haulage did not take place the week of AgQuip for 2018 and 2019. It was noted that the site was in care and maintenance during AgQuip 2017.	C	

VISUAL IMPACT

Visual Amenity

3.40	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Secretary	Site observations	Amenity bunds were observed during the site audit.	C	
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Lighting Emissions

3.41	The Proponent shall ensure that: (a) no outdoor lights shine above the horizontal; and (b) all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i> .	Site observations	Operational hours do not require outdoor lighting, and auditors did not observe any lights above the horizontal.	C	
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GREENHOUSE GAS

Energy Saving Action Plan

3.42	The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in accordance with the <i>Guidelines for Energy Savings Action Plans</i> (DEUS, 2005), or its latest version; (b) include consideration of energy use by mobile equipment; (c) be submitted to the Secretary for approval within 3 months of this approval; and (d) include a program to monitor the effectiveness of measures to reduce energy use on site.	SUN-Energy Savings Action Plan – dated October 2017 DP&E Approval of Environmental Management Plans – dated 24/10/2017	The Energy Savings Action Plan was revised in October 2017 and approved by the DP&E on 24 October 2017. The Plan is being implemented to meet the intention of the condition.	C	
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WASTE

Waste Minimisation

3.43	<p>The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be submitted to the Secretary for approval prior to commencing of construction; (b) identify the various waste streams of the project; (c) describe what measures would be implemented to reuse, recycle, or minimise the waste generated by the project; (d) ensure irrigation of treated wastewater is undertaken in accordance with <i>Environmental Guidelines: Use of Effluent by Irrigation (DEC, 2004)</i>, or its latest version; and (e) include a program to monitor the effectiveness of these measures. 	<p>SUN-Waste Management Plan – dated October 2017 DP&E Approval of Environmental Management Plans – dated 24/10/2017 Site observations</p>	<p>The Waste Management Plan was revised in October 2017 and approved by the DP&E on 24 October 2017. The Waste Management Plan is being implanted to meet the intention of the condition.</p>	C	
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SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

4.1	<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>		<p>This condition relates to activities undertaken prior to the current IEA audit period.</p>	NT	
4.2	<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>Letters to the affected landowners and notification to the Department of Planning in relation to exceedances of the operational noise assessment criteria were provided.</p> <p>Noise, air quality and blast exceedances were recorded during the audit period. As part of this condition, the site is required to notify the Secretary and affected landowners of exceedances and provide quarterly monitoring results to each party until results comply with Schedule 3. Evidence was provided to demonstrate SCM notified the Secretary and landowners regarding noise and blast exceedances. Air quality exceedances were reported to be independent of mine operations, namely dust storms, and therefore did not require notification to landowners or the Secretary.</p>	Obs - C	<p>Where required, ensure records of written notification to impacted landholders are provision of exceeding monitoring results are maintained. For example, if notification is sent via post, ensure signed scanned copies of correspondence are maintained. Where email notification is provided, maintain copies of sent emails and/or confirmation of receipt. Monitoring results are to be provided to impacted landowners until results are compliant.</p>

INDEPENDENT REVIEW

4.3	<p>If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then they may ask the Secretary in writing for an independent review of the impacts of the project on their land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Proponent shall:</p> <ul style="list-style-type: none"> (a) consult with the landowner to determine his/her concerns; (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to conduct monitoring on the land, to: <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 (c) give the Secretary and landowner a copy of the independent review. <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 Environment Officer</p>	<p>No written complaints have been received by the site for the audit period.</p>	NT	
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TABLE A1 – CONDITIONS OF APPROVAL

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4.4	<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>(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, 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>	Interview with Environment Officer	No written complaints have been received by the site for the audit period.	NT	
4.5	<p>If further monitoring under condition 4(b) determines that measures implemented under condition 4(a) have not achieved compliance with the land acquisition criteria in schedule 3, and the Proponent cannot then secure within 3 months a written agreement with the landowner under condition 4(c) to allow these exceedances, then the Proponent shall, upon receiving a written request from the landowner, acquire all or part of the landowner's land in accordance with the procedures in conditions 7-9 below</p>	Interview with Environment Officer	No written complaints have been received by the site for the audit period.	NT	
4.6	<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 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>	Interview with Environment Officer	No written complaints have been received by the site for the audit period.	NT	

LAND ACQUISITION

4.7	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:</p> <p>(a) the current market value of the landowner's interest in the property at the date of this written request, as if the property was unaffected by the project the subject of the project application, having regard to the:</p> <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 ■ 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>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</p>	Interview with the Environment Officer	Auditors were advised that no written requests have been received within the audit period	NT	
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TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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	<p>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>				
4.8	The Proponent shall bear the costs of any valuation or survey assessment requested by the independent valuer, or the Secretary and the costs of determination referred above.	Interview with the Environment Officer	Auditors were advised that no written requests have been received within the audit period	NT	
4.9	If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General	Interview with the Environment Officer	Auditors were advised that no written requests have been received within the audit period	NT	

SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

Note: This schedule must be read in conjunction with section 18 of the Statement of Commitments.

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

5.1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must be submitted to the Secretary prior to the commencement of construction activities, and:</p> <p>(a) provide the strategic context for environmental management of the project;</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>SUN-Environmental Management Strategy – dated October 2017</p> <p>DP&E Approval of Environmental Management Plans – dated 24/10/2017</p>	<p>The Environmental Management Strategy was revised in October 2017 and approved by the DP&E on 24 October 2017.</p> <p>The Environmental Management Strategy is compliant with Condition 5.1.</p>	C	
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ENVIRONMENTAL MONITORING PROGRAM

5.2	The Proponent shall prepare and implement an Environmental Monitoring Program for the project to the satisfaction of the Secretary. This program must be submitted to the Secretary within 6 months of this approval and consolidate the various monitoring requirements in schedule 3 of this approval into a single document.	<p>SUN-Environmental Monitoring Program – dated October 2017</p> <p>DP&E Approval of Environmental Management Plans – dated 24/10/2017</p>	The Environmental Monitoring Program was revised in October 2017, and approved by the DP&E on 24 October 2017 and is being implemented as intended by the condition.	C	
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REPORTING

Incident Reporting

5.3	As soon as practicable, and in any event within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.	Blast Incident Report: 11/04/2018 14/05/2018 07/06/2019 Noise Exceedance Report: 21/06/2018 DP&E Warning Letter, dated 30 August 2018	In this audit, any event of exceedances of limits/performance criteria has been reported to the DP&E within 24 hours.	C	
5.4	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: (a) describes the date, time, and nature of the exceedance/incident (b) identifies the cause (or likely cause) of the exceedance/incident (c) describes what action has been taken to date; and (d) describes the proposed measures to address the exceedance/incident.	Blast Incident Report: 11/04/2018 14/05/2018 07/06/2019 Noise Exceedance Report: 21/08/2018 Warning Letters from DP&E: 10/07/2018 – Blasting 30/08/2018 – Noise	In this audit period, a written report has been provided to the DP&E within 6 days of the reported incident.	C	

Annual Review

5.5	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: (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; (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: <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; (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the project; (e) identify any discrepancies between the predicted and actual impact of the development, and analyse the potential cause of any significant discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the project. <i>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.</i>	SUN-Annual Review 2017 SUN-Annual Review 2018	Annual Reviews are provided to the Secretary and the reviews in this audit period provide details as per the condition.	C	
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TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

Revision of Strategies, Plan and Programs					
5.5A	<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><i>Note: This is to ensure the strategies, plans and programmes are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	Sunnyside Management Plan Review.xlsx	<p><i>Sunnyside Management Plan Review.xlsx</i> sets out when management plans have been reviewed and which 5.5A condition ((a) to (d)) has triggered the review. It is noted that the submission of MOD 3 (granted in January 2019) would trigger a review of management plans to occur within three months of approval, therefore by April 2019. According to the <i>Sunnyside Management Plan Review.xlsx</i>, reviews were completed in May 2019.</p> <p>It is also noted that the tracking spreadsheet does not currently track the review of the Rehabilitation and Landscape Management Plan (as required by condition 3.30).</p>	ANC	Ensure that a review of management plans is undertaken to ensure alignment with the latest MOD and that this review and future reviews consider the Rehabilitation and Landscape Management Plan.
INDEPENDENT ENVIRONMENTAL AUDIT					
5.6	<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</p> <p>(b) appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and assess whether it is complying with the 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><i>Note: This audit team must be led by a suitably qualified auditor and include experts in the fields of water, noise management and mine rehabilitation.</i></p>	Independent Environmental Audit 2016 by ERM	<p>The previous audit report, completed in 2016, was undertaken by ERM.</p> <p>This audit report satisfies this requirement.</p>	C	
5.7	<p>Within 6 weeks of the completing of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.</p>	Noted	Noted	Note	
5.8	<p>Within 3 months of submitting the audit report to the Secretary, the Proponent shall review, and if necessary revise the strategies/plans/programs required under this approval to the satisfaction of the Secretary.</p>	Noted	Noted	Note	
COMMUNITY CONSULTATIVE COMMITTEE					
5.9	<p>Within 3 months of this approval, the Proponent shall establish a Community Consultative Committee (CCC) for the project. This CCC must be established and operated in accordance with the <i>Guideline for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007)</i>, or its latest version, and to the satisfaction of the Secretary</p>	<p>SUN-CCC Meeting Minutes & Environmental Monitoring Report:</p> <p>December 2016</p> <p>May 2017</p> <p>February 2018</p> <p>May 2018</p> <p>August 2018</p> <p>February 2019</p>	<p>In this audit period, Community Consultative Committee meetings were held where necessary.</p>	C	

ACCESS TO INFORMATION					
5.10	<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; ■ 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>	<p>http://www.whitehavencoal.com.au/sustainability/environmental-management/sunnyside-mine/</p>	<p>Most information stipulated in Condition 5.10 is publically available via the Whitehaven Coal website. However, it was noted that blast monitoring results were not consistently published in monthly EPL monitoring results on the website as required. Examples include:</p> <ul style="list-style-type: none"> ■ Air blast overpressure data was not provided for January 2018 or July 2019, despite blast activity occurring on the 5/1/2018 and 5/7/2019, respectively; ■ Air blast overpressure and ground peak particle velocity monitoring data for location 26 ('Ivanhoe') was not included for September 2017 to January 2018, March to July 2018. <p>Furthermore, whilst no complaints were reported for the 2019 period, monthly complaint register had not been available on the WCL website.</p>	ANC	<p>Ensure monthly EPL monitoring data is included within the Published Monthly EPL monitoring data published on the website.</p> <p>Ensure complaints are updated on the website on a monthly basis. Where no complaints are received, upload a complaint register stipulating this.</p>

Table A.2 Compliance CoA DA 06_0308, Appendix 3, Statement of Commitments

Action No	Action	Timing	Reference/ Evidence	Comments	Compliance Status	Recommendations
1. General Project Development						
Desired Outcome: Operate the Project to ensure that all component activities are undertaken in a responsible and proactive manner						
1.1	All activities will be subject to the Mining, Rehabilitation and Environmental Management Process managed by the Department of Primary Industries – Mineral Resources.	Ongoing		Refer to Compliance assessment Annex Tables: A1 – Conditions of Approval 06-0308; B1 – EPL 12957; and C1 - Mining Lease 1624.	Noted	
1.2	Operate the mine with comprehensive systems to manage and monitor groundwater, surface water, noise, blasting, air quality, visibility, Aboriginal heritage, flora, fauna, traffic, visual and socio-economic aspects.	Ongoing		Refer to Compliance assessment Annex Tables: A1 – Conditions of Approval 06-0308;	C	
1.3	Apply for a Mining Lease with boundaries generally coincident with the Project Site.	Late 2007		Refer to ML 1624	C	
1.4	Obtain all necessary certifications for all buildings constructed or relocated on site from Gunnedah Shire Council.	Mid 2008		Condition satisfied at time of the previous IEA	NT	
1.5	Seek approval from Gunnedah Shire Council to install a septic system on site.	Prior to Project commencement		Condition satisfied at time of the previous IEA.	NT	
1.6	Undertake all rehabilitation and site decommissioning within 12 months of the end of mining. This would include re-instating Coochooboonah Lane to its pre-mining alignment	Approximately 2013		Mining activities still continuing during audit period.	NT	
1.7	Implement management strategies to minimise the likelihood of spontaneous combustion.	Ongoing	SUN-Spontaneous Combustion Monitoring Plan, October 2017 Sample of daily inspection checklists 2019	Under the Spontaneous Combustion Monitoring Plan (SCMP), visual inspections of the ROM stockpiles area are undertaken during routine shift inspections. Discussions with the Environment Officer confirmed that inspections take place on a daily basis as part of the daily mine inspection checklist. This comprised of a review of areas and signs of spontaneous combustion.	C	
1.8	Construct the out-of-pit overburden emplacement in a manner that would ensure the initial emplaced overburden would form an acoustic barrier around the operating area within the emplacement.	During Year 1 of mining operations	Site observations	The mining void and the load out areas were observed to be shield by emplaced overburden.	C	
1.9	Undertake a geological and geotechnical assessment prior to any auger mining to confirm it is both safe and economic to proceed.	During mining operations	Interview with Environment Officer	No auger mining conducted at the site during the audit period.	NT	
1.10	Direct surface runoff water around the final void	Ongoing	Site observations SUN-Water Management Plan – dated June 2018	Refer to CoA 29 Surface water diversions were observed to divert clean runoff the final void.	C	
1.11	Potable water would be transported from Gunnedah to supplement rainwater collected off site buildings and stored in tanks. Ablutions water would be transported from Gunnedah.	Ongoing	Interview with Operations Manager and Environment Officer SUN-Water Management Plan – dated June 2018	According to the WMP, potable and ablution water is transported from Gunnedah (as required). Based on discussions with the Environment Officer, potable water is trucked in on a weekly basis	C	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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1.12	Operational water will initially be supplied from water within the Gunnedah Coal Mine No 5 Entry underground workings. This will eventually augment the pit groundwater inflow and water drawn from the various sedimentation and fresh water dams that would form part of the site surface water management system.	Ongoing	Interview with Environment Officer	The auditor was advised that there has be no requirement to augment water supply at the site from the underground working to date of the audit.	NT	
1.13	Power will be predominantly generated on site by diesel powered generators	Ongoing	Site observations	A diesel powered generator was observed to be the power source at the site.	C	
1.14	There will be capacity to store 68 000L of diesel and 10 000L of oil on site in self-bunded fuel tanks.	Ongoing	Interview with Environment Officer, Operations Manager and Maintenance Superintendent Site observations	Diesel store and oil store was observed onsite within bunds or self bunded containers.	C	
1.15	An Environment Protection Licence to be applied for.	Mid 2008		<i>Refer to Annex B, Compliance against EPL 12957</i>	C	
1.16	RMS approval to be sought for proposed roadworks along the Oxley Highway.	Mid 2008		<i>Condition satisfied at time of the previous IEA.</i>	NT	
1.17	Road Construction Permit to be applied for from Gunnedah Shire Council prior to modifications and other roadworks associated with re-alignment of Coocooboonah Lane and public road intersections along the coal transport route.	Mid 2008		<i>Condition satisfied at time of the previous IEA.</i>	NT	
1.18	A Water Licence be applied for and granted before installation and operation of a water bore into the Gunnedah No 5 Colliery workings.	Mid 2008		<i>Condition satisfied at time of the previous IEA.</i>	NT	
1.19	A licence be applied and granted from WorkCover for the installation of explosives magazine within the Project Site area.	Mid 2008		<i>Condition satisfied at time of the previous IEA.</i>	NT	
2. Traffic and Transport						
2.1	Ensure all trucks transporting coal are well maintained and that drivers act in a courteous manner at all times	Ongoing	Interview with Environment Officer QUBE PORTS&BULK Maintenance fortnightly forecast 2/09/2019 EMECO Week 38 Maintenance Plan16.09.19 – 22.09.19 Complains register 2017 - 2019	The Environment Officer confirmed trucks are typically maintained on a 250hr basis by third party contractors QUBE and EMECO. Review of the complaints register during the audit period did not identify any complaints with regards to driver behaviour.	C	
2.2	Avoid loading trucks that are unroadworthy or not carrying covers	Ongoing	Site observations	Refer to Statement of Commitment (SoC) 2.1 All trucks observed to be hauling were noted to have covers.	C	
2.3	Ensure all truck drivers operate in accordance with a Transport Policy and Code of Conduct.	Ongoing	Interview with Environment Officer 2017, 2018, 2019 Complaints register	Review of the complaints register during the audit period did not identify any complaints with regards to driver behaviour.	C	

TABLE A1 – CONDITIONS OF APPROVAL

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2.4	Contact all potentially affected landowners and surrounding residents prior to initial construction and the commencement of any upgrading works to inform / discuss the proposed works.	Prior to initial construction and ongoing		<i>Condition satisfied at time of the previous IEA.</i>	NT	
2.5	Liaise routinely with local residents to ensure their satisfaction with all aspects of changed traffic conditions.	Ongoing	SUN-CCC Meeting Minutes and Environmental Monitoring Reports	Annual CCC meetings, most recently held in 14 August 2019	C	
2.6	Relocate part of Coochooboonah Lane to avoid disturbing remnant Koala habitat. RMS requested changes will result in approximately three trees being removed.	Prior to mining commencing		<i>Condition satisfied at time of the previous IEA.</i>	NT	
2.7	Upgrade parts of the proposed coal transport route beyond Coochooboonah Lane and various intersections to improve traffic flow and safety aspects.	Prior to coal transportation		<i>Condition satisfied at time of the previous IEA.</i>	NT	
2.8	The truck fleet will consist of a mix of standard 28t capacity semi-trailers and 40t capacity B- Double vehicles.	Ongoing	Site observations	Auditors observed haulage trucks to be 40t capacity b-double vehicles	C	
2.9	Develop a Road Maintenance and Capital Improvement Agreement with Gunnedah Shire Council.	Prior to mining commencing		<i>Condition satisfied at time of the previous IEA.</i>	NT	
2.10	Erect appropriate road signage.	Prior to coal transportation	Site observations	The site is required to have signs indicating 40km/hr speed limit as part of the SUN-Koala Management Plan. This signage was observed during the site visit.	C	
2.11	Ensure all employees and contractors are regularly informed about the safe driving requirements to and from the Project Site.	Ongoing	Interview with Environment Officer	Auditors were advised that Drivers are required to conduct onsite induction and training regarding movement around the Site and training.	C	
2.12	Transport all oversize loads with all necessary permits.	During transport of oversize loads (primarily during site establishment)	Interview with Environment Officer	Auditors were advised by the Environment Officer that no overside transport loads were undertaken during the audit period	NT	
2.13	Erect a blast board at the Project Site entrance and update at least 24 hours prior to each blast.	Prior to initial blast	Site observations	Blast board observed during the audit.	C	

3. Operating Hours – Site Establishment

Desired Outcome: Management of construction activities in accordance with the approved operating hours.

3.1	Undertake on-site construction within the hours of: 7.00am to 6.00pm / Monday to Friday, 7.00am to 4.00pm / Saturday.	During site establishment	Interview with Environment Officer	No construction works understood to have taken place during the audit period triggering this requirement.	NT	
3.2	Undertake coal transport route construction within the hours of: 7:00am to 6:00pm / Monday to Friday with the contingency to extend to 8.00pm if light and seasonal conditions permit, 7.00am to 4.00pm / Saturday	During site establishment	Interview with Operations Manager	Auditors were advised that haulage hours by Qube occur during site operational hours (Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays)	C	

4. Operating Hours – Operations

Desired Outcome: Management of operating hours of work in accordance with the approved consent conditions

4.1	Undertake vegetation clearing / soil removal within the hours: 7.00am to 6.00pm Monday to Friday with a contingency to extend operations to 8.00pm if light and seasonal conditions permit. Saturday activity would be between 7.00am and 4.00pm with contingency to extend through to 6.00pm	During vegetation clearing and soil removal.	Interview with Environment Officer	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays. The Auditors were advised that the Operations Manager approves work orders for third party contractors to conduct vegetation clearing/ soil removal and rehabilitation work. Work is require	C	
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TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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				to occur with supervision and during site operational hours unless it is an emergency		
4.2	Undertake drilling within the hours: 7.00am to 8.00pm / Monday to Friday and 7.00am to 6.00pm Saturday.	During drilling.	Interview with Environment Officer, Operations Manager	Auditors were advised that operating hours have remained relatively consistent since re-commencing operations in late 2017.	C	
4.3	Undertake blasting within the hours: 10.00am to 5.00pm / Monday to Friday and 10.00am to 2.00pm Saturday	During blasting.	Blast data 2017, 2018 and 2019 Blast notification data	Blast data confirmed blasting took place within the operating hours.	C	
4.4	Undertake overburden / interburden removal and placement within the hours 7.00am to 10.00pm Monday to Friday and 7.00am to 4.00pm Saturday.	During overburden / interburden removal and placement.	Interview with Environment Officer, Operational Manager	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays.	C	
4.5	Undertake internal transport of coal product to ROM stockpile within the hours 7.00am to 10.00pm Monday to Friday and 7.00am to 4.00pm Saturday.	During internal transport of coal.	Interview with Environment Officer, Operational Manager	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays.	C	
4.6	Undertake on-site processing within the hours 7.00am to 10.00pm Monday to Friday and 7.00am to 6.00pm Saturday.	Ongoing.	Interview with Environment Officer, Operational Manager	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays.	C	
4.7	Undertake coal transport to Whitehaven CHPP and Rail Loading Facility within the hours 7.00am to 6.00pm Monday to Friday with contingency to extend to 8.00pm light and seasonal conditions permitting.	During coal transport.	Interview with Environment Officer, Operational Manager	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays.	C	
4.8	Undertake maintenance within the hours: 24 hours over 7 days.	During maintenance.	Interview with Environment Officer, Operational Manager	Maintenance occurs during site operational hours unless required and approved outside of standard hours by the Operations Manager.	C	
4.9	Undertake rehabilitation within the hours: 7.00am to 6.00pm / Monday to Friday and 7.00am to 4.00pm Saturday.	During rehabilitation.	Interview with Environment Officer, Operational Manager	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays.	C	

5. Waste Management

Desired Outcome: Minimisation of general waste creation and maximisation of recycling wherever possible.

5.1	Place all paper and general wastes originating from the Site Facilities Area, together with routine maintenance consumables from the daily servicing of equipment in garbage bins located adjacent to the various buildings.	Continuous.	Site observations	Waste was noted to be stored in waste skip bins located near the administrative office and near the workshop.	C	
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Desired Outcome: Minimisation of the potential risk of environmental impact due to waste creation, storage and/or disposal.

5.2	Collect general waste bins and place contents in large waste skip bins positioned adjacent to the heavy vehicle maintenance building to await removal by licensed contractor.	Daily - wastebins. As required – skip bins.	Interview with Environment Officer, Operational Manager, Maintenance Superintendent	Waste was reported to be collected by third party contractor, Nomoi, on a monthly basis.	C	
5.3	Collect industrial waste regularly.	Fortnightly.	Nomoi Waste Collection records	Industrial waste is collected on a monthly basis. The Environment Officer advised that as part of the weekly domestic waste collection, industrial waste volumes are noted to assist with scheduling of collection. Whilst the initial commitment was made by WCL to collect industrial waste fortnightly, auditors acknowledge SCM considered the volume of industrial waste generated onsite, which does not require fortnightly collection.	ANC	In the next modification of the CoA, request an update the SoC to remove timing requirement for removal of industrial waste.

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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5.4	Collect waste oils and grease and pump to bulk storage tanks.	As required.	Site observations	Auditor were advised that waste oil and grease collection trays are utilised on a daily basis. During the site inspection, the auditors observed the storage of these trays to be stored under a covered hardstand. However, it was noted that the area was not bunded, nor sufficient for the number of container stored under the covered hardstand area.	Obs C	Consider relocating storage of daily waste oil collection containers to the bunded area next to the IBCs,
5.5	Store waste oils and grease at the maintenance workshop for collection by a licensed waste recycling contractor.	Bi-monthly.	Site observations	Waste oils and grease were noted to be stored in a bunded area for collection and removal.	C	
5.6	Collect all parts and packaging and transfer to the maintenance workshop for disposal or recycling.	As required.	Site observations	Waste bins were observed to be stored near the maintenance workshop.	C	
5.7	Install adequate toilet and ablution facilities within the mine facilities area for the site workforce and visitors.	During site establishment.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
5.8	Direct sewage to a bio-cycle (or equivalent system) with effluent irrigation to land – to be approved by Gunnedah Shire Council.	Ongoing following installation.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
5.9	Store potentially hydrocarbon-contaminated water in the oil/water separator for regular removal from site by a licensed contractor.	As required.	Site observations	The oil water separator was noted to be established and located within a bunded area.	C	
5.10	Assemble all proposed waste management practices in a Waste Management Plan.	Within 6 months of the start of site establishment.		Condition satisfied at time of the previous IEA. However, waste management plan was noted onsite.	C	

6. Safety and Security

Desired Outcome: To protect the safety of employees (including contractors), visitors to the mine, the public as well as local land owners and land users.

6.1	Ensure compliance with statutory regulations and maintain awareness of changes.	Ongoing.	Interview with Operations Manager	Group H&S policy and management system in place. The Operations Manager couples as the Safety Manager and receives support from the Safety resource at CHPP. A monthly Safety meeting is held as well as fortnightly leadership meetings	C	
6.2	Eliminate or control safety and health hazards in the work environment.	Ongoing.	Interview with Operations Manager	The Operations Manager advised that daily operations meetings are used to discuss any safety or health hazards which may be abnormal to daily operations. Standard Operating Procedures (SOPs) are in place for established activities and developed for new activities. These are provided and available on SCM sharepoint.	C	
6.3	Provide relevant occupational health and safe working practices and job training.	Ongoing.	Interview with Operations Manager Sunnyside visitor induction	Auditors were advised that a training and competency management plan is in place, coupled by a training matrix. At the SCM, there are two trainers and assessor to which new employees are paired with a trained operator until deemed as competent by the assessor. Site inductions are provided to visitors.	C	
6.4	Conduct regular safety meetings and provide open forum for input from all employees.	Ongoing.	Interview with Operations Manager	Auditors were advised that pre starts meetings are conducted each morning where safety is discussed and allows workforce to raise concerns. A monthly Safety meeting are held	C	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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				onsite to discuss safety and input from safety representatives.		
6.5	Provide effective emergency arrangements for all employees and general public protection.	Ongoing.	Interview with Operations Manager Site observations	Trained ERT members are onsite with key personnel details posted on the notice board.	C	
6.6	Undertake regular employee assessment and counselling if required.	Ongoing.	Interview with Operations Manager	Details of employee assistance programme (i.e. counselling) are provided on the site notice board who provide anonymous counselling.	C	
6.7	Ensure all contractors adopt the NMPL's policy objectives and maintain safety standards at all times while working on the premises.	Ongoing.	Interview with Operations Manager	Reported to be built into contract and daily management / oversight conducted by the Operations Manager, Maintenance Supervisor.	C	
6.8	Develop an Occupational Health and Safety Management System and Major Hazard Management System to be approved by the Chief Inspector of Coal Mines.	Prior to mining and ongoing	Interview with Operations Manager	<i>Condition satisfied at time of the previous IEA.</i> Safety management plan in place and implemented with the support of senior leadership teams	C	
6.9	Erect and maintain all boundary fencing encompassing the Project Site	During site establishment	Site observations	Auditors observed boundary fencing to be in place	C	
6.10	Install lockable mine entrance gate	During site establishment	Site observations Interview with Operations Manager and Environment Officer	Lockable gate was noted at the entry which was reported to be locked at the end of each day	C	
6.11	Erect appropriate security fencing signs at key locations in and around the Project Site.	During site establishment		<i>Condition satisfied at time of the previous IEA.</i>	NT	
6.12	Erect advisory truck traffic warning signage prior to intersection of private sections of the proposed coal transport route along the re- aligned Coccooboonah Lane.	During site establishment		<i>Condition satisfied at time of the previous IEA.</i>	NT	
6.13	Ensure all equipment complies with Mine Design Guidelines (MDG15).	Prior to commencement of operations	Interview with Environment Officer Open Cut Maintenance Inspection form, dated 22 August 2019 (SMU206606)	Auditors were advised that each equipment to be utilised onsite undergoes an inspection checklist which complies with the Mine Design Guidelines. A open cut maintenance inspection form was sighted by the auditors which demonstrated an inspection of equipment to be utilised onsite and is reviewed and approved by the site's Safety representative.	C	
6.14	Submit Mining Operations Plan to the Department of Primary Industries.	Prior to commencement of operations.	NSW, DP&E MOP approval, dated 22 January 2019	Refer to ML3a	ANC	Repeat finding – refer to ML3a

7. Groundwater

Desired Outcome: Access to groundwater resources within the No 5 underground as a supplementary water source for mine operations.

7.1	Obtain all necessary approvals and construct a groundwater bore (see Figure A) to withdraw water collected in the void of the Gunnedah N ^o 5 underground workings.	During site establishment.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
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Desired Outcome: Prevention of groundwater contamination.

7.2	Control dirty or contaminated surface water within surface structures (see Commitments in Section 10).	Ongoing		Refer to SoC Section 10	C	
7.3	Refuel the mining fleet within designated areas of the Project surface facilities.	Ongoing	Site observations Interview with Interview with Maintenance Superintendent	Refuelling within the pit (as required) or within the refuelling bay	C	
7.4	Undertake all maintenance works requiring the use of oils, greases and lubricants within designated areas of the Project surface facilities.	Ongoing	Interview with Maintenance Superintendent	Undertaken in field when required (i.e. Breakdown) if not maintenance takes place in sealed workshop	C	
7.5	Direct all water from wash-down areas and workshops, except some mobile equipment to oil / water separators and containment systems.	Ongoing	Site observations		C	
7.6	Ensure all storage tanks are either self-bunded tanks or bunded with an impermeable surface and a capacity to contain a minimum 110% of the largest storage tank capacity	Ongoing	Site observations	Storage tanks were noted to be self bunded and no visible evidence of impact was noted. Temporary waste oil drip trays were observed to be stored under cover, however was not bunded. It was noted that most drip trays were empty, however some contained liquid.	Obs C	Relocated storage of waste oil drip trays to bunded areas near storage of IBC units adjacent to the washbay.
7.7	Construct two turkey's nest dams for the storage of any surplus open cut pit inflows (rather than direct placement into underground workings).	Ongoing.	Interview with Environment Officer Site observations	No turkey's nest dams are onsite. However, the auditor observed dams in place that are understood to take pit water. No underground workings at the site. Auditors were advised by WCL that the dams was not required for operations conducted at SCM, as the water storage observed during the site visit was assessed to be sufficient for the operations conducted. Thus, the requirement for two turkey's nest dams was not met.	Obs NC	No actions required, as coal mining works have now been completed at the site.
7.8	Preferentially use water in the two turkey's nest dams for on-site dust suppression (rather than placing water from these dams underground).	Ongoing.	Interview with Environment Officer Site observations	No turkey's nest dams are onsite. However, the auditor observed dams in place that are understood to take pit water. Void water and inflow water is utilised for dust suppression.	Obs NC	No actions required, as coal mining works have now been completed at the site.
7.9	Construct a suitable bore and install appropriate pumping equipment to place diluted pit water (from Turkey's Nest Dam N ^o 2) into the N ^o 5 underground workings. (All bores would be licenced by DoI Lands & Water).	Prior to the completion of construction of Turkey's Nest Dam N ^o 2.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
7.10	Pump water to the N ^o 5 underground workings only from the second turkey's nest dam (to ensure only diluted water is placed underground). This would occur in the event of excessive wet weather when the second turkey's nest dam is approaching its capacity.	As required.		<i>Condition satisfied at time of the previous IEA.</i>	NT	

Desired Outcome: Preparation of a contingency plan in the event that the availability or quality of groundwater is reduced for local groundwater users.

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7.11	Undertake remedial action if the available groundwater for existing groundwater users is reduced by over 15% due to mine activities.	As required.	Interview with Environment Officer Water Balance 2017 Water Balance 2018	Water balance reports did not indicate reduction of groundwater requiring remedial actions. The Environment Officer advised that no such action was required during the audit period.	NT	
Desired Outcome: Implement a groundwater monitoring program to confirm predictions and to identify emerging issues.						
7.12	Implement the water monitoring programme outlined in Section 4B.1.6.1 including ongoing review and modification as required.	Before commencement of Project and ongoing throughout life of Project.		Condition satisfied at time of the previous IEA.	NT	
7.13	Develop contingency measures identified to address any impacts identified by monitoring.	Ongoing.	SUN-Water Management Plan – dated June 2018	WMP defines contingency measures however does not specify triggers to action the contingency measure. Refer to CoA 3.27	NC	Refer to CoA 3.27
7.14	Include relevant data in the Sunnyside Mine Annual Environmental Management Report (AEMR)	Annually.			C	
7.15	Prepare a monitoring report at the conclusion of mining to outline changes in the local groundwater system.	At conclusion of mining.		Condition satisfied at time of the previous IEA.	NT	
7.16	Establish and maintain a coverage of piezometers to the satisfaction of Dol Lands & Water in the vicinity of the open pit and the Project Site.	Within 12 months after the commencement of mining operations.		Condition satisfied at time of the previous IEA.	NT	

8. Noise and Vibration

Desired Outcome: Noise generated by site establishment, construction and operational activities does not exceed EPA nominated criteria nor significantly impact on neighbouring landowners and/or residents.

8.1	Seal the re-aligned Coocooboonah Lane and all other upgraded road sections.	Prior to commencement of coal transportation.		Condition satisfied at time of the previous IEA.	NT	
8.2	Regularly maintain all roads comprising the proposed coal transport route under a contribution plan with Gunnedah Shire Council.	Ongoing.		Refer to ML 21(b)	C	
8.3	Avoid all noisy activities occurring concurrently during construction particularly before 9.00am when the affects of local inversions may be noticeable.	During construction.		Condition satisfied at time of the previous IEA.	NT	
8.4	Construct the out-of-pit overburden emplacement to provide an acoustic barrier between the open cut and Non-Project-related residences.	During emplacement construction in Year 1.		Condition satisfied at time of the previous IEA.	NT	
8.5	Construct the amenity bund around the coal processing area to act as an acoustic barrier.	At commencement of overburden stripping.		Condition satisfied at time of the previous IEA.	NT	
8.6	Adhere strictly to hours of operation, including transport activities, enforced by Mine Management.	Ongoing.	Interview with Operations Manager and Maintenance Superintendent	Site operation hours were reported to be Monday – Thursday 7:00am to 5:30pm; and 7:00am to 3:00pm Fridays.	C	
8.7	Use equipment with lower sound power levels in preference to more noisy equipment.	Ongoing.	SUN-Noise Management Plan, 2018	NMP in place	C	
8.8	Regularly service all equipment used on site to ensure the power sound levels remain at or below the levels used in the modelling to assess generated noise levels and compliance with the criteria.	Ongoing.	Interview with Maintenance Superintendent EMECO Week 38 Maintenance Plan, (16 September – 22 September)	Scheduled maintenance program in place at the site.	C	

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			QUBE fortnightly maintenance forecast, 2 September 2019			
8.9	Ensure that bulldozers either operate in first gear when reversing on the out-of-pit emplacement (and demonstrating compliance with noise criteria) or suspends operations (when compliance is not achieved with noise criteria).	During adverse weather conditions, particularly during periods of temperature inversions.	SUN-Noise Management Plan, 2018	NMP in place	C	
8.10	Manage scraper operations through seasonal / daily programming to avoid operations during inversion conditions and, when necessary to reduce the number of scrapers operating from two to one when noise monitoring demonstrates the L_{Aeq} (15 minute) criteria of 35dB(A) is or will be exceeded.	Under inversion conditions or as required.	Interview with Operations Manager and Environment Manger	Weather management	C	
8.11	Confine operations to lower levels of the in-pit overburden emplacement to mitigate noise exceedances under adverse wind conditions, ie. avoid operations on elevated section of the overburden emplacements during inversions and SSW winds.	Under adverse wind conditions or as required.	Interview with Operations Manager and Environment Manger	Weather management	C	
8.12	Fit mid frequency broadband reversing beepers to mobile mining equipment, decreasing sound power levels by 2dB(A) to 3dB(A).	At start of Project.	Noise Management Plan dated June 2018	This requirement is addressed by Noise Management Plan dated 10/2017	C	
8.13	Ensure the on-site road network is well maintained to limit body noise from empty trucks travelling on internal roads.	Ongoing.	Site observations		C	
8.14	Maintain dialogue with neighbours and local community to ensure any concerns over construction, operational or transport noise are addressed.	Ongoing.	Interview with Environment Manger	CCC meetings are regularly held as a forum to discuss any concerns. Complaints line also noted to be on the website. No noise related complaints raised during the audit period.	C	
8.15	Establish a noise monitoring program, in consultation with the EPA, prior to the commencement of the Project, designed to initially validate the predictions arising from the modelling and then record noise levels against the Project noise criteria.	Prior to construction.	EPL12957	Noise monitoring requirements are established by EPL12957	C	
8.16	Document all proposed noise management strategies formally in a Noise Management Plan.	Prior to construction and mining activity.	SUN-Noise Management Plan, June 2018	NMP in place	C	
8.17	Monitor construction noise near "Lilydale" when the realignment of Coocooboonah Lane is being undertaken.	During construction.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
8.18	Conduct operational noise monitoring monthly for the first six months of mining operations, reverting to quarterly for the remainder of the year.	Ongoing.	2018 Q1, Q2, Q3 and Q4 Noise Monitoring Data 2019 Q1 and Q2 Noise Monitoring Data EPL Monitoring Data: 2017 Monthly 2018 Monthly 2019 Monthly	Noise monitoring has been undertaken at all sites quarterly as required in 2017, 2018 and 2019.	C	
8.19	Instruct all truck drivers to avoid the use of engine brakes when approaching the Project Site entrance and coal transport route intersections and to be mindful when accelerating.	During inductions and ongoing.	Interview with Environment Officer Contract with Qube		C	
8.20	Adhere strictly to approved hours of coal transportation.	Ongoing.	Interview with Operations Manager	Auditors were advised that coal transportation occurs during site operation hours	C	

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8.21	Ensure all blasts are designed to comply with blast limits specified in the Environment Protection Licence.	All blasts.	SUN-Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019	The blast criteria outlined in Table 5 of CoA 3.10 was exceeded five times during the audit period.	NC	No further action required as there is no further blasting proposed at SCM.
8.22	Install a blast monitor at all residences within a 2km radius of the active blasting area to monitor blast parameters.	Ongoing	Blast performance monitor waveforms	Blast performance data at the residences sighted	C	
8.23	Use aggregates for blast hole stemming to prevent venting of explosion gases.	During blasting. Ongoing.	Blast Management Plan dated 10/2017	This requirement is outlined in Blast Management Plan	C	
8.24	Use average size blasts (MIC 960kg) when within the range of 150m to 210m of axe grinding groove (AGGI).	When mining near axe grinding groove.	Blast Management Plan dated 10/2017	This requirement is outlined in Blast Management Plan	C	
9. Flora and Fauna						
9.1	Re-align Coochoonah Lane to avoid removal of Koala habitat.	Prior to off-site coal transportation.		Condition satisfied at time of the previous IEA.	NT	
9.2	Erect fencing to exclude livestock from Koala habitat areas.	Prior to topsoil removal.		Condition satisfied at time of the previous IEA.	NT	
9.3	Erect a Koala-proof fence around the active mine area.	Progressively, as required.		Condition satisfied at time of the previous IEA.	NT	
9.4	Restrict speeds of all vehicles on the Project Site to 40kph.	Entire mine life.		Condition satisfied at time of the previous IEA.	NT	
9.5	Utilise local tree species in revegetation of disturbed areas with an emphasis on Koala feed trees.	During rehabilitation.	SUN-MOP, November 2018	Closure MOP	C	
9.6	Re-establish a small area of the Endangered ecological community Native Vegetation on Cracking Clay Soils of the Liverpool Plains.	After Coochoonah Lane is re-established in pre-mining location.		Condition satisfied at time of the previous IEA.	NT	
9.7	Undertake clearing so the extent is minimised and consistent with operational requirements.	Ongoing.		Condition satisfied at time of the previous IEA.	NT	
9.8	Clearly define all areas to be cleared.	Ongoing.	SUN-MOP, November 2018 Discussions during opening meeting with WCL Management Example of Permit to Disturb, dated 29/5/19	Disturbance permit system in place. An example of the Permit to Disturb associated with ripping land for tube stock replating was provided, dated 29/5/19. The MOP details areas to be cleared. During the opening meeting, WCL Management advised that the Regulator requested land in the south west corner of the pit be cleared to adjust the final landform gradient.	C	
9.9	Transfer soil material and biomass removed beyond the first 18 to 24 months of mining directly to an active rehabilitation area, where practicable.	Ongoing.	Interview with Operations Manager	Operations Manager advised no soil and biomass material was removed from the site during audit period. Auditors observed areas under rehabilitation during the site walk.	C	
9.10	Undertake progressive rehabilitation of all disturbed areas.	Ongoing.	Site observations Discussions during opening meeting	Management reported that 12 hectares of shaping and landform establishment has occurred in 2019, ahead of the zero hectare target.	C	

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9.11	Control noxious weeds at all times.	Ongoing.	Interview with Environment Officer	Weed spray No spray during drought which was reported to have impacted 2017, 2018 and first half of 2019 period. First weed spray event occurred in August 2019	C	
9.12	Adopt a strategy to rehabilitate specific areas of the Project Site to native vegetation, create and / or improve habitat corridors on and adjacent to the Project Site, and protect areas of native vegetation from agricultural activities on NMPL land external to the Project Site.	Ongoing.	SUN-MOP, November 2018 Site observations	Closure MOP seconds as the RMP.	C	
9.13	Maintain, expand and / or create several Koala habitat corridors to promote the linkage of remnant vegetation in the local area.	Ongoing.	Site observations	Koala corridors observed during site walk	C	
9.14	Conserve the existing native vegetation on the Project Site during the life of the proposal and in the final landform.	Ongoing	Site observations	Observed to be in the process	C	
9.15	Carry out, where possible, tree removal, especially the mature trees in late spring and early autumn to avoid spring nesting birds and over-wintering bats.	Ongoing	SUN-MOP, November 2018 Interview with Operations Manager and Environment Officer SCM Land Disturbance Permit, dated 15 April 2019	Auditors sighted an example of a permit to disturb associated with land clearing required for preparation of the final landform. The permit allowed for works to be conducted between 16 April and 15 June 2019. It was noted that a vegetation clearance permit was required, but not provide for review. The permit to disturb provided did not provide details on tree removal or control measures associated with management of fauna.	Obs – C	Where vegetation clearance is required under a permit to disturb, ensure records of vegetation clearance and associated control measures to manage fauna are
9.16	Undertake inspections of mature trees for nesting birds and roosting bats prior to each clearing campaign where mature tree with hollows are to be removed.	Prior to clearing	Interview with Operations Manager and Environment Officer SCM Land Disturbance Permit, dated 15 April 2019	SCM provided a permit to disturb for review. This was associated with preparation of the final landform. Whilst the permit to disturb identified vegetation clearing activities, a vegetation clearance permit was not available for review. SCM was unable to provide evidence of inspections undertaken during vegetation removal or prior to clearing campaigns during the audit period.	NC	Where mature vegetation clearing activities are conducted, ensure records of vegetation clearance permits are maintained.
9.17	Relocate any nesting and roosting hollows, as well as nests, used by listed threatened species to appropriate locations nearby.	Prior to clearing	Interview with Operations Manager and Environment Officer SCM Land Disturbance Permit, dated 15 April 2019	SCM undertook clearing activities associated with preparation of the final land form as part of the Closure MOP. Auditors sighted a permit to disturb which indicated that vegetation clearing was required, however no vegetation clearing permit was available for review. The disturbance permit did not specify how SCM would manage relocation of nesting and roosting hollows and nests, if any.	NC	Where vegetation disturbance is to occur, ensure associated permit, inspection and control measures are in place to manage the potential identification and relocation of nesting and roosting hollows, as well as nests.
9.18	Bury all stumps, branches and tree trunks from felled timber within the overburden emplacements.	Ongoing	Interview with Operations Manager SUN-MOP, November 2018 Site observations	Within rehabilitated areas no tree trunks, stumps or branches were observed. The Closure MOP does not outline the commitment to ensure the burying of trucks and stumps and does not currently outline how these are going to be dealt with during rehabilitation.	Obs C	Ensure that stumps, branches and tree trunks are managed in accordance with this commitment. When the MOP is next revised this commitment should be captured.
9.19	Commence post-mining rehabilitation of the Box Cut area as soon as possible. Re-establish the connectivity of habitat corridor along Coocooboonah Lane. Commence post- mining establishment of the Koala habitat corridors between Coocooboonah Lane and the remnant woodlands south of the Project Site as soon as practicable to re-establish and enhance the connectivity of local Koala habitat corridors.	As early as possible during mining activity	Site observations	Observed to be in the process	C	

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9.20	Include a vertebrate pest control program as part of the mining operation and management plan.	Ongoing	SUN-MOP, November 2018	No pest control reported during the audit period MOP specifies pest control program as required	C	
9.21	Avoid the clearing of native vegetation along the road shoulders where the proposed coal transport route utilizes public roads.	Ongoing		<i>Condition satisfied at time of the previous IEA.</i>	NT	

10. Surface Water

Desired Outcome: Prevention of discharge of dirty, saline or contaminated water from the Project Site.

10.1	Securely store all hydrocarbon products in accordance with the approved Hydrocarbon Management Plan.	Ongoing	Site observations	Auditors noted housekeeping to be good during the site tour.	C	
10.2	Refuel all of the NMPL's mining fleet within designated areas of the Project surface facilities.	Ongoing	Site observations	Refuelling within the pit (as required) or within the refuelling bay	C	
10.3	Direct all water from wash-down areas and workshops to oil/water separators and containment systems.	Ongoing	Site observations Interview with Maintenance Superintendent	The Maintenance Superintendent confirmed that the refuelling bund discharges to the wash-bay and oil water separator.	C	
10.4	Ensure all storage tanks are either self-bunded tanks or bunded with an impermeable surface and have a capacity to contain a minimum 110% of the largest storage tank capacity.	Ongoing	Site observations	Refer to SoC 7.6	Obs C	Refer to SoC 7.6
10.5	Construct catchment banks / drains directing sediment-laden water to sediment basins.	Prior to commencing activities in relevant catchment	Site observations Interview with Environment Officer	Catchment banks and drains were observed during the site tour. Discussion with the Environment Officer confirmed sediment flows to sediment basins.	C	
10.6	Maintain groundcover on all land that is not being used for processing facilities, administration / maintenance facilities, roads, mining activities and the overburden emplacement.	Ongoing	Site observations		C	
10.7	Add flocculants to dirty water within the sediment basins, if required, to expedite the settlement process.	Ongoing	Interview with Environment Officer	No offsite discharges were reported within the audit period. Auditors were advised that flocculants was available, if required, at the CHPP	NT	
10.8	Implement the monitoring program nominated in the Environment Protection Licence to enable appropriate auditing and management.	Ongoing	EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly 2018 Quarterly Noise Monitoring Data 2019 Quarterly Noise Monitoring Data	All monitoring results were recorded and retained as required by the licence	C	
10.9	Record any periods when elevated levels of sediment occur in water discharged from site.	As required	EPL Monthly monitoring summaries for 2017, 2018 and 2019	No water discharged from site during the audit period.	NT	

Desired Outcome: Minimisation of erosion and sedimentation.

10.11	Construct an additional storage dam downstream, if required. This dam would become the new site discharge point and monitoring location.	As required. Ongoing.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
10.12	Implement a 3-phase remedial action plan in the event of a major hydrocarbon spill.	As required. Ongoing.	Interview with Operations Manager,	Auditors were advised that no major hydrocarbon spill occurred during the audit	NT	

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			Environment Officer Environment Officer	period and none were identified in review of the site's INX system.		
			Site INX system			
Desired Outcome: Adequate water is available for site dust suppression.						
10.13	Prepare an annual review of the water balance for management of surface and pit water.	Annually.	Water Balance 2017 Water Balance 2018	Water Balance for 2019 to be completed.	C	
11. Air Quality						
Desired Outcome: Site activities are undertaken without exceeding EPA air quality criteria or goals.						
11.1	Fence off all land which is not to be disturbed to encourage natural regeneration.	At start of mining.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
11.2	Establish ground cover on disturbed areas and emplacement area as soon as possible.	Ongoing	Site observations	Auditors sighted aerial images demonstrating that disturbed areas underwent active rehabilitation over the audit period, however may not have been successful during the audit period.	C	
11.3	Undertake soil stripping at a time when there is sufficient soil moisture to prevent significant lift-off of dust.	Ongoing.	SUN-Air Quality Management Plan, October 2017	Procedure outlined in AQMP and is implemented as required	C	
11.4	Avoid stripping soil in periods of high wind.	Ongoing.	Interview with Environment Officer and Operations Manager	Soil stripping requires a disturbance permit to be completed which is required to be approved. The Environment Officer and Operations Manager advised that consideration of weather and wind speeds are factored into the review and planning schedule for soil stripping works.	C	
11.5	Use water application for dust suppression to increase soil moisture should stripping occur during periods of high wind or low soil moisture.	As required.	Interview with Environment Officer and Operations Manager	Water application as a means of dust suppression was observed to be utilised onsite. The Environment Officer and Operations Manager advised that application of water may also be adopted if soil stripping was to occur during high winds or where low soil moisture is identified.	C	
11.6	Utilise water injection on the drill rigs or alternatively fit them with dust collectors.	Ongoing	SUN-Air Quality Management Plan, October 2017	Procedure outlined in AQMP and is implemented as required	C	
11.7	Use aggregates for blast hole stemming to prevent venting of explosion gases.	Ongoing	SUN-Air Quality Management Plan, October 2017	Procedure outlined in AQMP and is implemented as required	C	
11.8	Conduct blasting both before the establishment, and after the break up of low-level atmospheric temperature inversions.	As required	SUN-Air Quality Management Plan, October 2017	Procedure outlined in AQMP and is implemented as required	C	
11.9	Avoid ripping of softer overburden material during periods of high wind.	As required	SUN-Air Quality Management Plan, October 2017	Procedure outlined in AQMP and is implemented as required	C	
11.10	Spray low moisture coal with water prior to excavation to raise moisture content to >6%	As required	Interview with Operations Manager	Not required during audit period.	NT	

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11.11	Minimise clearing ahead of construction activities	Ongoing	Interview with Environment Officer	No construction activities undertaken during the audit period.	NT	
11.12	Water cleared areas regularly during construction activities.	During construction		Condition satisfied at time of the previous IEA.	NT	
11.13	Minimise clearing ahead of road construction.	During Construction		Condition satisfied at time of the previous IEA.	NT	
11.14	Water active construction areas regularly.	Ongoing	Interview with Environment Officer	No construction activities undertaken during the audit period.	NT	
11.15	Restrict truck speeds on roads under construction to <50kph.	During construction		Condition satisfied at time of the previous IEA.	NT	
11.16	Apply water to the coal at the feed hopper, crusher and all conveyor transfer and discharge points at the rate of approximately 2.0L/t coal processed.	Ongoing	Site observations	Auditors observed regular application of coal at the feed hopper during site tour.	C	
11.17	Temporarily cease operation in the event of protracted dry periods, high winds and significant dust generation and dispersal towards the surrounding residences.	As required	Interview with Operations Manager	Auditors advised of alternative plans and ceasing of activities based on Air Quality Management Plan as required. Occurred earlier in 2019.	C	
11.18	Minimise the extent of clearing / site preparation in advance of mining	Ongoing	Site observations	Clearing and topsoil stripping has only been undertaken for the areas needed for the audit period.	C	
11.19	Clearly define any access or haul roads and restrict vehicles and equipment to those roads.	Ongoing		Condition satisfied at time of the previous IEA.	NT	
11.20	Regularly water haul roads	Ongoing	Site observations		C	
11.21	Avoid coal being loaded above the truck body sides.	Ongoing	Site observations		C	
11.22	Install bund walls and wind breaks as required	Ongoing	Site observations		C	
11.23	Regularly water haul roads.	Ongoing	Site observations		C	
11.24	Avoid coal being loaded above the truck body sides.	Ongoing	Site observations		C	
11.25	Cover all trucks carrying product coal from the mine with approved covers and securely fix the tailgates to prevent windblown dust emission or spillages.	Ongoing.	Site observations Qube contract Interview with Environment Officer	Qube contract required adherence to local regulations and operational requirements stipulated by WCL. Environment Officer advised no issues had been identified or raised with Qube contractors during the audit period with regards to this condition.	C	
11.26	Fit all earthmoving equipment on-site with exhaust controls which satisfy NSW EPA emission requirements.	Prior to commencing site activity. Ongoing.	Qube Contract Interview with Environment Officer	Qube contract required adherence to local regulations and operational requirements stipulated by WCL. Environment Officer advised no issues had been identified or raised with Qube contractors during the audit period with regards to this condition.	C	
11.27	Ensure all equipment is properly maintained to ensure no unacceptable exhaust emissions occur and commit to the removal of any vehicle or item of mobile equipment from on- site activities which is observed not to comply with NSW EPA guidelines.	Ongoing.	Qube Contract Interview with Environment Officer	Qube contract required adherence to local regulations and operational requirements stipulated by WCL. Environment Officer advised no issues had been identified or raised with Qube contractors during the audit period with regards to this condition.	C	
11.28	Direct the exhausts of all equipment upwards or to the side so as not to impinge on the ground and cause dust lift-off.	Ongoing.	Site observations		C	
11.29	Undertake an air quality monitoring program to demonstrate compliance with the nominated goals specified in the Environment Protection Licence.	Ongoing. Monthly / Ongoing	EPL Monitoring Data: 2017 Monthly	Monitoring has been undertaken at all sites for the duration of the audit period. Deposited dust	Obs NC	

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	<ul style="list-style-type: none"> ■ Deposited dust at selected residences and strategic locations surrounding the Project Site. ■ Continuous wind speed and direction at the Project Site weather station. ■ PM₁₀ dust at a residence nearby six day cycle. Refer Section 4B.5.8.	Continuous. Six day cycle.	2018 Monthly 2019 Monthly	sample at location 6 (SD7) in November 2018 was destroyed in laboratory during analysis.		
11.30	Avoid burning vegetation.	Ongoing.	SUN-Air Quality Management Plan, 2017	Procedure outlined in AQMP and is implemented as required	C	
11.31	Use water injection or dust collectors during drilling.	During drilling.	SUN-Air Quality Management Plan, 2017	Procedure outlined in AQMP and is implemented as required	C	
11.32	Avoid ripping softer overburden material during periods of high wind.	Ongoing.	SUN-Air Quality Management Plan, 2017	Procedure outlined in AQMP and is implemented as required	C	
11.33	Establish and maintain a dust monitoring program in line with recommended locations.	Ongoing.	SUN-Air Quality Management Plan, 2017	Procedure outlined in AQMP and is implemented as required	C	
11.34	Install and maintain an automatic weather station within the Project Site.	Established	Site observations	Weather station data obtained and station observed in the field.	C	
Desired Outcome: Minimise Greenhouse Gas Emissions wherever possible.						
11.35	Adopt strategies to reduce GHG environs as nominated in EA Section 4B5.5.4	Ongoing	Energy Savings Action Plan 10/2017	Greenhouse gas reduction strategies are provided in Energy Savings Action Plan 10/2017	C	
Desired Outcome: Avoidance of accumulation of coal dust in domestic water tanks.						
11.36	Install first flush devices on the domestic water tanks at "Werona", "Ivanhoe", "Mulwalla", "Mulwalla (2)", "Innisvale", "Sugarloaf", "Lilydale", "Woodlawn", "Plain View", "Illili", "Glendower", "Ferndale" and "Eulalie".	Prior to recovery of coal.		<i>Condition satisfied at time of the previous IEA.</i>	NT	
12. Aboriginal Heritage						
Desired Outcome: Provide appropriate protection to identified Aboriginal artefacts.						
12.1	Undertake medium sized blasts when open cut pit is near axe grinding groove.	As required.	Annual Review Sunnyside Coal Mine 2018	Aboriginal heritage of the mine was documented in 2006. Annual Review Sunnyside Coal Mine 2018 identified that the axe grinding groove that is located south of the mine pit is included in the blast exclusion zone.	C	
12.2	Cover axe grinding groove with straw bales to prevent possible fly rock damage when blasting is nearby.	As required.	Annual Review Sunnyside Coal Mine 2018 Interview with Operations Manager	Aboriginal heritage of the mine was documented in 2006. Annual Review Sunnyside Coal Mine 2018 identified that the axe grinding groove that is located south of the mine pit is included in the blast exclusion zone. Operations Manager advised that the axe grinding groove remains covered with straw bales to prevent possible fly rock damage. Quarterly inspections are carried out and in 2018 found no impact on the heritage site.	C	
Desired Outcome: Minimise potential to impact upon unidentified Aboriginal artefacts.						
12.3	Invite Aboriginal monitors to site for all soil stripping and ground disturbance activities. Manage any sites detected in accordance with the relevant acts.	Ongoing.		<i>Condition satisfied at time of the previous IEA.</i>	NT	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

12.4	Cease work at any area if further Aboriginal objects are uncovered during the course of the Project, and contact the NSW OEHL for advice.	Ongoing.		Condition satisfied at time of the previous IEA.	NT	
Desired Outcome: Employees who are sensitive and respectful of possible identified Aboriginal sites and artefacts.						
12.5	Conduct a Cultural Heritage Awareness Induction Course for staff, contractors and any heritage monitors working on the Project Site to help raise awareness and ameliorate any impact on heritage sites during site establishment and subsequent mining activities.	During induction of employees/contractors.	Aboriginal Cultural Heritage Management Plan Visitor induction training Interview with Operation Manager and Environment Officer	The plan provides that cultural awareness is included in site specific induction. Visitor induction training provided for review which advises of four heritage locations within the lease area, and the nearest cultural heritage location. Specific Cultural Heritage Awareness training was reported to be provided by WCL. The Operations Manager had reported to complete the training but was not aware who is provided the training.	Obs NC	Ensure that training provided to all staff and contractors, is appropriately detailed that it supports the commitment to “help raise awareness and ameliorate any impact on heritage sites”
13. Visibility						
Desired Outcome: Restriction of vantage points of Project activities from neighbouring residences and public roads.						
13.1	Minimise cleared or non-vegetated areas by progressively rehabilitating the Project Site.	Ongoing.	Site observations	Progressive rehabilitation was observed	C	
13.2	Design the overburden emplacements to as much as possible, replicate existing topographic features.	During planning and design.	Interview with Operations Manager Site observations	Closure MOP with final landforms has been approved. Advised that rehab areas will tie into existing offsite contours.	C	
13.3	Minimise the extent of land disturbance / clearing in advance of mining.	Ongoing.	Site observations	Clearing and topsoil stripping has only been undertaken for the areas needed for the audit period.	C	
13.4	Implement air quality controls as identified in Section 4B.5.5.	Ongoing.	SUN-Air Quality Management Plan, 2017	Air Quality Management and Mitigation operational controls are defined in Air Quality Management Plan and followed as required	C	
13.5	Maintain the mine and associated areas of disturbance in a clean and tidy condition at all times.	Ongoing.	Site observations	Good housekeeping	C	
13.6	Construct amenity bund around coal processing area to provide visual screening.	At start of Project.		Outside of audit period – amenity bund sighted.	NT	
Desired Outcome: The operation of the Siding Springs Observatory is not affected by Project operations.						
13.7	Use a maximum of six lighting plants for night-time activities.	Ongoing.	Interview with Operations Manager and Environment Officer	Operations Manager advised that no night time works occur.	NT	
13.8	Position and direct floodlights to minimise emissions.	Ongoing.	Interview with Operations Manager and Environment Officer	Operations Manager advised that no night time works occur.	NT	
Desired Outcome: Ongoing communication with neighbours.						
13.9	Maintain regular communications with those residents whose visual amenity is affected by the Project and implement any reasonable additional controls to further reduce the impact on their visual amenity.	Ongoing.	SUN-CCC Meeting Minutes & Environmental Monitoring Report: December 2016	In this audit period, Community Consultative Committee meetings were held where necessary.	C	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

			May 2017 February 2018 May 2018 August 2018 February 2019			
14. Soils, Land Capability and Agricultural Suitability						
Desired Outcome: Maintenance of soil value for rehabilitation and minimisation of soil loss through erosion.						
14.1	Strip topsoil from each SMU to a depth of 15cm. Stockpile topsoil for later retrieval and spreading over specific areas during the first 18 to 24 months of mine operations. Beyond this period, Project Site topsoil would be typically directly transferred onto sections of the final landform.	Ongoing.	Site observations	Topsoil stockpiles were sighted for the area that has been mined during the audit period.	C	
14.2	Strip subsoil from each SMU to a depth of 50cm below the topsoil. Stockpiles would be available for re-spreading as areas become available for rehabilitation.	Ongoing.	Site observations	Subsoil stripping was sighted onsite.	C	
14.3	Strip further subsoil to bedrock and segregate each SMU.	Ongoing	Site observations Interview with Operations Manager		C	
14.4	Place higher alkalinity soils over the surface of the overburden emplacement to provide neutralising capacity in the event pockets of acid forming rock are encountered.	Ongoing.	SUN-Mining Operations Plan – dated November 2018 Interview with Operations Manager	As per the MOP, very limit potential acid forming rock exists at the site. This will be placed in pit or capped with at least 2m of capping material.	C	
14.5	Install erosion protection around stockpiles of this material with direct transfer from source to sink commenced as soon as practicable.	Ongoing.	Site observations Interview with Operations Manager	Direct placement of topsoil had occurred during the audit period. Most is from historical stockpiles.	C	
14.6	Topsoil stockpiles not exceed 2m in height and where practicable, be maintained as windrows in preference to larger structures	Ongoing	Site observations	Topsoil stockpiles were observed to be approx.. 2m.	C	
14.7	Seed any stockpiles with a non-persistent cover crop as soon as possible after they have been established to reduce erosion potential and assist in the maintenance of the biological viability of the soil.	Ongoing	Site observations Interview with Operations Manager	Historical topsoil stockpiles were observed to be stable and with ground cover. Newly established stockpiles are planned to be utilised in the next year and therefore no cover crop has been installed or is required.	C	
14.8	Subsoil stockpiles to generally not exceed 3m in height and typically be placed in larger stockpiles than the topsoil.	Ongoing	Site observations		C	
14.9	Maintain and regularly reconcile with rehabilitation requirements an inventory of soil resources present on the Project Site, ie. both in stockpiles and awaiting stripping.	Ongoing	Interview with Operations Manager	Topsoil requirements for closure advised to be easily met with inventory.	C	
14.10	Utilise water management structures to divert surface water flow away from soil stockpile areas to reduce the potential for erosion.	Ongoing.	Site observations Interview with Operations Manager	Soil stockpiles were not observed to be located in the path of surface water flow. Operations Manager advised that soil stockpiles are strategically located prior to generating the stockpile.	C	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

14.11	Place silt-stop fencing or similar immediately downslope of stockpiles where required, until stable vegetation cover is established.	Ongoing.	Site observations	Soil stockpiles were observed to be stable, no requirement for silt fencing.	C	
14.12	Monitor erosion from soil stockpiles or rehabilitated surfaces throughout the life of the Project with remedial works undertaken should erosion be observed.	Ongoing.	Site observations	Soil stockpiles were observed to be stable.	C	
14.13	Undertake all clearing and topsoil stripping in campaigns on an as-needs basis.	Ongoing	Site observations	Clearing and topsoil stripping has only been undertaken for the areas needed for the audit period.	C	

15. Bushfire Controls

Desired Outcome: Avoid fire initiation.

15.1	Clear vegetation away from blast (>20m).	During blasting.	Interview with Operations Manager	No blasting near vegetation during the audit period.	C	
15.2	Remove all coal from open cut around blast.	As required. Ongoing	Interview with Operations Manager	Coal is removed and stockpiled at ROM. Coal is not stored near blast areas. Blasting was noted to be complete for the mine.	C	
15.3	Undertake blast design by qualified personnel.	Ongoing.	Interview with Environment Officer	WCL open cut blast management team.	C	
15.4	Undertake refuelling within designated fuel bays or within cleared area of the Project Site.	Ongoing.	Interview with Operations Manager and Maintenance Superintendent	Refuelling was reported to be conducted within the fuel bay or in the pit as required.	C	
15.5	Turn vehicle engines off during refuelling.	Ongoing.	Interview with Operations Manager	Operations Manager advised that refuelling, to the best of their knowledge, occurs whilst engines are off.	C	
15.6	Enforce no smoking policy in designated areas of the Project Site.	Ongoing.	Interview with HR	No smoking facilities. Verbal, written warnings provided to anyone caught smoking.	C	
15.7	Maintain fire extinguishers within all site vehicles.	Ongoing.	Site observations	Fire extinguishers sighted	C	
15.8	Regularly inspect and water stockpiles.	Ongoing.	Site observations	Watering stockpiles sighted.	C	
15.9	Control stockpile height and volume to limit the duration coal is retained in stockpiles.	Ongoing.	Interview with Operations Manager	Coal stockpiling is governed by limitations of operational hours and haulage to the CHPP.	C	
15.10	Maintenance of housekeeping by mine management.	Ongoing.	Site observations	Good housekeeping	C	
15.11	Ensure water cart is available to assist in extinguishing any fire ignited.	Ongoing.	Site observations		C	

16. Socio-Economic

16.1	Implement a policy which encourages employment of local district personnel with training and certification of suitable local persons provided.	During recruitment and induction. Ongoing.	Interview with HR	HR advised recruiting locally Use of local recruitment companies. Cadetship program looks locally Program assistance and encouragement to move and live locally.	C	
16.2	Provide a local induction kit to any new workers (from outside the district) including contact details for community groups and services throughout the region.	New arrivals. Ongoing.	Interview with HR	HR team provide verbal advice. No formal induction kit for new non-local employees. No new recruits for Sunnyside.	ANC	Develop formal induction kit for new non-local employees, where applicable.

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

				WCL advised that no more full time workers will be employed at Sunnyside due to cessation of operations.	
16.3	Inform Gunnedah Council of the predicted increase of population based on employment at the Project.	During recruitment. Ongoing.		<i>Outside audit period.</i>	NT
16.4	Establish a community enhancement fund to the value of \$500,000.	Five equal annual payments commencing within 3 months of the receipt of Project Approval.		<i>Outside audit period.</i>	NT

17. Rehabilitation

Desired Outcome: Ensure ongoing viable landuse post-mining.

17.1	Stabilise earthworks, drainage lines and disturbed areas no longer required for mine- related activities in order to minimise erosion and the associated generation of sediment- laden water, and to reduce the visibility of activities from adjacent properties and the local road network.	Ongoing.	Site observations Interview with Operations Manager	The Operations Manager advised that as part of the rehabilitation process, site areas would be closed off gradually to reduce disturbance and vehicle movement. During the site tour, auditors noted implementation of such processes had begun.	C
17.2	Provide a low maintenance, geotechnically and safe landform which is commensurate with a variety of agricultural land uses and / or nature conservation.	Ongoing.	SUN-MOP, November 2018	Closure MOP outlines intended landuse for the mine.	C
17.3	Blend the created landforms with the surrounding land fabric as far as practicable.	Ongoing.	SUN-MOP, November 2018 Interview with Operations Manager Site observations	Final landform for the mine will be completed as requested by the Regulator and detailed as per the MOP.	C
17.4	Utilise native tree, shrub and grass species and/ or pasture species comparable with either the existing vegetation communities or those which occurred in the area prior to mining and agriculture-related disturbance.	Ongoing.	SUN-MOP, November 2018 Interview with Operations Manager	Plant species outlined in the MOP to be utilised. The Operations Manager advised that the site has contracted the services of a negronomist to assist with weed management and to improve success of rehabilitation across the mine.	C
17.5	Rehabilitate out-of-pit emplacement with agricultural pasture species and incorporate random tree plantings.	Ongoing.	Interview with Operations Manager Site observations	Some planning on out of pit areas have historically approx. 5-10years ago had not been "random" and have been planted in lines. This is no longer occurring at all the recently planted areas.	C

18. Management Plans

Desired Outcome: Develop and implement a series of Management Plans to assist with appropriate control of potentially impacting activities.

18.1	Mining Operations Plan.	Prior to commencement of any site activities.	SUN-MOP, November 2018 DP&E MOP Approval Letter – dated 22 January 2019 Sunnyside Management Plan Review.xlsx	Closure MOP	C
18.2	Koala Management Plan.	Prior to commencing site activities.	SUN-Koala Management Plan, Oct 2017	KMP in place. Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
(Modification 3 issued January 2019)

			Sunnyside Management Plan Review.xlsx			
18.3	Vegetation Management Plan.	Prior to commencing site activities.	SUN-MOP, November 2018 DP&E MOP Approval Letter – dated 22 January 2019	Addressed within MOP.	C	
18.4	Blast Monitoring Plan.	Prior to blasting commencing and ongoing.	SUN-Blast Management Plan, Oct 2017 Sunnyside Management Plan Review.xlsx	BMP in place. Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required. It is noted that blasting has ceased at the mine.	C	
18.5	Surface Water Management Plan.	Already produced and to be updated prior to site activities.	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019 Sunnyside Management Plan Review.xlsx	Within the WMP. Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.6	Waste Management Plan.	Within 6 months of the start of site establishment.	Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.7	Spontaneous Combustion Monitoring Plan.	Within 6 months of the start of mining operations.	Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.8	Hydrocarbon Management Plan.	Prior to commencing site activities.	Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.9	Mine Closure Plan.	At least 2 years prior to mine closure.	SUN-MOP, November 2018 DP&E MOP Approval Letter – dated 22 January 2019 Sunnyside Management Plan Review.xlsx		C	
18.10	Prepare a Traffic Management Plan to ensure appropriate procedures are in place for public traffic during the realignment of Coocooboonah Lane and intersection upgrades– for submission with Section 138 permit applications to Gunnedah Shire Council and RTA.	Prior to commencement of the realignment of Coocooboonah Lane and intersection upgrades.		<i>Outside audit period.</i>	NT	
18.11	Construction Noise Management Plan.	Prior to commencement of site activities.		<i>Outside audit period.</i>	NT	

TABLE A1 – CONDITIONS OF APPROVAL

Compliance with Ministers Conditions of Approval DA 06_0308
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18.12	Operations Noise Management Plan.	Prior to commencing Project Operations stage.	SUN-Noise Management Plan, June 2018 Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.13	Traffic Noise Management Plan.	Prior to commencement of coal transportation.	SUN-Noise Management Plan, June 2018 Sunnyside Management Plan Review.xlsx	Incorporated in Noise Management Plan dated June 2018 Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.14	Air Quality Monitoring Plan.	Prior to commencing site activities.	SUN-Air Quality Management Plan, Oct 2017 Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.15	Groundwater Management Plan	Within 6 months of the start of mining operations.	SUN-Water Management Plan – dated June 2018 DP&E WMP Approval – dated 30/01/2019 Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.16	Archaeological Site Management Plan.	Prior to blasting commencing.	SUN-Aboriginal Cultural Heritage Management Plan, Oct 2017 Sunnyside Management Plan Review.xlsx	Based on the Sunnyside Management Plan Review spreadsheet, the Environment Officer conducted a review of the management plan in May 2019. No changes were required.	C	
18.17	Bushfire Management Plan.	Prior to commencing site activities.	SUN-Bushfire Management Plan, Oct 2017	Management plan in place. Review of the Sunnyside Management Plan Review document did not include review of the Bushfire Management Plan in May 2019.	Obs C	SCM should ensure all management plans are captured and reviewed during the annual review process.

Table A.3 Compliance with Environment Protection Licence (EPL) 12957

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
1 ADMINISTRATIVE CONDITIONS					
A1 What the licence authorises and regulates					
A1.1	This license authorises the carrying out of the scheduled development work listed below at the premises listed in A2: Construction of surface infrastructure including but not limited to access roads, intersection and surface facilities prior to mining.		Noted	Note	
A1.2	This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Coal Works 0 – 2,000,000 T handled Mining for Coal 0-500,000 T produced Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.	SUN-Annual Review 2017 SUN-Annual Review 2018	The Annual Review indicated ROM volumes of: 2017 – 0 tonnes 2018 – 515,702 tonnes 2019 – projected 500,000 tonnes	C	
A1.3	The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.		Noted	Note	
A2 Premises or plant to which this licence applies					
A2.1	The licence applies to the following premises: SUNNYSIDE COAL MINE 259 COOCOBOONAH LAND GUNNEDAH NSW 2380 LOT 1DP 393755, LOT 3 DP 6111154, LOT 12 DP 7555503 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).	Auditor observations	Site is at approved location.	C	
A3 Information supplied to the EPA					
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Refer to this audit table.	Refer to this audit table.		

Item	Assessment Requirement	Reference/Evidence	Comments	Compliance	Recommendations																					
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND																										
P1 Location of monitoring/discharge points and areas																										
P1.1	<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>Air</p> <table border="1"> <thead> <tr> <th>ID</th> <th>Type</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> <tr> <td>2</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD3' on property PlainView identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 Dec 2008.</td> </tr> <tr> <td>4</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD5' on property Ivanhoe identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> <tr> <td>5</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD6' on property Illili identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> <tr> <td>6</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD7' on property Innisvale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> <tr> <td>7</td> <td>Ambient Air Monitoring</td> <td>PM10 location labelled 'SA1' on property Illili identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> </tbody> </table>	ID	Type	Location	1	Ambient Air Monitoring	Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	2	Ambient Air Monitoring	Deposited dust location labelled 'SD3' on property PlainView identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 Dec 2008.	4	Ambient Air Monitoring	Deposited dust location labelled 'SD5' on property Ivanhoe identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	5	Ambient Air Monitoring	Deposited dust location labelled 'SD6' on property Illili identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	6	Ambient Air Monitoring	Deposited dust location labelled 'SD7' on property Innisvale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	7	Ambient Air Monitoring	PM10 location labelled 'SA1' on property Illili identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	<p>EPL Monitoring Data: 2017 Monthly 2018 Monthly 2019 Monthly</p>	<p>Monitoring has been undertaken at all sites for the duration of the audit period. Deposited dust sample at location 6 (SD7) in November 2018 was destroyed in laboratory during analysis.</p>	ANC	<p>No additional actions to be undertaken. Monitoring was undertaken as per the requirement, however one result was destroyed during laboratory analysis.</p>
ID	Type	Location																								
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P1.2	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <p>Water and land</p> <table border="1"> <thead> <tr> <th>ID</th> <th>Type</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>Wet weather discharge Discharge water quality monitoring</td> <td>Discharge point from Storage Dam 3 located on northern side of premises labelled "SD3" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009</td> </tr> <tr> <td>10</td> <td>Wet weather discharge Discharge water quality monitoring</td> <td>Discharge point from Storage Dam 4 located on northern side of premises labelled "SD4" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.</td> </tr> <tr> <td>11</td> <td>Ambient water quality monitoring</td> <td>Monitoring point on Coocooboonah Creek upstream of project site labelled "CCUS" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.</td> </tr> </tbody> </table>	ID	Type	Location	9	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 3 located on northern side of premises labelled "SD3" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009	10	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 4 located on northern side of premises labelled "SD4" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.	11	Ambient water quality monitoring	Monitoring point on Coocooboonah Creek upstream of project site labelled "CCUS" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.	<p>Sunnyside Surface Water.xlsx Interview with Environmental Officer</p>	<p>Surface water data notes that ID 9 and 10 are monitored. There have been no discharges during the audit period, therefore no monitoring at IDs 11 and 12.</p>	C										
ID	Type	Location																								
9	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 3 located on northern side of premises labelled "SD3" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009																								
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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 figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.																																								
P1.3	<p>The following points referred to in the table 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>Noise/Weather</p> <table border="1"> <thead> <tr> <th>ID</th> <th>Type</th> <th>Location</th> </tr> </thead> <tbody> <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 - 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No noise monitoring data was provided for 2017. [Please provide and ERM can update accordingly]	C	
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations												
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.	Interview with Environmental Officer	No incidents resulting in environmental harm have been notified during the audit period. There have been no discharges during the audit period.	C													
L2 Concentration Limits																	
L2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	EPL Monitoring Data: 2017 Monthly 2018 Monthly 2019 Monthly Interview with Environmental Officer	There have been no discharges during the audit period.	C													
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: 2017 Monthly 2018 Monthly 2019 Monthly Interview with Environmental Officer	There have been no discharges during the audit period.	C													
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.	Interview with Environmental Officer	There have been no discharges during the audit period.	C													
L2.4	Water and/or Land Concentration Limits Points 9,10	EPL Monitoring Data: 2017 Monthly 2018 Monthly 2019 Monthly Interview with Environmental Officer	There have been no discharges during the audit period.	C													
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L2.5	The Total Suspended Solids concentration limits specified for Points 9 and 10 may be exceeded for water discharged provided that: (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 (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. <i>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.</i>	Interview with Environmental Officer	There have been no discharges during the audit period.	NT													
L3 Waste																	
L3.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence		The site is locked outside of work hours. All waste onsite is managed by the licenced waste contractor. No waste is received at the site.	C													
L3.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.			NT													

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations						
L4 Noise Limits											
L4.1	<p>Noise generated at the premises must not exceed the noise limits in the table below.</p> <table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day- LAeq (15 minute)</th> <th>Evening- LAeq (15 minute)</th> </tr> </thead> <tbody> <tr> <td>All surrounding residences</td> <td>35</td> <td>35</td> </tr> </tbody> </table>	Locality and Location	Day- LAeq (15 minute)	Evening- LAeq (15 minute)	All surrounding residences	35	35	<p>2018 Q1, Q2, Q3 and Q4 Noise Monitoring Data 2019 Q1 and Q2 Noise Monitoring Data Warning Letter from DPE, dated 30 August 2018</p>	<p>Noise exceedances were noted above 35 dBL during the audit period. On 21 June 2018, during the quarterly noise monitoring, two exceedances were recorded of day criteria, of 37 dBL (Glendower property) and 38 dBL (Illili property). The consultant undertaking the monitoring reported that the exceedances were likely due to adverse weather and inversion conditions and also noted that noise monitoring results returned to below the criteria during the same monitoring event. Therefore, no additional mitigation measure were proposed. The exceedances were reported to DPE, who issued a Warning Letter dated 30 August 2018 for the exceedances. No further action was required by the Department.</p>	NC	No additional actions required. Continue monitoring surrounding residences as required.
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: a) identified as residences subject to acquisition or noise mitigation on request within the Project Approval; or b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.</p>	<p>Private Agreement Noise – Whitehaven Coal Limited – “Plainview” property dated 1 August 2012</p>	Noted	Note							
L4.3	<p>For the purpose of the table above: a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays; b) Evening is defined as the period from 6pm to 10pm;</p>	<p>SUN- Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly 2018 Quarterly Noise Monitoring Data 2019 Quarterly Noise Monitoring Data</p>	<p>The time when noise is generated during this audit complies with this condition.</p>	C							
L4.4	<p>To determine compliance: a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located: i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve. 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. c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located: i) at the most affected point at a location where there is no dwelling at the location; or</p>	<p>2018 Q1, Q2, Q3 and Q4 Noise Monitoring Data 2019 Q1 and Q2 Noise Monitoring Data</p>	<p>The noise monitoring undertaken during 2018 and 2019 is in accordance with the criteria of this condition.</p>	C							

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.				
L4.5	The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Stability category G temperature inversion conditions. For the purposes of this condition: a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.	2018 Q1, Q2, Q3 and Q4 Noise Monitoring Data 2019 Q1 and Q2 Noise Monitoring Data	The noise monitoring undertaken during this audit complies with this condition.	C	
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	2018 Quarterly Noise Monitoring Data 2019 Quarterly Noise Monitoring Data	The noise monitoring undertaken during this audit has taken into consideration Section 4 of the NSW Industrial Noise Policy.	C	
L4.7	The noise limits set by this licence do not apply where a current legally binding agreement exists between the licensee and the occupant of a residential property that: a) agrees to an alternative noise limit for that property; or b) provides an alternative means of compensation to address noise impacts from the premises. A copy of any agreement must be provided to the EPA before the licensee can take advantage of the agreement.	Private Agreement Noise – Whitehaven Coal Limited – “Plainview” property dated 1 August 2012	It is unclear whether the agreement was provided to EPA and therefore whether it is active. The monitoring at this location however did not exceed EPL criterion during audit period.	C	

L5 Blasting

L5.1	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded	SUN-Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019	During the audit period there have been six recorded events where blast results have been above the blast criteria of 115 dB(Lin Peak). On 11 April 2018 two readings were recorded: ■ 117.9 dB at Plainview; and ■ 115.9 dB at Ferndale. On 14 May 2018, a further three events were recorded: ■ 115.8 dB at Plainview; ■ 115.7 dB at Illili; and ■ 117.7 dB at Ferndale. On the 7 June 2019, one blast exceedance was recorded: ■ 116 dB at Plainview. SCM issued an email to the DP&E to advise of exceedances in blast criteria at the mine for the months of April and May 2018. SCM received a warning letter from DP&E dated 10 July 2018 for exceeding the 5% allowable exceedance threshold, as there had been five exceedances across 12 blast events.	NC	No additional action required as there is no further blasting proposed at SCM.
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>SCM engaged blast consultants (Terrock) in May/June 2018 to investigate the airblast exceedances and provide additional mitigation measures to prevent future exceedance in blast criteria. The report noted concluded that airblast over pressure exceedances occurring in May and April 2019 may have been impacted by face direction, firing direction and powder factor, and should be considered when designing or implementing future blasts.</p> <p>The blast non-compliance in 2019 was lodged to the DP&E on 7 June 2019. No measures were taken given that the blast was the last one associated with mining activities. This blast was also outside the 5% allowable exceedance threshold, as there had been 12 blasts in the preceding 12 months.</p>		
L5.2	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	SUN-Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019	No blasting events exceeded 120 dB.	C	
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.	SUN-Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019	During this audit, this criteria was not exceeded.	C	
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.	SUN-Annual Review 2017 SUN-Annual Review 2018 EPL Monitoring Data: Monthly for 2016 Monthly for 2017 Monthly 2018 Monthly for 2019	During this audit, this criteria was not exceeded.	C	
L6 Hours of Operation					
L6.1	Construction activities covered by this licence must only be carried out between the hours of 0700 to 1800 hrs Monday to Friday and between 0700 and 1600 hrs Saturday and at no time on Sundays and Public Holidays.	Interview with Environmental Officer	It was reported that no construction activities have occurred during the audit period.	NT	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	SUN-Annual Review 2017 SUN-Annual Review 2018 Interview with Operations Manager	As per the SUN-Annual Review 2018, mining operations were conducted as per Condition L6.1.	C	
L6.3	Transportation of coal from the premises must only be carried out between the hours of 0700 and 1800 (Eastern Standard Time) hrs Monday to Friday, and 0700 and 2000 hrs (Eastern Summer Time) Monday to Friday, and 0700 to 1600 hrs on Saturdays, and at no time on Sundays and Public Holidays.	Interview with Operations Manager	Haulage only occurs during the same period as site operations.	C	
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.	Sunnyside Blast Monitoring Results.xlsx	All blasting undertaken within required hours.	C	
L6.5	Conditions L6.1, L6.2, L6.3 and L6.4 do not apply to the delivery of material, and mining operation, if required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances notification must be provided to the EPA and affected residents as soon as practicable.		Noted	Note	
L6.6	The hours of operation specified in conditions L6.1, L6.2, L6.3 and L6.4 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.	Interview with Environmental Officer	It was advised that amendment to conditions L6.1, L6.2, L6.3 and L6.4 have not been required or requested by the site during the audit period	NT	

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.	SUN-Mining Operations Plan – dated November 2018 Site observations	The Mining Operations Plan outlines how activities will be undertaken for the processing, handling, movement etc. of materials and waste. Onsite observations showed works being undertaken competently.	C	
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O2 Maintenance of plant and equipment

O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: (a) must be maintained in a proper and efficient condition; and (b) must be operated in a proper and efficient manner.	Emeco weekly maintenance forecast, wk 38 from 16.09-22.09.19 Qube fortnightly maintenance plan dated 2.09.19 Site observations	Preventative maintenance schedule is in place to ensure equipment is maintained. Equipment was observed to be operated appropriately.	C	
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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 Site observations	Water carts observed in operation, as well as water cannon in use on the ROM.	C	
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.	Site observations	Coal haulage trucks were all observed to be covered.	C	

O4 Other operating conditions

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
Blast Fume					
O4.1	Offensive blast fume must not be emitted from the premises. Definition: Offensive blast fume means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances: (i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.	SUN-Blast Fume Management Procedure – dated 19/05/2017 (attached to SUN-Blast Management Plan)	The Blast Fume Management Procedure was revised 19 May 2017. Two internal fume events were noted during the audit period (10 & 29 November 2017), both were small and dissipated quickly and didn't leave the premises.	C	
Pollution Incident Response Management Plan					
O4.2	The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.	SUN-Pollution Incident Response Management Plan – dated 26/11/2018	A revised Pollution Incident Response Management Plan was released on 26 November 2018, and details procedures to deal with incidents.	C	
O4.3	The licensee must keep the PIRMP on the premises at all times.	Site observations	A copy of the PIRMP is accessible electronically and is also maintained in hardcopy on a site notice board.	C	
5 MONITORING AND RECORDING CONDITIONS					
M1 Monitoring Records					
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly 2018 Quarterly Noise Monitoring Data 2019 Quarterly Noise Monitoring Data	All monitoring results are recorded and retained.	C	
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.	WCL Master Drive>HSEC>Environment>Sunnyside	Published monitoring data sighted. <i>WCL Master Drive>HSEC>Environment>Sunnyside</i> is the WCL drive where all environmental records are maintained.	C	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: (a) the date(s) on which the sample was taken; (b) the time(s) at which the sample was collected; (c) the point at which the sample was taken; and (d) the name of the person who collected the sample.	ALS COC SLR quarterly reports	ALS COC includes field data sheet which includes this information. SLR report do not include the person name who is undertaking the sampling. WHL advised that this information is held by SLR, but not contained within the report. Whilst this is the case, the EPL imposes requirements on the mine operator, and therefore these details should be held by SCM.	ANC	Ensure SLR and all contractors undertaking monitoring include all details required by this condition (i.e. name of sampler)
M2 Requirement to monitor concentration of pollutants discharged					

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																
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:	EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly	Monitoring is undertaken in accordance with the license.	C																	
M2.2	Air Monitoring Requirements <u>Point 1,2,4,5,6</u> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates – Deposited Matter</td> <td>Grams per square meter per month</td> <td>Continuous</td> <td>AM-19</td> </tr> </tbody> </table> <u>Point 7</u> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>Micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-19</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Particulates – Deposited Matter	Grams per square meter per month	Continuous	AM-19	Pollutant	Units of measure	Frequency	Sampling Method	PM10	Micrograms per cubic metre	Every 6 days	AM-19	EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly	Air Monitoring requirements are as per condition M2.2.	C	
Pollutant	Units of measure	Frequency	Sampling Method																		
Particulates – Deposited Matter	Grams per square meter per month	Continuous	AM-19																		
Pollutant	Units of measure	Frequency	Sampling Method																		
PM10	Micrograms per cubic metre	Every 6 days	AM-19																		
M2.3	Water and/ or Land Monitoring Requirements* <u>Point 9,10</u> – conductivity, oil and grease, pH, TOC, TSS – Special frequency 1 <u>Point 11,12</u> – conductivity, oil and grease, pH, TOC, TSS – Special frequency 2 <i>*refer to the EPL for units of measure, frequency and sampling method for each pollutant</i>	Interview with Environmental Officer	No discharge event during the audit period, therefore no monitoring.	NT																	
M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after each discharge commences and in any case not more than 12 hours after each discharge commences.		Noted	Note																	
M2.5	For the purposes of the table(s) above Special Frequency 2 means the collection of samples quarterly (in the event of a flow during the quarter) at a time when there is flow and as soon as practicable after each wet weather discharge from points 9 and 10 commences and in any case not more than 12 hours after each discharge commences.		Noted	Note																	
Note	Groundwater monitoring points have not been formally included in the licence. However, the licensee is required to undertake groundwater monitoring in accordance with 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.		Noted	Note																	

M3 Testing Methods – concentration limits

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".

M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology	Monthly ALS Dust deposition laboratory reports Monthly ALS High Volume Sampler Filter Analysis reports Air Quality Management Plan	In accordance with the requirements of the "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW" dust deposition is undertaken in accordance with AS3580.10.1-2003. 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	C	
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	approved in writing by the EPA for the purposes of that testing prior to the testing taking place.		gravimetric method for the determination of suspended particulate matter in ambient air from High Volume sampler.		
Note	The <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".		Noted	Note	
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.		Noted	Note	
M4 Weather Monitoring					
M4.1	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. Point 25 – Rainfall, Wind Speed at 10m, Wind Direction at 10m, Temperature at 2m, Temperature at 10m, Sigma Theta at 10m, Total Solar Radiation Siting *refer to the EPL for Point 25 table detailing sampling method, units of measure, averaging period, and frequency for each parameter.	99 M7 2017.xlsx 99 M7 2018.xlsx 99 M7 2019 YTD.xlsx Site observations	Weather station was sighted onsite. Weather data for audit period was also sighted.	C	
M4.2	The meteorological weather station must be maintained so as to be capable of continuous monitoring the parameters specified in this section.	Interview with Environmental Officer	Novocom undertakes the maintenance every 6 months for the weather station.	C	
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.	http://www.whitehavencoal.com.au/sustainability/environmental-management/sunnyside-mine/	A complains number is provided on the website.	C	
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	2018 Complaints Register Interview with Environmental Officer	One complaint (29/01/2018) was recorded during the audit period. The published complaint register includes all requirements excluding the personal details. Personal details of the complainant were provided in a separate email from Environment Officer (dated 17 September 2019). SCM advised that details of complaints are maintained on WHC CMO Complaint system. From review a of the CMO system, it did not appear that the system is maintained or updated regularly, with the 2018 complain still identified as 'under investigation'. From discussion with the Environment Officer during the audit, the complaint had been closed and no outstanding action was required.	ANC	Update and maintain the CMO system to ensure the status of complaints are kept current and relevant.
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	2015-2018 Complaints Registers 2019 Complaint Register	These are published online.	C	
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	2009-2018 Complaints Registers	These are available online.	C	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations												
M6 Telephone complaints line																	
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence	http://www.whitehavencoal.com.au/sustainability/environmental-management/sunnyside-mine/	A complains number is provided on the website.	C													
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	http://www.whitehavencoal.com.au/sustainability/environmental-management/sunnyside-mine/	The complaints line is available on the website.	C													
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.		Noted	Note													
M7 Blasting																	
M7.1	<p>To determine compliance with condition(s) L5.1, L5.2, L5.3 and L5.4: 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><u>Point:19, 20, 23, 24, 26</u></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><i>Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in this licence at any "noise sensitive locations" other than the locations identified in the above condition.</i></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.	EPL Monitoring Data: 2016 Monthly 2017 Monthly 2018 Monthly 2019 Monthly	The blasting activities comply with Condition 7.1.	C	
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.														
M8 Noise monitoring																	
M8.1	<p>To determine compliance with condition(s) L4.1: For each monitoring point specified below, the Licensee must monitoring 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><u>Point 13, 14, 15, 16, 17</u></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>Ambient Noise</td> <td>LAeq (15 minute) LA max LA1 (1 minute) LA10 LA90 LAmin</td> <td>Quarterly</td> <td>Type 1 Noise Meter -attended monitoring in accordance with Australian Standards and the NSW Industrial Noise policy</td> </tr> </tbody> </table> <p><i>Note: The location, frequency of monitoring and the parameters to be monitored may be varied by the EPA once the variability of the noise impact is established.</i></p>	Parameter	Units of Measure	Frequency	Sampling method	Ambient Noise	LAeq (15 minute) LA max LA1 (1 minute) LA10 LA90 LAmin	Quarterly	Type 1 Noise Meter -attended monitoring in accordance with Australian Standards and the NSW Industrial Noise policy	2018 Q1, Q2, Q3 and Q4 Noise Monitoring Data 2019 Q1 and Q2 Noise Monitoring Data	Noise monitoring has been undertaken at all sites quarterly as required within the reporting period in 2017, 2018 and 2019.	C					
Parameter	Units of Measure	Frequency	Sampling method														
Ambient Noise	LAeq (15 minute) LA max LA1 (1 minute) LA10 LA90 LAmin	Quarterly	Type 1 Noise Meter -attended monitoring in accordance with Australian Standards and the NSW Industrial Noise policy														

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M8.2	To assess compliance with the noise limits presented in the Noise Limits table, attended noise monitoring must be undertaken in accordance with the condition titled Determining Compliance, outlined above, and: a) at each one of the locations listed in the Noise Limits table; b) occur quarterly in a reporting period; c) occur during each day and evening period as defined in the NSW Industrial Noise Policy for a minimum of: i) 1.5 hours during the day; and ii) 30 minutes during the evening. d) occur for three consecutive operating days.	2018 Q1, Q2, Q3 and Q4 Noise Monitoring Data 2019 Q1 and Q2 Noise Monitoring Data	The noise monitoring undertaken during this audit complies with this condition.	C	

6 REPORTING CONDITIONS

R1 Annual return documents

R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 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. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	2015-2016 Annual Return 2017 Annual Return 2018 Annual Return	The AR has been completed for each year with the relevant information included.	C	
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. <i>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.</i>	2015-2016 Annual Return 2017 Annual Return 2018 Annual Return	An Annual Return has been completed for each reporting period	C	
R1.3	Where this licence is transferred from the licensee to a new licensee: (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. <i>Note: An application to transfer a licence must be made in the approved form for this purpose</i>		Noted	Note	
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: (a) in relation to the surrender of a licence – the date when notice in writing of approval of the surrender is given; or (b) in relation to the revocation of the licence – the date from which notice revoking the licence operates.		Noted	Note	
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').		Noted	Note	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	2015-2016 Annual Return 2017 Annual Return 2018 Annual Return	Annual returns for the last 4 years were provided	C	
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: (a) the licence holder; or (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	2015-2016 Annual Return 2017 Annual Return 2018 Annual Return	2015-2016 and 2017 Annual Returns were certified and signed as required. The 2018 Annual Return was submitted digitally. Auditors were provided evidence of email confirmation of submission via EPA e-connect system contains statement of certification, but has not been formally signed as observed for the 2016 and 2017 Annual Returns.	C	
R2 Notification of environmental harm					
<i>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.</i>					
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Interview with Environmental Officer	No incidents resulting in environmental harm have been notified during the audit period.	NT	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	Interview with Environmental Officer	No incidents resulting in environmental harm have been notified to EPA during the audit period.	NT	
R3 Written report					
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: (a) where this licence applies to premises, an event has occurred at the premises; or (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.		No requests from EPA in relation to this condition.	NT	
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.			NT	
R3.3	The request may require a report which includes any or all of the following information: (a) the cause, time and duration of the event; (b) the type, volume and concentration of every pollutant discharged as a result of the event; (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and (g) any other relevant matters.			NT	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.			NT	
R4 Other reporting conditions (Blast Reporting)					
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.		Exceedances on the 11 April 2018, 14 May 2018 and 14 June 2019 were reported as required.	C	
7 GENERAL CONDITIONS					
G1 Copy of licence kept at premises or plant					
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Site observations	A hardcopy was sighted onsite. An electronic copy is also accessible onsite.	C	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Interview with Environmental Officer	No requests from EPA to view the licence. The licence is available.	NT	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Site observations	See G1.3	C	

Table A.4 Compliance with Mining Lease 1624

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Notice to Landholders					
1	<p>Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>		Requirement falls outside of the audit period	NT	
Environmental Harm					
2	The proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development.		Refer to this audit report	Refer to audit report	
Mining Operations Plan					
3a	Mining operations must not be carried out otherwise than in accordance with: a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.	<p>DIR&E MOP Approval dated 3 May 2016 (ref 16/17817)</p> <p>DRG MOP Approval dated 4 August 2017 (ref 17/31890)</p> <p>DP&E MOP Extension, dated 19 June 2018 (ref 18/391319)</p> <p>DP&E MOP Extension, dated 2 November 2018 (ref 18/836639)</p> <p>DP&E MOP Approval dated 22 January 2019 (ref 19/4113)</p> <p>DP&E Penalty Notice dated 11 July 2019 (ref NTCE0003223)</p> <p>SUN-Mining Operations Plan – dated 10 July 2017</p> <p>SUN-Mining Operations Plan – dated November 2018</p> <p>Interview with Environmental Officer, and Site Operations Manager</p>	<p>The Auditors were advised that the site has received a penalty notice (NTCE0003223) from the Regulator for operating the mine without an approved MOP between the period of 19th and 22nd January 2019.</p> <p>The Operations Manager advised that whilst the operational period referred to in the Notice falls across three days, mine operations without an approved MOP constituted one operational day (as the mine does not operate on the weekends).</p> <p>The site presently has an approved MOP in place (approved 22 January 2019) providing approval for period up to 22 January 2026.</p> <p>The current MOP is referred to as the Closure Mining Operations Plan (Closure MOP) for works until 5 November 2025.</p>	ANC	No action required, the site is now operating under an approved MOP.
3b	<p>The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations;</p> <p>(ii) detail the staging of specific mining operations;</p> <p>(iii) identify how the mine will be managed to allow mine closure;</p> <p>(iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment;</p> <p>(v) reflect the conditions of approval under:</p> <ul style="list-style-type: none"> ■ the Environmental Planning and Assessment Act 1979 ■ the Protection of the Environment Operations Act 1997 	SUN-Mining Operations Plan – dated November 2018	<p>The approved MOP generally addresses the requirements of this condition.</p> <p>The MOP Section 2.3.4 Overburden Emplacement and Supplementary Earthworks, identifies that 2m of inert material is required for carbonaceous material, whereas the remainder of the MOP, in a number of sections, identifies the need for a minimum 5m of inert material above</p>	ANC	Ensure that when the MOP is next updated this inconsistency is removed.

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. 		carbonaceous material. From site interviews it was established that the site is installing 5m of inert material.		
3c	The titleholder may apply to the Director-General to amend an approved MOP at any time.	DRG MOP Approval dated 4 August 2017 Resources Regulator MOP Approval dated 22 January 2019	SCM amended its MOP during the audit period and the subsequent approval letter was sighted.	C	
3d	It is not a breach of this condition if: (i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997 or the Occupational Health and Safety Act 2000; 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.	Interview with Environmental Officer	No direction has been received.	NT	
3e	A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General. An approved amendment to the MOP under condition 5 does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director General.	SUN-Mining Operations Plan – dated July 2017 SUN-Closure Mining Operations Plan – dated November 2018	The site has not operated on a single MOP for greater than seven years. Therefore, this condition is not triggered.	NT	
Environment 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.	2016 AR submission emails dated 09/02/17 (all regulators) 2017 AR submission emails dated 27/02/18 2018 AR submission emails dated 27/02/19 2018AR Resubmission email dated 10/05/19 Interview with Environmental Officer	The Annual Review (AR) reports meet this condition. ERM sighted the submission of the ARs for 2016 to 2018 to the regulator. 2019 AR is due for submission Feb 2020 (60 days after end of year). 2018 AR was rejected, minor changes were requested by regulator. Resubmission 10/05/19. This was accepted on 21 May 2019.	C	
The EMR must:					
5	<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; 	Annual Review Sunnyside Coal Mine 2017 Annual Review Sunnyside Coal Mine 2018	Annual reviews were compliant with the requirements.	C	
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.	Interview with Project Manager – Mine Rehabilitation Interview with Environmental Officer S240 Notice (Ref: NTCE0002483), issued 18 April 2019	S240 notice was issued to the site, dated 18 April 2019, requesting the site to submit a Final Sunnyside Mine Rehabilitation Report on or before 29 November 2019. Within the notice, a Draft version was to be submitted on or before 30 August 2019. A Variation to Notice was provided for review, dated 5 July 2019, which allowed for the provision of the draft report by the 23 September 2019, with the submission date for the Final report remaining the 29 November 2019.	C	

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.	SUN-Mining Operations Plan – dated November 2018	The current MOP has been approved by the regulator and outlines the final land use and rehabilitation requirements for the site.	C	
Subsidence Management					
8	<p>(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.</p> <p>(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 Applications for Subsidence Management Approvals guidelines (EOG17)</p> <p>(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the Mine Health & Safety Act 2004, or the document New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09).</p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>(e) Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 3 and will be subject to the Annual Environmental Management Report process as set out under Condition 4. The SMP is also subject to the requirements for subsidence monitoring and reporting set out 1n the document New Approval Process for Management of Coal Mining Subsidence - Policy.</p>	SUN-Mining Operations Plan – dated November 2018 Interview with Environmental Officer	SCM is an open cut coal mine and has not undertaken any underground mining works.	NT	
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>	DRG letter dated 16 July 2018 Evidence from Commercial Superintendent Interview with Environmental Officer	<p>A notice was given by DRG on 16 July 2018 that removes the requirements of this condition.</p> <p>During the audit period ERM sighted evidence that expenditure was above the requirements of this condition for each calendar year prior to this condition not being required to be adhered to.</p>	C	
Control of Operations					
10	<p>(a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:-</p> <p>(i) cease working the lease; or</p> <p>(ii) cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction.</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>	Interview with Environmental Officer	No notice during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Reports					
11	<p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following;</p> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>	<p>Annual Exploration Report dated 1 December 2016</p> <p>Annual Exploration Report dated 21 November 2017</p> <p>Annual Exploration Report dated 28 November 2018</p> <p>EROL -Exploration & Environmental Reports Online Lodgement for 2016, 2017 & 2018</p> <p>Interview with Environmental Officer</p>	<p>The annual exploration reports were reviewed and noted to satisfy the requirements of this condition.</p> <p>The submission of the reports through the online regulator portal were also sighted to be within the required timeframes</p>	C	
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>		Noted	Note	
Confidentiality					
13	<p>(a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential.</p> <p>(ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.</p> <p>(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality.</p>		Noted	Note	
Terms of the non-exclusive licence					
14	<p>The terms of the non-exclusive copyright licence granted under condition 12 are:</p> <p>(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(b) the Minister and any sub- licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.</p> <p>(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.</p> <p>(d) there is no royalty payable by the Minister for the licence.</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months' notice.</p>		Noted	Note	
Blasting					
15a	<p>Ground Vibration</p> <p>The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Climate Change.</p>	Sunnyside Blast Monitoring Results.xlsx	There have been no exceedances of this criteria during the audit report.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
15b	Blast Overpressure 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.	Refer to CoA Condition 3.10	Refer to CoA Condition 3.10 for exceedances related to 115 dB.	NC	Refer to CoA Condition 3.10
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.	Annual Exploration Report dated 1 December 2016 Annual Exploration Report dated 21 November 2017 Annual Exploration Report dated 28 November 2018 Interview with Environmental Officer	There is a boundary fence in place. Exploration during this audit period has been within the boundary fence.	C	
Exploratory Drilling					
17a	At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Energy Regional Hydrologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.	Interview with Environmental Officer Commencement of drilling operations notification dated 5/10/17; 28/03/18 and 5/04/18 An email confirming notification dated 12.10.2017	Notifications provided met the requirements of this condition	C	
17b	If the lease holder drills exploratory drill holes he must satisfy the Director-General that:- (i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established; (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 a clean, tidy and stable condition.	Annual Group Exploration Reports dated 21 November 2017 and 28 November 2018 Annual Review Sunnyside Mine 2017 Annual Review Sunnyside Mine 2018 SUN-Mining Operations Plan – dated November 2018	Annual Group Exploration Report for the period from 5 November 2016 to 4 November 2017 identified that eight exploration boreholes were drilled (SUNN212C – 219C). Annual Review identified that all holes drilled have subsequently been sealed. Annual Group Exploration Report for the period from 5 November 2017 to 4 November 2018 identified that twelve non-cored exploration boreholes (SUNN220 – 231A) were drilled during the reporting period. Annual Review identified that holes sited on the overburden dump were backfilled, the others located within pit operations have subsequently been mined. The Closure MOP outlines that decommissioning of boreholes will occur by End of Year 1 (November 2019).	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Prevention of Soil Erosion and Pollution					
18	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	SUN-Mining Operations Plan – dated November 2018 Site observations	Refer to CoA Condition 3.18 for some air quality exceedances for PM10.	NC	Refer to CoA Condition 3.18
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.		No transmissions lines within the site.	NT	
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.		No interference fences have occurred during the audit period. No landholder gates on the lease.	NT	
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.	Whitehaven Pulse – financial records	The site uses Coochooboonah Lane and pays Gunnedah Shire Council maintenance costs for this road. Evidence of quarterly payments (2017 Q1 & Q2) to the council were sighted.	C	
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.		No access tracks installed or removed during audit period.	NT	
Trees and Timber					
23	(a) The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden. (b) The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the Native Vegetation Act 2003. (c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	Interview with Environmental Officer	No clearing was undertaken during the audit period. However, some previously SCM planted trees have been removed or transplanted due to changes required by the regulator regarding final landforms for the site. This has all occurred on the ML.	NT	
Resource Recovery					
25a	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 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.		Noted	Note	
25b	The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.		Noted	Note	
25c	The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.		Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
25d	The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with the lease holder and a report to the Director-General has incorporated the views of the lease holder.		Noted	Note	
25e	The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the Mining Act, 1992.		Noted	Note	
25f	After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.		Noted	Note	
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.		Noted	Note	
Security					
27a	A security in the sum of \$3,175,000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under this lease. If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the 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.	ML1624 Namoi Mining- full TAS Report dated 5 April 2019	Evidence was sighted that the appropriate security bonds are held.	C	
27b	The lease holder must provide the security required by sub-clause (a) in one of the following forms: (i) cash, (ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.	ML1624 Namoi Mining- full TAS Report dated 5 April 2019	Security is held in the form of security certificates.	C	
Cooperation Agreement					
31	The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping petroleum title(s). The cooperation agreement should address but not be limited to issues such as: <ul style="list-style-type: none"> ■ access arrangements ■ operational interaction procedures dispute resolution ■ information exchange ■ well location timing of drilling ■ potential resource extraction conflicts and rehabilitation issues. 	Interview with Senior Mine Geologist Interview with Environmental Officer	Discussion with Santos (overlapping tenure is PEL 1) were advised to have occurred prior to the current audit period.	NT	

APPENDIX B DEPARTMENTAL CORRESPONDENCE

Ofusina Ikitoelagi

From: Jeremy Arnott <jeremy.arnott@planning.nsw.gov.au>
Sent: Monday, 2 September 2019 11:14 AM
To: Nicole Whittaker
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Thanks Nicole.

The Resources Regulator has issued a Notice pursuant to section 240 of the *Mining Act 1992* to inform us on the status and performance of rehabilitation at Sunnyside Coal Mine. We await those results which come at the end of this month.

Happy auditing – feel free to contact me if you uncover any rehabilitation concerns.

Regards

Jeremy Arnott
Inspector Environment

Resources Regulator | Department of Planning, Industry and Environment
T 02 4063 6669 | **M** 0427 880 922 | **E** Jeremy.arnott@planning.nsw.gov.au
516 High Street, Maitland, NSW 2320
www.resourcesregulator.nsw.gov.au



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Environment**

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The Department of Planning, Industry 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: Nicole Whittaker <Nicole.Whittaker@erm.com>
Sent: Friday, 30 August 2019 8:29 AM
To: Jeremy Arnott <jeremy.arnott@planning.nsw.gov.au>; RRD CO MinRes Environment Mailbox <minres.environment@planning.nsw.gov.au>
Cc: Oliver Moore <Oliver.Moore@erm.com>; Wei-Lin Chen Yi Mei <Wei-Lin.ChenYiMei@erm.com>; Andrew Raal <ARaal@whitehavencoal.com.au>; Lynden Cini <LCini@whitehavencoal.com.au>; Tony Dwyer <tdwyer@whitehavencoal.com.au>
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Hi,

I am following up on my below email. Does your department have any comments or concerns that they wish to raise in relation to this audit?

Regards,
Nicole

Nicole Whittaker
Senior EHS Consultant

ERM

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E Nicole.Whittaker@erm.com | W www.erm.com



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From: Nicole Whittaker
Sent: Wednesday, August 7, 2019 2:20 PM
To: 'Jeremy.arnott@planning.nsw.gov.au' <Jeremy.arnott@planning.nsw.gov.au>; 'minres.environment@planning.nsw.gov.au' <minres.environment@planning.nsw.gov.au>
Cc: Oliver Moore <Oliver.Moore@erm.com>; Wei-Lin Chen Yi Mei <Wei-Lin.ChenYiMei@erm.com>; 'Andrew Raal' <ARaal@whitehavencoal.com.au>; Lynden Cini <LCini@whitehavencoal.com.au>; Tony Dwyer <TDwyer@whitehavencoal.com.au>
Subject: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Hi,

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The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 11 -13 September 2019, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 6 September 2019.

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

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Ofusina Ikitoelagi

From: Renee Shepherd <Renee.Shepherd@environment.nsw.gov.au>
Sent: Wednesday, 21 August 2019 2:21 PM
To: Nicole Whittaker
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Nicole,

Thank you for your email regarding the Sunnyside Mine audit.

The Biodiversity and Conservation Division (formerly OEH) has no additional items for the IEA to investigate beyond the Terms of Reference that have been provided.

We look forward to receiving the audit outcomes.

Regards,
Renee.

Renee Shepherd
Senior Conservation Planning Officer

Biodiversity and Conservation Division | Department of Planning, Industry and Environment
T 02 6883 5355 | E renee.shepherd@environment.nsw.gov.au
48-52 Wingewarra Street, Dubbo NSW 2830

Please note that I work part-time: Monday-Thursday

From: Nicole Whittaker <Nicole.Whittaker@erm.com>
Sent: Wednesday, 7 August 2019 2:23 PM
To: Renee Shepherd <Renee.Shepherd@environment.nsw.gov.au>
Cc: Oliver Moore <Oliver.Moore@erm.com>; Wei-Lin Chen Yi Mei <Wei-Lin.ChenYiMei@erm.com>; Andrew Raal <ARaal@whitehavencoal.com.au>; Lynden Cini <LCini@whitehavencoal.com.au>; Tony Dwyer <tdwyer@whitehavencoal.com.au>
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I can be contacted at the details outlined below to discuss further.

Regards,
Nicole

Nicole Whittaker
Senior EHS Consultant

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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 NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Ofusina Ikitoelagi

From: James Epstein <James.Epstein@planning.nsw.gov.au>
Sent: Thursday, 8 August 2019 11:54 AM
To: Nicole Whittaker
Cc: Oliver Moore; Wei-Lin Chen Yi Mei; Andrew Raal; Lynden Cini; Tony Dwyer; Leah Cook
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Nicole,

Thank you for consulting with the Department regarding the upcoming Sunnyside Mine as required by Schedule 5, Condition 6(b) of PA 06_0308.

The Department requests that ERM pay particular attention during the audit to compliance with the following:

- Blast Management Plan, as required by Schedule 3, Condition 17B;
- Koala Management Plan, as required by Statement of Commitment 18.2;
- Rehabilitation and Landscape Management Plan, as required by Schedule 3, Condition 30.

If you'd like to discuss further I can be contacted on the details provided below.

Regards,

James

James Epstein
Senior Compliance Officer

Planning & Assessment | Department of Planning, Industry and Environment
T 02 6670 8650 | **M** 0429 395 691 | **E** james.epstein@planning.nsw.gov.au
PO Box 3145, Singleton NSW 2330
Please direct all email correspondence to compliance@planning.nsw.gov.au
www.dpie.nsw.gov.au



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Industry &
Environment**

The Department of Planning, Industry 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.



Please consider the environment before printing this e-mail.

From: Nicole Whittaker <Nicole.Whittaker@erm.com>
Sent: Wednesday, 7 August 2019 2:20 PM
To: James Epstein <James.Epstein@planning.nsw.gov.au>; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Oliver Moore <Oliver.Moore@erm.com>; Wei-Lin Chen Yi Mei <Wei-Lin.ChenYiMei@erm.com>; Andrew Raal <ARaal@whitehavencoal.com.au>; Lynden Cini <LCini@whitehavencoal.com.au>; Tony Dwyer <tdwyer@whitehavencoal.com.au>
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Ofusina Ikitoelagi

From: Nicole Whittaker
Sent: Friday, 30 August 2019 8:29 AM
To: 'Paul.Freeman@planning.nsw.gov.au'
Cc: Oliver Moore; Wei-Lin Chen Yi Mei; 'Andrew Raal'; 'Lynden Cini'; 'Tony Dwyer'
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

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Ofusina Ikitoelagi

From: Nicole Whittaker
Sent: Thursday, 8 August 2019 11:50 AM
To: Wei-Lin Chen Yi Mei
Cc: Oliver Moore
Subject: FW: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Hi Wei,

I just had a call from Michael (CCC Chair). When you get back into Sunnyside, can you please capture the below in our audit tables and as feedback from the CCC in the report.

Concerns:

- Final rehab/closure planning;
- Previous sponcom issue at the end of the last mining effort, this was rectified, but just want to make sure that this is adequately covered in the rehab planning; and
- Concerns around the access road. Originally this was a dirt road, that was realigned and bitumened for the mine. Ensure this is captured and adequately address in final rehab/closure planning.

In addition the ToR will be raised at the next meeting (next week) and if there is anything additional he will come back to me.

Thanks,
Nicole

From: Nicole Whittaker
Sent: Wednesday, August 7, 2019 2:35 PM
To: 'michael@nvbricks.com.au' <michael@nvbricks.com.au>
Cc: Oliver Moore <Oliver.Moore@erm.com>; Wei-Lin Chen Yi Mei <Wei-Lin.ChenYiMei@erm.com>; 'Andrew Raal' <ARaal@whitehavencoal.com.au>; 'Lynden Cini' <LCini@whitehavencoal.com.au>; 'Tony Dwyer' <TDwyer@whitehavencoal.com.au>
Subject: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Hi Chairperson and CCC Members,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Whitehaven Coal for the Sunnyside Mine, PA 06_0308. The project also holds EPL #12957.

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

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 11 -13 September 2019, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 6 September 2019.

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

Regards,
Nicole

Nicole Whittaker

Senior EHS Consultant

ERM

Level 4 | 201 Leichhardt Street | Spring Hill QLD 4000

PO Box 1400 | Spring Hill QLD 4004

T +61 7 3007 8487 M +61 423 557 169

E Nicole.Whittaker@erm.com | W www.erm.com



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Ofusina Ikitoelagi

From: Nicole Whittaker
Sent: Friday, 30 August 2019 8:28 AM
To: 'Armidale@epa.nsw.gov.au'; 'Simon.Lund@epa.nsw.gov.au'
Cc: Oliver Moore; Wei-Lin Chen Yi Mei; 'Andrew Raal'; 'Lynden Cini'; 'Tony Dwyer'
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

Hi,

I am following up on my below email. Does the EPA have any comments or concerns that they wish to raise in relation to this audit?

Regards,
Nicole

Nicole Whittaker
Senior EHS Consultant

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Level 4 | 201 Leichhardt Street | Spring Hill QLD 4000
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From: Nicole Whittaker
Sent: Wednesday, August 7, 2019 2:20 PM
To: 'Armidale@epa.nsw.gov.au' <Armidale@epa.nsw.gov.au>; 'Simon.Lund@epa.nsw.gov.au' <Simon.Lund@epa.nsw.gov.au>
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Ofusina Ikitoelagi

From: Jenny Ehmsen <jenny.ehmsen@planning.nsw.gov.au>
Sent: Tuesday, 3 September 2019 3:43 PM
To: Nicole Whittaker
Subject: Whitehaven Coal Sunnyside Independent Audit 2019
Attachments: ERM_Sunnyside_2019.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Nicole

Please find attached a copy of the Regulator's requirements for independent audits.

Regards

Jenny

Jenny Ehmsen
Principal Compliance Auditor

Resources Regulator | Department of Planning, Industry and Environment
T 02 4063 6443 | **M** 0438 735 010 | **E** jenny.ehmsen@planning.nsw.gov.au
516 High Street Maitland NSW 2320
www.resourcesregulator.nsw.gov.au



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The Department of Planning, Industry 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.





AREQ0004106

Ms Nicole Whittaker
ERM
PO Box 1400
Spring Hill Qld 4004
By email: Nicole.Whittaker@erm.com

Dear Ms Whittaker

Subject: Whitehaven Coal Sunnyside Independent Audit 2019

Thank you for your emails dated 7 August and 30 August 2019 requesting consultation on the independent audit to be undertaken of the Sunnyside Mine operated by Whitehaven Coal.

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

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

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

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

Yours sincerely



Jenny Ehmsen
Principal Compliance Auditor

3 September 2019

Ofusina Ikitoelagi

From: Nicole Whittaker
Sent: Friday, 30 August 2019 8:28 AM
To: 'Armidale@epa.nsw.gov.au'; 'Simon.Lund@epa.nsw.gov.au'
Cc: Oliver Moore; Wei-Lin Chen Yi Mei; 'Andrew Raal'; 'Lynden Cini'; 'Tony Dwyer'
Subject: RE: Whitehaven Coal Sunnyside Independent Environmental Audit 2019

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Senior EHS Consultant

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Our reference: : EF13/4249; DOC19/686381
Contact: : Simon Lund – 02 6773 7000 – armidale@epa.nsw.gov.au
Date : 24 September 2019

Ms Nicole Whittaker
Senior EHS consultant
Level 4
201 Leichardt St
Spring Hill QLD 4000

Email: Nicole.Whittaker@erm.com

BY EMAIL

Dear Ms Whittaker,

Sunnyside Mine - Independent Environmental Audit EPL 12957

Thank you for your email regarding the independent environmental audit of Sunnyside Coal Mine. Please accept my apologies for the delay in responding. The EPA does not have any specific issues about the environmental performance of this site that it needs to draw to your attention. The sites Environment Protection Licence and regulatory history can be viewed on the EPA's public register.

The public register may be accessed at <https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers>.

If you have any questions or wish to discuss this matter further, please contact Simon Lund at the Armidale EPA office on (02) 6773 7000 or by email to armidale@epa.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lindsay Fulloon', written over a horizontal line.

LINDSAY FULLOON
Manager Regional Operations - Armidale
Environment Protection Authority

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Kazakhstan	Taiwan
Kenya	Thailand
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Myanmar	Vietnam

ERM Sydney Office

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Mr Andrew Raal
Environmental Officer
Whitehaven Coal Limited
231 Conadilly St
GUNNEDAH NSW 2380

Contact: Heidi Watters
Phone: 02 6575 3401
Email: compliance@planning.nsw.gov.au
Our Ref: PA 06_0308

Dear Mr Raal

Sunnyside Coal Mine – Independent Environmental Audit 2019

Reference is made to correspondence from Whitehaven Coal Limited (WCL) dated 31 May 2019 seeking approval of the audit team for the upcoming Independent Environmental Audit (IEA) required by Schedule 5 condition 6 of Project Approval 06_0308 (the approval) for the Sunnyside Coal Mine.

The Secretary has considered WCL's request and approves the following audit team for the 2019 IEA:

- Nicole Whittaker – Lead Auditor
- Wei-Lin Chen Yi Mei – Support Auditor
- Iain Cowan – Air Quality Specialist
- Sebastian Madden – Biodiversity Specialist
- Nathan Lynch – Noise Specialist
- Joanne Woodhouse – Heritage Specialist
- Oliver Moore – Technical Review

The IEA is to be conducted in accordance with the conditions of the approval, and the Department's *Independent Audit Guideline* (October 2015).

Further, the Secretary requests that in undertaking the IEA, the Auditor:

- Consult with the following agencies prior to the IEA site inspection, with all matters raised to be clearly tabulated and addressed in the IEA report:
 - Department of Planning and Environment;
 - Department of Planning and Environment – Resources Regulator – Division of Resources and Geoscience;
 - Environmental Protection Authority;
 - Department of Industry – Crown Lands and Water;
 - Office of Environment and Heritage;

- Gunnedah Shire Council; and
- Sunnyside Coal Mine Community Consultative Committee.
- Only use the compliance status descriptors “compliant”, “non-compliant” or “not triggered”. The terms “partial compliance”, “partial non-compliance”, “not verified” or other similar terms are not to be used; and
- Recommends actions to address each non-compliance identified and any additional opportunities for improvement.

Further, Schedule 5 condition 7 of the approval states:

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.

It is noted that the IEA site inspection is proposed to be undertaken in early September 2019. Therefore the IEA report and RAR (which is to include target dates for the completion of proposed actions in DDMMYYYY format) shall be submitted to compliance@planning.nsw.gov.au by **2 November 2019**, or as otherwise agreed by the Secretary.

Should you need to discuss the above, please contact Heidi Watters, Senior Compliance Officer, on the details above.

Yours sincerely,



Leah Cook

Team Leader Compliance

As nominee of the Secretary