



# Independent Environmental Audit 2023

Tarrawonga Coal Mine

25 September 2023

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## Signature Page

25 September 2023

# Independent Environmental Audit 2023

Tarrawonga Coal Mine



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## EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Tarrawonga Coal Mine ('TCM') on behalf of Whitehaven Coal Limited ('WHC'). The mine is located approximately 16 km east of Boggabri, New South Wales (NSW). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE) – now the Department of Planning and Environment (DPE) Ministers' Conditions of Approval (CoA) Project Approval number PA 11\_0047, 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 August 2020 through 26 July 2023 (the date the site visit was completed as part of the audit).

The audit included a review of:

- DPIE, Ministers Conditions of Approval PA 11\_0047 (Modification 9) including Statements of Commitments;
- Mining Leases 1579, 1693, 1685 and 1749;
- Environment Protection Licence (EPL) 12365; 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. operational. All staff interviewed demonstrated a high level of 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 ISO 31000 - Risk Management and as described in the Department of Planning & Environment publication "Post Approval Requirements – Independent Audit" issued May 2020. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in *Table E.1* below.

**Table E.1 Summary of Audit Findings**

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
<b>Statutory Instruments</b>	5 (+7 duplicate)	Nil	2
<b>Implementation of Plans</b>	Nil	Nil	Nil

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 Tarrawonga Coal Mine ('TCM'), on behalf of Whitehaven Coal Limited (herein referred to as 'WHC'). The mine is located approximately 16 km north east of Boggabri, New South Wales (NSW). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE) – now the Department of Planning and Environment (DPE) Ministers' Conditions of Approval (CoA) Project Approval number PA 11\_0047 (Modification 9), 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 August 2020 through to 26 July 2023 (the date the site visit was completed as part of the audit).

According to the CoA the audit must:

- be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- include consultation with the relevant agencies;
- 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);
- review the adequacy of strategies, plans or programs required under these approvals; and, if appropriate; and
- recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.

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

### 1.1 Overview of Operations and Approvals

TCM is an open cut coal mine which was originally approved by the Minister for Planning under Project Approval PA 11\_0047 on 22 January 2013 to Tarrawonga Coal Pty Ltd (TCPL). PA 11\_0047 MOD 9 was approved in May 2021.

TCM lies within the mining leases (ML) 1579, 1685, 1693 and 1749. Tarrawonga is wholly owned by Whitehaven Coal Limited (WHC). The site holds Environmental Protection Licence (EPL) 12365, which was last varied in June 2023.

#### 1.1.1 Description of primary processes undertaken during the audit period

Current activities at the site include the following:

- Exploration;
- Land Preparation;
- Mining Operations;
- Coal Processing and Transport;
- Maintenance Activities;
- Waste Management;
- Water Management; and
- Rehabilitation.

### 1.1.1.1 Construction and demolition

WHC reported that no new buildings were constructed during the audit period.

Also, no demolition was completed during the audit period.

### 1.1.1.2 Exploration

Exploration drilling was conducted during the audit period under the Mining Leases 1579, 1685, 1693, 1749 conditions. Actual exploration ceased in 2020 although further drilling in advance of mining continued to occur through to 2023 for coal quality, geotechnical and/or hydrogeological evaluation purposes.

### 1.1.1.3 Land preparation

During the audit period, clearing of vegetation was conducted to prepare the surface in advance of mining operations. Prior to the commencement of any clearing activities, flora and fauna pre-clearing surveys are conducted in accordance with the Biodiversity Management Plan. Once cleared, soil stripping and stockpiling is conducted in the cleared areas in order to facilitate required works. Clearing is conducted during the annual twelve week clearing window from February to April.

TCM reported 1 vegetation clearing Non-Compliance during the audit period (March 2022) when mulching operations cleared beyond the permitted boundary. TCM revised the boundary marking protocols within the Biodiversity Management Plan and submitted it for approval as required.

### 1.1.1.4 Mining operations

TCM is approved to extract 3.5 M tonnes of ROM coal per annum (limit amended to 3.5 Mt from 3 Mt in the 2021 Mod 7). During the audit period coal extraction has not exceeded the tonnage limit.

- 2020 – 2.5 Mt
- 2021 – 2.2 Mt
- 2022 - 2.1 Mt

Open cut mining activities, including processing of coal, generally occur between the hours of 6:30 am and 5:00 pm (day shift) and 4:30 pm and 3:00 am (night shift) from Monday to Friday.

### 1.1.1.5 Coal processing and transport

ROM coal is transferred by road to Whitehaven’s Coal Handling and Preparation Plant (CHPP) at Gunnedah. During the audit period TCM has transported a maximum of 2.3M tonnes to the CHPP (2020). TCM also transport coal by road directly to the market which accounted for a maximum of 93,387 tonnes in 2021.

**Table 1.1 Coal Transport**

	CHPP	Direct distribution
<b>2020</b>	2.3 Mt	89,970 t
<b>2021</b>	2 Mt	93,387 t
<b>2022</b>	1.8 Mt	87,300 t

### 1.1.1.6 Maintenance activities

Maintenance of plant and equipment occurs within the maintenance workshop which is utilised and managed by TCM maintenance staff and contractors. TCM maintains records of all plant maintenance activities undertaken.

### 1.1.1.7 Waste management

Wastes generated at the Site include:

- General waste;
- Tyres;
- Batteries;
- Waste oil and filters;
- Hydraulic hoses;
- Coolant
- Scrap metal;
- Cardboard;
- Timber;
- Septic waste; and
- Paper, plastic, aluminium cans etc.

All wastes (with the exception of heavy plant tyres) are collected by Namoi Waste for off-site disposal. Waste segregation was noted to be good during the audit. Used heavy plant tyres are disposed of in-pit in accordance with the EPL.

Coal rejects received from the CHPP and waste overburden are disposed to the pit in accordance with approval conditions.

### 1.1.1.8 Water management

Water management at TCM is undertaken in accordance with the approved Water Management Plan. The main components of water-related infrastructure include:

- sediment dams to capture sediment in sediment-laden runoff from emplacement areas;
- surface water drains to divert sediment-laden runoff from emplacement areas to sediment dams;
- surface water drains to divert runoff from undisturbed catchments around areas disturbed by mining; and
- a mine water system to store water pumped out of the mine pit area and to collect runoff from coal stockpile areas.

### 1.1.1.9 Rehabilitation

Progressive rehabilitation activities have occurred during the audit period and generally comprise contouring of landforms, planting and maintenance of vegetated areas.

## 1.2 Audit Objectives

The primary objectives of the audit included:

- assess the environmental performance of the project and assess whether it is complying with the requirements in the CoA and any relevant EPL or Mining Leases (including any assessment, plan or program required under these approvals);
- review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; 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 DPE's Guidelines for Independent Audits and AS/NZS ISO 19011:2018: Guidelines for auditing management systems;
- review of compliance against the documentation identified in CoA (as it relates to the current activities at the Tarrawonga Coal Mine ) which included;
  - document review of compliance against the CoA, statement of commitments, and any other relevant consents/approvals;
  - a site inspection to assess compliance against field implementation of the active CoA;
  - review of supporting plans developed as part of the CoA and assessment of their adequacy towards effective environmental performance;
- review of monitoring results and trends with comparison of monitoring results against regulatory limits and CoA limits (where applicable);
- confirmation if any additional monitoring required for identified trends;
- community complaints with review completed for any trends and identifying the source of an established trend;
- review of any regulatory actions including any letters, penalty notices and prosecutions;
- review of previous Independent Environment Report audit report to verify close-out of actions;
- consultation with the relevant agencies such as Department of Planning and Environment (DPE) (various divisions: planning and post approvals, compliance, water, resources, biodiversity and conservation), Environment Protection Authority (EPA), Narrabri Shire Council (NSC) and Tarrawonga Coal Mine Community Consultative Committee (CCC);
- draft report with results of compliance assessment to be issued for comment to Whitehaven Coal; and
- final report issued for submission to the DPE.

The audit covers the period 1 August 2020 to 26 July 2023 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 11\_0047 (Modification 9) including Statements of Commitments;
- Mining Leases 1579, 1693, 1685 and 1749;

- MLs assessed against original conditions from 1 August 2020 to 1 July 2022; and
- MLs assessed against Standard Conditions of Part 2, Schedule 8A of *Mining Regulations 2016* from 2 July 2022 to 26 July 2023.
- EPL 12365; and
- Implementation of approved Management Plans:
  - Noise Management Plan
  - Air Quality and Greenhouse Gas Management Plan
  - Aboriginal Heritage Conservation Strategy
  - Biodiversity Management Plan
  - Water Management Plan
  - Mine Site Rehabilitation Plan
  - Rehabilitation Management Plan
  - Environmental Management Strategy
  - Blast Management Plan
  - Heritage Management Plan
  - Traffic Management Plan
  - Pollution Incident Response Management Plan.

## 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.

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## 2. AUDIT METHODOLOGY

### 2.1 Methodology and Process

The audit comprised a site inspection during the dates 25 to 26 July 2023, interviews with key personnel, and review of records and other related documentation.

The audit process included the following primary components:

- development of a Terms of Reference 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 16 June 2023 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 25 July 2023 at site to confirm the audit objectives and scope for the site inspection. Attendees included:
  - Andrew Lewis (ERM Lead Auditor)
  - Leanne Lee (ERM Support Auditor)
  - Megan Martin (Site Environment Superintendent)
  - Madeleine Wright (Site Environmental Officer)
  - Daryl Robinson (GOC Manager Environment and Rehabilitation)
- Site inspections were undertaken between 25 and 26 July 2023;
- A debrief / closeout meeting was held at the site on 26 July 2023 to discuss initial findings and recommendations. Attendees were:
  - Andrew Lewis (ERM Lead Auditor)
  - Leanne Lee (ERM Support Auditor)
  - Megan Martin (Site Environment Superintendent)
  - Madeleine Wright (Site Environmental Officer)
  - Daryl Robinson (GOC Manager Environment and Rehabilitation)
- Preparation of the draft audit report.
- Preparation of the final audit report.

### 2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning and Environment (DPE), NSW Resources Regulator, CCC, NSW Environment Protection Authority (NSW EPA), as well as the Narrabri Shire Council. Emails were issued on 10 July 2023, with a follow up email submitted on 21 July 2023 to those that had not yet replied. 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 and Environment (DPE)	Email on 10 July 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	The DPE requested a focus on the adequacy and implementation of the Air Quality and Greenhouse Gas Management Plan.	Items within the scope of the audit are addressed within the audit report and audit tables within Appendix A.  The audit noted that TCM is implementing the AQGHGMP as required and no adequacy issues were observed.
NSW Resource Regulator	Email on 10 July 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<p>The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.</p> <p>From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 3 mining leases that comprise the Tarrawonga Coal Mine have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.</p> <p>The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.</p>	<p>Items within the scope of the audit are addressed within the audit report and audit tables within Appendix A.</p> <p>The mining leases were assessed as per the requirements stated across the relevant timeframes.</p> <p>The audit noted rehabilitation activities were conducted as per the Rehabilitation Management Plan and that TCM continues to assess current practices for improvement opportunities.</p>
New South Wales Environment Protection Authority (NSW EPA)	Email on 10 July 2023	Provision of Audit Terms of Reference, introduction to team, outline date of audit and	Responded with no comment to make on ToR.	N/A

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Narrabri Shire Council	Email on 10 July 2023 and follow up on 21 July 2023	<p>provide opportunity to comment.</p> <p>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</p>	<ul style="list-style-type: none"> <li>■ Waste management, particularly waste tyre management given the ongoing community interest.</li> <li>■ Biosecurity (weeds) management given the nature of the current season and ongoing flow on from recent flooding impacts.</li> </ul>	<p>Items within the scope of the audit are addressed within the audit report and audit tables within Appendix A.</p> <p>Waste tyres during the audit period were managed in line with conditions of the EPL.</p> <p>TCM has an ongoing weed management program that actively targets weed reduction across the site.</p>
Community Consultation Committee (CCC)	Email on 10 July 2023	<p>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</p>	<p>Requested a focus on the following:</p> <ul style="list-style-type: none"> <li>■ the Peer review of the BTM water model;</li> <li>■ a review of and comparison between the Namoi alluvium aquifer boundaries claimed by Tarrawonga mine compared to the State govt and how the mine footprint correlates;</li> <li>■ the impacts from mining on water in the absence of installation of a permeability barrier;</li> <li>■ the wasting of water with aerating;</li> <li>■ details of the collection and recording of data for Bore TA65</li> <li>■ Climate modelling in place and the means of accounting for a range of climatic conditions;</li> <li>■ Basis and robustness of Greenhouse Gas (GHG) emissions modelling in light of climate change and the social cost the project is having, and will continue to have,</li> </ul>	<p>Items within the scope of the audit are addressed within the audit report and audit tables within Appendix A.</p> <ul style="list-style-type: none"> <li>■ Conducting peer review of BTM water model outside scope of audit.</li> <li>■ Aquifer CoA not triggered during audit period.</li> <li>■ Permeability barrier CoA not triggered during audit period.</li> <li>■ Aeration only used when too much water on site.</li> <li>■ Bore water data issues reported through AR's.</li> <li>■ Climate modelling outside scope of audit. TCM reports emission via NGER.</li> <li>■ EPA issued an official caution for the tyre burial prior to the EPL amendment. Tyre burial activities during audit period reported annually to EPA.</li> <li>■ TCM undertook options analysis as required by the EPL, report submitted to EPA.</li> </ul>

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
			<p>on the community under different climate scenarios:</p> <ul style="list-style-type: none"> <li>■ An acknowledgement that the mine was non-compliant regarding the management and burial of tyres prior to the EPL change; what meaningful action is being undertaken to monitor tyre burials;</li> <li>■ Compliance and evidence of commitment to waste tyres recycling, what meaningful action is being undertaken to engage in recycling;</li> <li>■ Community Consultative committee timeliness and ability to respond to questions and transparency to community; the provision to the community of environmental information and modification engagement;</li> <li>■ supplying of documents in a timely manner to government departments for review and assessment;</li> <li>■ ability to work with other mining operations in the area to assess cumulative impacts of environmental factors;</li> <li>■ adherence to principles of ecological sustainable development in management plans and</li> <li>■ ability to work with regulators in a timely fashion</li> </ul>	<ul style="list-style-type: none"> <li>■ TCM undertake CCC requirements – details reported on website.</li> <li>■ TCM are required to supply documents to government departments as per the timeframes specified in the project approvals.</li> <li>■ TCM work with other companies as required under BTM.</li> <li>■ Management plans are prepared as per CoA requirements and submitted to the relevant departments for approval as required.</li> <li>■ Regulators set time requirements for TCM to work to.</li> </ul>

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 C.

Responses received required the audit to focus on compliance against CoA as well as environmental monitoring relating to air quality, water management, rehabilitation and waste management. 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.
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity.
- **Not Triggered (NT):** A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made.
- **Note:** A statement or fact, where no assessment of compliance is required.
- **Obs:** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.

A qualitative risk assessment was also completed on the findings, consistent with ISO 31000 - Risk and as described in the DPIE publication "Post Approval Requirements – Independent Audit" issued May 2020.

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

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

### 3. AUDIT FINDINGS

#### 3.1 Previous Audit Follow Up

The last audit was conducted by ERM for the period 1 August 2017 to 31 July 2020. A summary of the 2020 audit findings and their status is summarised below in *Table 3.1*.

**Table 3.1 Summary of 2020 Audit Findings**

Item No	Assessment Requirement	Comment	2020 Audit Classification	Response/Action	2023 Status						
<i>Minister's Conditions of Approval PA 11_0047</i>											
2.15	<p>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.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; and Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the project.</li> </ul>	<p>A new maintenance workshop was constructed in 2020. The building has not yet been commissioned. An occupation certificate has been sought from Narrabri Shire Council but not yet received.</p>	C (Obs)	<p>Ensure an occupation certificate is obtained prior to use.</p>	<p>WHC stated they have contacted the Narrabri Shire Council to follow up on the occupation certificate but hadn't received a response within this audit period.</p> <p>Upon discussing this item during the audit WHC stated they would again reach out to the NSC regarding the occupation certificate.</p>						
3.3	<p>Except for the noise-affected land in Table 1 the Proponent shall ensure that operational noise generated by the project does not exceed the criteria in Table 2 at any residence on privately-owned land.</p> <p><i>Table 2: Noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th>Land</th> <th>Day, Evening &amp; Night LAeq(15 min)</th> <th>Night LA1 (1 min)</th> </tr> </thead> <tbody> <tr> <td>All other privately-owned residences</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>Operational noise includes noise from the mining operations and the use of private roads (excluding the Kamilaroi Highway overpass) and rail spurs.</li> <li>Noise is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions (also see condition 13)), of the NSW Industrial Noise Policy.</li> </ul> <p>(a) However, these noise criteria do not apply if the Proponent has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Land	Day, Evening & Night LAeq(15 min)	Night LA1 (1 min)	All other privately-owned residences	35	45	<p>The following noise exceedance were reported during the audit period: 7/6/19 – monitoring location TN2 on privately owned land. Day time exceedance of 42 dB recorded during quarterly attended noise monitoring.</p> <p>Following the reported exceedance TCM engaged an independent specialist to review the monitoring data and methods. It was concluded that the monitoring location was on the road not at the residence and SLR did not apply a factor accounting for this. No further exceedances have been recorded during subsequent attended noise monitoring events.</p> <p>The incident was reported to DPIE and EPA. DPIE confirmed EPA as the regulating authority. TCM is awaiting a response from EPA.</p>	NC	<p>Comply with direction form EPA with regard to the reported noise exceedance.</p>	<p>Deemed as <b>Compliant</b> during this audit.</p>
Land	Day, Evening & Night LAeq(15 min)	Night LA1 (1 min)									
All other privately-owned residences	35	45									
3.8	<p>The Proponent, together with the owners of the Rocglen and Vickery coal mines, shall ensure that the noise generated on public roads by the Project and the other mines, does not exceed the criteria in Table 4 at any existing residence on privately-owned land.</p> <p><i>Table 4: Road traffic noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th>Land</th> <th>Day and Evening LAeq (15 hour)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned residences</td> <td>60</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Land	Day and Evening LAeq (15 hour)	All privately-owned residences	60	<p>Noise monitoring is conducted at three locations along the haul road on a six monthly basis. No exceedances in noise criteria have been recorded during the audit period.</p> <p>Noise monitoring on the haul road was not carried out in the six month ending December 2017. TCM identified the issue and notified DPIE and conducted the monitoring in January 2018. DPIE issued an official caution on 23 March 2018. Monitoring has been conducted as required during 2018, 2019 and 2020.</p>	NC	<p>Historic NC. No further action</p>	<p>Deemed as <b>Compliant</b> during this audit.</p>		
Land	Day and Evening LAeq (15 hour)										
All privately-owned residences	60										

Item No	Assessment Requirement	Comment	2020 Audit Classification	Response/Action	2023 Status
	<i>Note: Traffic noise generated by the Project is to be measured in accordance with the relevant procedures in the NSW Road Noise Policy.</i>				
3.15	The Proponent shall only carry out blasting on the site between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Secretary.	Auditor reviewed blast monitoring records, no blasts occurred on Sunday. Time of blast was recorded to be 00:00:00 for approximately 60% of blasts in 2018. Time was not recorded for 4 blast events between 18 and 30 May 2020 and one blast even on 14 July 2020. All other blasts were recorded to be carried out between the hours 9am to 5pm.	C (Obs)	Ensure accurate blast times are recorded (Duplicate finding see EPL)	Deemed as <b>Compliant</b> during this audit.
3.19	During mining operations on site, the Proponent shall: (a) implement best practice blasting management to: <ul style="list-style-type: none"> <li>▪ protect the safety of people and livestock in the surrounding area;</li> <li>▪ protect public or private infrastructure/property in the surrounding area from any damage;</li> <li>▪ minimise the dust and fume emissions of any blasting; and</li> <li>▪ minimise blasting impacts on heritage items in the vicinity of the site;</li> </ul> (b) co-ordinate the timing of blasting on site with the timing of blasting at other mines within the Leard Forest Mining Precinct to minimise the cumulative blasting impacts of the mines; and (c) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.	TCM has implemented a Blast Management Plan which complies with this condition. Communication with other mines is conducted by email. The distribution list also includes NSW Forestry. Notification email includes the scheduled time of the blast, location and map with the exclusion zone. Information regarding scheduled blasts is posted on the company website and on a board at the site entrance. TCM failed to notify a landowner for a blast on the 18 January 2018. DPIE was notified and issued a warning letter on 8 March 2018.	NC	Historic NC. No further action	Deemed as <b>Compliant</b> during this audit.

*Statement of Commitments*

No non-compliances have been identified.

*Environmental Protection Licence 12365*

L2.1	For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	TCM had a wet weather discharge event from the EPL ID 3 (SB14) on 8 February 2020. Oil and grease was recorded to be 11mg/L exceeding the 10mg/L limit. The EPA issued a Show Cause on 25 June 2020 and TCM responded on 9 July 2020. TCM is awaiting a response from EPA. The TSS limit was exceeded at EPL ID 1, 2, 3 and 27. However, this was not considered an exceedance, as TSS limits do not apply after more than 38.3mm of rainfall in 5 days preceding the discharge. TCM had a discharge from EPL ID 1 on 21 October 2018. TSS value was recorded to be 3,970. However, this was not considered an exceedance as TSS limits do not apply	NC	Comply with the direction from EPA with regard to the Show Cause.	The 2020 non-compliance was closed out. This condition was noted as <b>non-compliant</b> during this audit period due to new exceedance events.
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Item No	Assessment Requirement	Comment	2020 Audit Classification	Response/Action	2023 Status										
		after more than 38.3mm of rainfall in 5 days preceding the discharge													
L2.5	<p>The Total Suspended Solids concentration limits specified for Points 1, 2, 3, 24, 26 and 27 may be exceeded for water discharged provided that:</p> <p>(a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and</p> <p>(b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5 day rainfall event.</p> <p><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></p>	<p>TCM had a wet weather discharge event from the EPL ID 3 (SB14) on 8 February 2020. The TSS limit was recorded to be 17,700 mg/L. However, this was not considered an exceedance, as TSS limits do not apply after more than 38.3mm of rainfall in 5 days preceding the discharge. The EPA undertook an investigation of the discharge from LDP 3 (SB14) on 8 February 2020. The EPA's investigation found that the discharge from SB14 may have polluted waters, in that:</p> <ul style="list-style-type: none"> <li>The discharge exceeded licence limit conditions for Oil and Grease, and</li> <li>At the time of discharge the Licensee did not meet all the requirements of condition L2.5, in that it did not appear to take all reasonable steps to ensure that all sediment dams were emptied within 5 days of the last preceding rainfall event. Had this occurred, exceedance of the discharge limits may have been avoided.</li> <li>SB14 discharges into Goonbri Creek, which defined as waters under the Act.</li> </ul> <p>Interview with Site Environmental Superintendent indicated TCM is awaiting a final response from the EPA regarding this matter.</p>	NC	Duplicate NC. Refer to L2.1 above	Deemed as <b>Compliant</b> during this audit.										
L4.1	<p>Noise generated at the premises must not exceed the noise limits in the table below.</p> <table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day-LAeq (15 minute)</th> <th>Evening-LAeq (15 minute)</th> <th>Night-LAeq (15 minute)</th> <th>Night- LA1 (1 minute)</th> </tr> </thead> <tbody> <tr> <td>All other surrounding residences</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table>	Locality and Location	Day-LAeq (15 minute)	Evening-LAeq (15 minute)	Night-LAeq (15 minute)	Night- LA1 (1 minute)	All other surrounding residences	35	35	35	45	<p>Quarterly attended noise monitoring resulted in one occurrence of the attended monitoring measurement of 42dB (including 2dB Noise Modifying factor applied as per the Noise Policy for Industry) at the 'Coomalgah' monitoring point. TCM engaged a separate noise specialist to take supplementary operational noise monitoring. The results showed that throughout the entire period there were no recorded noise non-compliances. TCM is awaiting feedback from EPA with regard to this incident.</p>	NC	Comply with the directions of EPA.	Deemed as <b>Compliant</b> during this audit.
Locality and Location	Day-LAeq (15 minute)	Evening-LAeq (15 minute)	Night-LAeq (15 minute)	Night- LA1 (1 minute)											
All other surrounding residences	35	35	35	45											
L4.4	<p><b>Determining compliance</b></p> <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>Monitoring locations are stated in the Noise Management Plan (2015) and the quarterly monitoring reports. Auditor observed a sample of noise monitoring locations while on Site.</p>	C (Obs)	Continue to discuss night-time noise monitoring locations with the EPA.	Deemed as <b>Compliant</b> during this audit.										

Item No	Assessment Requirement	Comment	2020 Audit Classification	Response/Action	2023 Status
	<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>at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.</p>	<p>Interview with Site Environmental Superintendent indicated that noise monitoring cannot be conducted within 30 m of the residence at night due to privacy concerns. TCM requested a variation to the EPL condition. The EPA advised that this standard condition could not be amended but acknowledged that this condition could not be met.</p>			
L5.5	<p>Blasting operations on the premises must only be carried out between the hours 9am to 5pm, Monday to Saturday, inclusive.</p>	<p>Auditor reviewed blast monitoring records, no blasts occurred on Sunday. Time of blast was recorded to be 00:00:00 for approximately 60% of blasts in 2018. Time was not recorded for 4 blast events between 18 and 30 May 2020 and one blast even on 14 July 2020. All other blasts were recorded to be carried out between the hours 9am to 5pm.</p>	C (Obs)	<p>Ensure accurate blast time is recorded.</p>	<p>Deemed as <b>Compliant</b> during this audit.</p>
O2.1	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>(a) must be maintained in a proper and efficient condition; and must be operated in a proper and efficient manner.</p>	<p>During the Site inspection, no observations were made of unmaintained or inappropriately operated equipment. The EPA undertook an investigation into the discharge of sediment laden water from sediment dam SB 14 on or around 8 February</p> <p>The EPA's investigation found that the discharge from SB14 may have polluted waters, in that the licensee appears to have failed to maintain and operate SB14 in a proper and efficient manner prior to the discharge on the 8 February 2020.</p> <p>Interview with Site Environmental Superintendent indicated TCM is awaiting a final response from the EPA regarding this matter.</p> <p>TCM is currently working with environmental professionals to implement water management improvements including staff training, risk assessment, and water pumps.</p>	NC	<p>Duplicate NC. Refer L2.1</p>	<p>Deemed as <b>Compliant</b> during this audit.</p>

Item No	Assessment Requirement	Comment	2020 Audit Classification	Response/Action	2023 Status												
M7.3	<p>For the purpose of conditions M7.1, M7.2 and M7.3 the monitoring locations are described as:</p> <table border="1"> <thead> <tr> <th>EPA ID No.</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td>N2</td> <td>Portable monitor</td> </tr> <tr> <td>TN2</td> <td>Within 30 metres of the 'Matong' property boundary as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).</td> </tr> <tr> <td>TN3</td> <td>Within 30 metres of the residence on the property 'Barbers Lagoon' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).</td> </tr> <tr> <td>TN4</td> <td>Within 30 metres of the residence on the property 'Bungalow' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).</td> </tr> <tr> <td>TB2</td> <td>Within 30 metres of the residence on the property Coomalgah as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).</td> </tr> </tbody> </table> <p><i>Note: Point N2 is a portable monitor enabling the monitor to be relocated to areas of potential greatest impact. The licensee is responsible to ensure that it is located at the most suitable location.</i></p> <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>	EPA ID No.	Description of Location	N2	Portable monitor	TN2	Within 30 metres of the 'Matong' property boundary as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).	TN3	Within 30 metres of the residence on the property 'Barbers Lagoon' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).	TN4	Within 30 metres of the residence on the property 'Bungalow' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).	TB2	Within 30 metres of the residence on the property Coomalgah as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).	<p>The auditor observed a sample of noise monitoring locations in the field. Monitoring locations are stated in the NMP and in quarterly monitoring reports.</p> <p>Interview with Site Environmental Superintendent indicated that noise monitoring cannot be conducted within 30 m of the residence at night. TCM requested a variation to the EPL condition, however, this was not approved.</p>	NC	Duplicate NC. Refer above	Deemed as <b>Compliant</b> during this audit.
EPA ID No.	Description of Location																
N2	Portable monitor																
TN2	Within 30 metres of the 'Matong' property boundary as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).																
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TN4	Within 30 metres of the residence on the property 'Bungalow' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).																
TB2	Within 30 metres of the residence on the property Coomalgah as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 14 October 2019 (DOC19/978674).																
R4.1	<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>an outline of any management actions taken within the monitoring period to address any exceedances of the limits detailed in the limit conditions of this licence.</p>	<p>Last quarterly attended noise monitoring report for 2017 was not submitted within 30 days of completion of monitoring.</p>	NC	Historic NC. No further action required.	Deemed as <b>Compliant</b> during this audit.												
<b>Mining Licence 1579</b>																	
2.3b	<p>A Plan must be lodged with the Director-General:-</p> <p>(b) subsequently as appropriate prior to the expiry of any current Plan</p>	<p>TCM was required to update MOP amendment C to report on progress against rehabilitation undertakings by 1 April 2019. TCM submitted amendment D on 15 March 2019. Amendment D was approved on 12 April 2019. The DRG issued a caution letter to TCM for continuing operations between the 2 and 11 April 2019 without an approved MOP. Amendment E was lodged on the 19 December 2019.</p>	NC	Historic NC. No further action required.	Deemed as <b>Compliant</b> during this audit.												

Item No	Assessment Requirement	Comment	2020 Audit Classification	Response/Action	2023 Status
<i>Mining Licence 1693</i>					
12.	Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.	<p>Site inspection by the auditor identified that erosion and sediment control on-site is managed with basins and progressive rehabilitation. Water carts were observed working on site to manage dust. A dust suppressant is also utilised.</p> <p>An exceedance of the EPL limits for oil and grease was recorded for Dam SD14 on 8 February 2020.</p> <p>An uncontrolled discharge from Dam SD2 occurred on 10 February 2020 due to a wall failure after a significant rainfall event. A penalty notice was issued by the EPA.</p> <p>Areas of significant erosion were observed above SD14.</p> <p>TCM is currently working with environmental professionals to implement water management improvements including staff training, risk assessments and water pumps.</p> <p>Environmental Superintendent indicated that weather conditions monitored prior to blasts such that the blast is only carried out during conditions to prevent fugitive dust migration.</p>	NC	Duplicate NC. Refer to EPL	Deemed as <b>Compliant</b> during this audit.
<i>Mining Licence 1685</i>					
No non-compliances have been identified					
<i>Mining Licence 1749</i>					
No non-compliances have been identified					

## 3.2 Complaints Summary

Complaints registers for the auditing period were available online and/or for review. Complaints over the reporting period include:

- One complaint was lodged during 2020 (that was within the audit period) related to noise and blast.
- One complaint was lodged during 2021 related to blast fume.
- One complaint was lodged during 2022 related to feeling 2 blasts.
- Nil (0) complaints were received in 2023 up until end of July (end of audit period).

The detailed summaries as prepared by TCM are provided on the Whitehaven Coal website.

## 3.3 Incident Summary

A review of the incidents was undertaken through a review the TCM incident and exceedance register and TCM Annual Returns and Annual Reviews. Below outlines the incidents recorded during the audit period:

- Two non-compliances for exceedances of EPL water quality limits were recorded during the audit period as below:
  - EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609) for the discharge that occurred on 23 March 2021 from discharge point LDP 3.
  - The second exceedance occurred on 8 December 2021 also from LDP 3, the EPA took no action in relation to the discharge exceedance event.
- Two Blast fume events were recorded during the audit period as below:
  - A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.
  - A blast event on 16 December 2021 with level 3C fume emitted over the northern boundary of the premise. This event was reported to the EPA by TCM. A Penalty Notice was issued to the Site on 20 July 2022.
- Vegetation clearing was undertaken outside the approved clearance boundary in March 2022 and notified to DPE and DRG on 2 March 2022. The DPE opened an investigation into the incident and required TCM to update boundary marking protocols within the Biodiversity Management Plan by 14 June 2022, TCM updated the plan and submitted it for approval on 10 June 2022.
- TCM was issued a notice to provide information (# 3505617) from the EPA on 13 June 2023 in regard to two complaints (14 April 2020 and 25 May 2023) received by the EPA in relation to dust from Boggabri, Tarrawonga and Maules Creek mines. EPA requested the sought information by provided by 27 June 2023 and TCM provided the required information on 27 June 2023 as requested. No further action had been taken by the EPA by the end of the audit period.
- TCM was issued with an official caution (# 3500875) on 30 July 2021 in relation to the burial of 11 end of life haul truck tyres within a waste emplacement stockpile between 2014 and 2016. No further action was taken against TCM.
- Elevated PM<sub>10</sub> levels were recorded on three occasions during the audit period (16-11-2020, 17-12-2021 and 6-12-2022). TCM undertook investigation on each occasion and determined the monitoring sites at the time were impacted by farming activities occurring around the samplers and was not attributable to mining operations.

## 3.4 Environmental Monitoring Performance

### 3.4.1 Noise

Quarterly acoustic monitoring was undertaken between 2020 to 2023 by qualified third party contractors, Spectrum Acoustics and Wilkinson Murray. No noise exceedances were recorded during the audit period.

### 3.4.2 Air quality

Monthly dust deposition was conducted during the audit period. three exceedances were recorded during the audit period.

The three exceedances were recorded for PM<sub>10</sub> during the audit period (16-11-2020, 17-12-2021 and 6-12-2022), which were determined as not being mine-related, the exceedance following investigation being attributed to farming activities around the monitoring locations. As these exceedance were due to farming activities, they have not been deemed non-compliances.

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 has generally been conducted during the audit period in accordance with the Conditions of Approval. Two blast fume events were noted during the audit period, 1 dated 7-6-2021, which resulted in an official caution being issued by the EPA and 1 dated 16-12-2021 which resulted in the EPA issuing a Penalty notice and fine.

### 3.4.4 Water management

#### 3.4.4.1 Surface water

Surface water management comprising a series of water storage dams used to collect, store and dispose of pumped out mine water and dirty water run-off, sediment basins, and clean / dirty surface water drains were in place and established as per the Water Management Plan.

TCM had a wet weather discharge event from LDP 3 on 23 March 2021. TSS value was recorded to be 5,670 mg/L (licence limit: 50 mg/L) and a pH level of 8.62 (licence limit: 6.5-8.5, condition L2.2). EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609).

TCM had further wet weather discharge event from LDP 3 (SB28) on 8 December 2021. TSS value was recorded to be 190 mg/L. Rainfall was recorded to be 37.2mm in the previous 5 day period, which is lower than the 38.4 mm threshold listed in L2.5, therefore, the wet weather discharge allowance did not apply at the time of the discharge. Environmental superintendent advised that EPA did not take any action as a result of this event. However, the June 2023 variation of the EPL added Pollution Studies and Reduction Programs which outlined the work required to improve the performance of the dams.

#### 3.4.4.2 Groundwater

The groundwater monitoring program is stipulated in Section 5.4 of the approved WMP. Neither the CoA nor EPL stipulates the frequency of groundwater monitoring to be undertaken. Under the WMP, depending on their location, piezometers and groundwater bores are required to be monitored on a quarterly and six-monthly basis. Groundwater monitoring data provided showed that monitoring is typically completed within the WMP timeframes.

## 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. It was noted that a number of

management plans have been updated since the original approvals issued under the Project Approval and where Secretary approval has been received the revised management plan has been implemented at the site. Most of the management plans have been revised and submitted to the Secretary at various times between 2020 and 2023 for which TCM have received the required approval. The one exception is the most recent update to the Water Management Plan which is currently awaiting approval.

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 3.2* and *Appendix A*.

### 3.6 Environmental Protection Licence

The site operates under Environment Protection Licence (EPL) 12365 issued to Tarrawonga Coal Pty Ltd. The EPL has been varied three times during the audit period on 6 July 2021, 13 December 2021, and 29 June 2023.

The site submitted Annual Returns to the EPA, as required for the audit period. The following non-compliances were noted:

#### **2021:**

##### **L1.1, 2.1 and L2.2**

The site has recorded two events of water discharge exceedances, both events constitute harm to the environment as per the section 120 of the Act.

TCM had a discharge event from LDP 3 on 23 March 2021. TSS value was recorded to be 5,670 mg/L (licence limit: 50 mg/L) and a pH level of 8.62 (licence limit: 6.5-8.5, condition L2.2). EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609).

TCM had another discharge event from LDP 3 (SB28) on 8 December 2021. TSS value was recorded to be 190 mg/L. Rainfall was recorded to be 37.2mm in the previous 5 day period, which is lower than the 38.4 mm threshold listed in L2.5. Environmental superintendent advised that EPA did not take any actions as a result of this event. However, the June 2023 variation of the EPL added Pollution Studies and Reduction Programs which outlined the work required to improve the performance of the dams.

##### **O5.1**

Environmental Superintendent reported two blast events triggering non-compliances.

A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.

A blast event on 16 December 2021 with level 3C fume emitted over the northern boundary of the premise. This event was reported to the EPA by TCM. A Penalty Notice was issued to the Site on 20 July 2022.

#### **Throughout the audit period:**

The Wet Weather Discharge Results Register recorded the date and time of the sampling. However, the records of the date and time of the discharges were not complete. The time of discharge was not recorded in most records, and the date of discharge was only recorded since July 2021 and not for the entire audit period. Most records shows that samples were collected on the same day in most discharge events except 19 August 2021. Without the time of discharge recorded, samples collected on the same day can only shows that collection of samples were within 24 hours but cannot indicate that if the sampling were within 12hours after a discharge commenced.

Findings identified against the site's EPL are outlined in *Table 3.2* and *Appendix A*.

### 3.7 Mining Lease

Tarrawonga Coal Mine lies within the mining leases (ML) 1579, 1685, 1693 and 1749 issued to Tarrawonga Coal Pty Ltd.

One non-conformance was noted (during the audit site component on 26-7-2023) in relation to the site having not publishing to the website the Annual Rehabilitation Report within the required 14 days, as per Division 3 – Condition 16 (of Schedule B - Standard Conditions).

Additionally, it was noted that TCM was non-complaint with ML 1579, Condition 16 – not to cause erosion or pollution, due to the water exceedance discharges reported in section 3.6 Environmental Protection Licence.

Mining Lease conditions and the summary of audit findings are provided in *Table 3.2* 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 3.2*.

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

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

**Table 3.2 Summary of 2023 Audit Findings**

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
<b>Environmental Protection Licence 12365</b>				
L1.1 L2.1 L2.2	<p>L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p> <p>L2.1 For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.</p> <p>L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.</p>	<p>Auditor review of Annual Returns identified two incidents of non-compliances during the audit period.</p> <p>TCM had a wet weather discharge event from LDP 3 on 23 March 2021. Rainfall was recorded to be 33.4mm in the previous 5 day period, which is lower than the 38.4 mm threshold listed in L2.5. TSS value was recorded to be 5,670 mg/L (licence limit: 50 mg/L) and a pH level of 8.62 (licence limit: 6.5-8.5, condition L2.2). EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609).</p> <p>TCM had another wet weather discharge event from LDP 3 (SB28) on 8 December 2021. TSS value was recorded to be 190 mg/L. Rainfall was recorded to be 37.2mm in the previous 5 day period, which is lower than the 38.4 mm threshold listed in L2.5. Environmental superintendent advised that EPA did not take any actions directly resulted from this event. However, the June 2023 variation of the EPL added Pollution Studies and Reduction Programs which outlined the work required to improve the performance of the dams.</p>	NC	Continue the work for Section 8 of the EPL (condition U1-U15), Pollution Studies and Reduction Programs to ensure sufficient dam capacity to hold the required volume of water to prevent discharges from reoccurring.
O5.1	<p>Offensive blast fume must not be emitted from the premises.</p> <p>Definition: <i>Offensive blast fume</i> means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</p> <p>(i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or</p> <p>(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</p>	<p>Environmental Superintendent reported two blast events triggering non-compliances.</p> <p>A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.</p> <p>A blast event on 16 December 2021 with level 3C fume emitted over the northern boundary of the premise. This event was reported to the EPA by TCM. A Penalty Notice was issued to the Site on 20 July 2022.</p> <p>Environmental Superintendent advised that no further non-compliances has been recorded since the above two events.</p>	NC	<p>TCM investigated the cause and has made changes to the product mix and application to minimise the event reoccurring. Beyond the two noted events in 2021, no further events were noted during the audit period.</p> <p>As the issue has not reoccurred post rectification measures, no further recommendation is made beyond to ensure blasts are carried out in a manner not to cause offensive blast fume. Comply with the EPL condition and follow the Blast Management Plan 2022.</p> <p>Ensure any offensive blast fume are reported to the EPA within 7 days as per condition R2.2.</p>
M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after a discharge from points 1, 2, 3, 24, 26, and 27 commences and in any case not more than 12 hours after a discharge commences.	<p>Auditor review of the Wet Weather Discharge Results Register. The register recorded the date and time of the sampling. However, the records of the date and time of the discharges were not complete. The time of discharge was not recorded in most records, and the date of discharge was only recorded since July 2021 and not for the entire audit period. Most records shows that samples were collected on the same day in most discharge events except 19 August 2021.</p> <p>Without the time of discharge recorded, samples collected on the same day can only shows that collection of samples were within 24 hours but cannot indicate that if the sampling were within 12hours after a discharge commenced.</p> <p>Environmental Superintendent advised that the controlled releases involved actively pumping to discharge and sampling is conducted at the same time. Sampling was only done at a different time to when the discharge began for uncontrolled releases.</p> <p>No non-compliances on this condition were recorded in the Annual Returns.</p>	C(Obs)	<p>TCM have advised that they have already implemented the recording of discharge times for controlled releases for completeness of sampling data.</p> <p>No further action required.</p>

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
M4.2	The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.	The site engages third-party contractors to conduct physical screening field check and calibration on the weather station. The field check required compound grass to be below 10cm shows that the compound grass was found to require maintenance in some instances (25 August 2022, 17 March 2021, 2 December 2020). TCM stated they routinely respond to these field check observations and perform required maintenance as required. Other check items passed the checks.	C (Obs)	Continue to ensure the compound grass is maintained below 10cm as per field check requirements.
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. 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.	A blast event on 7 June 2021 was recorded with a level B fume. TCM stated that the fume did not was contained to and dissipated within the premise. On this basis TCM did not report the blast event to the EPA. On 18 June 2021 the EPA received a complaint from the community regarding the blast. Following an investigation, the EPA issued TCM with an official caution on 27 March 2022 which included the requirement for TCM to report such blast fume events to the EPA as required by the CoA as the EPA considered it to be a reportable event.	NC	Ensure to notify EPA within seven days of the occurrence of any events or incidents.

**Minister's Conditions of Approval PA 11\_0047**

Sch 3.22	Unless otherwise authorised by an EPL, the Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Two blast fume events were recorded during the audit period as below: - A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022. - A blast event on 16 December 2021 with level 3C fume emitted over the northern boundary of the premise. This event was reported to the EPA by TCM. A Penalty Notice was issued to the Site on 20 July 2022. WHC undertook an internal investigation and found the explosive product mix for the blast to be the cause. WHC since amended blast preparation mix to minimise any further blast fume issues.	NC (Duplicate with EPL O5.1)	Duplicate NC. As per recommended action above for EPL - O5.1
Sch 3.33	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	Refer to finding L2.1, L2.2 and L2.5 below in EPL summary.	NC (Duplicate with EPL L1.1, L2.1 and L2.2)	Duplicate NC. As per recommended action above for EPL - L1.1, L2.1 and L2.2

**Statement of Commitments**

No non-compliances have been identified.

**Mining Leases 1579, 1693, 1685, 1749 (1 August 2020 to 1 July 2022)**

ML 1579 Condition 16	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.	Auditor reviewed the evidence and inspected the site with reference to the EPL as described in Appendix A2. During the time period that this version of the ML is valid, the site had a number of non-compliance under the EPL: • a wet water discharge event (on ML 1579) on 23 March 2021 with exceedances in TSS value and pH level. EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609). • Blast event on 7 June 2021 with level 3B fume. An Official Caution (3502682) was issued by the EPA on 27 May 2022.	NC (Duplicate with EPL L1.1, L2.1, L2.2 and O5.1)	Duplicate NC. As per recommended action above for EPL - L1.1, L2.1, L2.2 and O5.1.
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Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<ul style="list-style-type: none"> <li>Blast event on 16 December 2021 with level 3C fume emitted over the northern boundary. A Penalty Notice (3503245) was issued to the Site on 20 July 2022. These events have resulted in various Notices and Cautions from the EPA. TCM has been working according to the EPA recommendations and revised EPL conditions to mitigate some of the above issues.</li> </ul>		
ML 1579 Condition 21b	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.	The Environmental Superintendent advised that a portion of land was cleared in March 2022 which was not approved for clearing. The Department of Planning and Environment issued a Notification on 19 April 2022 responding to the incident. TCM updated the BMP to include a boundary marking protocol with the use of continuous flagging tape as required by the notification.	NC	Follow vegetation clearing boundary marking protocol and use continuous flagging tape.
ML 1693 Condition 2	<p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</p> <p>(A) land, air and water, and</p> <p>(B) any layer of the atmosphere, and</p> <p>(C) any organic or inorganic matter and any living organism, and</p> <p>(D) human-made or modified structures and areas, and includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C).</p> <p>harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	<p>Auditor reviewed the evidence and inspected the site with reference to the EPL as described in Appendix A2. During the time period that this version of the ML is valid, the site had a number of non-compliance under the EPL:</p> <ul style="list-style-type: none"> <li>Blast event on 7 June 2021 with level 3B fume. An Official Caution (3502682) was issued by the EPA on 27 May 2022.</li> <li>Blast event on 16 December 2021 with level 3C fume emitted over the northern boundary. A Penalty Notice (3503245) was issued to the Site on 20 July 2022. These events have resulted in various Notices and Cautions from the EPA. TCM has been working according to the EPA recommendations and revised EPL conditions to mitigate some of the above issues.</li> </ul>	NC (Duplicate with EPL O5.1)	Duplicate NC. As per recommended action above for EPL - O5.1.
ML 1693 Condition 5	<p>The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the Protection of the Environment Operations Act 1997.</p> <p>Definitions</p> <p>Environmental incident notifications and reports means any notifications and reports required to be provided to relevant authorities under Part 5.7 or Part 5.7A of the Protection of the Environment Operations Act 1997.</p>	A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.	NC (Duplicate with EPL R2.2)	Ensure environmental incidents are notified to the Secretary within seven days of those environmental incident notifications and reports are provided to the relevant authorities.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
ML 1685 Condition 5	The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the Protection of the Environment Operations Act 1997.  Definitions Environmental incident notifications and reports means any notifications and reports required to be provided to relevant authorities under Part 5.7 or Part 5.7A of the Protection of the Environment Operations Act 1997.	A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.	NC (Duplicate with EPL R2.2)	Ensure environmental incidents are notified to the Secretary within seven days of those environmental incident notifications and reports are provided to the relevant authorities.
ML 1749 Condition 5	The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the Protection of the Environment Operations Act 1997.	A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.	NC (Duplicate with EPL R2.2)	Ensure environmental incidents are notified to the Secretary within seven days of those environmental incident notifications and reports are provided to the relevant authorities.

**Mining Licence 1570, 1693, 1685, 1749 (2 July 2022 to 26 July 2023)**

12.	<p><b>Certain documents to be publicly available</b></p> <p>(1) This clause applies to the following documents—</p> <p>(a) a rehabilitation management plan,</p> <p>(b) a forward program,</p> <p>(c) an annual rehabilitation report.</p> <p>(2) The holder of a mining lease must make a document to which this clause applies publicly available by—</p> <p>(a) publishing it on its website in a prominent position, or</p> <p>(b) if the holder does not have a website— providing a copy of it to a person—</p> <p>(i) on the written request of a person, and</p> <p>(ii) without charge, and</p> <p>(iii) within 14 days after the request is received.</p> <p>(3) If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published—</p> <p>(a) for a rehabilitation management plan—within 14 days after it is prepared or amended, or</p> <p>(b) for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended,</p> <p>(4) Personal information within the meaning of the <a href="#">Privacy and Personal Information Protection Act 1998</a> is not required to be included in a document made available to a person under this clause.</p>	<p>It was noted during the audit site component that the Annual Rehabilitation Report, 7-3-2023 was at the time not on the website. Therefore, it was not published within 14 days as per (3b). It was noted that report though had been submitted to the NSW Resources Regulator as required.</p> <p>Upon becoming aware of this, WHC published the report to the website and entered a notification reminder into the CMO. WHC also notified the department that report was not published within stated time period.</p>	NC	<p>Recommend TCM maintain notification reminder within CMO to ensure all required documents are published to the website in accordance with this condition.</p> <p>No further action required.</p>
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## 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)	Observations (Obs NC)	Observations (Obs C)
<b>Statutory Instruments</b>	5 (+7 duplicate)	Nil	2
<b>Implementation of Plans</b>	Nil	Nil	Nil

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**

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>SCHEDULE 2 – ADMINISTRATIVE CONDITIONS</b>					
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>					
1.	In addition to meeting the specific performance criteria established under this approval, 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.	Note	Noted	Note	N/A
<b>TERMS OF APPROVAL</b>					
2.	The Proponent shall carry out the project: (a) generally in accordance with the EA; (b) in accordance with the statement of commitments; and (c) in accordance with the conditions of this approval. Notes: • The general layout of the project is shown in Appendix 2; and • The statement of commitments is reproduced in Appendix 4.	Note	Noted	Note	N/A
3.	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Note	Noted	Note	N/A
4.	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval (including any stages of these documents); (b) any review, reports or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	Management Plan consultation records and communications. Management Plan Register	Evidence was provided that TCM complies with all requests made by the Secretary arising out of plan submission and review, audits of actions.	C	N/A
<b>LIMITS ON APPROVAL</b>					
<b>Mining Operations</b>					
5.	The Proponent may carry out mining operations on the site until the end of December 2030. Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Secretary and Resources Regulator. Consequently, this approval will continue to apply in all other respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.	Note	Noted	Note	N/A
<b>Coal Extraction</b>					
6.	The Proponent shall not extract more than 3.5 million tonnes of ROM coal from the site in any calendar year.	Annual Reviews 2020, 2021 and 2022 Coal haulage records Interview with Environment Superintendent	Data provided in the annual reviews, haulage records and by the Environment Superintendent reports that the extracted tonnes are as below. 2022: 2.1M 2021: 2.2M 2020: 2.5M	C	N/A
<b>Coal Transport</b>					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
7.	<p>For the period up until the commissioning of the Kamilaroi Highway overpass, the Proponent:</p> <p>(a) shall not transport more than 3.5 million tonnes** of ROM coal from the site in any calendar year;</p> <p>(b) may transport up to 150,000 tonnes of this ROM coal from the site in any calendar year for direct distribution to domestic markets via the approved haulage route to the Kamilaroi Highway;</p> <p>(c) shall transport all remaining coal from the site to the Whitehaven CHPP via the approved haulage route;</p> <p>(d) shall, together with the owners of the Rocglen and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 4.0 million tonnes per year during calendar years 2017 and 2018; and</p> <p>(e) shall, together with the owners of the Rocglen and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 3.5 million tonnes each year during all other calendar years.</p> <p>Note: For the avoidance of doubt, the total amount of coal permitted to be transported from the site by road in any calendar year is 3.5 million tonnes.</p> <p>** Limit amended to 3.5Mtpa in 2021 Mod 7.</p>	<p>Annual reviews 2020, 2021, 2022</p> <p>Coal haulage records</p> <p>Interview with Environment Superintendent</p>	<p>Data provided confirms that coal transported is as follows:</p> <p>Haulage route TCM to CHPP</p> <p>2022: 1.8M</p> <p>2021: 2M</p> <p>2020: 2.3M</p> <p>Direct distribution</p> <p>2022: 87,300 t</p> <p>2021: 93,387t</p> <p>2020: 89,970 t</p> <p>Combined Rocglen and Vickery</p> <p>2022: No haulage from Rocglen or Vickery.</p> <p>2021: No haulage from Rocglen or Vickery.</p> <p>2020: 2.4M (no haulage from Vickery)</p> <p>Coal rejects</p> <p>2022: 445,200 t</p> <p>2021: 497,917 t</p> <p>2020: 61,101 t</p>	C	N/A
8.	<p>For the period following the commissioning of the Kamilaroi Highway overpass, the Proponent:</p> <p>(a) shall not transport more than 3.5 million tonnes of ROM coal from the site in any calendar year;</p> <p>(b) may transport up to 150,000 tonnes of this ROM coal from the site in any calendar year for direct distribution to domestic markets via the approved haulage route to the Kamilaroi Highway;</p> <p>(c) shall transport all remaining coal from the site to the Whitehaven CHPP via the approved haulage route and the Kamilaroi Highway overpass; and</p> <p>(d) shall, together with the owners of the Rocglen and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 4.5 million tonnes.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>▪ For the avoidance of doubt, the total amount of coal permitted to be transported from the site by road in any calendar year is 3.5 million tonnes.</li> <li>▪ For the avoidance of doubt, while any ROM coal transported from the site to the Whitehaven CHPP must use the Kamilaroi Highway overpass (once commissioned), this requirement does not apply to the transport of ROM coal directly to domestic markets or the transport of gravel off site.</li> </ul>	<p>Annual Reviews 2020, 2021, 2022</p> <p>Interview with Environment Superintendent</p>	<p>Not triggered – Kamilaroi Highway overpass work not begun.</p>	NT	N/A

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.	The Proponent shall only transport coal from the site or receive coal reject from the Whitehaven CHPP by truck between the hours of: (a) 6 am to 9.15 pm Monday to Friday; (b) 7 am to 5.15 pm Saturday; and (c) at no time on Sundays or public holidays.	Annual reviews 2020, 2021, 2022 Master Services Agreement for Supply of Road Haulage Services between TCM and Bis Industries Limited, commencement date 28 January 2014 Interview with Environmental Superintendent	Review of coal haulage records confirms that no coal is transported from the site or rejects transported to the site outside of the approved hours. The Master Services Agreement with the haulage company stipulates the transport times. TCM has acquired Bis.	C	N/A
10.	Within 6 months of the Boggabri rail spur line and Boggabri CHPP being commissioned, and every 2 years thereafter, the Proponent shall use all reasonable efforts to reach an agreement with the owners of the Boggabri coal mine to use this infrastructure to process and transport coal from the site, to the satisfaction of the Secretary. If an agreement is reached to transport coal via the Boggabri rail spur line, the Proponent: (a) shall not transport more than 3.5 million tonnes of ROM coal from the site in any calendar year; (b) may transport up to 150,000 tonnes of this ROM coal from the site in any calendar year for direct distribution to domestic markets by road via the approved haulage route to the Kamilaroi Highway; and (c) shall transport all remaining coal from the site via the Boggabri rail spur line.	Interview with Environmental Superintendent	Environment Superintendent confirmed that the Boggabri Rail Spur is not used, while continuing to reach an agreement.	NT	N/A
<b>Coal Rejects Transport</b>					
10A.	The Proponent shall not receive more than 700,000 tonnes of coal rejects on the site in any calendar year	Annual Reviews 2020, 2021, 2022 Coal rejects haulage records	Records confirm that no more than 700,000 tonnes of coal reject is received at the site.	C	N/A
10B.	The Proponent shall ensure all coal rejects transported to the site from the Whitehaven CHPP are transported via the approved haulage route.	Traffic Management Plan 2022	The Traffic Management Plan outlines the approved haulage route.	C	N/A
<b>Gravel extract and Transport</b>					
11.	The Proponent shall not extract more than 90,000m3 of gravel from the site for distribution off-site in any calendar year.	Annual Reviews / haulage records Interview with Environmental Superintendent	Not triggered. No gravel extraction within audit period.	NT	N/A
12.	The Proponent may transport up to 90,000m3 of gravel from the site by truck in any calendar year. This gravel is to be transported from the site to the Kamilaroi Highway via the approved haulage route.	Annual Reviews / haulage records Interview with Environmental Superintendent	Not triggered. No gravel extraction within audit period.	NT	N/A
13.	The Proponent shall only transport gravel from the site by truck between 7 am and 6 pm Monday to Saturday.	Annual Reviews / haulage records Interview with Environmental Superintendent	Not triggered. No gravel extraction within audit period.	NT	N/A
<b>SURRENDER OF EXISTING DEVELOPMENT CONSENT</b>					
14.	By the end of December 2013, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing development consent (DA-88-4-2005) for the Tarrawonga Coal Mine in accordance with Section 104A of the EP&A Act. Prior to the surrender of this development consent, the conditions of this approval shall prevail to the extent of any inconsistency with the conditions of the development consent.	Interview with Environmental Superintendent	Completed outside audit period. Closed by previous audits	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>STRUCTURAL ADEQUACY</b>					
15.	<p>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.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; and</li> <li>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the project.</li> </ul>	Interview with Environment Superintendent and Group Superintendent - Environment	TCM stated no new buildings or structures have been built within the audit period.	C	N/A
<b>DEMOLITION</b>					
16.	The Proponent shall ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Interview with Environment Superintendent and Group Superintendent - Environment	Not triggered. TCM stated no demolition in audit period.	NT	N/A
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>					
17.	<p>Unless the Proponent and the applicable authority agree otherwise, the Proponent shall:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.</p> <p><i>Note: This condition does not apply to any damage to roads caused as a result of general road usage.</i></p>	Interview with Environment Superintendent and Group Superintendent - Environment	Not triggered. TCM stated no public infrastructure damaged during audit period.	NT	N/A
<b>OPERATION OF PLANT AND EQUIPMENT</b>					
18.	<p>The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>Teledata portal</p> <p>Pulse records</p> <p>Noise / blast</p> <p>Interview with Environment Superintendent</p> <p>Work order history</p> <p>Servicing Reports</p>	<p>Environmental monitoring equipment is managed through the Teledata portal. The equipment contractor manages the maintenance schedule and uploads reports to the portal.</p> <p>Plant and equipment are maintained by the site maintenance team or specialist suppliers.</p> <p>Work order history confirms that plant is maintained regularly.</p> <p>Online tracking software, Pulse is used to manage track servicing schedules and purchase orders.</p>	C	N/A
<b>UPDATING &amp; STAGING STRATEGIES, PLANS OR PROGRAMS</b>					
19.	<p>With the approval of the Secretary, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised strategies, plans or programs to the Secretary for approval.</p> <p>With the agreement of the Secretary, the Proponent may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable condition of this approval.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.</li> </ul>	Interview with Environmental Superintendent Management Plan Register	Refer to Sch.5 – Condition 5 for details of Management Plans and Strategies status.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>				
20.	The Proponent shall continue to implement the existing strategies, plans or programs that apply to any development on site under project approval DA-88-4-2005, until they are replaced by an equivalent strategy, plan or program approved under this approval.	Interview with Environmental Superintendent	DA-88-4-2005 surrendered prior to this audit period, therefore, not triggered.	NT	N/A

**COMMUNITY ENHANCEMENT**

21.	By the end of March 2013, unless otherwise agreed by the Secretary, the Proponent shall enter into a planning agreement with Council in accordance with: (a) Division 6 of Part 4 of the EP&A Act; and (b) the terms of the Proponent's offer provided in Appendix 3.	Interview with Environmental Superintendent	Closed by previous audits. Outside audit period.	NT	N/A
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**SCHEDULE 3 – ENVIRONMENTAL PERFORMANCE CONDITIONS**

**ACQUISITION ON REQUEST**

1.	<p>Upon receiving a written request for acquisition from an owner of the privately-owned land listed in Table 1, the Proponent shall acquire the land in accordance with the procedures in conditions 8 and 9 of schedule 4.</p> <p><i>Table 1: Land subject to acquisition upon request</i></p> <table border="1"> <thead> <tr> <th>Acquisition Basis</th> <th>Property ID</th> </tr> </thead> <tbody> <tr> <td>Noise &amp; Air</td> <td>44, 45, 49</td> </tr> <tr> <td>Noise</td> <td>43, 47</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> <li>To interpret the locations referred to in Table 1 see the applicable figure(s) in Appendix 5.</li> <li>Properties 43, 44 and 45 also have acquisition rights under the approval for the Boggabri coal mine, and/or the existing consent (DA 88-4-2005) for the Tarrawonga mine. The Proponent may acquire these properties on an equitable basis with the owner of the Boggabri mine.</li> <li>For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise should be included as part of the land to be acquired. Where the Proponent and the owner(s) cannot agree on whether non-contiguous parcels of land should be included, either party may refer the matter to the Secretary for resolution. The Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 8 and 9 of Schedule 4 shall be final.</li> </ul>	Acquisition Basis	Property ID	Noise & Air	44, 45, 49	Noise	43, 47	Interview with Environment Superintendent	TCM stated no requests in audit period, therefore not triggered.	NT	N/A
Acquisition Basis	Property ID										
Noise & Air	44, 45, 49										
Noise	43, 47										

**ADDITIONAL NOISE AND/OR AIR QUALITY MITIGATION ON REQUEST**

2.	<p>Upon receiving a written request from the owner of any residence on the land listed in Table 1, the Proponent shall implement additional noise and/or air quality mitigation measures (such as double glazing, insulation, air filters, a first flush roof water drainage system and/or air conditioning) at the residence in consultation with the owner. These measures must be reasonable and feasible and directed towards reducing the noise and/or air quality impacts of the project on the residence.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner 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>	Interview with Environment Superintendent	TCM stated no requests in audit period, therefore not triggered.	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations						
<b>NOISE AND VIBRATIONS</b>											
<b>Noise Criteria</b>											
3.	<p>Except for the noise-affected land in Table 1 the Proponent shall ensure that operational noise generated by the project does not exceed the criteria in Table 2Table 2 at any residence on privately-owned land.</p> <p><i>Table 2: Noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th>Land</th> <th>Day, Evening &amp; Night LAeq(15 min)</th> <th>Night LA1 (1 min)</th> </tr> </thead> <tbody> <tr> <td>All other privately-owned residences</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>Operational noise includes noise from the mining operations and the use of private roads (excluding the Kamilaroi Highway overpass) and rail spurs.</li> <li>Noise is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions (also see condition 13)), of the NSW Noise Policy for industry.</li> </ul> <p>However, these noise criteria do not apply if the Proponent has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Land	Day, Evening & Night LAeq(15 min)	Night LA1 (1 min)	All other privately-owned residences	35	45	<p>Interview with Environment Superintendent Annual Reviews 2020, 2021, 2022 Noise Monitoring reports</p>	<p>TCM stated no noise exceedances occurred during audit period. No exceedances noted in review of monitoring reports or Annual Reviews.</p>	C	N/A
Land	Day, Evening & Night LAeq(15 min)	Night LA1 (1 min)									
All other privately-owned residences	35	45									
<b>Noise Acquisition Requirements - Residences</b>											
4.	<p>If the owner(s) of a privately-owned residence, that is not listed in Table 1, have reason to believe that operational noise from the project is causing the criteria in Table 2 to be exceeded at the residence, the owner(s) can request an independent noise impact assessment for the residence. The request shall be made in writing to the Secretary. If the Secretary considers that a noise impact assessment is warranted, then the Proponent shall commission the assessment.</p> <p>If the noise impact assessment determines that the noise generated by the project causes sustained exceedances, or is likely to cause sustained exceedances, of the criteria in Table 2, the owner(s) can make a written request to the Proponent for one of the following:</p> <p>(a) mitigation (such as double glazing, insulation and air conditioning) at the residence in consultation with the owner(s). These measures must be reasonable and feasible and directed towards reducing the noise impacts of the project on the residence. If within 3 months of receiving this request from the owner(s), the Proponent and owner(s) 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; or</p> <p>(b) acquisition of the residence and land in accordance with the procedures in conditions 8 and 9 of Schedule 4.</p> <p>Upon receiving a written request from the owner(s), the Proponent must undertake whichever option has been requested by the owner(s).</p> <p>However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p><i>Notes:</i></p> <p>1. For the purposes of this condition a privately-owned residence is defined as a residence not owned by a mining company that: is regularly occupied; or is an existing residence that is not regularly</p>	<p>Interview with Environment Superintendent</p>	<p>TCM stated no requests in audit period, therefore not triggered.</p>	NT	N/A						

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>occupied but for which a valid development consent exists; or is a proposed residence for which a development application has been lodged with the relevant authority prior to the date of this approval.</p> <p>2. For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise should be included as part of the land to be acquired. Where the Proponent and the owner(s) cannot agree on whether non-contiguous parcels of land should be included, either party may refer the matter to the Secretary for resolution. The Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 8 and 9 of Schedule 4 shall be final.</p> <p>3. The noise assessment must be undertaken by a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary and include either: a. sufficient monitoring at the affected residence to allow for assessment of the impacts under a range of meteorological conditions (including adverse conditions) likely to be experienced at the residence; or b. sufficient monitoring to allow reliable prediction of the likely impacts under the range of meteorological conditions (including adverse conditions) likely to be experienced at the residence.</p> <p>4. Monitoring should be conducted in accordance with the requirements of the NSW Noise Policy for industry.</p> <p>5. Where predictions of likely impacts is to be used, either in substitution for, or in conjunction with, direct measurement of noise impacts at the residence, it must be based on sufficient monitoring data to provide a reliable estimate of the impacts (including under adverse meteorological conditions) and be derived using standard noise modelling techniques accepted by the EPA.</p> <p>6. The Proponent shall ensure that the requested noise impact assessment is submitted to the Secretary within 3 months of the Secretary's decision that the assessment was warranted. The Proponent shall also provide a copy of the assessment to the owner(s) of the residence at the same time it is submitted to the Secretary.</p>				
<b>Noise Acquisition Requirements - Land</b>					
5.	<p>If the owner(s) of land containing a privately owned residence, which is not listed in Table 1, have reason to believe that operational noise from the project is causing noise levels to exceed 40 dB(A) <math>L_{Aeq(15\ min)}</math> over more than 25% of that land, the owner(s) can request an independent noise impact assessment for the land. The request shall be made in writing to the Secretary. If the Secretary considers that a noise impact assessment is warranted, then the Proponent shall commission the assessment.</p> <p>If the noise impact assessment determines that the noise generated by the project causes sustained exceedances, or is likely to cause sustained exceedances, of the 40 dBA criteria, the owner(s) can make a written request to the Proponent for acquisition of the residence and land in accordance with the procedures in conditions 8 and 9 of Schedule 4.</p> <p>Upon receiving a written request from the owner(s), the Proponent must purchase the residence and land in accordance with the procedures in conditions 8 and 9 of Schedule 4. However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p><i>Note: The notes to condition 4 of this Schedule also apply to this condition.</i></p>	Interview with Environmental Superintendent	TCM stated no requests in audit period, therefore not triggered.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
<b>Cumulative Noise Criteria</b>									
6.	<p>Except for the land listed in Table 1, the Proponent shall ensure that the operational noise generated by the project combined with the noise generated by other mines does not exceed the criteria in Table 3 at any residence on privately-owned land.</p> <p><i>Table 3: Cumulative noise criteria dB(A) LAeq (period)</i></p> <table border="1"> <thead> <tr> <th>Land</th> <th>Day/Evening/Night LAeq (period)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>40</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> <li>Cumulative noise is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions (also see condition 13)), of the NSW Noise Policy for industry.</li> <li>Operational noise includes noise from the mining operations and the use of private roads (excluding the Kamilaroi Highway overpass) and rail spurs.</li> </ul>	Land	Day/Evening/Night LAeq (period)	All privately-owned land	40	Annual Reviews 2020, 2021, 2022 Noise Monitoring Reports	No complaints related to noise have been received during the audit period. Monitoring shows compliance at relevant monitoring points, inclusive of cumulative requirements.	C	N/A
Land	Day/Evening/Night LAeq (period)								
All privately-owned land	40								
<b>Cumulative Noise Acquisition Requirements</b>									
7.	<p>If the owner(s) of a privately-owned residence, which is not listed in Table 1, reasonably believes that the noise limits in Table 3 are being exceeded at the residence and that the exceedance is caused by operational noise from the project and one or more other mines (including use of private roads or rail spurs), the owner(s) can request an independent noise impact assessment for the residence. The request shall be made in writing to the Secretary. If the Secretary considers that a noise impact assessment is warranted, then the Proponent shall commission the assessment.</p> <p>Where the noise impact assessment determines that the cumulative noise generated by the project combined with the noise from the other mine(s) causes, or is likely to cause, sustained exceedances of the criteria in Table 3, then the owner(s) can make a written request to the Proponent for one of the following:</p> <p>(a) mitigation (such as double glazing, insulation and air conditioning) at the residence in consultation with the owner(s). These measures must be reasonable and feasible and directed towards reducing the noise impacts of the project on the residence. If within 3 months of receiving this request from the owner(s), the Proponent and owner(s) 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; or</p> <p>(b) acquisition of the residence and land in accordance with the procedures in conditions 8 and 9 of Schedule 4.</p> <p>Upon receiving a written request from the owner(s), the Proponent must undertake whichever option has been requested by the owner(s).</p> <p>However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p>The Proponent may seek to recover an equitable share of the costs incurred from the other mines contributing to the cumulative impact. Unless otherwise agreed between the mines, the proportional contributions should be based on expert analysis of the monitoring results to assess relative contribution to the impact. In the event of a dispute between the mines the Proponent, or one of the contributing mines, may submit the matter to the Secretary for resolution. The Secretary's decision shall be final.</p>	Interview with Environmental Superintendent	No requests have been received during the audit period.	NT	N/A				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
	<p>Notes:</p> <p>1. The notes to condition 4 of this Schedule also apply to this condition.</p> <p>2. The noise impact assessment shall include assessment of the relative contribution of the mines to the impact at the residence.</p>								
<b>Road Traffic Noise Criteria</b>									
8.	<p>The Proponent, together with the owners of the Rocglen and Vickery coal mines, shall ensure that the noise generated on public roads by the Project and the other mines, does not exceed the criteria in Table 4 at any existing residence on privately-owned land.</p> <p><i>Table 4: Road traffic noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th>Land</th> <th>Day and Evening LAeq (15 hour)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned residences</td> <td>60</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p><i>Note: Traffic noise generated by the Project is to be measured in accordance with the relevant procedures in the NSW Road Noise Policy.</i></p>	Land	Day and Evening LAeq (15 hour)	All privately-owned residences	60	<p>Annual Reviews 2020, 2021, 2022 Noise Monitoring Reports Interview with Environmental Superintendent</p>	<p>Noise monitoring is conducted at three locations along the haul road on a six-monthly basis. No exceedances in noise criteria have been recorded during the audit period.</p> <p>Monitoring has been conducted as required during 2020, 2021, 2022 and 2023.</p>	C	N/A
Land	Day and Evening LAeq (15 hour)								
All privately-owned residences	60								
<b>Attenuation of Plant</b>									
9.	<p>In the event that the Proponent and the Council or a Government agency, other than the Department, cannot agree on the specification or requirements of this approval, the matter may be referred by either party to the Director-General for resolution, whose determination of the disagreement shall be final and binding on the parties.</p>	Note	Noted	Note	N/A				
10.	<p>The Proponent shall:</p> <p>(a) conduct an annual testing program of the plant on site;</p> <p>(b) restore the effectiveness of any attenuation if it is found to be defective; and</p> <p>(c) report on the results of any testing and/or attenuation work within the Annual Review.</p>	<p>Annual Reviews 2020, 2021, 2022 Annual Spectrum Acoustics SPL testing reports Interview with Environmental Superintendent</p>	<p>Annual SPL testing is conducted as required and results reported in the Annual Review.</p> <p>Hitachi trucks have noise attenuation which was tested prior to commission (previous audit confirmed).</p> <p>No other plant has noise attenuation.</p>	C	N/A				
<b>Operating Conditions</b>									
11.	<p>The Proponent shall:</p> <p>(a) implement best management practice to minimise all operational, low frequency, road and rail traffic noise levels associated with the project;</p> <p>(b) operate a comprehensive on-site noise management system that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this approval;</p> <p>(c) maintain the effectiveness of noise suppression equipment on plant at all times and ensure defective plant is not operationally used until fully repaired;</p> <p>(d) ensure that noise attenuated plant is deployed preferentially in locations near to sensitive receivers;</p> <p>(e) minimise the noise impacts of the project during meteorological conditions under which the noise limits in this approval do not apply (see condition 13);</p> <p>(f) ensure that project related trains on the Boggabri spur line only use locomotives that are approved to operate on the NSW rail network in accordance with the noise limits in ARTC's EPL (No. 3142);</p>	<p>Noise Management Plan, May 2021 Noise Monitoring reports Review of Sentinex records, recorded alarms and actions.</p>	<p>Real time noise monitoring is conducted to support control of operations. Noise monitoring is logged to the Sentinel portal which generates alarms if noise levels are exceeded. Audio and visual observations from the monitoring stations can be reviewed in the event of an alarm to determine actions in accordance with the TARP.</p> <p>Meteorological forecasting is presented at the daily planning meeting and real time monitoring logged in Sentinex.</p> <p>Noise attenuation is on Hitachi trucks – see above.</p> <p>The Leard Forest Mining Precinct Noise Strategy has been approved.</p> <p>The Boggabri rail spur is not use by TCM.</p>	C	N/A				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(g) use its best endeavours to ensure that project-related rolling stock supplied by service providers on the Boggabri rail spur line is designed, constructed and maintained to minimise noise; and</p> <p>(h) co-ordinate the noise management on site with the noise management at other mines within the Leard Forest Mining Precinct, to minimise the cumulative noise impacts of these mines, to the satisfaction of the Secretary.</p>				
<b>Noise Management Plan</b>					
12.	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the EPA, and be submitted to the Secretary for approval by the end of May 2013;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> <li>▪ best management practice is being employed;</li> <li>▪ the noise impacts of the project are minimised during meteorological conditions under which the noise limits in this approval do not apply; and</li> <li>▪ compliance with the relevant conditions of this approval; (c) describe the proposed noise management system in detail;</li> </ul> <p>(d) include a risk/response matrix to codify operational responses to varying levels of risk resulting from weather conditions and specific mining activities;</p> <p>(e) include commitments to provide summary reports and specific briefings at CCC meetings on issues arising from noise monitoring;</p> <p>(f) describe the measures that would be implemented to ensure the noise impacts from the operation of the Kamilaroi Highway overpass are minimised as far as practicable;</p> <p>(g) include a monitoring program that:</p> <ul style="list-style-type: none"> <li>▪ uses attended monitoring to evaluate the performance of the project against all noise criteria in this approval, including a minimum of four days attended monitoring per quarter at locations agreed to by the Secretary, or more regularly where required;</li> <li>▪ uses real-time monitoring to support the proactive and reactive noise management system on site;</li> <li>▪ includes monitoring of inversion strength at an appropriate sampling rate to determine compliance with noise limits;</li> <li>▪ evaluates and reports on the effectiveness of the noise management system on site;</li> <li>▪ provides for the annual validation of the noise model for the project (including the tenth percentile methodology); and</li> </ul> <p>(h) includes a Leard Forest Mining Precinct Noise Management Strategy, that has been prepared in consultation with other coal mines in the Precinct, to minimise the cumulative noise impacts of all mines within the Precinct, and includes:</p> <ul style="list-style-type: none"> <li>▪ a description of the measures that would be implemented to ensure that the noise management of the mines is properly co-ordinated to ensure compliance with the relevant noise criteria;</li> <li>▪ a suitable monitoring network for the precinct;</li> <li>▪ protocols for data sharing; and</li> <li>▪ procedures for identifying and apportioning the source/s and contribution/s to cumulative noise impacts for the operating mines and other sources, using the noise and meteorological monitoring network and appropriate investigative tools.</li> </ul>	<p>Noise Management Plan, May 2021 Annual Reviews 2020, 2021, 2022 TCM Real Time Monitoring Procedure Teleaudio records. (part of teledata) CCC Meeting minutes Interview with Environmental Superintendent</p>	<p>When a noise alarm is raised from the monitoring station the alarm is recorded in a log book. The log records the time the alarm was received and what action was taken, including any review of audio or cameras at the monitoring station.</p> <p>Results of noise monitoring are provided to the CCC. Validation of noise monitoring is undertaken on an annual basis and summarised in the Annual Review. The 2020 IEA verified the NMP was revised to include the Leard Forest Precinct (BTM) noise strategy in October 2019 and a response was received from DPIE on 3 February 2020.</p> <p>The NMP includes risk / response matrix and commitment for providing summary reports to the CCC, measures to minimise noise impacts from the Kamilaroi highway overpass construction. It also includes a monitoring program.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<i>Note: The Leard Forest Mining Precinct Noise Management Strategy can be developed in stages and will need to be subject to ongoing review dependent upon the determination and commencement of other mining projects in the area.</i>				

**Noise Measurement**

13.	Where conditions in this approval refer to measurement of noise within the context of the NSW Noise Policy for industry the inversion class to be applied to the project is Class G. However, the Proponent may undertake an investigation to determine whether a proposal for change in this classification could be considered for approval by the Secretary. Any such investigation must be conducted in consultation with the EPA and be conducted by a suitably qualified person whose appointment has been endorsed by the EPA and approved by the Secretary. The report and recommendation must be submitted to the EPA for endorsement prior to submission to the Secretary. If the Secretary is satisfied that the recommendation is reasonable, then the Secretary may amend the inversion class applying to the project under this approval.	Interview with Environmental Superintendent	TCM stated no such investigation to change classification has been made during the audit period.	NT	N/A
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**BLASTING**

**Blasting Criteria**

14.	<p>The Proponent shall ensure that blasting does not cause any exceedance of the criteria in Table 5.</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Residence on privately-owned land</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50 <i>(or a limit determined by the structural design methodology in AS 2187.2-2006, or its latest version, to the satisfaction of the Secretary)</i></td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant owner or infrastructure provider/owner to exceed the limits in Table 5, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land	120	10	0%	115	5	5% of the total number of blasts over a period of 12 months	All public infrastructure	-	50 <i>(or a limit determined by the structural design methodology in AS 2187.2-2006, or its latest version, to the satisfaction of the Secretary)</i>	0%	TAR – Blast Master records Environmental blast monitoring records 2020-2023	The Auditor has reviewed the blast monitoring records for the audit period. Exceedances of the 115dB criteria have been recorded in each year but all but one exceedance was at a TCM owned property. The exceedance was 116.5dB on 15 July 2023 at monitoring location TN32_0507_310RL at Coomalgah. One exceedance in 12 months is therefore below the 5% allowable exceedance that is reportable.	C	N/A
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																	
Residence on privately-owned land	120	10	0%																	
	115	5	5% of the total number of blasts over a period of 12 months																	
All public infrastructure	-	50 <i>(or a limit determined by the structural design methodology in AS 2187.2-2006, or its latest version, to the satisfaction of the Secretary)</i>	0%																	

**Blasting Hours**

15.	The Proponent shall only carry out blasting on the site between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Secretary.	TAR - Blast Master records	Auditor reviewed blast monitoring records, blasts were noted to be within the allowed timeframes.	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Blasting Frequency</b>					
16.	<p>The Proponent may carry out a maximum of:</p> <p>(a) 1 blast a day; unless an additional blast is required following a blast misfire; and</p> <p>(b) 4 blasts a week, averaged over a calendar year, for the project.</p> <p>This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blasts required to ensure the safety of the mine or its workers.</p> <p><i>Note: For the purposes of this condition a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.</i></p>	TAR - Blast Master records	Based on review of blasting records blasting has been conducted in accordance with this condition.	C	N/A
<b>Property Inspections</b>					
17.	<p>If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open-cut pit on site, for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties, to:</p> <p>(b) establish the baseline condition of any buildings and/or structures on the land, or update the previous property inspection report; and</p> <p>(c) identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and</p> <p>(d) give the landowner a copy of the new or updated property inspection report.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, either party may refer the matter to the Secretary for resolution.</p>	Interview with Environmental Superintendent	No requests received in audit period, therefore not triggered.	NT	N/A
<b>Property Investigations</b>					
18.	<p>If any owner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the Secretary, claims that the buildings and/or structures on his/her land have been damaged as a result of blasting on site, then within 2 months of receiving this claim in writing from the landowner, the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties, to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report.</p> <p>If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damages to the satisfaction of the Secretary.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, either party may refer the matter to the Secretary for resolution.</p>	Interview with Environmental Superintendent	No requests / claims received in audit period, therefore not triggered.	NT	N/A
<b>Operating Conditions</b>					
19.	<p>During mining operations on site, the Proponent shall:</p> <p>(a) implement best practice blasting management to:</p> <ul style="list-style-type: none"> <li>▪ protect the safety of people and livestock in the surrounding area;</li> </ul>	Blast Management Plan, October 2022 Incident register	TCM has implemented a Blast Management Plan which complies with this condition.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>▪ protect public or private infrastructure/property in the surrounding area from any damage;</li> <li>▪ minimise the dust and fume emissions of any blasting; and</li> <li>▪ minimise blasting impacts on heritage items in the vicinity of the site;</li> </ul> <p>(b) co-ordinate the timing of blasting on site with the timing of blasting at other mines within the Leard Forest Mining Precinct to minimise the cumulative blasting impacts of the mines; and</p> <p>(c) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.</p>	<p>Interview with Environmental Superintendent</p> <p>Blasting notifications – website and SMS (examples)</p> <p>Env Blast checklist</p> <p>CMO for schedules</p>	<p>Communication with other mines is conducted by email. The distribution list also includes NSW Forestry. Notification email includes the scheduled time of the blast, location and map with the exclusion zone. Information regarding scheduled blasts is posted on the company website and on a board at the site entrance.</p>		
20.	<p>The Proponent shall not undertake blasting on-site within 500 metres of:</p> <p>(a) any public road without the approval of Council; or</p> <p>(b) any land outside of the site not owned by the Proponent, unless:</p> <ul style="list-style-type: none"> <li>▪ the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Department in writing of the terms of this agreement; or</li> <li>▪ the Proponent has:</li> <li>▪ demonstrated that the blasting can be carried out closer to the land without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and</li> <li>▪ updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land, to the satisfaction of the Secretary.</li> </ul>	<p>Interview with Environmental Superintendent</p> <p>Annual Reviews 2020, 2021, 2022</p> <p>Road Closure Plan, October 2022 (end of Blast MP)</p>	<p>Council is informed of road closures by email in accordance with the Road Closure Procedure. Notification of blasts is posted on the company website. Blasting has not been carried out within 500 metres of land outside the site not owned by TCM within the audit period.</p>	C	N/A
<b>Blast Management Plan</b>					
21.	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval by the end of May 2013;</p> <p>(b) be prepared in consultation with the EPA and interested members of the local community who would potentially be affected by blasting;</p> <p>(c) propose and justify any alternative ground vibration limits for public infrastructure in the vicinity of the site;</p> <p>(d) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> <li>▪ best management practice is being employed; and</li> <li>▪ compliance with the relevant conditions of this approval; (e) include a road closure protocol for blasting within 500 metres of a public road, that has been prepared in consultation with Council;</li> </ul> <p>(f) include a specific blast fume management protocol to demonstrate how emissions will be minimised, including risk management strategies if blast fumes are generated;</p> <p>(g) include a monitoring program for evaluating blasting performance, which includes:</p> <ul style="list-style-type: none"> <li>▪ compliance with the applicable criteria; and</li> <li>▪ minimising blast fume emissions; and</li> </ul>	<p>Blast Management Plan, October 2022</p> <p>BLAST Management strategy (Leard Forest)</p>	<p>The currently approved Blast Management Plan complies with these conditions and includes relevant criteria as stated in (a) to (h).</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(h) include a Leard Forest Mining Precinct Blast Management Strategy, that has been prepared in consultation with other mines within the Leard Forest Mining Precinct, to minimise cumulative blasting impacts.  <i>Note: The Leard Forest Mining Precinct Blast Management Strategy can be developed in stages, and will need to be subject to ongoing review dependent upon the determination of and commencement of other mining projects in the area.</i>				

**AIR QUALITY AND GREENHOUSE GAS**

**Odour**

22.	Unless otherwise authorised by an EPL, the Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Interview with Environmental Superintendent Annual Reviews 2020, 2021, 2022 Dec 2021 Blast fume (Penalty Notice #: 3173540150) May 2022 Blast fume (Official Caution) Notice (# 3502682)	EPA issued a Caution Notice (3502682) for a blast fume event that occurred on 7-6-2021. Beyond the caution notice EPA took no further action at that time. EPA issued a Penalty Notice (3173540150) for a blast fume event that occurred on 16-12-2021. The EPA issued a fine but took no further action. TCM undertook an internal investigation and found the explosive product mix for the blast to be the cause. TCM since amended blast preparation mix to minimise any further blast fume issues.	NC (Duplicate with EPL O5.1)	TCM investigated the cause and changed product mix to minimise event reoccurring. No further events were noted during the audit period.  As the issue has not reoccurred post rectification measures, no further recommendation is made beyond ensuring blasts are carried out in a manner not to cause offensive blast fume and follow the Blast Management Plan 2022.
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**Greenhouse Gas Emissions**

23.	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary.	Air Quality and Greenhouse Gas Management Plan, May 2021 NPI/NGER reporting	The currently approved AQGHGMP describes the measures to minimise release of greenhouse gases from the project.	C	N/A
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**Air Quality Criteria**

24.	The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are implemented so that particulate matter emissions generated by the project do not cause exceedances of the criteria in Table 6, Table 7 and Table 8 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.  The assessment acknowledges that it may not be reasonable and feasible to prevent exceedance of the PM <sub>10</sub> criteria in Table 6 at property 45 and exceedance of the criteria in Table 7 in year 16 at property 49. (To interpret the property locations referred to see the applicable figure(s) in Appendix 5.)  <i>Table 5: Long-term criteria for particulate matter</i>	Annual Reviews 2020, 2021, 2022 Environmental monitoring reports TCM Incident and Exceedance Register HVAC sampling records.	Three exceedances were recorded for PM <sub>10</sub> against the 24-hour criterion during the audit period (16-11-2020, 17-12-2021 and 6-12-2022), which were determined as not being mine-related. Following investigation, the exceedance was attributed to farming activities around the monitoring locations.	C	N/A
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Pollutant	Averaging Period	<sup>d</sup> Criterion
Total suspended particulate (TSP) matter	Annual	a 90 µg/m <sup>3</sup>
Particulate matter < 10 µm (PM10)	Annual	a 30 µg/m <sup>3</sup>

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations														
	<p><i>Table 6: Short-term criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th><sup>d</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM10)</td> <td>24 hour</td> <td>a 50 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 7: Long-term criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>c Deposited dust</td> <td>Annual</td> <td>b 2 g/m<sup>2</sup>/month</td> <td>a 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p><i>Notes to Table 6, Table 7 and Table 8:</i></p> <p>a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);</p> <p>b Incremental impact (ie incremental increase in concentrations due to the project on its own);</p> <p>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.</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</p> <p>"Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 28 and 29 to develop and implement a real-time air quality management system that ensures operational responses to the risks of exceedance of the criteria.</p>	Pollutant	Averaging Period	<sup>d</sup> Criterion	Particulate matter < 10 µm (PM10)	24 hour	a 50 µg/m <sup>3</sup>	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	c Deposited dust	Annual	b 2 g/m <sup>2</sup> /month	a 4 g/m <sup>2</sup> /month				
Pollutant	Averaging Period	<sup>d</sup> Criterion																	
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c Deposited dust	Annual	b 2 g/m <sup>2</sup> /month	a 4 g/m <sup>2</sup> /month																

**Mine-Specific Air Quality Criteria**

25.	<p>The Proponent shall ensure that particulate matter emissions generated by the project do not exceed the criteria listed in Table 9 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, except on property 49 in year 16.</p> <p><i>Table 8: Short-term criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td>50 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Note:</i></p> <p>As provided by the EP&amp;A Act, the criterion in Table 8 may be amended to a more stringent criterion in an EPL, after the first review of the EPL under section 78 of the POEO Act.</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	50 µg/m <sup>3</sup>	<p>Annual Reviews 2020, 2021, 2022 Environmental monitoring reports Tarrawonga Incident and Exceedance Register</p>	<p>As above.</p>	<p>C</p>	<p>N/A</p>
Pollutant	Averaging Period	Criterion									
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	50 µg/m <sup>3</sup>									

**Air Quality Acquisition Criteria**

26.	<p>If particulate matter emissions generated by the project exceed the criteria, or contribute to an exceedance of the relevant cumulative criteria, in Table 10, Table 11 or Table 12, at any residence on privately-owned land or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the landowner the Proponent shall acquire the land in accordance with the procedures in conditions 8 and 9 of schedule 4.</p>	<p>Interview with Environmental Superintendent</p>	<p>No requests have been received in respect of this condition.</p>	<p>NT</p>	<p>N/A</p>
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations																										
	<p><i>Table 9: Long term land acquisition criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th><sup>d</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td><sup>a</sup> 90 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM10)</td> <td>Annual</td> <td><sup>a</sup> 30 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 10: Short term land acquisition criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th><sup>d</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM10)</td> <td>24 hour</td> <td><sup>a</sup> 150 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM10)</td> <td>24 hour</td> <td><sup>b</sup> 50 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p><i>Table 11: Long term land acquisition criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td><sup>c</sup> Deposited dust</td> <td>Annual</td> <td><sup>b</sup> 2 g/m<sup>2</sup>/month</td> <td><sup>a</sup> 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p><i>Notes to Table 10, Table 11 and Table 12:</i></p> <p><i>a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);</i></p> <p><i>b Incremental impact (ie incremental increase in concentrations due to the project on its own);</i></p> <p><i>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;</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed by the Secretary.</i></p>	Pollutant	Averaging period	<sup>d</sup> Criterion	Total suspended particulate (TSP) matter	Annual	<sup>a</sup> 90 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM10)	Annual	<sup>a</sup> 30 µg/m <sup>3</sup>	Pollutant	Averaging period	<sup>d</sup> Criterion	Particulate matter < 10 µm (PM10)	24 hour	<sup>a</sup> 150 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM10)	24 hour	<sup>b</sup> 50 µg/m <sup>3</sup>	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month				
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<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month																												

**Mine-owned Land**

27.	<p>The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are implemented so that particulate matter emissions generated by the project do not exceed the criteria in Table 6, Table 7 and Table 8 at any occupied residence on any mine-owned land (including land owned by adjacent mines), unless:</p> <p>(a) the tenant and/or landowner has been notified of any health risks in accordance with the notification requirements under schedule 4 of this approval;</p> <p>(b) the tenant on project-related land can terminate the tenancy agreement without penalty, subject to giving reasonable notice, and the Proponent uses its best endeavours to provide assistance with relocation and sourcing of alternative accommodation;</p> <p>(c) air mitigation measures such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant and landowner (where owned by another mine other than the Proponent);</p>	<p>Interview with Environmental Superintendent</p> <p>Letter to tenants with attached NSW Health and Minerals Council Mine Dust information sheet and limits on air quality for the project</p>	<p>Previous IEA's reported Tenants/landowners have been provided with appropriate information in relation to the health risks associated with mine dust. TCM reported that none of their land was tenanted during the audit period and therefore, they have received no requests for dust mitigation measures during the audit period.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(d) particulate matter air quality monitoring is undertaken to inform the tenant and landowner of potential health risks; and (e) monitoring data is presented to the tenant in an appropriate format, for a medical practitioner to assist the tenant in making an informed decision on the health risks associated with occupying the property, to the satisfaction of the Secretary.				
<b>Operating Conditions</b>					
28.	The Proponent shall: (a) implement best practice air quality management practices on site, including all reasonable and feasible measures to minimise odour, fume and dust emissions of the project; (b) operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting, predictive and real time air dispersion modelling and real-time air quality monitoring data to guide the day-to-day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this approval; (c) manage PM <sub>2.5</sub> levels in accordance with any requirements of an EPL; (d) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d under Table 8); (e) minimise any visible air pollution generated by the project; (f) minimise the surface disturbance of the site generated by the project; and (g) co-ordinate the air quality management on site with the air quality management at other mines within the Leard Forest Mining Precinct to minimise the cumulative air quality impacts of the mines, to the satisfaction of the Secretary.	Air Quality and Greenhouse Gas Management Plan, May 2021 (include Visual dust TARP) Interview with Environmental Superintendent Site observations Complaints register Forecast (weatherzone –software) emails.	The measures to be employed are described in the AQGHGMP. The auditor reviewed real time dust and meteorological data available in Sentinex. There have been no complaints received related to dust since April 2018. The auditor sighted use of the water cart on the haul road to control dust.	C	N/A
<b>Air Quality and Greenhouse Gas Management Plan</b>					
29.	The Proponent shall prepare and implement an Air Quality and Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the EPA and be submitted to the Secretary for approval by the end of May 2013; (b) describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> <li>▪ best practice management is being employed;</li> <li>▪ the air quality impacts of the project are minimised during adverse meteorological conditions and extraordinary events; and</li> <li>▪ compliance with the relevant conditions of this approval;</li> </ul> (c) describe the proposed air quality management system; (d) include a risk/response matrix to codify mine operational responses to varying levels of risk resulting from weather conditions and specific mining activities; (e) include commitments to provide summary reports and specific briefings at CCC meetings on issues arising from air quality monitoring; (f) include an air quality monitoring program that: <ul style="list-style-type: none"> <li>• uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project; <ul style="list-style-type: none"> <li>i. adequately supports the proactive and reactive air quality management system;</li> <li>ii. includes PM<sub>2.5</sub> monitoring;</li> <li>iii. includes monitoring of occupied mine-owned residences and residences on the air quality affected land in Table 1, subject to the agreement of the tenant and/or landowner;</li> <li>iv. evaluates and reports on the effectiveness of the air quality management system;</li> </ul> </li> </ul>	Air Quality and Greenhouse Gas Management Plan, May 2021 Adverse weather condition TARP	The currently approved AQGHGMP complies with this condition. TCM stated, air quality index report is discussed at the 9 am planning meeting to advise of any known regional air quality issues such as bushfires or dust storms. The TARP is activated when wind speed is above a certain speed. The auditor reviewed the OCE logbook for activation of the TARP and noted appropriate actions recorded.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>v. includes sufficient random audits of operating responses to real time air quality management systems to determine the ongoing effectiveness of these responses in maintaining the project within the relevant criteria in this Schedule and the requirements of conditions 24 and 25, above;</p> <p>vi. includes a protocol for determining any exceedences of the relevant conditions in this approval; and</p> <p>vii. systems and processes to ensure that all mines are managed to achieve their air quality criteria;</p> <p>viii. a shared environmental monitoring network and data sharing protocol;</p> <p>ix. control monitoring site(s) to provide real time data on background air quality levels (ie not influenced by mining in the Leard Forest Mining Precinct and representative of regional air quality);</p> <p>x. a shared predictive and real time air dispersion model covering the Leard Forest Mining Precinct to be used for assessment of cumulative impacts, optimising location of the shared real time monitoring network, validation of air predictions and optimising mitigation measures; and</p> <p>xi. procedures for identifying and apportioning the source/s and contribution/s to cumulative air impacts for both mines and other sources, using the air quality and meteorological monitoring network and appropriate investigative tools such as modelling of post incident plume dispersion, dual synchronised monitors and chemical methods of source apportionment (where possible).</p> <p>(g) includes a Leard Forest Mining Precinct Air Quality Management Strategy that has been prepared in consultation with other coal mines in the Precinct to minimise the cumulative air quality impacts of all mines within the Precinct, that includes:</p> <p>i. systems and processes to ensure that all mines are managed to achieve their air quality criteria;</p> <p>ii. a shared environmental monitoring network and data sharing protocol;</p> <p>iii. control monitoring site(s) to provide real time data on background air quality levels (ie not influenced by mining in the Leard Forest Mining Precinct and representative of regional air quality);</p> <p>iv. a shared predictive and real time air dispersion model covering the Leard Forest Mining Precinct to be used for assessment of cumulative impacts, optimising location of the shared real time monitoring network, validation of air predictions and optimising mitigation measures; and</p> <p>v. procedures for identifying and apportioning the source/s and contribution/s to cumulative air impacts for both mines and other sources, using the air quality and meteorological monitoring network and appropriate investigative tools such as modelling of post incident plume dispersion, dual synchronised monitors and chemical methods of source apportionment (where possible).</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>▪ The requirement for regionally based control sites can be further reviewed if a regional air monitoring network is implemented and operated by the EPA as recommended in the draft Strategic Regional Land Use Plan for New England North West.</li> <li>▪ The Leard Forest Mining Precinct Air Quality Management Strategy can be developed in stages and will need to be subject to ongoing review dependent upon the determination of and commencement of other mining projects in the area.</li> <li>▪ The management plan should be consistent with the EPA's guidance on Best Management Practice reporting and Reactive Particulate Management Strategies.</li> </ul>				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>METEOROLOGICAL MONITORING</b>					
30.	For the life of the project, the Proponent shall ensure that there is a meteorological station in the vicinity of the site that: (a) complies with the requirements in the <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> guideline; and (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the <i>NSW Noise Policy for industry</i> , unless a suitable alternative is approved by the Secretary following consultation with the EPA.	Email from EPA dated 23/1/20 re. specifying a 90% data capture rate Data continuous and calibration reports Interview and teledata	TCM operates a meteorological station that is capable of continuous real-time measurements. The EPA has confirmed that there is no expectation of 100% data capture and a 90% data capture is acceptable, which Tarrawonga operations meet.	C	N/A
<b>SOIL AND WATER</b>					
	<i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the project.</i>				
<b>Water Supply</b>					
31.	The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations on site to match its available water supply, to the satisfaction of the Secretary.	Water Management Plan, July 2023  WRM Water & Environment Pty Ltd 2022, Water Balance Annual Review report Water Balances  BTM Water management strategy, May 2019	A water balance is included in Section 4 of the WMP. The TCM is covered by four Water Sharing Plans (WSPs) including the following: <ul style="list-style-type: none"> <li>Namoi Unregulated and Alluvial (commenced 2012);</li> <li>Upper Namoi and Lower Namoi Regulated River (replaced 2016);</li> <li>NSW Murray-Darling Basin Porous Rock Groundwater (commenced 2012); and</li> <li>Upper and Lower Namoi Groundwater (commenced 2006).</li> </ul> Water is also trucked from other TCM sites as approved through Mod 8 of the Project Approval. The WRM 2022 report states, the site water balance model has been validated against site observations and recorded data over the period between January 2022 and December 2022.	C	N/A
<b>Compensatory Water Supply</b>					
32.	The Proponent shall provide a compensatory water supply to any owner of privately-owned land whose water supply is adversely and directly impacted (other than a negligible impact) as a result of the project, in consultation with DPIE Water, and to the satisfaction of the Secretary.  The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified.  If 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.  If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Secretary.	Interview with Environmental Superintendent	TCM stated no water supplies have been impacted and no evidence to suggest impacts have occurred. Not triggered	NT	N/A
<b>Surface Water Discharges</b>					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
33.	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	EPL 12365 EPL Monitoring Results Annual Reviews 2020, 2021, 2022 Annual Returns 2020 -2021, 2021-2022, 2022-2023	Refer to Table A2 – EPL Compliance Table (L1.1, 2.1 and 2.2) for details.	NC	As per L1.1, 2.1 and 2.2 recommendations in EPL Table.

**Goonbri Creek and Upper Namoi Alluvium – Performance Objectives**

34.	<p>The Proponent shall ensure that the project has no greater environmental consequences than predicted in the EA and complies with the performance objectives in Table 12, to the satisfaction of the Secretary.</p> <p><i>Table 8: Goonbri Creek and alluvial aquifer performance objectives</i></p> <table border="0"> <tr> <td style="vertical-align: top;"> <p><b>Feature</b> Upper Namoi alluvial aquifer</p> </td> <td style="vertical-align: top;"> <p><b>Objective</b> No direct disturbance to the alluvial aquifer, or mining operations (excluding flood bund construction) within 10 metres of the aquifer No more than negligible environmental consequences to the alluvial aquifer, including:</p> <ul style="list-style-type: none"> <li>• negligible change in groundwater levels;</li> <li>• negligible leakage to the mining pit and workings;</li> <li>• negligible change in groundwater quality;</li> <li>• negligible stability and erosion risks; and</li> <li>• negligible impact to other groundwater users.</li> </ul> </td> </tr> <tr> <td style="vertical-align: top;"> <p>Goonbri Creek</p> </td> <td style="vertical-align: top;"> <p>Hydraulically and geomorphologically stable Negligible change to off-site flooding characteristics (including flood levels, velocities and flood storage capacity) Riparian vegetation, habitat, energy management and dissipation, bedload transport, biophysical maintenance and pool holding capacity that is the same or better than existed prior to mining</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>Flood bund (if required, see condition 37 below)</p> </td> <td style="vertical-align: top;"> <p>Hydraulically and geomorphologically stable Negligible change to off-site flooding characteristics (including flood levels, velocities and flood storage capacity) Provides suitable protection for flood events up to and including the Probable Maximum Flood.</p> </td> </tr> </table>	<p><b>Feature</b> Upper Namoi alluvial aquifer</p>	<p><b>Objective</b> No direct disturbance to the alluvial aquifer, or mining operations (excluding flood bund construction) within 10 metres of the aquifer No more than negligible environmental consequences to the alluvial aquifer, including:</p> <ul style="list-style-type: none"> <li>• negligible change in groundwater levels;</li> <li>• negligible leakage to the mining pit and workings;</li> <li>• negligible change in groundwater quality;</li> <li>• negligible stability and erosion risks; and</li> <li>• negligible impact to other groundwater users.</li> </ul>	<p>Goonbri Creek</p>	<p>Hydraulically and geomorphologically stable Negligible change to off-site flooding characteristics (including flood levels, velocities and flood storage capacity) Riparian vegetation, habitat, energy management and dissipation, bedload transport, biophysical maintenance and pool holding capacity that is the same or better than existed prior to mining</p>	<p>Flood bund (if required, see condition 37 below)</p>	<p>Hydraulically and geomorphologically stable Negligible change to off-site flooding characteristics (including flood levels, velocities and flood storage capacity) Provides suitable protection for flood events up to and including the Probable Maximum Flood.</p>	<p>Interview with Environmental Superintendent Water Management Plan, July 2023 Site Water Balance Annual Reviews 2020, 2021, 2022</p>	<p>The Goonbri Creek Diversion and Low Permeability have not been implemented during the audit period. Condition is therefore not triggered.</p>	NT	N/A
<p><b>Feature</b> Upper Namoi alluvial aquifer</p>	<p><b>Objective</b> No direct disturbance to the alluvial aquifer, or mining operations (excluding flood bund construction) within 10 metres of the aquifer No more than negligible environmental consequences to the alluvial aquifer, including:</p> <ul style="list-style-type: none"> <li>• negligible change in groundwater levels;</li> <li>• negligible leakage to the mining pit and workings;</li> <li>• negligible change in groundwater quality;</li> <li>• negligible stability and erosion risks; and</li> <li>• negligible impact to other groundwater users.</li> </ul>										
<p>Goonbri Creek</p>	<p>Hydraulically and geomorphologically stable Negligible change to off-site flooding characteristics (including flood levels, velocities and flood storage capacity) Riparian vegetation, habitat, energy management and dissipation, bedload transport, biophysical maintenance and pool holding capacity that is the same or better than existed prior to mining</p>										
<p>Flood bund (if required, see condition 37 below)</p>	<p>Hydraulically and geomorphologically stable Negligible change to off-site flooding characteristics (including flood levels, velocities and flood storage capacity) Provides suitable protection for flood events up to and including the Probable Maximum Flood.</p>										

**Goonbri Creek Flood Bund**

37.	<p>The Proponent shall prepare an updated flood modelling assessment report to the satisfaction of the Secretary. The report must:</p> <p>(a) be prepared in consultation with BCS, and be submitted and approved by the Secretary prior to undertaking any mining operations within an elevation of less than 0.5 metres above, or a lateral distance of 25 metres from, the Probable Maximum Flood extent as shown on the plans in Appendix 6; and</p> <p>(b) include:</p> <p>(i) detailed 2-dimensional flood modelling for events up to and including the Probable Maximum Flood, to determine the extent of flooding from Goonbri Creek;</p> <p>(ii) additional assessment of the need, design and extent of the Goonbri Creek flood bund to prevent inundation of the mining operations and mining pit for all events up to and including the Probable Maximum Flood;</p> <p>(iii) detailed construction design plans for the flood bund; and</p> <p>(iv) additional assessment of any flood-related impacts associated with construction of the flood bund.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• The Probable Maximum Flood level and conceptual flood bund based on 1-dimensional flood modelling are shown in Appendix 6.</li> </ul>	<p>Interview with Environmental Superintendent</p>	<p>TCM stated that Water Resources Management (WRM) is currently conducting the flood bund assessment. TCM has not mined within 25 meters of Probable Maximum Flood extent. TCM stated the modelling is being conducted to close condition, rather than being triggered by condition.</p>	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>The flood bund may be constructed on a staged basis. In this case, the report required under this condition shall be submitted for each stage.</li> </ul>				
38.	<p>Unless the additional flood assessment required under condition 37 demonstrates to the satisfaction of the Secretary that the flood bund is not required, then the Proponent shall:</p> <p>(a) construct the flood bund prior to undertaking any mining operations within an elevation of less than 0.5 metres above, or a lateral distance of 25 metres from, the Probable Maximum Flood extent as determined in the updated flood modelling assessment report; and</p> <p>(b) within 2 months of the construction of the flood bund, submit an as-executed report to the Secretary and BCS, certified by a practising engineer, confirming that the bund has been constructed:</p> <ul style="list-style-type: none"> <li>in accordance with the design in the updated flood modelling assessment report and applicable Australian Standards; and</li> <li>in a manner that achieves the performance objectives in Table 12.</li> </ul> <p>this variation takes effect from February 2021.</p>	Interview with Environmental Superintendent	The Flood Assessment was not complete at time of the audit and condition 37 is not triggered as mining is not occurring within 25m of Probable Maximum Flood extent.	NT	N/A

**Water Management Plan**

39.	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with BCS , DPIE Water and LLS, by suitably qualified and experienced person/s whose appointment has been approved by the Secretary,</p> <p>(b) be submitted to the Secretary for approval by the end of May 2013; and</p> <p>I in addition to the standard requirements for management plans (see condition 3 of schedule 5), include a:</p> <p>(i) <u>Site Water Balance</u>, that includes:</p> <ul style="list-style-type: none"> <li>details of: <ul style="list-style-type: none"> <li>sources and security of water supply, including contingency for future reporting periods, incorporating commitments for minimising trucking of off-site water as identified in MOD8;</li> <li>water use and management on site;</li> <li>any off-site water discharges;</li> <li>reporting procedures, including the preparation of a site water balance for each calendar year;</li> </ul> </li> <li>a program to validate the surface water model, including monitoring discharge volumes from the site and comparison of monitoring results with modelled predictions; and</li> <li>describes the measures that would be implemented to minimise clean water use on site;</li> </ul> <p>(ii) <u>Surface Water Management Plan</u>, that includes:</p> <ul style="list-style-type: none"> <li>detailed baseline data on surface water flows and quality in the water-bodies that could potentially be affected by the project;</li> <li>detailed baseline data on soils within the irrigation area;</li> <li>detailed baseline data on hydrology across the downstream drainage system of the Namoi River floodplain from the mine site to the Namoi River, including Barbers Lagoon and The Slush Holes;</li> <li>detailed description of the water management system on site, including the: <ul style="list-style-type: none"> <li>clean water diversion systems;</li> <li>erosion and sediment controls (mine water system);</li> <li>mine water management systems including irrigation areas;</li> </ul> </li> </ul>	<p>Water Management Plan, July 2023</p> <p>BTM Complex Water Strategy June 2019</p> <p>Letter of approval for BTM Water Strategy dated 14 June 2019</p> <p>CMO records checked. Examples</p> <p>Dam inspection records</p> <p>Groundwater monitoring records</p> <p>Quarterly Surface water monitoring results spreadsheet</p> <p>CCC meeting minutes</p>	<p>The currently approved Water Management Plan complies with this condition.</p> <p>TCM has recently updated and submitted the WMP, on 25-5-2023 the DPE requested further information, which was submitted on 13-7-2023, the plan at the time of the audit was still awaiting formal approval.</p> <p>The BTM Complex Water Strategy was approved on 14 June 2019 and incorporated into the TCM WMP (last iteration).</p> <p>The Auditor reviewed records of dam inspections and confirms these are undertaken in accordance with the WMP. Any remedial works are discussed with the Production Supervisor and escalate to reporting database.</p> <p>Groundwater monitoring is undertaken in accordance with the WMP. Water level is measured every quarter and a full suite of criteria including pH, EC, temperature on a six-monthly basis.</p> <p>All monitoring is presented and discussed with CCC members and reported in the Annual Review.</p> <p>Quarterly surface water monitoring is undertaken when there is flow in the Creeks.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>- discharge limits in accordance with EPL requirements; and</li> <li>- water storages and water transfer pipelines;</li> <li>• detailed plans, including design objectives and performance criteria for: <ul style="list-style-type: none"> <li>- design and management of final voids;</li> <li>- design and management for the emplacement of reject materials, sodic and dispersible soils and acid or sulphate generating materials;</li> <li>- the Goonbri Creek flood bund, based on additional 2-dimensional flood modelling;</li> <li>- reinstatement of drainage lines on the rehabilitated areas of the site; and</li> <li>- control of any potential water pollution from the rehabilitated areas of the site;</li> <li>- performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the project: <ul style="list-style-type: none"> <li>- the water management system;</li> <li>- soils within the irrigation area;</li> <li>- downstream surface water quality;</li> <li>- downstream flooding impacts, including flood impacts due to the flood bunds required for the project; and</li> <li>- stream and riparian vegetation health, including the Namoi River and its tributaries including Barbers Lagoon and The Slush Holes;</li> </ul> </li> </ul> </li> <li>• a program to monitor and assess: <ul style="list-style-type: none"> <li>- the effectiveness of the water management system;</li> <li>- soils within the irrigation area;</li> <li>- the effectiveness of the Goonbri Creek diversion and flood bunds (see conditions 34-38);</li> <li>- surface water flows and quality in the watercourses that could be affected by the project; and</li> <li>- downstream flooding impacts;</li> </ul> </li> <li>• reporting procedures for the results of the monitoring program; and</li> <li>• a plan to respond to any exceedences of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project;</li> </ul> <p><u>(iii) Groundwater Management Plan</u>, that includes:</p> <ul style="list-style-type: none"> <li>• detailed baseline data of groundwater levels, yield and quality in the region, and privately-owned groundwater bores including a detailed survey/schedule of groundwater dependent ecosystems (including stygo-fauna), that could be affected by the project;</li> <li>• detailed plans, including design objectives and performance criteria, for the design and management of: <ul style="list-style-type: none"> <li>- the proposed final void; and</li> <li>- coal reject and potential acid forming material emplacement;</li> </ul> </li> <li>• groundwater assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts;</li> <li>• a program to monitor and assess: <ul style="list-style-type: none"> <li>- groundwater inflows to the open cut mining operations;</li> <li>- the effectiveness of the LPB;</li> <li>- the seepage/leachate from the LPB, water storages, emplacements and the final void;</li> </ul> </li> </ul>				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>- interconnectivity between the alluvial and bedrock aquifers, including the potential for enhanced leakage as a result of fracturing due to blasting;</li> <li>- background changes in groundwater yield/quality against mine-induced changes;</li> <li>- the impacts of the project on:                             <ul style="list-style-type: none"> <li>o regional and local (including alluvial) aquifers;</li> <li>o groundwater supply of potentially affected landowners;</li> <li>o groundwater dependent ecosystems (including potential impacts on stygo-fauna) and riparian vegetation;</li> </ul> </li> <li>• a program to validate the groundwater model for the project, including an independent review of the model every 3 years, and comparison of monitoring results with modelled predictions; and</li> <li>• a plan to respond to any exceedences of the performance criteria; and <u>Leard Forest Mining Precinct Water Management Strategy</u>, that has been prepared in consultation with other mines within the precinct, and the Vickery coal mine to:                             <ul style="list-style-type: none"> <li>- minimise the cumulative water quality impacts of the mines;</li> <li>- review opportunities for water sharing/water transfers between mines;</li> <li>- co-ordinate water quality monitoring programs as far as practicable;</li> <li>- undertake joint investigations/studies in relation to complaints/exceedences of trigger levels where cumulative impacts are considered likely; and</li> </ul> </li> <li>• co-ordinate modelling programs for validation, re-calibration and re-running of the groundwater and surface water models using approved mine operation plans.</li> </ul> <p><i>Note: The Leard Forest Mining Precinct Water Management Strategy can be developed in stages and will need to be subject to ongoing review, dependent upon the determination of and commencement of other mining projects in the area.</i></p> <p><i>The Department accepts that consultation and involvement of the Vickery coal mine in the Leard Forest Mining Precinct Water Management Strategy may be limited to issues in relation to water sharing/transfers between the mines, and associated water use and water quality matters.</i></p>				

**BIODIVERSITY**

**Biodiversity Offset Strategy**

40.	<p>The Proponent shall implement the biodiversity offset strategy described in the EA summarised in Table 14 and shown conceptually in Appendix 7, to the satisfaction of the Secretary.</p> <p><i>Table 13: Summary of the biodiversity offset strategy</i></p> <table border="1"> <thead> <tr> <th>Area</th> <th>Offset Type</th> <th>Minimum Size (hectares)</th> </tr> </thead> <tbody> <tr> <td>Willeroi Offset Area</td> <td>Existing native vegetation to be enhanced, and additional native vegetation to be established with the restoration of at least 193 ha of Box Gum Woodland EEC, as listed under the BC Act</td> <td>1,660</td> </tr> <tr> <td>Rehabilitation Area</td> <td>Native woodland vegetation communities to be re-established, focused on Box Gum Woodland EEC</td> <td>752</td> </tr> </tbody> </table> <p><i>Note: For the purposes of this approval Box Gum Woodland refers to the EEC listed as White Box Yellow Box Blakely's Red Gum Woodland under the BC Act, and the CEEC listed as White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grasslands under the EPBC Act, or similar EEC as may be updated from time to time.</i></p>	Area	Offset Type	Minimum Size (hectares)	Willeroi Offset Area	Existing native vegetation to be enhanced, and additional native vegetation to be established with the restoration of at least 193 ha of Box Gum Woodland EEC, as listed under the BC Act	1,660	Rehabilitation Area	Native woodland vegetation communities to be re-established, focused on Box Gum Woodland EEC	752	<p>Biodiversity Management Plan, August 2022</p> <p>Regional BTM Biodiversity Offset Strategy, August 2017</p> <p>Mine Site Rehabilitation Management Plan (MSRP), March 2020</p> <p>Annual Reviews 2020, 2021, 2022</p> <p>EPBC reports</p>	<p>The biodiversity offset strategy is described in the Biodiversity Management Plan which states that the Willeroi offset area is 1,660 ha.</p> <p>The MSRP describes the on-site rehabilitation requirements including the minimum size and vegetation species to be established.</p>	C	N/A
Area	Offset Type	Minimum Size (hectares)												
Willeroi Offset Area	Existing native vegetation to be enhanced, and additional native vegetation to be established with the restoration of at least 193 ha of Box Gum Woodland EEC, as listed under the BC Act	1,660												
Rehabilitation Area	Native woodland vegetation communities to be re-established, focused on Box Gum Woodland EEC	752												

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations																		
40A.	<p>In addition to the biodiversity offset requirements in Table 13, by the end of 2021, unless otherwise agreed by the Secretary, the Proponent must retire biodiversity credits of a number and class specified in Table 13A below, to offset the further biodiversity impacts of the project.</p> <p>The retirement of these credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by acquiring or retiring biodiversity credits within the meaning of the BC Act.</p> <p>Table 13A: Additional biodiversity credit requirements</p> <table border="1" data-bbox="270 548 1190 840"> <thead> <tr> <th data-bbox="270 548 379 600">PCT Number</th> <th data-bbox="379 548 1041 600">PCT Name</th> <th data-bbox="1041 548 1190 600">Credits Required</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="270 600 1190 632"><b>Ecosystem Credits</b></td> </tr> <tr> <td data-bbox="270 632 379 663">PCT 847</td> <td data-bbox="379 632 1041 705">Grey Box - Blakely's Red Gum - Yellow Box grassy open forest of the Nandewar Bioregion and New England Tableland Bioregion</td> <td data-bbox="1041 632 1190 663">2</td> </tr> <tr> <td data-bbox="270 705 379 737">PCT 101</td> <td data-bbox="379 705 1041 779">Poplar Box - Yellow Box - Western Grey Box grassy woodland on cracking clay soils mainly in the Liverpool Plains, Brigalow Belt South Bioregion</td> <td data-bbox="1041 705 1190 737">3</td> </tr> <tr> <td colspan="3" data-bbox="270 779 1190 810"><b>Species Credits</b></td> </tr> <tr> <td data-bbox="270 810 379 842">-</td> <td data-bbox="379 810 1041 842">Slender Darling Pea (<i>Swainsona murrayana</i>)</td> <td data-bbox="1041 810 1190 842">4</td> </tr> </tbody> </table>	PCT Number	PCT Name	Credits Required	<b>Ecosystem Credits</b>			PCT 847	Grey Box - Blakely's Red Gum - Yellow Box grassy open forest of the Nandewar Bioregion and New England Tableland Bioregion	2	PCT 101	Poplar Box - Yellow Box - Western Grey Box grassy woodland on cracking clay soils mainly in the Liverpool Plains, Brigalow Belt South Bioregion	3	<b>Species Credits</b>			-	Slender Darling Pea ( <i>Swainsona murrayana</i> )	4	<p>Extension letter, dated 18-12-2021 (requests extension until end of January 2022)</p> <p>Biodiversity and Conservation Trust – Payment confirmation Notice, dated 10-01-2022 (reports payment received on 24-12-2021).</p>	<p>TCM has completed payment to retire calculated credits as required by and in accordance with this condition.</p>	<p>C</p>	<p>N/A</p>
PCT Number	PCT Name	Credits Required																					
<b>Ecosystem Credits</b>																							
PCT 847	Grey Box - Blakely's Red Gum - Yellow Box grassy open forest of the Nandewar Bioregion and New England Tableland Bioregion	2																					
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Leard Forest Mining Precinct Regional Biodiversity Strategy</b>					
41.	<p>The Proponent shall contribute to the funding and preparation of the Leard Forest Mining Precinct Regional Biodiversity Strategy, as required under the approvals for the Boggabri coal mine and Maules Creek coal mine, to the satisfaction of the Secretary.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>▪ The approvals for the Boggabri coal mine and Maules Creek coal mine require the proponents of the mines in the Leard Forest mining precinct to prepare the regional biodiversity strategy in 3 stages, including: <ul style="list-style-type: none"> <li>- Stage 1 Scoping Stage, by the end of January 2013;</li> <li>- Stage 2 Strategy Development Stage, by the end of January 2014; and</li> <li>- Stage 3 Strategy Review Stage, by the end of December 2018.</li> </ul> </li> <li>▪ The strategy is required to be prepared in collaboration with a working group comprising relevant government agencies and the Leard Forest mining precinct mines, and chaired by an independent person.</li> <li>▪ Funding of the strategy should be based on predicted clearing of native vegetation for the three projects within the Leard Forest Mining Precinct. Based on the predicted clearing for the projects, the funding split would equate to total contributions of 36% from Boggabri (clearing of 1,385 ha), 54% from Maules Creek (clearing of 2,078ha) and 10% from Tarrawonga (clearing of 397 ha). This funding arrangement can be further refined in the Stage 1 Scoping Stage.</li> </ul>	<p>Regional BTM Biodiversity Offset Strategy, August 2017 approved by OEH on 1 September 2017</p>	<p>Condition verified as part of previous IEA.</p>	C	N/A
<b>Revised Biodiversity Offset Strategy</b>					
42.	<p>Within 6 months of the approval of Stage 2 of the Leard Forest Mining Precinct Regional Biodiversity Strategy the Proponent shall review, and if necessary revise, the biodiversity offset strategy for the project to the satisfaction of the Secretary. The review/revision must:</p> <p>(a) be prepared in consultation with BCS, LLS, Forests NSW, the CCC, DPIE Water and DAWE;</p> <p>(b) not reduce the size or quality of the offset area; and</p> <p>(c) be consistent (as far as is possible) with the recommendations and objectives of the Leard Forest Mining Precinct Regional Biodiversity Strategy.</p>	<p>Biodiversity Management Plan, August 2022</p> <p>Regional BTM Biodiversity Offset Strategy, August 2017</p> <p>Various correspondence for submission of revised plans</p> <p>Environmental Management Strategy, May 2021</p> <p>Interview with Environmental Superintendent</p>	<p>The Biodiversity Management Plan has been revised and submitted several times since 2017 including revision to incorporate the BTM Regional Strategy. The last update was approved on 10-08-2022 and is accordance with (a) to (c).</p>	C	N/A
<b>Threatened Species</b>					
43.	<p>For the White Box – Yellow Box – Blakely's Red Gum Grassy Woodland Endangered Ecological Community the Proponent shall:</p> <p>(a) ensure that the Biodiversity Offset Strategy and site Rehabilitation Strategy is focused on protection rehabilitation, re-establishment and long-term maintenance of viable stands of this community;</p> <p>(b) investigate in consultation with BCS and the LLS, all factors likely to enhance or impede the effective long term restoration of degraded remnants of this EEC in offset areas or regeneration of this EEC on disturbed areas (both offset areas and the site);</p> <p>(c) within 24 months of the date of this approval (and if possible in conjunction with Stage 2 of the Leard Forest Mining Precinct Regional Biodiversity Strategy), submit a report of this investigation and provide an implementation plan to maximise the prospects for rehabilitation and regeneration of this EEC on the offset areas and the site, for approval by the Secretary; and</p> <p>(d) incorporate the approved implementation plan into the revised Biodiversity</p>	<p>Biodiversity Management Plan, August 2022</p> <p>TCM Box-Gum Woodland EEC Implementation Plan, January 2015</p>	<p>Verified by previous IEA's.</p>	C	N/A

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	Management Plan, required under condition 48.				
44.	For all threatened species on site, the Proponent shall ensure that the Biodiversity Offset Strategy and Rehabilitation Strategy are focused on protection, rehabilitation and long-term maintenance of viable stands of suitable habitat for these species.	Biodiversity Management Plan, August 2022 Mine Site Rehabilitation Management Plan, March 2020	The BMP and MSRP aim to protect threatened species and provide adequate viable long term habitat for such species as required by this condition.	C	N/A
45.	The Proponent shall: (a) investigate, in consultation with BCS and the LLS, all factors likely to enhance or impede the effective long term provision of suitable habitat(s) for the following species: Speckled Warbler, Brown Treecreeper, Grey-crowned Babbler, Hooded Robin, Varied Sittella, Turquoise Parrot, Masked Owl, Yellow-bellied Sheath Tail Bat and Squirrel Glider; (b) within 12 months of the date of this approval (and if possible, in conjunction with Stage 2 of the Leard Forest Mining Precinct Regional Biodiversity Strategy), submit a report of this investigation and provide an implementation plan to ensure delivery of suitable areas of viable habitat for the species included in (a) above, for approval by the Secretary; and (c) incorporate the approved implementation plan into the revised Biodiversity Management Plan, required under condition 48.	Previous IEA's	Completed outside the audit period.	NT	N/A
<b>Long Term Security of Offset</b>					
46.	The Proponent shall make suitable arrangements to provide appropriate long-term security for the offset areas: (a) for the Willeroi Offset Area the long-term security shall be provided by way of: <ul style="list-style-type: none"> <li>▪ the Proponent entering into a conservation agreement or agreements pursuant to section 69B of the <i>National Parks and Wildlife Act 1974</i>, recording the obligations assumed by the Proponent under the conditions of this approval in relation to these offset areas, and registering the agreement(s) pursuant to section 69F of the <i>National Parks and Wildlife Act 1974</i>; or</li> <li>▪ a tenure of higher conservation status such as a National Park, or Nature Reserve, under the <i>National Parks and Wildlife Act 1974</i>,</li> <li>▪ The conservation agreement(s) must be registered by the end of December 2013 unless agreed otherwise by the Secretary after consultation with BCS. The conservation agreements must remain in force in perpetuity; and</li> </ul> (b) by the end of December 2030 unless otherwise agreed by the Secretary, for the woodland to be established in the Rehabilitation Area, as identified in Table 14, to the satisfaction of the Secretary.	Email from TCM to DPIE dated 5 December 2018 and response dated 10 December 2018  Whitehaven security bond 25 June 2020	a) Correspondence with the Department states that Conservation Agreements for securing offset areas have been lodged.  b) Not Triggered currently as area hasn't been disturbed (was listed as back-up ROM, but not implemented).	C	N/A
<b>Biodiversity Management Plan</b>					
47.	The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with BCS, DAWE, Forests NSW, the CCC, DPIE Water Catchments and Lands and the LLS, and be submitted to the Secretary for approval by the end of May 2013; (b) describe the short, medium, and long term measures that would be implemented to: <ul style="list-style-type: none"> <li>▪ manage the remnant vegetation and habitat on the site and in the offset area; and</li> <li>▪ implement the biodiversity offset strategy, including detailed performance and completion criteria;</li> </ul> (c) include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy, and triggering remedial action (if necessary);	Biodiversity Management Plan, August 2022	The approved Biodiversity Management Plan meets the requirements of this condition.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(d) include a detailed description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>▪ enhancing the quality of existing vegetation and fauna habitat;</li> <li>▪ restoring native vegetation and fauna habitat on the biodiversity offset area and rehabilitation area through focusing on assisted natural regeneration, targeted vegetation establishment and the introduction of naturally scarce fauna habitat features;</li> <li>▪ maximising the salvage of resources within the approved disturbance area – including vegetative, top and sub soils and cultural heritage resources – for beneficial reuse in the enhancement of the biodiversity offset area or rehabilitation area;</li> <li>▪ collecting and propagating seed;</li> <li>▪ minimising the impacts on fauna on site, including undertaking pre-clearance surveys;</li> <li>▪ managing any potential conflicts between the proposed restoration works in the biodiversity offset area and any Aboriginal heritage values (both cultural and archaeological);</li> <li>▪ managing salinity;</li> <li>▪ controlling weeds and feral pests;</li> <li>▪ controlling erosion;</li> <li>▪ controlling access; and</li> <li>▪ managing bushfire risk;</li> </ul> <p>(e) include a seasonally-based program to monitor and report on the effectiveness of these measures, and progress against the detailed performance and completion criteria;</p> <p>(f) identify the potential risks to the successful implementation of the biodiversity offset strategy, and include a description of the contingency measures that would be implemented to mitigate against these risks; and</p> <p>(g) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p> <p><i>Note: The Biodiversity Management Plan and Rehabilitation Management Plan need to be substantially integrated for achieving biodiversity objectives for the rehabilitated mine-site.</i></p>				
48.	<p>The Proponent shall review and if necessary revise the Biodiversity Management Plan within 6 months of the completion of Stage 2 of the Leard Forest Mining Precinct Regional Biodiversity Strategy, to the satisfaction of the Secretary. The review/revision must:</p> <p>(a) be prepared in consultation with BCS, DAWE, Forests NSW, the CCC, DPIE Water and the LLS;</p> <p>(b) be consistent with the findings of Leard Forest Mining Precinct Regional Biodiversity Strategy; and</p> <p>(c) include any implementation plans arising from the studies required under conditions 43 and 45 of this approval.</p>	Biodiversity Management Plan 2015 Regional BTM Biodiversity Offset Strategy September 2017	<p>Previous IEA's verified the revision following completion of the Stage 2 Leard Forest Mining Precinct RBS.</p> <p>Subsequent revisions of the Site BMP have been prepared in line with (a) to (c) and approved.</p>	C	N/A
<b>Conservation Bond</b>					
49.	<p>By the end of May 2013, the Proponent shall lodge a Conservation and Biodiversity Bond with the Department to ensure that the biodiversity offset strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan. The sum of the bond shall be determined by:</p> <p>(a) calculating the full cost of implementing the biodiversity offset strategy (other than land</p>	Previous IEA 2020	Bond Payment verified by previous IEA.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>acquisition costs); and</p> <p>(b) employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the Secretary.</p> <p>If the offset strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary, the Secretary will release the bond.</p> <p>If the offset strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Secretary will call in all, or part of, the conservation bond, and arrange for the satisfactory completion of the relevant works.</p> <p>With the agreement of the Secretary, this bond may be combined with rehabilitation security deposit administered by MEG.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>▪ <i>Alternative funding arrangements for long term management of the Biodiversity Offset Strategy, such as provision of capital and management funding as agreed by BCS as part of a Biobanking Agreement or transfer to conservation reserve estate can be used to reduce the liability of the conservation and biodiversity bond.</i></li> <li>▪ <i>The sum of the bond may be reviewed in conjunction with any revision to the biodiversity offset strategy.</i></li> </ul>				

**Independent Biodiversity Audit**

	<p>By the end of June 2014 and every 3 years thereafter, unless both the Secretary and BCS agree to a different timeframe, the Proponent shall commission suitably qualified, experienced and independent person/s, whose appointment has been approved by the Secretary, to undertake an audit of the revegetation of the rehabilitation area and management and restoration within the Biodiversity Offset Strategy areas to the satisfaction of the Secretary. This audit must:</p> <p>(a) include consultation with BCS, LLS, DPIE Water, DAWE, CCC and Resources Regulator;</p> <p>(b) assess the performance of the revegetation in the rehabilitation area completed to date (and the Goonbri Creek Diversion, once commenced) against the completion criteria in the Rehabilitation Management Plan;</p> <p>(c) assess the performance of management and restoration in the off-site Biodiversity Offset Strategy areas completed to date against the completion criteria in the Biodiversity Management Plan;</p> <p>(d) identify any measures that should be implemented to improve the performance of rehabilitation, management and restoration within the rehabilitation and biodiversity offset areas; and</p> <p>(e) identify any additional measures that should be applied in the establishment of native vegetation, including riparian vegetation around Goonbri Creek;</p> <p>(f) if the completion criteria have not been met, or are not adequately trending towards being met, determine the likely ecological value of the rehabilitation and restoration once completed, and recommend additional measures to augment the Biodiversity Offset Strategy to ensure that it adequately offsets the project's impacts on biodiversity.</p> <p>If the audit recommends the implementation of additional measures to augment the Biodiversity Offset Strategy in accordance with (f) above, then within 6 months of the completion of the audit the Proponent shall revise the Biodiversity Offset Strategy, in consultation with the Department, BCS and DAWE, and to the satisfaction of the Secretary.</p>	<p>ERM – Independent Biodiversity Audit, 16 October 2020.</p>	<p>Biodiversity Audit Report prepared by ERM, includes requirements (a) to (f). The 2020 audit recorded no non-Compliances.</p>	<p>C</p>	<p>N/A</p>
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>HERITAGE</b>					
Aboriginal Heritage Conservation Strategy					
51.	<p>The Proponent shall prepare and implement an Aboriginal Heritage Conservation Strategy for the project and the Biodiversity Offset Strategy areas to the satisfaction of the Secretary. This Strategy must enhance and conserve the Aboriginal cultural heritage values (both cultural and archaeological) and provide for their long-term protection and management. The Strategy must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</li> <li>(b) be prepared in consultation with Heritage NSW, the local Aboriginal community and other mines within the Leard Forest Mining Precinct, and submitted to the Secretary for approval within 12 months from the date of project approval;</li> <li>(c) identify the Aboriginal cultural heritage values of the Biodiversity Offset Strategy areas;</li> <li>(d) identify areas of high Aboriginal cultural heritage significance within both the site and the Leard Forest Mining Precinct;</li> <li>(e) identify a range of options for enhancing and conserving Aboriginal cultural heritage values, with specific consideration of the potential for the long-term protection and management of significant sites within either the site, the Biodiversity Offset Strategy areas or other lands within the Leard Forest Mining Precinct identified as having high cultural heritage significance to the Aboriginal community; and</li> <li>(f) consider cumulative impacts and potential for developing joint initiatives with other mines within the Leard Forest Mining Precinct for enhancing and conserving Aboriginal cultural heritage values.</li> </ul>	Aboriginal Heritage Conservation Strategy (AHCS), September 2017	<p>The currently approved AHCS meets the requirements of this condition.</p> <p>The AHCS was approved by DPIE on 10 November 2017.</p>	C	N/A
<b>Heritage Management Plan</b>					
	<p>The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</li> <li>(b) be prepared in consultation with Heritage NSW and local Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);</li> <li>(c) be submitted to the Secretary for approval prior to undertaking any activities that may impact heritage items or sites, unless the Secretary agrees otherwise;</li> <li>(d) include the following for the management of Aboriginal cultural heritage: <ul style="list-style-type: none"> <li>▪ a detailed archaeological salvage program for Aboriginal sites/objects within the project disturbance area, including methodology and procedures/protocols for: <ul style="list-style-type: none"> <li>- sub-surface testing;</li> <li>- staged salvage, based on anticipated mine planning;</li> <li>- pre-disturbance monitoring;</li> <li>- site assessment and reporting;</li> <li>- research objectives to inform knowledge of Aboriginal occupation;</li> <li>- protection, storage and management of salvaged Aboriginal objects;</li> <li>- addressing relevant statutory requirements under the <i>National Parks and Wildlife Act 1974</i>; and</li> <li>- long term protection of salvaged Aboriginal objects;</li> </ul> </li> <li>▪ a description of the measures that would be implemented for:</li> </ul> </li> </ul>	Heritage Management Plan, May 2021 (HMP) on website	<p>The current approved HMP (May 2021) covers the requirements of (a) to (e) and was approved by the DPE on 29-05-2021.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>- protecting, monitoring and managing Aboriginal sites outside the project disturbance area;</li> <li>- maintaining and managing reasonable access for Aboriginal stakeholders to cultural heritage items on site and in the biodiversity offset area;</li> <li>- managing the discovery of any human remains or previously unidentified Aboriginal objects on site, including (in the case of human remains) stop work provisions and notification protocols;</li> <li>- ongoing consultation with the local Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage both on-site and in the biodiversity offset area;</li> <li>- ensuring any workers on site receive suitable heritage inductions prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions;</li> </ul> <p>(e) include the following for the management of historic heritage:</p> <ul style="list-style-type: none"> <li>▪ a description of the measures that would be implemented for: <ul style="list-style-type: none"> <li>- managing the discovery of human remains or previously unidentified historic heritage items at the site, including (in the case of human remains) stop work provisions and notification protocols; and</li> <li>- ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and ensure that suitable records of these inductions are kept.</li> </ul> </li> </ul> <p><i>Note: The Department acknowledges that the initial Heritage Management Plan may not include a detailed plan for the implementation of the Aboriginal Heritage Conservation Strategy. If this occurs, the Proponent will be required to update the plan as soon as practicable following the Secretary's approval of the Aboriginal Heritage Conservation Strategy.</i></p>				

## TRANSPORT

### Roadworks

53.	<p>The Proponent shall:</p> <p>(a) upgrade Goonbri Road and associated intersections with the mine access road and existing approved haulage route, as outlined in the EA; and</p> <p>(b) install appropriate advance warning signs and lighting on Goonbri Road, the private coal haulage road at the intersection of the Northern Site Access Road, to the satisfaction of Council.</p> <p>The road realignments and associated intersection upgrades shall be undertaken:</p> <ul style="list-style-type: none"> <li>▪ to a bitumen sealed standard, unless otherwise agreed by Council; and</li> <li>▪ prior to any project works occurring within 25 metres of the existing Goonbri Road alignment, or on the southern/eastern side of the existing road alignment, or prior to use of Goonbri Road of coal haulage via the new mine access road.</li> </ul> <p><i>Note: The road upgrade works may be undertaken in stages, with the agreement of Council.</i></p>	Interview with Environmental Superintendent	Not triggered (condition was to account for a new ROM that TCM has not proceeded with) as works were not undertaken in audit period.	NT	N/A
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### Coal Transport

54.	<p>Whilst coal transport by road is permitted under this approval, the Proponent shall ensure that:</p> <p>(a) trucks travelling to and from the site do not exceed 40 kilometres per hour in the vicinity of the school bus when it is operating near school bus stops along the approved haulage route, unless an alternative protocol is agreed by the Secretary; and</p>	Traffic Management Plan, October 2022 Master Services Agreement for Supply of Road Haulage Services between	The TCM Traffic Management Plan contains the requirements for operating in the vicinity of the school bus stop and bus. These conditions are included in the MSA with Bis Industries.	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(b) spillage from coal haulage vehicles is minimised and promptly managed.	TCM and Bis Industries Limited, commencement date 28 January 2014			
<b>Traffic Management Plan</b>					
54A.	<p>The Proponent shall prepare and implement a revised Traffic Management Plan for the Project, to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with RMS, Gunnedah Shire Council, Narrabri Shire Council and the owners of the Rocglen and Vickery coal mines;</li> <li>(b) be submitted to the Secretary for approval by 31 March 2017;</li> <li>(c) include a program for implementing Whitehaven's commitments in the EA;</li> <li>(d) include transport protocols that describe control measures for coal haulage: <ul style="list-style-type: none"> <li>• during school bus hours;</li> <li>• on the Kamilaroi Highway; and</li> <li>• during seasonal and event based peak traffic periods.</li> </ul> </li> <li>(e) include a driver's Code of Conduct to include but not limited to: <ul style="list-style-type: none"> <li>• behavioural safety practises and initiatives used by drivers to implement the transport protocols;</li> <li>• induction process for vehicle operators and regular toolbox meetings; and</li> <li>• complaint resolution and disciplinary procedures;</li> </ul> </li> <li>(f) describe measures to minimise dust from roads that may be used for access to the mine site;</li> <li>(g) arrangements to comply with cumulative coal haulage limits from the project and the Rocglen and Vickery coal mines; and</li> <li>(h) a monitoring program to audit vehicle movements, including the origin and destination of employees, against predictions in the EA.</li> </ul>	<p>Traffic Management Plan, October 2022</p> <p>Bis Pre-start toolbox samples, Master Services Agreement for Supply of Road Haulage Services between TCM and Bis Industries Limited, commencement date 28 January 2014</p>	<p>The approved Traffic Management Plan meets the requirements of this condition.</p> <p>Section 3.5 of the TMP states that all haulage contractors will be provided with a copy of the TMP and regular toolboxes will be held with truck drivers. The auditor reviewed a selection of toolboxes for the haulage contractor Bis. Toolbox items included speed restrictions on the haul road, transport protocols, hours of operation at TCM.</p> <p>The auditor reviewed the Master Service's Agreement (MSA) between TCM and Bis Industries Limited. The Services Schedule of the MSA describes the services to be provided and includes the requirements on hours of work, speed limits and noise levels. The MSA also refers to the TCM HSE Management System which has been made available to Bis.</p>	C	N/A
<b>Road Maintenance</b>					
55.	<p>During mining operations, the Proponent shall continue to implement road maintenance agreements with Narrabri Shire Council and Gunnedah Shire Council for the maintenance of the public roads affected by the project to the satisfaction of the respective Council. These agreements may be modified from time to time by agreement of the Proponent and respective Council, including following any modification that involves changes to road traffic. If there is any dispute in relation to these agreements, then any of the parties may refer the matter to the Secretary for resolution.</p>	Road Maintenance Agreement, 5-08-2009	Agreement with the Councils was finalised outside the audit period.	NT	N/A
<b>Monitoring of Coal and Gravel Transport</b>					
56.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> <li>(a) keep records of the: <ul style="list-style-type: none"> <li>• amount of coal and gravel transported from the site (on a monthly basis); and</li> <li>• date and time of each train movement on the Boggabri rail spur line generated by the project (if coal from the project is transported by rail); and</li> </ul> </li> </ul>	Coal movement records 2020-2022 on website	Coal movement records are maintained as required and include information for (a) and (b). No gravel movements have been made during the audit period.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(b) make these records available on its website at the end of each calendar year.				

**VISUAL**

**Operating Conditions**

57.	<p>The Proponent shall:</p> <p>(a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project;</p> <p>(b) ensure no outdoor lights shine above the horizontal;</p> <p>(c) wherever possible, ensure that mobile equipment is appropriately designed and/or retrofitted to prevent light being directed above the horizontal;</p> <p>(d) ensure that all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i> or its latest version;</p> <p>(e) provide for the establishment of trees and shrubs and/or the construction of mounding orbunding:</p> <ul style="list-style-type: none"> <li>▪ along the realigned Goonbri Road and access road to the mine site;</li> <li>▪ along the services corridor to the Boggabri Coal Mine;</li> <li>▪ around the water storage dams; and</li> <li>▪ at other areas identified as necessary for the maintenance of satisfactory visual amenity; and</li> </ul> <p>(f) ensure that the visual appearance of all buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape, to the satisfaction of the <a href="#">Secretary</a>.</p>	Previous IEA's	Verified during previous audit period. Additionally, no visual issues noted during this audit site inspection.	NT	N/A
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**Additional Visual Impact Mitigation**

58.	<p>Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the mining operations and infrastructure on-site during the project, the Proponent shall implement additional visual impact mitigation measures (such as landscaping treatments or vegetation screens) to reduce the visibility of the mining operations and infrastructure from the residences on the privately-owned land.</p> <p>These mitigation measures must be reasonable and feasible, and must be implemented within a reasonable timeframe.</p> <p>If the Proponent and the owner 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 <a href="#">Secretary</a> for resolution.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>▪ <i>The additional visual impact mitigation measures must be aimed at reducing the visibility of the mining operations on site from affected residences, and do not require measures to reduce the visibility of the mining operations from other locations on the affected properties.</i></li> <li>▪ <i>The additional visual impact mitigation measures do not necessarily have to include the implementation of measures on the affected property itself (ie. the additional measures could involve the implementation of measures outside the affected property boundary that provide an effective reduction in visual impacts).</i></li> </ul>	Interview with Environmental Superintendent	TCM stated no request has been received during the audit period.	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
	<ul style="list-style-type: none"> <li>Except in exceptional circumstances, the <a href="#">Secretary</a> will not require additional visual impact mitigation to be undertaken for residences that are more than 5 kilometres from the mining operations.</li> </ul>								
<b>BUSHFIRE MANAGEMENTTCM</b>									
59.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> <li>(a) implement all reasonable and feasible measures to manage bushfire risks, including the suspension of activities that may have the potential to ignite a fire, during adverse conditions;</li> <li>(b) ensure that the project is suitably equipped to respond to any fires on site; and</li> <li>(c) assist the Rural Fire Service, Forests NSW, emergency services and National Parks and Wildlife Services as much as possible if there is a fire in the surrounding area.</li> </ul>	<p>Section 4.10 of Biodiversity Management Plan, August 2022</p> <p>Interview with Environmental Superintendent</p> <p>Site observations</p>	<p>Management of bushfire risk is detailed in Section 4.10 of the Biodiversity Management Plan.</p> <p>Adequate fire fighting equipment was observed on site and TCM maintains and Emergency Response Team who would be first responders to a fire on the site.</p> <p>Fire risk within the rehabilitated areas is managed by having access tracks and contour banks that act as fire breaks.</p> <p>TCM has a contract with a third party for fire fighting primarily for the offset areas to assist the RFS and ERT.</p> <p>TCM installed a water tank at the Templemore property RFS access at the request of the CCC to aid in fire fighting.</p> <p>TCM also maintains a fire fighting trailer and water truck.</p> <p>TCM staff undertake emergency response training – including off-site fire fighting.</p>	C	N/A				
<b>WASTE</b>									
60.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> <li>(a) implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the project;</li> <li>(b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; and</li> <li>(c) monitor and report on the effectiveness of waste minimisation and management measures in the Annual Review.</li> </ul>	<p>Annual Reviews 2020, 2021, 2022</p> <p>Site observations</p>	<p>The auditor observed waste collection and storage facilities at the site and were noted to be of a high standard. All wastes are removed from site for disposal by Namoi Waste, a suitably licensed contractor.</p> <p>Waste management and minimisation measures are reported in the annual review as required.</p>	C	N/A				
<b>REHABILITATION</b>									
<b>Rehabilitation Objectives</b>									
61.	<p>The Proponent shall rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the <i>Mining Act 1992</i>. This rehabilitation must be generally consistent with the proposed Rehabilitation Strategy described in the EA (and depicted conceptually in Appendix 8) and comply with the objectives in Table 15.</p> <p><i>Table 14: Rehabilitation objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Feature	Objective			<p>MOP 2020 Rehabilitation Management Plan, December 2022</p> <p>Forward Program, March 2023</p> <p>Mine Site Rehabilitation Plan 2020</p> <p>Annual Review 2020, 2021, 2022</p>	<p>The MOP and MSRP describe the rehabilitation objectives as required by this condition.</p> <p>The Goonbri Creek diversion and LPB have not been triggered during the audit period.</p> <p>The Annual Reviews report that and no rehabilitation of agricultural lands occurred during their reporting period.</p> <p>Refer to Independent Biodiversity Audit, August 2023 for assessment of performance of rehabilitation.</p>	C	
Feature	Objective								

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	Mine site (as a whole)	Safe, stable and non-polluting  Constructed landforms drain to the natural environment  Landforms fully integrated with the final landform for the Boggabri coal mine as per the EA			
	Final void	Minimise the size and depth of the final void as far as is reasonable and feasible  Minimise the drainage catchment of the final void as far as is reasonable and feasible  Negligible high wall instability risk			
	Surface infrastructure	To be decommissioned and removed, unless Resources Regulator agrees otherwise			
	Agricultural land	Establish a minimum of 257 hectares of Class 3 agricultural suitability land, including 160 hectares suitable for grazing with cropping capability			
	All land – excluding the 210 ha of agricultural land and the final void	Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: <ul style="list-style-type: none"> <li>local native plant species (particularly Box Gum Woodland EEC); and</li> <li>a landform consistent with the surrounding environment</li> </ul>			
	Goonbri Creek and Upper Namoi Alluvium	See Table 12			
	Community	Ensure public safety  Minimise the adverse socio-economic effects associated with mine closure			

**Operating Conditions**

62.	The Proponent shall, in consultation with the LLS: (a) develop a detailed soil management protocol that identifies procedures for: <ul style="list-style-type: none"> <li>comprehensive soil surveys prior to soil stripping;</li> <li>assessment of top-soil and sub-soil suitability for mine rehabilitation; and</li> <li>annual soil balances to manage soil handling including direct respreading and stockpiling;</li> </ul> (b) maximise the salvage of suitable top-soils and sub-soils and biodiversity habitat components such as bush rocks, tree hollows and fallen timber for rehabilitation of disturbed areas within the site and for enhancement of biodiversity offset areas; and	Biodiversity Management Plan, August 2022  Pre-Clearing Soil Material Characterisation study, Minesoils Pty Ltd 5-3-2021	The Operating Conditions are contained in the Biodiversity Management Plan which was verified in the previous audit period.  b) & c) is reported in Annual reviews a) Soil management is included in Mine site rehabilitation management Plan (MOP) c) No PAF identified.  A Pre-Clearing Soil Material Characterisation study has also been conducted to inform soil stripping activities.	C	N/A
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**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(c) ensure that coal reject, or any potentially acid forming interburden materials, are not emplaced at elevations in the pit shell where they may promote acid or sulphate species generation and migration beyond the pit shell.				
<b>Progressive Rehabilitation</b>					
63.	<p>The Proponent shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim revegetation or dust minimisation strategies shall be employed when areas prone to dust generation cannot yet be permanently rehabilitated.</p> <p><i>Note: It is accepted that the parts of the site where interim revegetation or dust minimisation strategies have been implemented may be subject to further disturbance in future.</i></p>	<p>Mine Operations Plan, 2020            Mine Site Rehabilitation Plan, March 2020            Forward Program, March 2023            Annual Reviews 2020, 2021, 2022</p>	<p>The MOP (Section 2.3.9) and MSRP (Section 5) describe the rehabilitation program and methodology. The auditor observed seeded topsoil stockpiles and mulch used to prevent erosion. Rehabilitation activities reported in Annual Reviews.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Rehabilitation Management Plan</b>					
64.	<p>The Proponent shall prepare and implement a Rehabilitation Management Plan in accordance with the conditions imposed on the mining lease(s) associated with the development under the <i>Mining Act 1992</i>. to the satisfaction of MEG. This plan must:</p> <p>(a) be prepared in consultation with the Department, Forests NSW, DPIE Water, BCS, LLS and Council;</p> <p>(b) describe how the rehabilitation of the site would be integrated with:</p> <ul style="list-style-type: none"> <li>▪ the implementation of the biodiversity offset strategy; and</li> <li>▪ the final landform for the Boggabri coal mine;</li> </ul> <p>(c) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);</p> <p>(d) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval and address all aspects of rehabilitation including mine closure, final landform and final land use;</p> <p>(e) include interim revegetation or dust mitigation strategies where necessary to minimise the area exposed for dust generation;</p> <p>(f) include a program to monitor, independently audit and report on the effectiveness of the rehabilitation measures, and progress against the detailed performance and completion criteria;</p> <p>(g) include a coal rejects disposal procedure and monitoring program for potential acid generation; and</p> <p>(h) build to the maximum extent practicable on the other management plans required under this approval.</p> <p><i>Note: The Biodiversity Management Plan and Rehabilitation Management Plan require substantial integration to achieve biodiversity objectives for the rehabilitated mine site.</i></p>	Mine Site Rehabilitation Plan, March 2020	TCM has developed an MSRP that complied with this condition.	C	N/A
<b>Final Void Design and Closure</b>					
65.	<p>The Proponent shall prepare and implement an updated Final Void and Mine Closure Plan (as a component of the overall Rehabilitation Management Plan required under condition 64 of schedule 3) to the satisfaction of MEG, following consultation with the Secretary. A draft plan must be prepared and submitted to Resources Regulator by the end of December 2019, and a final plan must be prepared and submitted to Resources Regulator by the end of December 2024. Each version of the plan must:</p> <p>(a) be subject to independent review and verification by suitably qualified, experienced and independent person/s (including a groundwater expert) whose appointment has been approved by the Secretary;</p> <p>(b) identify and consider:</p> <ul style="list-style-type: none"> <li>▪ options for continued mining beyond current project life;</li> <li>▪ interactions with the final landform of adjoining mines (including any direct or indirect interaction between final voids);</li> <li>▪ opportunities for integrated mine planning with adjoining mines to minimise environmental impacts of the mines' final landforms;</li> <li>▪ all reasonable and feasible landform options for the final void (including filling);</li> <li>▪ predicted stability of the proposed landforms; and</li> <li>▪ predicted hydrochemistry and hydrogeology (including long-term groundwater recovery and void groundwater quality);</li> </ul>	2020 IEA	<p>The 2020 IEA verified the Draft Final Void Design and Mine Closure Plan was submitted to MEG on 23 December 2019.</p> <p>The draft plan was independently reviewed by persons endorsed by MEG as required.</p> <p>The final plan is not due until December 2024, so this condition is not triggered during this audit period.</p>	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(c) include a detailed proposed landform design; and</p> <p>(d) demonstrate that the proposed final landform:</p> <ul style="list-style-type: none"> <li>▪ satisfies the relevant objectives in Table 15;</li> <li>▪ minimises the extent of any resulting pit lake;</li> <li>▪ avoids salt scalding;</li> <li>▪ maximises the capacity of emplaced spoil to drain to the natural environment; and</li> <li>▪ ensures that drained waters do not adversely affect the downstream environment.</li> </ul>				

**AGRICULTURE**

66.	<p>The Proponent shall use its best endeavours to ensure that the agricultural productivity and production of non-operational project-related land is maintained or enhanced.</p> <p><i>Note: This includes properties primarily used for agriculture that are acquired by the Proponent due to noise and/or air quality impacts. However, it does not include land where disturbance is permitted under the conditions of this approval or land that forms part of the biodiversity offset area.</i></p>	Farm Management Plan 2016	<p>The Farm Management Plan was verified in the previous audit period.</p> <p>TCM Property management team manages Tarrawonga agricultural land in accordance with the Farm Management Plan.</p>	C	N/A
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**SCHEDULE 4 – ADDITIONAL PROCEDURES**

**NOTIFICATION OF LANDOWNERS/TENANTS**

1.	<p>Within 3 months of the date of this approval, the Proponent shall:</p> <p>(a) notify in writing the owners of:</p> <ul style="list-style-type: none"> <li>▪ the land listed in Table 1 of schedule 3 that they have the right to require the Proponent to acquire their land in accordance with the procedures in conditions 8 and 9 below at any stage during the project;</li> <li>▪ any residence on the land listed in Table 1 of schedule 3 that they have the right to request the Proponent to ask for additional noise and/or air quality mitigation measures to be installed at their residence at any stage during the project; and</li> <li>▪ any privately-owned land within 2 kilometres of the approved open-cut mining pit/s that they are entitled to ask for a property inspection, to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated;</li> </ul> <p>(b) notify the tenants of any mine-owned land of their rights under this approval; and</p> <p>(c) send a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the EA identify that dust emissions generated by the project are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the project.</p>	Previous IEA’s.	Outside audit period.	NT	N/A
2.	<p>Prior to entering into any tenancy agreement for any land owned by the Proponent that is predicted to experience exceedences of the recommended dust and/or noise criteria, or for any of the land listed in Table 1 that is subsequently purchased by the Proponent, the Proponent shall:</p> <p>(a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time);</p>	Interview with Environmental Superintendent	No properties were tenanted during the audit period, therefore condition is not triggered.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(b) advise the prospective tenants of the rights they would have under this approval; and (a) request the prospective tenants consult their medical practitioner to discuss the air quality monitoring data and predictions and health impacts arising from this information, to the satisfaction of the Secretary.				
3.	As soon as practicable after obtaining monitoring results showing: (a) an exceedance of the relevant criteria in schedule 3, the Proponent shall notify the affected landowner in writing of the exceedance, and provide regular monitoring results to the landowner until the project is complying with the relevant criteria again; and (b) an exceedance of the relevant air quality criteria schedule 3, the Proponent shall send to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land) a copy of: <ul style="list-style-type: none"> <li>▪ the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and</li> <li>▪ the monitoring data, in an appropriate format so that a medical practitioner can assist the resident in making an informed decision on the health risks associated with occupation of the property.</li> </ul>	Air quality monitoring results Annual Reviews 2020, 2021, 2022	No air quality exceedances have been attributed to the mine in the audit period.	NT	N/A

**INDEPENDENT REVIEW**

4.	If an owner of privately-owned land considers the project to be exceeding the criteria in schedule 3 at his/her land, then he/she may ask the Secretary in writing for an independent review of the impacts of the project on his/her land. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Proponent shall: (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Secretary, to: <ul style="list-style-type: none"> <li>▪ consult with the landowner to determine his/her concerns;</li> <li>▪ conduct monitoring to determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and</li> <li>▪ if the project is not complying with the relevant criteria, then: <ul style="list-style-type: none"> <li>○ determine if the more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land;</li> <li>○ identify the measures that could be implemented to ensure compliance with the relevant criteria; and</li> </ul> </li> </ul> (b) give the Secretary and landowner a copy of the independent review.	Interview with Environmental Superintendent	TCM state, no requests have been made during the audit period, therefore the condition is not triggered.	NT	N/A
5.	If the independent review determines that the project is complying with the relevant criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the Secretary. If the independent review determines that the project is not complying with the relevant criteria, and that the project is primarily responsible for this non-compliance, then the Proponent shall: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until the project complies with the relevant criteria; or (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Secretary.	Interview with Environmental Superintendent	As above.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	If the independent review determines that the project is not complying with the relevant acquisition criteria, and that the project is primarily responsible for this non-compliance, then upon receiving a written request from the landowner, the Proponent shall acquire all or part of the landowner's land in accordance with the procedures in conditions 8 and 9 below.				
6.	<p>If the independent review determines that the relevant criteria are being exceeded, but that more than one mine is responsible for this exceedance, then together with the relevant mine/s the Proponent shall:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until there is compliance with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner and other relevant mine/s to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant acquisition criteria in schedule 3, but that more than one mine is responsible for this non-compliance, then upon receiving a written request from the landowner, the Proponent shall acquire all or part of the landowner's land on as equitable a basis as possible with the relevant mine/s, in accordance with the procedures in conditions 8 and 9 below.</p>	Interview with Environmental Superintendent	As above.	NT	N/A

**Biodiversity & Heritage**

7.	<p>If a person has good reason to believe the Proponent is not implementing the biodiversity and/or heritage conditions in schedule 3 satisfactorily, then he/she may ask the Secretary in writing for an independent review of the matter.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> <li>▪ consult with the person and/or any relevant agencies;</li> <li>▪ investigate the person's complaints/claims;</li> <li>▪ review the environmental performance of the Proponent;</li> <li>▪ determine whether the Proponent's performance is satisfactory or not; and if necessary</li> <li>▪ recommend measures to improve the Proponent's performance; and</li> </ul> <p>(b) give the Secretary and complainant a copy of the independent review.</p>	Interview with Environmental Superintendent	TCM state, no requests have been made during the audit period, therefore the condition is not triggered.	NT	N/A
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**LAND ACQUISITION**

8.	<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 land at the date of the written request, as if the land was unaffected by the project, having regard to the:</p> <ul style="list-style-type: none"> <li>▪ existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and</li> <li>▪ presence of improvements on the land 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 mitigation measures required under condition 2 of schedule 3;</li> </ul>	Interview with Environmental Superintendent	TCM state, no requests have been made during the audit period, therefore the condition is not triggered.	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> <li>▪ relocating within the Tamworth, Narrabri, Gunnedah or Moree local government areas, or to any other local government area as agreed by the Secretary; and</li> <li>▪ obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and</li> </ul> <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if 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 to:</p> <ul style="list-style-type: none"> <li>▪ consider submissions from both parties;</li> <li>▪ determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;</li> <li>▪ prepare a detailed report setting out the reasons for any determination; and</li> <li>▪ provide a copy of the report to both parties.</li> </ul> <p>Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.</p> <p>Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.</p> <p>If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land shall cease, unless the Secretary determines otherwise.</p>				
9.	The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 8 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	Interview with Environmental Superintendent	As above	NT	N/A

## SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Environmental Management Strategy

1.	The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. The strategy must:	Environmental Management Strategy, May 2021	The current approved EMS meets the requirements of this condition.	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(a) be submitted to the Secretary for approval by the end of May 2013;</p> <p>(b) provide the strategic framework for environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</p> <p>(e) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> <li>▪ keep the local community and relevant agencies informed about the operation and environmental performance of the project;</li> <li>▪ receive, record, handle, and respond to complaints;</li> <li>▪ resolve any disputes that may arise during the course of the project;</li> <li>▪ respond to any non-compliance;</li> <li>▪ respond to emergencies; and</li> </ul> <p>(f) include:</p> <ul style="list-style-type: none"> <li>▪ copies of any strategies, plans and programs approved under the conditions of this approval; and</li> <li>▪ a clear plan depicting all the monitoring to be carried out in relation to the project.</li> </ul>		A copy of the EMS is available on the company website and references all other plans and programs required by the Approval which are also available online.		
<b>Adaptive Management</b>					
2.	<p>The Proponent must assess and manage project-related risks to ensure that there are no exceedences of the criteria and/or performance measures in schedule 3. Any exceedence of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&amp;A Act or EP&amp;A Regulation. Where any exceedence of these criteria and/or performance measures has occurred, the Proponent must at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedence ceases and does not reoccur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other courses of action; and</p> <p>(c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.</p>	<p>CMO Software captures all legislative conditions and requirements.</p> <p>Bow-ties for critical controls</p> <p>SAI360 software for risk assessment / management – examples observed.</p> <p>PIRMP / TARP's / EMS</p>	<p>TCM during the audit period has upon becoming aware of an exceedence taken steps to ensure exceedence stops as defined in the PIRMP and TARP's.</p> <p>TCM has reported these to the department and updated management plans as required to implement upgraded control measures and implemented remediation measures as required and directed.</p>	C	N/A
<b>Management Plan Requirements</b>					
3.	<p>The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> <li>▪ the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>▪ any relevant limits or performance measures/criteria;</li> <li>▪ the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</li> </ul> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p>	Project Management Plans	Management plans required by this Approval have been prepared in accordance with this condition, except as where noted in this report.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>▪ impacts and environmental performance of the project;</li> <li>▪ effectiveness of any management measures (see c above);</li> <li>(e) a contingency plan to manage any unpredicted impacts and their consequences;</li> <li>(f) a program to investigate and implement ways to improve the environmental performance of the project over time;</li> <li>(g) a protocol for managing and reporting any:               <ul style="list-style-type: none"> <li>▪ incidents;</li> <li>▪ complaints;</li> <li>▪ non-compliances with statutory requirements; and</li> <li>▪ exceedences of the impact assessment criteria and/or performance criteria; and</li> </ul> </li> <li>(h) a protocol for periodic review of the plan.</li> </ul>				
<b>Annual Review</b>					
4.	<p>By the end of June each year (or as otherwise agreed by the Secretary), the Proponent shall review the environmental performance of the project for the previous calendar year to the satisfaction of the Secretary. This review must:</p> <ul style="list-style-type: none"> <li>(a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;</li> <li>(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"> <li>▪ relevant statutory requirements, limits or performance measures/criteria;</li> <li>▪ monitoring results of previous years; and</li> <li>▪ relevant predictions in the EA;</li> </ul> </li> <li>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>(d) identify any trends in the monitoring data over the life of the project;</li> <li>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</li> <li>(f) describe what measures will be implemented over the next year to improve the environmental performance of the project.</li> </ul>	Annual Reviews 2020, 2021, 2022 Emails for submission of Annual Reviews dated 1-7-2021, 7-7-2022 and 22-6-2023	Annual reviews have been prepared and submitted as required by this condition.	C	N/A
<b>Revision of Strategies, Plans and Programs</b>					
5.	<p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> <li>(a) annual review under condition 4 above;</li> <li>(b) incident report under condition 8 below;</li> <li>(c) audit under condition 10 below; or</li> <li>(d) any modification to the conditions of this approval, the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.</li> </ul> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	Environmental Management Plan Register Management Plans as required by the Approval DPE Management Plan approvals	<p>Management plans are reviewed, revised and submitted to DPIE as required by this condition.</p> <p>TCM maintains a comprehensive register detailing the nature of revisions and submission dates. Each plan contains a revisions register which also details the revisions made for each review.</p> <p>Management Plans revised due to criteria listed in (a) to (d) within the audit period are summarised below: Heritage Management Plan – May 2021, approved by DPE on 29-5-2021. Noise Management Plan – May 2021, approved by DPE 8-6-2021.</p>	C	N/A

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>Air Quality and Greenhouse Gas Management Plan – May 2021, approved by DPE on 31-5-2021.</p> <p>Biodiversity Management Plan – August 2022, approved by DPE on 12-8-2022.</p> <p>Pollution Incident Response Management Plan – March 2023, approved by DPE on 1-3-2023.</p> <p>Blast Management Plan - October 2022, approved by DPE on 18-01-2023.</p> <p>Rehabilitation Management Plan – December 2022, approved by DPE on 1-12-2022.</p> <p>Traffic Management Plan – October 2022, approved by DPE on 1-10-2022.</p> <p>Environmental Management Strategy – May 2021, approved by DPE on 2-6-2021.</p> <p>Water Management Plan – July 2023 (updated following approval of Water Management Plan Addendum – September 2022). TCM have received a request for additional information from the DPE (25-5-2023) following submission of the WMP. TCM provided the additional requested information on 13-7-2023. At the time of this audit the DPE was still reviewing the submission.</p>		

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Management of Cumulative Impacts</b>					
6.	In conjunction with the owners of the nearby mines in the Leard Forest Mining Precinct, the Proponent shall use its best endeavours to minimise the cumulative impacts of the project on the surrounding area, to the satisfaction of the Secretary.	Minutes from BTN Environment monthly meetings BTM CCC meeting minutes	Monthly environment meetings are held with the other mine sites (Boggabri and Maules Creek) which is attended by at least one representative of each mine. There is a standing agenda which includes cumulative impacts such as groundwater, water sharing, noise strategy, vegetation corridor management, joint strategies and land ownership. A joint CCC is convened twice per year.	C	N/A
<b>Community Consultative Committee</b>					
7.	The Proponent shall establish and operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must be operated in general accordance with the <i>Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects</i> (Department of Planning, 2007, or its latest version), and be operating by the end of May 2013. The CCC must seek to include joint membership with CCCs for other operating coal mines within the Leard Forest Mining Precinct, unless otherwise agreed by the Secretary. <i>Notes:</i> <ul style="list-style-type: none"> <li>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval.</li> <li>In accordance with the Department's guideline, the CCC should be comprised on an independent chair and appropriate representation from the Proponent, Council and the local community.</li> </ul>	CCC meeting minutes and BTM CCC meeting minutes	The TCM CCC meets on a quarterly basis. CCC meeting minutes are available on the TCM website. The BTM complex joint CCC meets twice per year.	C	N/A
<b>REPORTING</b>					
<b>Incident Reporting</b>					
8.	The Secretary must be notified in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 9.	TAR Incident and Exceedance Register (SAI360 software) EMS has instant notification protocol. TCM Incident notifications Interview with Environmental Superintendent	TCM maintains an incident and exceedance register which records all incidents and exceedances related to the approval and EPL. The auditor reviewed incident notifications within the audit period, which included the information required by this condition and submitted in accordance with Appendix 9.	C	N/A
<b>Non-Compliance Notification</b>					
8A.	The Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance.	As above	No instances of not reporting incidents upon becoming aware of the incident were noted during the audit period.	C	N/A
8B.	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	As above	Notification included the information requirements as set out in this condition.	C	N/A
8C.	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Noted	Noted	Note	N/A

**TABLE A1 - PROJECT APPROVAL**  
 Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Regular Reporting</b>					
9.	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.	Whitehaven Coal - Tarrawonga website	Reports of environmental performance and monitoring are provided on the company website.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>AUDITING</b>					
<b>Independent Environmental Audit</b>					
10.	<p>By the end of June 2014 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 and carried out in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i>.</p> <p>(b) Proposed independent auditors must be agreed to in writing by the Secretary prior to the commencement of an Independent Audit.</p> <p>(c) The Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the <i>Compliance Reporting Post Approval Requirements (2020)</i>, upon giving at least 4 weeks' notice (or timing) to the Proponent of the date upon which the audit must be commenced.</p> <p>(d) In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements (2020)</i>, the Proponent must:</p> <ul style="list-style-type: none"> <li>• review and respond to each Independent Audit Report;</li> <li>• submit the response to the Secretary; and</li> <li>• make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Secretary, unless otherwise agreed by the Secretary.</li> </ul> <p>(e) Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Secretary within 2 months of undertaking the independent audit site inspection as outlined in the <i>Independent Audit Post Approvals Requirements (2020)</i> unless otherwise agreed by the Secretary.</p>	<p>TAR- Independent Environmental Audit Report 2020</p> <p>TAR- Independent Environmental Audit Report 2020 – Action Plan</p>	<p>The last audit was site component was completed on 30-7-2020 and the report and TCM Action Plan were submitted on 11-9-2023 and have been published on the company website.</p>	C	N/A
11.	<p>Notwithstanding the requirements of the <i>Independent Audit Post Approvals Requirements (2020)</i>, the Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Secretary's satisfaction that independent operational audits have demonstrated operational compliance.</p>	<p>Interview with Environmental Superintendent</p>	<p>TCM stated this condition has not been triggered within the audit period.</p>	NT	N/A
<b>ACCESS TO INFORMATION</b>					
12.	<p>The Proponent shall:</p> <p>(a) within 3 months of the date of this approval, make the following information publicly available on its website:</p> <ul style="list-style-type: none"> <li>▪ the EA;</li> <li>▪ all current statutory approvals for the project;</li> <li>▪ approved strategies, plans and programs required under the conditions of this approval;</li> <li>▪ 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;</li> <li>▪ a complaints register, which is to be updated on a monthly basis;</li> <li>▪ minutes of CCC meetings;</li> <li>▪ the last five annual reviews;</li> <li>▪ any independent environmental audit, and the Proponent's response to the recommendations in any audit;</li> <li>▪ any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up to date, to the satisfaction of the Secretary.</p>	<p>Whitehaven Coal website - documents</p>	<p>All information required as per this condition was noted to be available on the company website at time of the audit.</p>	C	N/A

**On-line Communication of Onsite Activities and Monitoring of Noise and Air Quality**

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
13.	<p>The Proponent shall, within 3 months of the date of this approval:</p> <p>(a) make the following information for the project publicly available on its website, on a daily basis and in a clearly understandable form:</p> <ul style="list-style-type: none"> <li>▪ daily weather forecasts for the coming week;</li> <li>▪ proposed operational responses to these weather forecasts;</li> <li>▪ real-time noise and air quality monitoring data (subject to any necessary caveats); and</li> <li>▪ any operational responses that were taken in response to the noise and air quality monitoring data, and</li> </ul> <p>(b) make provision on its website for the provision of on-line and/or email comments by members of the community regarding this information, to the satisfaction of the Secretary.</p>	Whitehaven Coal website	<p>The required daily reports are available on the company website.</p> <p>An email address is provided for submission of comments.</p>	C	N/A

### Tarrawonga Coal Project Environmental Assessment - Statement of Commitments

#### SOC1.1 Proposed Project Environmental Management, Monitoring and Reporting

	<p>TCPL will review and revise the existing Tarrawonga Coal Mine management and monitoring plans listed in Table SOC-1. Table SOC-1 also lists new management and monitoring plans that are proposed to be prepared for the Project.</p> <p>SOC-1 includes:</p> <ul style="list-style-type: none"> <li>▪ Management and Monitoring Environmental Management Strategy</li> <li>▪ Water Management Plan</li> <li>▪ Site Water Balance</li> <li>▪ Erosion and Sediment Control Plan Surface Water Monitoring</li> <li>▪ Program Groundwater Monitoring Program Surface and Groundwater Response Plan</li> <li>▪ Goonbri Creek Management Plan*</li> <li>▪ Noise Management Plan</li> <li>▪ Blast Management Plan</li> <li>▪ Air Quality and Greenhouse Gas Management Plan</li> <li>▪ Biodiversity Offset Strategy</li> <li>▪ Biodiversity Management Plan*</li> <li>▪ Offset Area Management Plan*</li> <li>▪ Farm Management Plan*</li> <li>▪ Aboriginal Heritage Management Plan</li> <li>▪ Waste Management Plan</li> <li>▪ Rehabilitation Strategy</li> <li>▪ Rehabilitation Management Plan</li> <li>▪ Bushfire Management Plan</li> <li>▪ Reporting Requirements</li> <li>▪ Annual Environmental Management Report and Mining Operations</li> <li>▪ Plan or Rehabilitation and Environmental Management Plan</li> <li>▪ Licences and Approvals</li> <li>▪ Greenhouse Gas Reporting</li> </ul> <p>(* = New management plans to be prepared)</p> <p>Note most of these plans have been revised but are not yet approved by the DG.</p>	Conditions of Approval	Verified through Conditions of Approval	C	N/A
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**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	The existing monitoring program at the Tarrawonga Coal Mine will be augmented to address additional Project disturbance areas and the open cut extensions.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Environmental management, monitoring and reporting will be conducted in accordance with finalised Project Approval conditions, with the final monitoring details (locations, parameters and frequencies) to be provided in the relevant management plans/monitoring programs.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
<b>Specific environmental Commitments</b>					
	Environmental management and offset measures to be implemented for the Project are described in Section 4. Key commitments include:	Conditions of Approval	Not triggered	NT	N/A
	Design and construction of an engineered low permeability barrier to the east and south-east of the open cut;	Conditions of Approval	Not triggered	NT	N/A
	Design, construction and implementation of a permanent Goonbri Creek alignment and associated flood bund;	Conditions of Approval	Not triggered	NT	N/A
	Integration of key aspects of the Project with the adjoining Boggabri Coal Mine (i.e. Northern Emplacement, coal processing and loading of Project product coal onto trains);	Conditions of Approval	Not triggered	NT	N/A
	Cessation of sized run-of-mine (ROM) coal road transport to the Whitehaven Coal Handling and Preparation Plant (once suitable approvals and upgrades are in place);	Conditions of Approval	Not triggered	NT	N/A
	Management and mitigation of operational noise;	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Rehabilitation of Project disturbance areas, including the reinstatement of key agricultural and ecological values;	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Provision of biodiversity offset measures for the Project;	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Management of the Project final void to minimise potential long-term impacts on water resources; and	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Participation in joint air quality, operational noise and regional groundwater monitoring schemes with the adjoining Boggabri Coal Mine and the Maules Creek Coal Project.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
<b>Low permeability barrier</b>					
	A low permeability barrier will be constructed in the alluvium to the east and south-east of the open cut. Construction of the low permeability barrier will be completed before the Project open cut intersects the alluvium (approximately Year 12).	Conditions of Approval	Not triggered	NT	N/A
	The design objectives of the low permeability barrier include minimising the potential for drainage of alluvial groundwater into the open cut during operations and post-mining, and maintaining the hydraulic character of Goonbri Creek.	Conditions of Approval	Not triggered	NT	N/A
	TCPL commits to construction of the low permeability barrier to meet the following design objectives: <ul style="list-style-type: none"> <li>• minimise the potential for local drainage of alluvial groundwater into the open cut during operations and post-mining;</li> <li>• minimise the potential for future instability of the open cut batters formed in the alluvium;</li> <li>• maintain the hydraulic character of Goonbri Creek by minimizing the potential loss of baseflow; and</li> <li>• maintain the value of alluvial groundwater, by minimizing potential interactions with the mine final void, post-mining.</li> </ul>	Conditions of Approval	Not triggered	NT	N/A

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	In addition, TCPL will augment the existing piezometer network with additional sites to validate the performance of the low permeability barrier.	Conditions of Approval	Not triggered	NT	N/A
<b>Permanent Goonbri Creek Alignment and Associated Flood Bund</b>					
	In approximately Year 15, open cut mining would remove a 3 kilometre (km) section of Goonbri Creek. Prior to the open cut advancing into this section of the creek, the permanent Goonbri Creek alignment will be established.	Conditions of Approval	Not triggered	NT	N/A
	A permanent flood bund will also be constructed to prevent inundation of the open cut during operations and postmining. The permanent flood bund will generally coincide with the alignment of the low permeability barrier.	Conditions of Approval	Not triggered	NT	N/A
	TCPL commits to the design, construction and implementation of the permanent Goonbri Creek alignment to meet the following design objectives: Construct a low flow channel that approximates the existing section of Goonbri Creek upstream of the Project in terms of stream geometry, hydrology and geomorphology;	Conditions of Approval	Not triggered	NT	N/A
	Mimic the meandering path of the existing alignment of Goonbri Creek, such that the length of the permanent Goonbri Creek alignment is approximately the same length as the section of Goonbri Creek being removed;	Conditions of Approval	Not triggered	NT	N/A
	Minimise the disturbance to the reaches of Goonbri Creek upstream of the permanent Goonbri Creek alignment; and	Conditions of Approval	Not triggered	NT	N/A
	Provide a stable transition back to the existing Goonbri Creek alignment which results in no detectable change to the hydraulic conditions in the reaches of Goonbri Creek or the Bollol Creek floodplain area downstream.	Conditions of Approval	Not triggered	NT	N/A
	In addition, TCPL commits to the design and construction of the permanent flood bund to a height that will provide protection against the peak flood height associated with a Probable Maximum Precipitation rainfall event.	Conditions of Approval	Not triggered	NT	N/A
	TCPL will develop and implement a Goonbri Creek Management Plan prior to the commencement of construction activities associated with the low permeability barrier, permanent Goonbri Creek alignment and flood bund.	Conditions of Approval	Not triggered	NT	N/A
	The Goonbri Creek Management Plan will describe: The design and construction details of the permanent Goonbri Creek alignment and flood bund;	Conditions of Approval	Not triggered	NT	N/A
	Revegetation objectives and activities;	Conditions of Approval	Not triggered	NT	N/A
	Water quality, ecological, hydrological and geomorphic performance and completion criteria for the permanent Goonbri Creek alignment based on baseline conditions; and	Conditions of Approval	Not triggered	NT	N/A
	A monitoring/maintenance program for water quality, ecological, hydrological and geomorphic integrity of the permanent Goonbri Creek alignment.	Conditions of Approval	Not triggered	NT	N/A
<b>Management of operational noise</b>					
	TCPL will implement the following noise management and mitigation measures to appreciably reduce noise emissions associated with the Project: Installation of an earth bund on the southern side of exposed sections of the services corridor (i.e. ROM coal haul road to the Boggabri Coal Mine);	Conditions of Approval	Not hauling to Boggabri	NT	N/A

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	Modified alignment of haul routes to reduce their exposure relative to nearby receivers; and	Conditions of Approval	Modified alignment of haul routes has not been necessary.	NT	N/A
	A reduction in the number of mobile fleet items operating during the evening and night-time periods.	Interview with Environmental Superintendent	Less personnel are working at night and fewer trucks are operating. Real time noise monitoring is undertaken and alarms raised if noise is excessive. There are no operations between 0330 and 0630	C	N/A
<b>Rehabilitation Objectives and Final Landform</b>					
	The Project final landform and revegetation program will provide for a combination of approximately 752 ha of native woodland/forest and some 210 ha of Class 3 agricultural suitability land.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	The agricultural land will be capable of being used for pasture production for grazing and occasional cropping. Revegetation of woodland/forest areas will include the planting of species characteristic of the local vegetation communities, including species from the Box-Gum Woodland endangered ecological community.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	In addition, TCPL commits to a riparian vegetation enhancement program on a 3.2 km section of Goonbri Creek downstream of the Project open cut, through measures such as revegetation and stock exclusion.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	A Rehabilitation Management Plan will be developed and implemented for the Project, including a rehabilitation monitoring program designed to track the progress of rehabilitation and revegetation.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
<b>Biodiversity offset measures</b>					
	TCPL commits to the provision of an area to offset the residual impacts of the Project on flora and fauna and maintain or improve the biodiversity values of the region in the medium to long-term.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	The biodiversity offset for the Project comprises approximately 1,600 ha of freehold land that has been purchased by Whitehaven.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	The offset is situated approximately 20 km to the north-east of the Project and adjoins Mount Kaputar National Park (Figure SOC-2). Prior to its recent purchase by Whitehaven the offset area was part of a larger agricultural property.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Ecological gains from the biodiversity offset include:  Similar vegetation communities/fauna habitats, compared to the Project area, will be conserved/enhanced in the biodiversity offset area.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	The biodiversity offset area is suitably located to benefit flora and fauna populations (biodiversity values) potentially impacted by the Project.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	The biodiversity offset area is located adjacent to Mount Kaputar National Park.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Ephemeral creeks occur within the biodiversity offset area, providing a diversity of habitats.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	Substantial areas of Box-Gum Woodland (232 ha) occur in the biodiversity offset area.	Conditions of Approval	Verified through Conditions of Approval	C	N/A

**TABLE A1 - PROJECT APPROVAL**  
Compliance with Project Approval 11\_0047

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	Through active management, particularly of areas previously cleared for agriculture, the ecological values of the biodiversity offset area can be further improved. TCPL commits to a number of management measures to enhance the offset area's flora and fauna values. These measures will be detailed in the Offset Area Management Plan to be prepared for the Project.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	The Offset Area Management Plan will also include a program to monitor and audit the effectiveness of the management measures and to evaluate performance against specified completion criteria.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	TCPL intends to reach an agreement with the New South Wales (NSW) Government so that the biodiversity offset area can be permanently added to the adjoining Mount Kaputar National Park.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	In the interim, TCPL will enter into a conservation arrangement with the NSW Government to ensure the protection and management of the offset area (e.g. a voluntary conservation agreement with the NSW Minister for the Environment).	Conditions of Approval	Verified through Conditions of Approval	C	N/A
<b>Management of the Project Final void</b>					
	TCPL commits to installing permanent perimeter bunds and/or diversion channels to limit the catchment area of the final void.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	In addition, TCPL will design and construct the final void to minimise the long-term drawdown and potential water quality effects on local groundwater aquifers. This will be achieved by adjusting the final void batter angles and/or placing additional waste rock backfill in the final void such that a permanent waterbody will form and reach an equilibrium level close to, but below, the local pre-mining groundwater level in the coal measures.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
	TCPL will adopt an adaptive management approach to the final void design and mine closure planning for the Project. Final void design and mine planning will be undertaken by TCPL in consultation with relevant government agencies as a component of the Rehabilitation Management Plan.	Conditions of Approval	Verified through Conditions of Approval	C	N/A
<b>Participation in Joint Air Quality, Operational Noise and Regional Groundwater Monitoring</b>					
	TCPL will work with the proponents of the Boggabri Coal Mine and Maules Creek Coal Project to develop and implement a joint network of real-time particulate matter monitors, operational noise monitors and regional groundwater monitoring in the vicinity of the Project. The details of the joint network will be provided in the revised Air Quality and Greenhouse Gas Management Plan, Noise Management Plan and Water Management Plan.	Conditions of Approval	Verified through Conditions of Approval	C	N/A



Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations												
<b>1 ADMINISTRATIVE CONDITIONS</b>																	
<b>A1 What the licence authorises and regulates</b>																	
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal works</td> <td>Coal works</td> <td>&gt; 2000000 - 5000000 T annual handing capacity</td> </tr> <tr> <td>Extractive activities</td> <td>Extractive activities</td> <td>&gt; 50000 - 100000 T annual capacity to extract or process</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>&gt; 2000000 - 3500000 T annual production capacity</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity	Extractive activities	Extractive activities	> 50000 - 100000 T annual capacity to extract or process	Mining for coal	Mining for coal	> 2000000 - 3500000 T annual production capacity	<p>Annual Reviews 2020, 2021 and 2022 Monthly Coal haulage records Interview with Environment Superintendent</p>	<p>Data provided in the annual reviews, haulage records and by the Environment Superintendent reports that the extracted tonnes are as below. 2022: 2.1M 2021: 2.2M 2020: 2.5M  Haulage route TCM to CHPP 2022: 1.8M 2021: 2M 2020: 2.3M</p>	C	N/A
Scheduled Activity	Fee Based Activity	Scale															
Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity															
Extractive activities	Extractive activities	> 50000 - 100000 T annual capacity to extract or process															
Mining for coal	Mining for coal	> 2000000 - 3500000 T annual production capacity															
<b>A2 Premises or plant to which this licence applies</b>																	
A2.1	<p>The licence applies to the following premises: <b>Premises Details</b> <b>TARRAWONGA COAL MINE</b> <b>469 GOONBRI ROAD</b> <b>BOGGABRI</b> <b>NSW 2382</b> <b>THE LAND APPROVED UNDER PROJECT APPROVAL 11_0047- INDICATED IN APPENDIX 1- SCHEDULE OF LAND OF PROJECT APPROVAL 11_0047 AND SHOWN AS MINE 'TARRAWONGA MINE LEASE BOUNDARY' ON THE MAP TITLED 'EPL 12365 MONITORING LOCATIONS ONSITE AND OFFSITE' RECEIVED BY THE EPA ON 18 NOVEMBER 2021 (CM9: DOC21/1057816).</b></p>	Note	Noted	C	N/A												
<b>A3 Information supplied to the EPA</b>																	
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: (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.</p>	Note	Noted	C	N/A												
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>																	
<b>P1 Location of monitoring/discharge points and areas</b>																	
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>Site observations (offsite) Real Time Air Quality Monitoring</p>	<p>Auditor observed the air quality monitoring station while on Site.</p>	C	N/A												

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations																
	<p><b>Air</b></p> <table border="1"> <thead> <tr> <th>EPA ID no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>28</td> <td>Ambient air monitoring</td> <td></td> <td>Real time air quality monitor located on property 'Flixton' and labelled as 'RTM - Flixton' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).</td> </tr> </tbody> </table>				EPA ID no.	Type of Monitoring Point	Type of Discharge Point	Location Description	28	Ambient air monitoring		Real time air quality monitor located on property 'Flixton' and labelled as 'RTM - Flixton' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).	Data in Teledata / Vista Data Vision Interview with Environment Superintendent	The auditor sighted the environmental monitoring database and observed monitoring records for a sample of days.										
EPA ID no.	Type of Monitoring Point	Type of Discharge Point	Location Description																					
28	Ambient air monitoring		Real time air quality monitor located on property 'Flixton' and labelled as 'RTM - Flixton' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).																					
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><b>Water and land</b></p> <table border="1"> <thead> <tr> <th>EPA ID no.</th> <th>Type of monitoring point</th> <th>Type of discharge point</th> <th>Location description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Wet weather discharge  Discharge water quality monitoring</td> <td>Wet weather discharge  Discharge water quality monitoring</td> <td>Discharge point located on the western boundary and labelled 'SD17' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).</td> </tr> <tr> <td>2</td> <td>Wet weather discharge  Discharge water quality monitoring</td> <td>Wet weather discharge  Discharge water quality monitoring</td> <td>Spillway on Storage Dam 9 located on southern boundary of premises labelled 'SD9' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).</td> </tr> <tr> <td>3</td> <td>Wet weather discharge  Discharge water quality monitoring</td> <td>Wet weather discharge  Discharge water quality monitoring</td> <td>Spillway on Sediment Dam 28 located on the southern boundary &amp; labelled 'SD28' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).</td> </tr> </tbody> </table>				EPA ID no.	Type of monitoring point	Type of discharge point	Location description	1	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Discharge point located on the western boundary and labelled 'SD17' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).	2	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Spillway on Storage Dam 9 located on southern boundary of premises labelled 'SD9' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).	3	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Spillway on Sediment Dam 28 located on the southern boundary & labelled 'SD28' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).	Site observations Interview with Environment Superintendent EPL 12365 Monitoring Locations Onsite and Offsite	Auditor reviewed monitoring locations on map. Auditor observed a sample of EPA ID locations while on Site and reviewed monitoring records.	C	N/A
EPA ID no.	Type of monitoring point	Type of discharge point	Location description																					
1	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Discharge point located on the western boundary and labelled 'SD17' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).																					
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3	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Spillway on Sediment Dam 28 located on the southern boundary & labelled 'SD28' on the map titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).																					

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
5	Ambient water quality monitoring		Bollol Creek upstream of discharge from premises labelled 'BCU' on the map entitled titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816)				
6	Ambient water quality monitoring		Bollol Creek downstream of discharge from premises labelled 'BCD' on the map entitled titled 'EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816)				
9	Groundwater monitoring		Groundwater monitoring bore located on property 'Thuin' labelled 'MW1' on the map titled "EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).				
10	Groundwater monitoring		Groundwater monitoring bore located on property 'Bollol Ck Station' labelled 'MW2' on the map titled EPL 12365 Monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).				
12	Groundwater monitoring		Groundwater monitoring bore located on the property 'Tarrawonga' labelled 'MW4' on the map titled "EPL 12365 monitoring Locations Onsite and Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816)				
13	Surface water quality		Mining void (variable location) labelled 'Void' on				

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	monitoring			the map titled "EPL 12365 Monitoring Locations Onsite and Offsite" received by the EPA on 18 November 2021 (CM9: DOC21/1057816).			
26	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Spillway on Sediment Basin 23B located on the south- western side of the premises labelled 'SB23B' on the map titled "EPL 12365 Monitoring Locations Onsite and Offsite" received by the EPA on 18 November 2021 (CM9: DOC21/1057816).				
27	Wet weather discharge  Discharge water quality monitoring	Wet weather discharge  Discharge water quality monitoring	Spillway on Sediment Basin 18 located on south eastern side of premises labelled 'SB24B' on the map titled "EPL 12365 Monitoring Locations Onsite and Offsite" received by the EPA on 18 November 2021 (CM9: DOC21/1057816).				
P1.3	The following point(s) in the table are identified in this licence for the purpose of the monitoring of weather parameters at the point.			Site observations EPL12365 Monitoring Locations Map Real Time Air Quality Monitoring Data in Teledata / Vision Data Vision	Auditor observed the weather monitoring station and reviewed monitoring records on the online data dashboard while on Site.	C	N/A
	<b>EPA ID no.</b>	<b>Type of Monitoring Point</b>	<b>Description of Location</b>				
	W1	Weather analysis	Weather station located on the property 'Templemore' labelled 'W1' on the map entitled 'Figure 2 - EPL 12365 Monitoring Locations Offsite' received by the EPA on 18 November 2021 (CM9: DOC21/1057816).				

### 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.	Refer to L2 and L3	The site has recorded two events of water discharge exceedances. These events constitute harm to the environment as per the section 120 of the Act.	NC (duplicate with L2.1))	Duplicate NC. Refer to L2.1.
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#### L2 Concentration Limits

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																		
L2.1	For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	<p>EPL Monitoring Report January 2023</p> <p>EPL Monitoring Report February 2023</p> <p>EPL Monitoring Report March 2023</p> <p>EPL Monitoring Report April 2023</p> <p>EPL Monitoring Report May 2023</p> <p>EPL Monitoring Report June 2023</p> <p>EPL Monitoring 2020, 2021, 2022</p> <p>Annual Return (2020 -2021, 2021-2022, 2022-2023)</p> <p>EPA Penalty Notice (PIN ref 3173530609)</p> <p>Interview with Environment Superintendent</p>	<p>Auditor review of Annual Returns identified two incidents of non-compliances during the audit period.</p> <p>TCM had a discharge event from LDP 3 on 23 March 2021. TSS value was recorded to be 5,670 mg/L (licence limit: 50 mg/L) and a pH level of 8.62 (licence limit: 6.5-8.5, condition L2.2). EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609).</p> <p>TCM had another discharge event from LDP 3 (SB28) on 8 December 2021. TSS value was recorded to be 190 mg/L. Rainfall was recorded to be 37.2mm in the previous 5 day period, which is lower than the 38.4 mm threshold listed in L2.5. Environmental superintendent advised that EPA did not take any actions directly resulted from this event. However, the June 2023 variation of the EPL added Pollution Studies and Reduction Programs which outlined the work required to improve the performance of the dams.</p> <p>The 2023 Monitoring Reports show no exceedances in discharge under this condition.</p>	NC	Continue the work for Section 8 of this Licence (condition U1-U15), Pollution Studies and Reduction Programs.																		
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	<p>EPL Monitoring Report January 2023</p> <p>EPL Monitoring Report February 2023</p> <p>EPL Monitoring Report March 2023</p> <p>EPL Monitoring Report April 2023</p> <p>EPL Monitoring Report May 2023</p> <p>EPL Monitoring Report June 2023</p> <p>EPL Monitoring 2020, 2021, 2022</p>	Refer to L2.1 above.	NC (duplicate with L2.1)	Duplicate NC. Refer to L2.1 above																		
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.	Note	Noted	Note	N/A																		
L2.4	<p>Water and/or Land Concentration Limits</p> <p><b>Point 1,2,3,24,26,27</b></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Unit of measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and grease</td> <td>Milligrams per litre</td> <td>-</td> <td>-</td> <td>-</td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>-</td> <td>-</td> <td>-</td> <td>6.5 – 8.5</td> </tr> </tbody> </table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	Milligrams per litre	-	-	-	10	pH	pH	-	-	-	6.5 – 8.5	Note	Noted	Note	N/A
Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																		
Oil and grease	Milligrams per litre	-	-	-	10																		
pH	pH	-	-	-	6.5 – 8.5																		

Item	Assessment Requirement						Reference/ Evidence	Comments	Compliance	Recommendations
	Total suspended solids	Milligrams per litre	-	-	-	50				
L2.5	<p>The Total Suspended Solids concentration limits specified for Points 1, 2, 3, 24, 26 and 27 may be exceeded for water discharged provided that:</p> <p>a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and</p> <p>b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5 day rainfall event.</p> <p>Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.</p>						Wet Weather Discharge Results Register	<p>Wet Weather Discharge Results Register recorded the amount of rain received onsite. The site has recorded a number of events when the rainfall measured exceeds the 38.4 mm threshold and therefore TSS limit does not apply. Number of events with rainfall measured exceeds 38.4mm are as follows:</p> <p>2020 (August to December): 8 2021: 30 2022: 22 2023 (up to March): 3</p>	C	N/A
<b>L3 Waste</b>										
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.						Interview with Environmental Superintendent	Environmental Superintendent advised that no waste generated outside the premises is received at the site except for the reject material described in condition L3.3.	NT	N/A
L3.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.						Note	Noted	Note	N/A
L3.3	Reject material from the Whitehaven CHPP can be disposed of at the premises in accordance with the disposal method outlined in the Environmental Assessment titled 'Tarrawonga Coal Project - Environmental Assessment', prepared by Resource Strategies, or as modified, or as otherwise approved by the EPA.						MOP Amendment F and G Rehabilitation Management Plan (dated December 2022) Notice of Approval (dated 13 December 2021)	Details of emplacement of coal rejects are described in the MOP and RMP. The MOP amendment G was accepted as per the Notice of Approval issued by the Resources Regulator on 13 December 2021.	C	N/A
L3.4	<p>The licensee may dispose of up to 441 tonnes of end-of-life mining heavy plant tyres on the premises in each annual return year period up until 8 January 2023.</p> <p>Should the report provided in accordance with condition R3.5:</p> <ol style="list-style-type: none"> <li>Be submitted to the EPAs satisfaction at intervals of 2 years; and</li> <li>Find that recycling options are not feasible;</li> </ol> <p>Then the onsite disposal of the end-of life heavy mining plant tyres may continue for the subsequent 2 annual reporting periods.</p> <p>Only waste tyres generated at the premises may be disposed of in accordance with this condition.</p>						<p>EPA Official Caution (dated 30 July 2021, Notice number 3500875)</p> <p>Annual Heavy Plant Disposal Report (2021-2022, 2022-2023)</p> <p>Tarrawonga Coal Mine, Werris Creek Coal Mine, and Maules Creek Coal Mine End-Of-Life Heavy Plant Mining Tyre Review (April 2023)</p>	<p>EPA issued an Official Caution on 30 July 2021 to the Site for the burial of prescribed matter (11 end-of-life haul truck tyres) at depth between 2014-2016 due to the number of tyres exceeded the land pollution definition for prescribed matter. Environment Superintendent advised that this EPL condition (L 3.4) was added in as a result of the Caution.</p> <p>The Annual Heavy Plant Disposal Reports showed two burial events. The total weight of the disposal in each event are as follows: 2021 August 4-5: 354 tones 2022 November 23: 319 tonnes</p> <p>Both events are noted to be below the 441 tonnes limit.</p> <p>Environmental Superintendent advised that the</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			Site is current stockpiling the end-of-life tyres at the location "370" since the condition allows disposal up to 8 January 2023. The Site submitted a end-of life heavy plant mining tyre review to the EPA in April 2023 for the application of the burial extension. Further communication with EPA is ongoing on this matter.		

**L4 Noise Limits**

L4.1	Noise generated at the premises must not exceed the noise limits in the table below.					Annual Return (2020 -2021, 2021-2022, 2022-2023)  Interview with Environmental Superintendent	The Annual Returns did not record any non-compliances regarding noise generated at the premise of TCM during the audit period. Environmental Superintendent advised that there were no noise exceedances since 2019.	C	N/A
	<b>Locality and Location</b>	<b>Day- LAeq (15 minute)</b>	<b>Evening- LAeq (15 minute)</b>	<b>Night- LAeq (15 minute)</b>	<b>Night- LA1 (1 minute)</b>				
	All other surrounding residences	35	35	35	45				
L4.2	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.					Interview with Environmental Superintendent	Interview with the Site Environmental Superintendent stated that there were no privately owned residence subject to this condition.	NT	N/A
L4.3	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; Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.					Note	Noted	Note	N/A
L4.4	<b>Determining compliance</b>  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 ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.					Interview with Environmental Superintendent Site Observations Quarterly Noise Compliance Monitoring (2020-2022, 2023 January to June) Noise Management Plan (2021) Annual Return (2020 -2021, 2021-2022, 2022-2023)	Monitoring locations are stated in the Noise Management Plan (2021) and the quarterly monitoring reports. Auditor observed a sample of noise monitoring locations while on Site.  Previous audit noted that noise monitoring cannot be conducted within 30 m of the residence at night due to privacy concerns. Current Environmental Superintendent is not aware of any changes of the noise monitoring location.  Environmental superintendent advised that no non-compliances were recorded in the auditing period. Noise monitoring records and Annual Returns were observed to be compliant.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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 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.	Quarterly Noise Compliance Monitoring (2020-2022, 2023 January to June)	Auditor review identified weather conditions outlined in the Quarterly Noise Compliance Monitoring records.	C	N/A
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.	Quarterly Noise Compliance Monitoring Reports (October 2020 to July 2023)	The monitoring reports outlined the modifying factor corrections applied.	C	N/A
<b>L5 Blasting</b>					
L5.1	The overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time and at any point within 30 metres of any non project related residential building or other noise sensitive location. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Annual Return (2020 -2021, 2021-2022, 2022-2023) Environmental Blast Monitoring 2020-2023 June	Auditor reviewed blast monitoring records. No exceedances of 120 dB within 30m of non-project related residential buildings	C	N/A
L5.2	The overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period at any time and at any point within 30 metres of any non-project related residential building or other noise sensitive location. 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.	Environmental Blast Monitoring 2020-2023	Auditor reviewed blast monitoring records. No exceedances of 115 dB in more than 5% of the total number of blasts at each dwelling.	C	N/A
L5.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time and at any point within 3.5 metres of any non project related residential building or other noise sensitive location. 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.	Environmental Blast Monitoring 2020-2023	Auditor reviewed blast monitoring records. No exceedances of ground vibration of 10mm/s.	C	N/A
L5.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec for more than five per cent of the total number of blasts over each reporting period at any point within 3.5 metres of any non project related residential building or other noise sensitive location. 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.	Environmental Blast Monitoring 2020-2023	Auditor reviewed blast monitoring records. No exceedances of ground vibration of 5mm/s.	C	N/A
L5.5	Blasting operations on the premises must only be carried out between the hours 9am to 5pm, Monday to Saturday, inclusive.	Environmental Blast Monitoring 2020-2023	Auditor reviewed blast monitoring records, no blasts occurred on Sunday. Time of blast was recorded for all blast events	C	N/A
L5.6	The hours during which blasting is permitted may be varied by the EPA upon consideration of the impact any variation may have on the amenity of the residents in the locality.	Note	Noted	Note	N/A
L5.7	Blasting at the premises is limited to 1 blast on each day on which blasting is permitted. Note: Additional blasts are permitted where it is demonstrated to be necessary for safety reasons and the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired.	Environmental Blast Monitoring 2020-2023	Auditor reviewed blast monitoring records, blasts were limited to one per day with an exception on 3 June 2022. The two blasts were recorded with	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	Note: Condition L5.7 does not apply to blasts that generate ground vibration of 0.5mm/s or less at any residence on privately-owned land.		0.23mm/s and 0.07mm/s ground vibration. The condition does not apply for the event generated 0.07mm/s ground vibration.		
<b>4 Operating Conditions</b>					
<b>O1</b>	<b>Activities must be carried out in a competent manner</b>				
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.	Site Observations Interview with Environmental Superintendent	Good housekeeping was observed. Materials appeared to be appropriately stored and secondary containment was provided as required. The waste storage area appeared well maintained.  There is a requirement for all personnel and visitors to complete a general induction, which includes safety and environmental information. Additional task-specific training is provided to contractors.  Competencies are recorded in Pegasus and recorded on a log-in sticker, which is required to be worn in a manner that ensures it is visible at all times.  Information is passed from the Site Environmental Superintendent to team leaders / managers at the 9:30am meeting. Information then is passed through to the individual team at toolboxes. Any incidents or enforcements are discussed at the 9:30am meeting.  The site Environmental Superintendent also schedule monthly inspections which includes a site walk through to identify any items for improvements or potential risks and issues. Follow up actions are generated from such inspection and recorded in an online management system.	C	N/A
<b>O2</b>	<b>Maintenance of plant and equipment</b>				
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.	Site Observations  Work Order History 01-01-2020 to 20-06-2023  Weather Station Physical Screening Field Check (Dated 4 May 2023, 25 August 2022, 1 June 2022, 11 May 2021, 17 March 2021, 2 December 2020)	During the Site inspection, no observations were made of unmaintained or inappropriately operated equipment.  The site provided the work order history register for review which shows the summary of work completed and the equipment plant number.  The site also provided various records of monitoring equipment calibration and maintenance conducted by third-party	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<p>Weather Station Calibration sheet (dated 16 July 2020, 21 December 2021)</p> <p>Noise Meter Calibration record (27 July 2022)</p> <p>HVAS Calibration record (14 May 2021, 24 March 2021, 25 January 2023, 3 December 2021, 12 September 2021, 21 July 2021)</p> <p>Continuous Air Quality TEOM Maintenance and Calibration (7 February 2023)</p>	contractors such as weather station Physical Screening Field Check records, noise meter calibration record, HVAS Calibration record.		
<b>O3</b>	<b>Dust</b>				
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.	<p>Interview with Environmental Superintendent</p> <p>Site Observations</p> <p>Air Quality and Greenhouse Gas Management Plan</p>	<p>The Air Quality and Greenhouse Gas Management Plan outlines the measures the site carries out to suppress dust which includes water application to increase soil moisture, use of water cart on unsealed roads, and chemical dust suppressant when needed.</p> <p>Environmental Superintendent advised that a HydroTac dust-a-side (sugar cane molasses) is used when water level is low, which is rare.</p> <p>Water spray is used on the conveyor from the crusher.</p>	C	N/A
O3.2	Trucks transporting coal from the premises must be covered immediately after loading to prevent wind-blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.	<p>Site Observations</p> <p>Air Quality and Greenhouse Gas Management Plan</p>	<p>Air Quality and Greenhouse Gas Management Plan outlines that trucks must be covered immediately after loading until immediately before unloading as per this condition. Also, in dry wind conditions, trucks on the loading bin loop will reduce their speed to minimise risk of potential dust lift off.</p> <p>Auditors observed trucks leaving the Site with covers.</p>	C	N/A
<b>O4</b>	<b>Waste Management</b>				
O4.1	<p>The Licensee is authorised to dispose of heavy plant-tyre waste generated on the premises in accordance with condition L3.4, in the waste rock/overburden emplacements.</p> <p>The Licensee must:</p> <ol style="list-style-type: none"> <li>ensure that heavy plant tyres are re-used on the premises as much as practical;</li> <li>ensure that any surplus heavy plant waste tyres can be emplaced by being spread out within the waste rock/overburden emplacement and buried as deep as practical, but covered by at least 20m</li> </ol>	<p>Interview with Environmental Superintendent</p> <p>Site Observations</p> <p>Annual Heavy Plant Disposal Report (2021-2022, 2022-2023)</p>	Environmental Superintendent advised that the Site has various measures in place to ensure heavy plant tyres are re-used as much as practical. This includes keeping the roads in good condition and encouraging employees to manage tyre longevity.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>of inert material beneath any final rehabilitated surface;</p> <p>3. place heavy plant waste tyres at least 15 metres away from coarse reject material or tailings emplacement areas;</p> <p>4. not emplace any heavy plant waste tyres directly on the pit floor or in a location that is likely to impede or contaminate saturated aquifers;</p> <p>5. not emplace any heavy plant waste tyres in a position that compromises the stability of the final rehabilitation landform;</p> <p>6. not emplace any heavy plant tyres within 15m of heated or potentially acid forming materials;</p> <p>7. not place any heavy plant waste tyres in an area likely to leach to any watercourse; and record the co-ordinates (easting, northing and elevation) of each disposal location.</p>		Auditor reviewed the Annual Heavy Plant Disposal Reports for the disposal of tyres authorised in L3.4. The reports indicated the locations of disposal at the waste rock dump and included the aerial imagery of the location. From the reports and site observation, the disposal of the tyres was compliant with this condition during the audit period.		
O4.2	<p>Stockpiles of any heavy plant waste tyres stored at the premises awaiting disposal must;</p> <p>1. be less than 3 metres height and;</p> <p>2. not over an area of more than 200 square metres; and not be located within 10 metres of any other flammable or combustible materials.</p>	Interview with Environmental Superintendent Site Observations	Auditor observed heavy plant-tyres waste stockpiles onsite located at Area "370" which are below 3m height and in an area of less than 200 square metres. Environmental Superintendent advised that the Site is looking into putting up signs to advise operators of these requirements.	C	N/A
<b>O5</b>	<b>Other operating conditions</b> <b>Blast Fume</b>				
O5.1	<p>Offensive blast fume must not be emitted from the premises.</p> <p>Definition: <i>Offensive blast fume</i> means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</p> <p>(i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or</p> <p>(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</p>	<p>Official Caution 3502682 (Dated 27 May 2022)</p> <p>EPA Penalty Notice 3503245 (Dated 20 July 2022)</p> <p>Interview with Environmental Superintendent</p> <p>2021 Complaints Register</p> <p>Blast Management Plan 2022</p>	<p>Environmental Superintendent reported two blast events triggering non-compliances.</p> <p>A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community. TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.</p> <p>A blast event on 16 December 2021 with level 3C fume emitted over the northern boundary of the premise. This event was reported to the EPA by TCM. A Penalty Notice was issued to the Site on 20 July 2022.</p> <p>TCM undertook an internal investigation and found the explosive product mix for the blast to be the cause. TCM since amended blast preparation mix to minimise any further blast fume issues.</p> <p>Environmental Superintendent advised that no further non-compliances have been recorded since the above two events.</p>	NC	<p>TCM investigated the cause and changed product mix to minimise event reoccurring. No further events were noted during the audit period.</p> <p>As the issue has not reoccurred post rectification measures, no further recommendation is made beyond ensuring blasts are carried out in a manner not to cause offensive blast fume and follow the Blast Management Plan 2022.</p>
<b>Pollution Incident Response Management Plan</b>					
O5.2	The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.	Pollution Incident Response Management Plan 2023 Annual Return (2020 -2021, 2021-2022, 2022-2023)	PIRMP current (last update March 2023). Current version on website. The Annual Returns show that the PIRMP was triggered a total of three times in the three	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			reporting periods: 10 February 2020 (in the last audit period), 16 December 2021, 2 September 2022.		
O5.3	The licensee must keep the PIRMP on the premises at all times.	Site Observations	PIRMP is kept on the noticeboard on the breezeway.	C	N/A
<b>5 Monitoring and Recording Conditions</b>					
<b>M1</b>	<b>Monitoring records</b>				
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 Monthly Monitoring Data on <a href="https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/">https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/</a> Internal monitoring records	The auditor reviewed the web address below and determined that it demonstrates all recorded monthly monitoring data from 2014 to May 2023 (assessed on 24 July 2023). <a href="https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/">https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/</a> During the Site visit, Auditors has also sighted the internal records of monitoring data. The records appeared to be recorded and retained as set out in the conditions under M1.	C	N/A
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and produced in a legible form to any authorised officer of the EPA who asks to see them.	EPL Monthly Monitoring Data on <a href="https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/">https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/</a>	The monthly monitoring data recorded on the Whitehaven website demonstrated the four-year retaining of information requirement (records available from 2014) and was in legible form.	C	N/A
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; 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.	COC from ALS: - HVAS sampling 16-28 May 2022 - Groundwater 28 September 2022 - Dust COC 18 August 2022 - Surface water COC 6 June 2022 - Quarterly Noise Compliance Monitoring (2020-2022, 2023 January to June)	The auditor reviewed a sample of noise monitoring reports and certificates of conformity (COC) for HVAS, groundwater, dust, and surface water. The review identified that a record of the sample date, sample time, sample point, and name of the person who collected the sample are kept.	C	N/A
M1.4	The licensee must provide the EPA with an Annual Heavy Plant-Tyre Disposal Report. The report must be submitted with the licence Annual Return each year and must include:  1. A plan of the disposed heavy plant waste tyres on the premises for the period that includes	Annual Heavy Plant Disposal Report (2021-2022, 2022-2023)	The Annual Heavy Plant Disposal Reports showed two burial events. The total weight of the disposal in each event are as follows: 2021 August 4-5: 354 tones 2022 November 23: 319 tonnes	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																								
			Both events are noted to be below the 441 tonnes limit which is in line with the condition.																										
<b>M2</b>	<b>Requirement to monitor concentration of pollutants discharged</b>																												
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:	Real Time Air Quality Monitoring Data in Teledata / Vista Data Vision Interview with Environment Superintendent Annual Return (2020 -2021, 2021-2022, 2022-2023)	The auditor sighted the environmental monitoring database and observed monitoring records for a sample of days. The monitoring results showed to be continuous except for the downtime in December 2021.  Environment Superintendent advised that the monitoring area was flooded in December 2021 and the system went down. Access to the area was not feasible during the time. The number of days when the system was down contributed 6% of downtime for the year, which is lower than the limit set by EPA (10%). Environmental Superintendent also advised that the Site obtained verbal approval from the EPA to use the e-sampler located at the weather station during the downtime.  Environmental Superintendent advised that EPA did not take any actions or gave any written correspondence regarding this matter.  Auditor review Annual Return (2020-2022) identified that during the reporting period of the audit, no non-compliances were recorded in regards to the measuring frequency and methods.	C	N/A																								
M2.2	Air monitoring requirements <b>Point 28</b>	As per M2.1	As per M2.1	C	N/A																								
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M2.3	Water and/or Land Monitoring Requirements <b>Point 1,2,3,24,26,27</b>	As per M2.1	As per M2.1	C	N/A																								
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Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
	Conductivity	microsiemens per centimetre	Special Frequency 1	Grab sample				
	Oil and grease	Milligrams per litre	Special Frequency 1	Grab sample				
	pH	pH	Special Frequency 1	Grab sample				
	Total suspended solids	Milligrams per litre	Special Frequency 1	Grab sample				
	<b>Point 9,10,12</b>							
	<b>Pollutant</b>	<b>Units of measure</b>	<b>Frequency</b>	<b>Sampling method</b>				
	Conductivity	microsiemens per centimetre	Every 6 months	Grab sample				
	Lead	Milligrams per litre	Every 6 months	Grab sample				
	pH	pH	Every 6 months	Grab sample				
	Standing Water Level	Metres	Every 6 months	In situ				
	<b>Point 13</b>							
	<b>Pollutant</b>	<b>Units of measure</b>	<b>Frequency</b>	<b>Sampling method</b>				
	Conductivity	microsiemens per centimetre	Quarterly	Grab sample				
	Oil and grease	Milligrams per litre	Quarterly	Grab sample				
	pH	pH	Quarterly	Grab sample				
	Total suspended solids	Milligrams per litre	Quarterly	Grab sample				
M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after a discharge from points 1, 2, 3, 24, 26, and 27 commences and in any case not more than 12 hours after a discharge commences.				Annual Return (2020 -2021, 2021-2022, 2022-2023) Wet Weather Discharge Results Register	Auditor review of the Wet Weather Discharge Results Register. The register recorded the date and time of the sampling. However, the records of the date and time of the discharges were not complete. The time of discharge was not recorded in most records, and the date of discharge was only recorded since July 2021 and not for the entire audit period. Most records shows that samples were collected on the same day in most discharge events except 19 August 2021. Without the time of discharge recorded, samples collected on the same day can only shows that collection of samples were within 24 hours but cannot indicate that if the sampling were within 12hours after a discharge commenced.  Environmental Superintendent advised that the controlled releases involved actively pumping and sampling done at the same time. Sampling was only done at a different time to when the	C(obs)	TCM have advised that they have already implemented the recording of discharge times for controlled releases for completeness of sampling data. No further action required.

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			discharge began for uncontrolled releases. No non-compliances on this condition were recorded in the Annual Returns.		

**M3 Testing Methods – Concentration Limits**

M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <ul style="list-style-type: none"> <li>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</li> <li>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</li> <li>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</li> </ul> <p>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".</p>	<p>Annual Return (2020 -2021, 2021-2022, 2022-2023)</p> <p>Real Time Air Quality Monitoring Data in Teledata / Vision Data Vision</p> <p>Air Quality and Greenhouse Gas Management Plan</p>	<p>The auditor reviewed real time monitoring for PM10. No non-compliances were recorded in the Annual Returns.</p> <p>The Air Quality and Greenhouse Gas Management Plan listed the methodology for monitoring and stated that the monitoring is undertaken according to the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i>.</p>	C	N/A
M3.2	<p>Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.</p> <p>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".</p>	<p>Air Quality and Greenhouse Gas Management Plan</p>	<p>The Management Plan stated that monitoring is undertaken according to the DEC (2006) document Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales 2006 as applicable.</p>	C	N/A

**M4 Weather Monitoring**

M4.1	<p>For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.</p> <p><b>Point W1</b></p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Temperature @ 2 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Wind direction @ 10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Wind speed @ 10 metres</td> <td>m/s</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Sigma theta @ 10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Temperature @ 2 metres	°C	Continuous	15 minute	AM-4	Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4	Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4	Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4	<p>Annual Return (2020 -2021, 2021-2022, 2022-2023)</p> <p>Real Time Monitoring Data in Teledata / Vision Data Vision</p>	<p>Auditor sighted the online real time weather monitoring system which shows that the measurement is continuous. The unit of measure, averaging period, frequency and sampling method were observed to be compliant with the condition.</p>	C	N/A
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																										
Temperature @ 2 metres	°C	Continuous	15 minute	AM-4																										
Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4																										
Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4																										
Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4																										

Item	Assessment Requirement					Reference/ Evidence	Comments	Compliance	Recommendations
	Rainfall	mm/h	Continuous	1 hour	AM-4				
	Solar Radiation	W/m2	Continuous	15 minute	AM-4				
	Temperature @ 10 metres	°C	Continuous	15 minute	AM-4				
	Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4				
M4.2	The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.					Site observations Weather Station Physical Screening Field Check (Dated 4 May 2023, 25 August 2022, 1 June 2022, 11 May 2021, 17 March 2021, 2 December 2020) Weather Station Calibration sheet (dated 16 July 2020, 21 December 2021) Annual Sentinex Calibration Reports	Auditor observed the weather station to be in good condition. The site engages third-party contractors to conduct physical screening field check and calibration on the weather station. The field check required compound grass to be below 10cm shows that the compound grass was found to require maintenance in some instances (25 August 2022, 17 March 2021, 2 December 2020). TCM stated they routinely respond to these field check observations and perform required maintenance as required. Other check items passed the checks.	C (obs)	Continue to ensure the compound grass is maintained below 10cm.

**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.					Complaints Register	Complaints Register held online dating back to 2014 are legible. One complaint per year was recorded in 2020-2022. All complaints were related to blasting and indicated as closed out. Non-compliances relating the blasting and complaints are detailed in section O5.	C	N/A
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.					Complaints Register (on TCM website and internal register) Interview with Environmental Superintendent.	Complaints Register held online includes the date, nature, and method of the complaint, and the investigation and action taken. The personal details of the complainant were recorded in the internal register, sighted by the auditor during the management interview. Site Environmental Superintendent also advised that the complaint register system is transitioning to an online platform Borealis.	C	N/A
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.					Complaints Register	Complaints Register held online dates back to 2014.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations												
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Note	Noted	NT	N/A												
<b>M6 Telephone complaints line</b>																	
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.	<a href="https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/">https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/</a>	Number displayed on website. Tested during audit. The community engagement team and the Environmental Superintendent received a message following the call and contacted the auditor who made the call.	C	N/A												
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.	<a href="https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/">https://whitehavencoal.com.au/our-business/our-assets/tarrawonga-mine/</a>	Number displayed on website.	C	N/A												
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note	Noted	Note	N/A												
<b>M7 Other noise monitoring and recording conditions</b>																	
M7.1	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.  Points: TN2, TN3, TN4	Annual Return (2020 -2021, 2021-2022, 2022-2023)  Quarterly Noise Compliance Monitoring March 2020- May 2023  Noise Management Plan 2021	Auditor reviewed the quarterly noise compliance monitoring and Annual Return Statement of Compliance. Both evidence shows that quarterly noise monitoring has been conducted to comply with this condition (in units of measure, frequency and method) according to the Noise Management Plan.	C	N/A												
	<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) LAmax LA1 LA10 LA90 LAmin</td> <td>Quarterly</td> <td>As detailed in the most recently approved Noise Management Plan" for the premises.</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Sampling Method	Ambient Noise	LAeq (15 minute) LAmax LA1 LA10 LA90 LAmin	Quarterly	As detailed in the most recently approved Noise Management Plan" for the premises.								
Parameter	Units of Measure	Frequency	Sampling Method														
Ambient Noise	LAeq (15 minute) LAmax LA1 LA10 LA90 LAmin	Quarterly	As detailed in the most recently approved Noise Management Plan" for the premises.														
M7.2	Points: TB2	Environmental Blast Monitoring 2020-2023  Annual Return (2020 -2021, 2021-2022, 2022-2023)	The Site recorded the blast noise in dBL and vibration in mm/s as per the condition in the blast monitoring master sheet.  The Site reported downtime during 2020-2022 reporting period range from 0.16-0.3% due to periodic maintenance or communication failure. The downtime recorded is significant lower than the trigger for non-compliance of 10%.	C	N/A												
	<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>Type 1 Noise Blast Logger</td> </tr> <tr> <td>Blast Vibration</td> <td>mm/s</td> <td>Every Blast</td> <td>Geophone Logger or Similar</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Sampling Method	Blast Noise	DB(Lin Peak)	Every Blast	Type 1 Noise Blast Logger	Blast Vibration	mm/s	Every Blast	Geophone Logger or Similar				
Parameter	Units of Measure	Frequency	Sampling Method														
Blast Noise	DB(Lin Peak)	Every Blast	Type 1 Noise Blast Logger														
Blast Vibration	mm/s	Every Blast	Geophone Logger or Similar														
M7.3	For the purpose of conditions M7.1, M7.2 and M7.3 the monitoring locations are described as:	Site Observations	The auditor observed a sample of noise monitoring locations in the field (TN2 and TB2). Monitoring locations are stated in the NMP and	C	N/A												
	<table border="1"> <thead> <tr> <th>EPA ID No.</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	EPA ID No.	Description of Location														
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations										
	<table border="1"> <tr> <td>N2</td> <td>Portable monitor</td> </tr> <tr> <td>TN2</td> <td>Within 30 metres of the 'Matong' property boundary as shown on the map titled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)</td> </tr> <tr> <td>TN3</td> <td>Within 30 metres of the residence on the property 'Barbers Lagoon' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)</td> </tr> <tr> <td>TN4</td> <td>Within 30 metres of the residence on the property 'Bungalow' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)</td> </tr> <tr> <td>TB2</td> <td>Within 30 metres of the residence on the property Coomalgah as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)</td> </tr> </table> <p>Note: Point N2 is a portable monitor enabling the monitor to be relocated to areas of potential greatest impact. The licensee is responsible to ensure that it is located at the most suitable location.</p> <p>Note: The location, frequency of monitoring and the parameters to be monitored may be varied by the EPA once the variability of the noise impact is established.</p>	N2	Portable monitor	TN2	Within 30 metres of the 'Matong' property boundary as shown on the map titled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)	TN3	Within 30 metres of the residence on the property 'Barbers Lagoon' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)	TN4	Within 30 metres of the residence on the property 'Bungalow' as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)	TB2	Within 30 metres of the residence on the property Coomalgah as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)		<p>in quarterly monitoring reports as per the map noted in this condition.</p> <p>Note that no monitoring record is under the ID N2.</p>		
N2	Portable monitor														
TN2	Within 30 metres of the 'Matong' property boundary as shown on the map titled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)														
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TB2	Within 30 metres of the residence on the property Coomalgah as shown on the map entitled "EPL12365 Monitoring Locations Onsite and Offsite" received by EPA on 18 November 2021 (CM9:DOC21/1057816)														
M7.4	<p>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:</p> <p>a) at each one of the monitoring locations TN2, TN3 and TN4;</p> <p>b) occur Quarterly in a reporting period;</p> <p>c) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of:</p> <p>i) 1.5 hours during the day;</p> <p>ii) 30 minutes during the evening; and</p> <p>iii) 1 hour during the night.</p> <p>occur for three consecutive operating days.</p>	<p>Quarterly Noise Compliance Monitoring Reports:</p> <ul style="list-style-type: none"> <li>- by Wilkson Murray <ul style="list-style-type: none"> <li>o October 2020</li> <li>o January 2021</li> <li>o March 2021</li> <li>o July 2021</li> <li>o October 2021</li> <li>o January 2022</li> <li>o April 2022</li> <li>o June 2022</li> </ul> </li> <li>- by Spectrum Acoustics <ul style="list-style-type: none"> <li>o September 2022</li> <li>o December 2022</li> <li>o March 2023</li> <li>o June 2023</li> </ul> </li> </ul>	<p>Auditor reviewed a sample of the noise compliance monitoring reports by Wilkson Murray and Spectrum Acoustics. The sampled reports were noted to be attended noise monitoring conducted by external consultant at all three required locations. The monitoring occurred at least quarterly. The reports also stated that the monitoring was conducted based on the NSW Industrial Noise Policy.</p>	C	N/A										

## 6 Reporting Conditions

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
<b>R1 Annual return documents</b>					
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> <li>1. a Statement of Compliance,</li> <li>2. a Monitoring and Complaints Summary,</li> <li>3. a Statement of Compliance - Licence Conditions,</li> <li>4. a Statement of Compliance - Load based Fee,</li> <li>5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,</li> <li>6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and</li> <li>7. a Statement of Compliance - Environmental Management Systems and Practices.</li> </ol> <p>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.</p>	<p>POEO Public Register</p> <p>eConnect EPA email confirming the submission of annual returns:</p> <ul style="list-style-type: none"> <li>- 1 March 2021</li> <li>- 9 March 2022</li> <li>- 2 March 2023</li> </ul> <p>Annual Return (2020 -2021, 2021-2022, 2022-2023)</p>	<p>Auditor reviewed the POEO Public Register and verified that Annual Returns were submitted for the audit period (2020 – 2022). The eConnect submission receipts were also provided and showed that the Annual Returns were submitted.</p> <p>Auditor also reviewed the Annual Returns submitted during the audit period and verified the details listed in this condition were completed.</p>	C	N/A
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Note	Noted	Note	N/A
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ol style="list-style-type: none"> <li>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</li> </ol> <p>the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p>	Interview with Environmental Superintendent	This Licence was not transferred during the audit period.	NT	N/A
R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <ol style="list-style-type: none"> <li>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</li> </ol> <p>in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>	Interview with Environmental Superintendent	This Licence was not surrendered or revoked by the EPA or Minister during the audit period.	NT	N/A
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	<p>POEO Public Register</p> <p>eConnect EPA email confirming the submission of annual returns:</p> <ul style="list-style-type: none"> <li>- 1 March 2021</li> <li>- 9 March 2022</li> <li>- 2 March 2023</li> </ul>	The Auditor reviewed the Annual Return received date on the POEO Public Register and the eConnect submission receipt, verified the Annual Returns were received not later than 60 days after the end of each reporting period.	C	N/A
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Annual Return (2019-2020, 2020 - 2021, 2021- 2022, 2022-2023)	Copies of annual returns from 2020 were available for review. Copy of Annual Return from 2019-2020 was sighted by the auditor on the site file system during interview.	C	N/A
R1.7	<p>Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <ol style="list-style-type: none"> <li>a) the licence holder; or</li> <li>b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</li> </ol>	<p>eConnect EPA email confirming the submission of annual returns:</p> <ul style="list-style-type: none"> <li>- 1 March 2021</li> <li>- 9 March 2022</li> </ul>	The auto generated summary of the annual returns were provided. The summary generates when the EPA approved persons certify the Annual Return via eConnect EPA.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	<p>- 2 March 2023</p> <p>Annual Return (2020 -2021, 2021-2022, 2022-2023)</p> <p>Interview with Environmental Superintendent</p>			
R1.8	<p>The licensee must provide the EPA with an Annual Heavy Plant-Tyre Disposal Report. The report must be submitted with the licence Annual Return each year. The Annual Heavy Plant Disposal Report must include and not be limited to:</p> <ol style="list-style-type: none"> <li>1. Each tyre serial number.</li> <li>2. Supplier of each tyre.</li> <li>3. Purchase date of each tyre</li> <li>4. Disposal date of each tyre.</li> <li>5. Co-ordinates (easting and northings) of the locations where each tyre was disposed of by burial in accordance with condition O4.1.</li> <li>6. The real level (RL) in metres AHD of each tyre emplacement location.</li> <li>7. The number of tyres buried within each emplacement location and</li> <li>8. The cumulative total number and tonnage of tyres disposed of at the premises each year.</li> </ol>	<p>EPL 12365 Annual Heavy Tyre Disposal Report 2023 (Dated 23 November 2022)</p> <p>Annual Heavy Tyre Disposal Report (dispose date recorded as 4-5 August 2021)</p>	<p>The Auditor reviewed two Annual Heavy Tyre Disposal Reports. Both reports recorded the required information listed in this condition.</p>	C	N/A

**R2 Notification of environmental harm**

R2.1	<p>Notifications must be made by telephoning the Environment Line service on 131 555.</p>	Noted	Noted	Noted	N/A
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</p>	<p>EPA confirmation email on report (12 April 2021, 14 December 2021, 16 December 2021)</p>	<p>The Site had four incidents to report during the audit period. Auditor reviewed the confirmation emails from the EPA, acknowledging the reports.</p> <ul style="list-style-type: none"> <li>■ A wet weather discharge event occurred on 23 March 2021 which the Site reported on 12 April 2021. The Environmental Superintendent reported that the site was not aware that the discharge consists of exceedances of the licence limits until the testing result was received on 6 April 2021. The site therefore stated that they reported the incident within seven days of receiving the report. As the condition states in the notes that the 7 days is from the time the person becomes aware of the incident, TCM is compliant with this condition for this incident.</li> <li>■ Another wet water discharge event was dated on 8 December 2021, which was reported on 14 December 2021, within seven days of the event.</li> <li>■ A blast event on 7 June 2021 was recorded with a level B fume. TCM stated that the fume did not was contained to and</li> </ul>	NC	<p>Ensure to notify EPA within seven days of the occurrence of any events or incidents.</p>

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>dissipated within the premise. On this basis TCM did not report the blast event to the EPA. On 18 June 2021 the EPA received a complaint from the community regarding the blast. Following an investigation the EPA issued TCM with an official caution on 27 March 2022 which included the requirement for TCM to report such blast fume events to the EPA as required by the CoA as the EPA considered it to be a reportable event.</p> <ul style="list-style-type: none"> <li>■ A blast event on 16 December 2021 was recorded with level 3C fume emitted. The site reported the event on the day of the event.</li> </ul>		

**R3 Written Report**

R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,</p> <p>and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.</p>	<p>Interview with Environmental Superintendent</p> <p>Notice to Provide Information (dated 24 August 2021)</p> <p>Notice to Provide Information (dated 13 June 2023)</p> <p>Official Caution (Dated 27 May 2022)</p> <p>Email to the EPA in response to notice to provide information. (dated 27 June 2023)</p>	<p>Environmental Superintendent advised that EPA did not issue any Notice to Provide Information in 2020.</p> <p>The EPA issued a Notice to Provide Information and/or Records on 24 August 2021 regarding a complaint on the blast on 7 June 2021. The site responded on 3 September 2021.</p> <p>The Notice to Provide dated 13 June 2023 was regarding two dust generation complaints, which could relate to a few mines in the area including TCM. The site provided the relevant information on 27 June 2023 on the due date specified on the notice.</p>	C	N/A
R3.2	<p>The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.</p>	<p>Interview with Environmental Superintendent</p> <p>Notice to Provide Information (dated 24 August 2021)</p> <p>Notice to Provide Information (dated 13 June 2023)</p> <p>Official Caution (Dated 27 May 2022)</p> <p>Email to the EPA in response to</p>	<p>TCM has provided the requested information within the time period listed on the Notice to Provide Information.</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		notice to provide information. (dated 27 June 2023)			
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.	Noted	Noted	Note	N/A
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Interview with Environmental Superintendent	The EPA did not request further details in relation to the Notices to Provide Information listed in R3.1.	NT	N/A
R3.5	The licensee must undertake a review of available recycling options for end of life heavy plant tyres at least once every 2 years and provide a report to the EPA that contains and is not limited to the following: 1. analysis of the current capacity of recycling facilities that can accept end of life mining heavy plant tyres for processing in NSW and other neighbouring states; 2. evidence of enquiries made by the proponent in the previous 24 months to actively seek recycling options for end of life heavy mining plant tyres generated at the premises; 3. analysis of any pre-treatment options that can be performed at the premises to reduce costs associated with the transport and recycling of end of life mining heavy plant tyres 4. analysis of the specific costs to the licensee associated with the transport and delivery/acceptance of site generated end of life mining heavy plant tyres at the nearest capable recycling facilities; 5. the current costs associated with the continued on site burial of end of life mining heavy plants tyres; 6. A full cost benefit analysis of continued on-site burial of end of life mining tyres compared to their transportation from the site and their recycling/reprocessing.	Tarrawonga Coal Mine, Werris Creek Coal Mine, and Maules Creek Coal Mine End-Of-Life Heavy Plant Mining Tyre Review (dated April 2023)  Interview with Environmental Superintendent	Whitehaven Coal submitted a review to the EPA on April 2023 which covered the end-of-life heavy plant mining tyre of three coal mines in the area. Environmental Superintendent advised that WHC has been in ongoing communication with the EPA on the potential renewal of onsite disposal.	C	N/A
<b>R4 Other reporting conditions</b>					
R4.1	A noise compliance assessment report must be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits detailed in the limit conditions of this licence.	Annual Return Statement of Compliance 2020 – 2022  Quarterly noise monitoring reports (October 2020- July 2023)	Annual Returns indicates that all Quarterly reports were submitted on time.  Quarterly noise monitoring reports for the audit period were provided for review. The reports were prepared by acoustical consultants.	C	N/A
R4.2	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	Environmental Blast Monitoring records	No exceedances of blasting criteria reported to have occurred during the audit period.	C	N/A
<b>7 General Conditions</b>					

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
<b>G1</b>	<b>Copy of licence kept at the premises or plant</b>				
G.1.1	A copy of this licence must be kept at the premises to which the licence applies.	Site Observations	Hard copy of EPL 12365 kept in folder in office.	C	N/A
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Note	Noted	Note	N/A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Note	Noted	Note	N/A

**8 Pollution Studies and Reduction Programs**

U1	<p>U1 SB25 - Inlet Drain and Spillway Works</p> <p>U1.1 By 30 September 2023, the licensee must stabilise the inlet drain of SB25 so as to repair and prevent any further active erosion occurring at the inlet drain.</p> <p>U1.2 By 31 December 2023 the licensee must re-assess the design of the drain that runs along the north-western boundary, being "Drain A" marked on the map 'Tarrowonga Mine Figure 1:Drain A' dated January 2023 in Attachment A, provided to the EPA on 25 January 2023 (EPA reference DOC23/555298). The licensee must repair the drain according to the revised design.</p>	<p>Interview with Environmental Superintendent</p> <p>Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrowonga EPL PRP Actions (Dated 22 May 2022)</p>	<p>The Site provided the proposed action plan to address the conditions in this Section U. The proposal stated that the general strategy was to reshape the inlets and/or outlets of the dams as listed in this licence. Any active erosion will be stabilised using civil equipment. Afterwards, 'Earthlok', a durable material designed to prevent erosion, will be installed to the inlets and/or outlets. SB25 was estimated to take two weeks to reconstruct the inlet.</p> <p>SB25 was also noted in the plan that required large-scale sediment removal.</p> <p>Environmental Superintendent advised that the work has been planned and design was in progress. The Environmental Superintendent further advised during RFI after the site visit that half of the planned work in the CEP was completed.</p> <p>Note that U1-U15 (except for U13) are listed as Not Triggered (NT) in the compliance column since the due date was after the site visit.</p>	NT	N/A
U2	<p>U2 SB7 - Stabilisation of inlet drain.</p> <p>U2.1 By 31 July 2023, the License must stabilise the inlet drain of SB7 so as to repair and prevent any further active erosion occurring at the inlet drain.</p>	<p>Interview with Environmental Superintendent</p> <p>Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrowonga EPL PRP Actions (Dated 22 May 2022)</p>	<p>SB7 was listed as part of the plan described in U1 and estimated to take one week to reconstruct the inlet. SB7 was also noted in the plan that required large-scale sediment removal, which was observed during the audit.</p> <p>Environmental Superintendent advised that the work was in progress at the time of the audit and expected to finish by 31 July.</p>	NT	N/A
U3	<p>U3 SD1 - Stabilise inlet Drain</p> <p>U3.1 By 31 August 2023, the licensee must stabilise the inlet drain of SD1 so as to repair and prevent any further active erosion.</p>	<p>Interview with Environmental Superintendent</p> <p>Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrowonga EPL PRP Actions (Dated 22 May 2022)</p>	<p>SB1 was listed as part of the plan described in U1 and estimated to take one week to reconstruct the inlet.</p> <p>Environmental Superintendent advised that the work was in progress.</p>	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
U4	U4 SD1 - Rehabilitate Sediment Dam U4.1 By 31 December 2023, the licensee must treat and dewater SD2. The water that is dewatered from SD2 must be disposed of and/or discharged in lawful manner. When SD2 has been dewatered it must be decommissioned and rehabilitated.	Interview with Environmental Superintendent	Environmental Superintendent advised that the work was in progress.	NT	N/A
U5	U5 SB5B - Stabilise Sediment Dam U5.1 By 31 August 2023, the License must stabilise the inlet drain of SB5B so as to repair and prevent any further active erosion occurring at the inlet drain.	Interview with Environmental Superintendent Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL PRP Actions (Dated 22 May 2022)	SB5B was listed as part of the plan described in U1 and estimated to take one week to reconstruct the inlet.  Environmental Superintendent advised that the work was in progress.	NT	N/A
U6	U6 SB16A - Stabilise Inlet Drain U6.1 By 31 December 2023, the licensee must clean out and stabilise the inlet drain of SB16A.	Interview with Environmental Superintendent Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL PRP Actions (Dated 22 May 2022)	SB16A was listed as part of the plan described in U1 and estimated to take two weeks to reconstruct the inlet.  Environmental Superintendent advised that the work was in progress.	NT	N/A
U7	U7 SB16B - Enlarge and Rock Line Drain U7.1 By 31 December 2023, the licensee must enlarge and stabilise the inlet drain of SB16B so that erosion is minimised.	Interview with Environmental Superintendent Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL PRP Actions (Dated 22 May 2022)	SB16B was listed as part of the plan described in U1 and estimated to take two weeks to reconstruct the inlet.  Environmental Superintendent advised that the work was pending U6 SB16A to complete.	NT	N/A
U8	U8 SD8 - Rock Lining of Inlet U8.1 By 31 July 2023, the licensee must improve rock lining of the inlet of SD8 so as to minimise erosion at the inlet.	Interview with Environmental Superintendent Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL PRP Actions (Dated 22 May 2022)	According to the PRP Action plan, it was proposed to use the mine services team onsite with WHC equipment and conglomerate rock to improve the rock lining at SD8.  Environmental Superintendent advised that the work was in progress at the time of the audit and expected to finish by 31 July.	NT	N/A
U9	U9 SD26 - Repairs U9.1 By no later than 31 July 2023, the licensee must repair the erosion present at the inlet of SD26 U9.2 By 31 December 2023 the licensee must complete the final rock lining of the inlet drain of SD26	Interview with Environmental Superintendent Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL PRP Actions (Dated 22 May 2022)	According to the PRP Action plan, it was planned to rehabilitate the inlet of SD 26 and incorporate in a rock lined drain in order to repair the erosion. It was also planned to use hydro mulch with native grassland seeds to stabilise the walls and ensure good vegetation growth.  Environmental Superintendent advised that the work for condition U9.1 has been completed. Auditor observed the work to be completed. The work has been planned for U9.2 and expected to finish on time.	NT	N/A
U10	U10 SB23A and B U10.1 By 31 December 2023, the licensee must repair SB23A and B by enlarging and stabilising the inlet	Interview with Environmental Superintendent	SB23A and B were listed as part of the plan described in U1 and estimated to take two	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	drains.	Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL PRP Actions (Dated 22 May 2022)	weeks to reconstruct both inlets. SB23A was also noted in the plan that required large-scale sediment removal, which was observed during the audit.  Environmental Superintendent advised that the work has been planned and expected to finish on time.		
U11	U11 ROM Pad - Repair Concentrated flow paths U11.1 By no later than 30 September 2023, the Licensee must repair all gully erosion that is occurring in the concentrated flow paths around the ROM coal stockpile. This work is to include reconstruction and lining of the drains.	Interview with Environmental Superintendent	Environmental Superintendent advised that the work was in progress.	NT	N/A
U12	U12 Material Characterisation U12.1 By 31 August 2023, the licensee must undertake material characterisation and erosion modelling of the waste dump north of SB28, to determine overland flow shear stress.  Note: The intent of this PRP is to ensure that an understanding of the material characterisation of the dump is undertaken at an early stage so that final landform may be properly designed. The EPA acknowledges a review of the current landform model for this area as well as erosion modelling will occur to develop the landform slope lengths and steepness design rules. This information will inform the geomorphic design and identify necessary temporary and permanent slope stability solutions for the high erosion risk period between final shaping, topsoiling placement and permanent vegetation establishment.	Interview with Environmental Superintendent	Environmental Superintendent advised that the work was in progress, pending consultant report from SLR.	NT	N/A
U13	U13 Cv Assessment U13.1 By 31 July 2023, the Licensee is to engage a suitably qualified expert to undertake a detailed assessment of the volumetric runoff coefficient (Cv) used to size sediment dams and mine water dams at the premises. This assessment must include and not limited to: • A comparison of the adopted Cv(s) against the various stages of rehabilitated land present on site as at the time of the assessment and • An assessment of the adopted Cv(s) and if they allow for the short circuiting of drainage systems due to erosion.	Memorandum – TCM runoff coefficient review (dated 8 June 2023)	The site engaged WRM to conduct a review of the runoff coefficient adopted for the sediment dams. The review included a comparison of the Cv at different landuse types onsite and comparison with the reference guidelines and nearby operations.	C	N/A
U14	U14 Clean Water Management U14.1 By 31 December 2023, the licensee must correctly rebuild the clean water drain that diverts water around forward mining area 6D. This work must include and not be limited to: • Lining of the drains to prevent active erosion and • Installation of an appropriate energy dissipator to convert concentrated flow back into low velocity sheet flow and • Install appropriate erosion/drainage controls on unsealed tracks within the catchment and • Reinstate the dirty water diversion/bank diversion	Interview with Environmental Superintendent	Environmental Superintendent advised that the work is pending for the results in SB7, in order to decide the scope of work for this condition.	NT	N/A
U15	U15 SD 17 - Inlet works U15.1 By 31 July 2023, the licensee must stabilise the inlet drain and spillway of SD17 so as to repair and prevent any further active erosion	Interview with Environmental Superintendent Capital Expenditure Proposal (CEP) and CEP Supporting Documentation - Tarrawonga EPL	SB17 was listed as part of the plan described in U1 and estimated to take two weeks to reconstruct the inlet.  Site Superintendent advised that the work was	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		PRP Actions (Dated 22 May 2022)	in progress at the time of the audit and expected to finish by 31 July.		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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Auditor's note: the following section was removed in the June 2023 version

**Special Conditions**

E1	Mandatory Environmental Audit				
E1.1	<p>Subject to condition E1.2 below, the licensee must engage a suitably qualified and experienced environmental auditor with recognised certification, or team of environmental auditors, each member with appropriate qualifications, experience and recognised certification, whose engagement by the licensee must first be approved in writing by the EPA, to undertake a mandatory environmental audit ( the Audit). The Audit will be for the purpose of providing information in relation to water management, erosion and sediment impacts from the activities carried out at the premises to ensure compliance by the licensee with legal requirements and relevant policies and guidelines, and to determine whether improvements are needed to the way in which the scheduled activities are carried out in order to protect the environment. The Audit methodology must be in accordance with ISO 19011:2011 and the EPA Compliance Audit Handbook (available at <a href="https://www.epa.nsw.gov.au/-media/epa/corporate-site/resources/licensing/17p0457-compliance-audit-handbook.pdf?la=en&amp;hash=95D47B8054A9327FE4B95FFAF63A4F7A1AB65DE6">https://www.epa.nsw.gov.au/-media/epa/corporate-site/resources/licensing/17p0457-compliance-audit-handbook.pdf?la=en&amp;hash=95D47B8054A9327FE4B95FFAF63A4F7A1AB65DE6</a>).</p>	Mandatory Soil and Water Management Audit Tarrawonga Mine (Dated July 2022)	The Site engaged EMM Consulting Pty Limited (EMM) to carry out the mandatory independent soil and water management audit. The qualifications and experience of the auditors were listed in Appendix B of the report. The report noted that the audit must be in accordance with the ISO 19011:2011 and the EPA Compliance Audit Handbook.	C	N/A
E1.2	<p>By 31 January 2022, the licensee must submit to the EPA the details of at least three environmental auditors or teams of environmental auditors that the licensee considers are independent, suitably qualified, experienced and who hold appropriate certification(s) for the specific areas of expertise required to undertake the Audit measures listed in condition E1.3 and the Audit report referred to in condition E1.4. The details relating to each of the nominated environmental auditors are to include, but are not limited to, the following:</p> <p>a) Contact details including name, address, position, company, telephone numbers, mobile numbers and email addresses;</p> <p>b) Relevant qualifications and certifications;</p> <p>c) Relevant experience;</p> <p>d) Availability to complete the environmental audit within the specified timeframe; and</p> <p>e) Whether the auditor, or their firm or company (including any associated entities, as defined in the Corporations Act 2001 (Cth)), have previously carried out work in the last 5 years</p> <ul style="list-style-type: none"> <li>• in relation to the premises,</li> <li>• for the licensee,</li> <li>• for Whitehaven Coal Limited (ACN 124 425 396), or</li> <li>• for the Whitehaven Coal Limited group of companies, including subsidiary companies (as defined in the Corporations Act 2001 (Cth)) and joint venture operations.</li> </ul> <p>The licensee may identify a preferred environmental auditor or team of environmental auditors to undertake the Audit. The EPA is under no obligation to approve any of the licensee's preferred environmental auditor or team of environmental auditors and may approve one or more of the environmental auditors, or teams of environmental auditors, to undertake the Audit. The persons nominated, or their firm or company (including any associated entities), must not have, to the best of the licensee's knowledge, in the last 3 years before</p>	As above	Refer above	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>the nomination, carried out work:</p> <ul style="list-style-type: none"> <li>• in relation to the premises,</li> <li>• for the licensee,</li> <li>• for Whitehaven Coal Limited (ACN 124 425 396), or</li> <li>• for the Whitehaven Coal Limited group of companies, including subsidiary companies and joint venture operations.</li> </ul> <p>The licensee is to make reasonable enquiries sufficient to determine whether any nominated persons, or their firm or company (including any associated entities), have previously carried out any such work in the last 3 years. The licensee must provide details of those enquiries to the EPA when requested to do so.</p>				
E1.3	<p>For the purposes of undertaking the Audit referred to in condition E1.1, the environmental auditor must:</p> <p>a) Examine all the sediment dams at the premises to determine whether all dams at the premises have been constructed in accordance with the guidelines in “Managing Urban Stormwater: Soils and Construction”, Volume 1, 4th edition (the Blue Book) for sediment basins on Type F soils.</p> <p>b) Examine all the sediment dams at the premises to ensure that each dam’s capacity is appropriate for the catchment sizes that feed those dams, and appropriately sized for the purpose of storing runoff from a 38.4 millimetre, 5 day rainfall event.</p> <p>c) Examine the topsoil stockpiles at the premises to ensure that appropriate erosion and sediment controls are in place to protect the viability of the topsoil.</p> <p>d) Examine the denuded areas at the premises to ensure that each area:</p> <p>i. where required, has appropriate temporary or permanent stabilisation applied to it.</p> <p>ii. where appropriate, has temporary seeding applied to it to minimise erosion and sedimentation.</p> <p>e) Examine the topsoil stockpiles at the premises to determine whether they have been adequately stabilised with appropriate sediment trapping measures.</p> <p>f) Examine the dirty water management infrastructure and systems at the premises to determine whether these are operating in accordance with the premises water management plan and industry best practice.</p> <p>g) Examine the contaminated water management infrastructure and systems at the premises to determine whether these are operating in accordance with the premises water management plan and industry best practice.</p> <p>h) Examine the clean water management systems at the premises to determine whether they effectively divert flows around the disturbed area of site, and are not contributing to other water management streams at the premises.</p> <p>i) Examine the water management infrastructure and systems to determine whether the mine operates as a zero discharge mine except where the licence condition allows for discharges to occur.</p> <p>j) Identify measures that could be implemented or installed to improve erosion and sediment control at the premises.</p> <p>k) Identify all sediment dams that have not been constructed in accordance with sediment dam for Type F soils in the Blue Book and list the works required to ensure that dams are constructed in accordance with those requirements.</p> <p>l) Recommend improvements to the licensees’ water management and erosion and sediment control systems, procedures and operations at the premises to ensure compliance with industry best practice and legislative requirements.</p> <p>m) Include a root cause analysis identifying the causes of the continued failures of the sediment basins.</p>	Mandatory Soil and Water Management Audit Tarrawonga Mine (Dated July 2022)	Section 3 of the audit report addressed each of the sub-condition.	C	N/A
E1.4	<p>The licensee must instruct the auditor to provide a report on the Audit (the Audit Report) which includes the following:</p> <p>a) A list of all the documents considered in the Audit report.</p>	Mandatory Soil and Water Management Audit Tarrawonga Mine (Dated July 2022)	The audit report was structured as follows: 1. Executive Summary (as required by sub-condition f)	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>b) Copies of any documents that require special mention in the Audit report which are not publicly available or currently held by the EPA.</p> <p>c) A description of all structures, plant and equipment inspected during the Audit.</p> <p>d) The results of the matters addressed in condition E1.3 (a) to (j).</p> <p>e) Any recommendation for improvements made during the Audit, including the matters addressed in condition E1.3(k).</p> <p>f) A summary of conclusions drawn from the Audit.</p>	<p>Mandatory Soil and Water Management Audit - Summary Report (Dated July 2022)</p>	<ol style="list-style-type: none"> <li>2. Introduction</li> <li>3. Information considered (as required by sub-condition a)</li> <li>4. Findings (responding each item in E1.3 as required by sub-condition d), including structures, plant and equipment inspected for each item (as required by sub-condition c), and any recommendations (as required by sub-condition e)</li> <li>5. Declaration (as required by condition E1.8)</li> <li>6. Copy of this EPL</li> <li>7. Curriculum vitae of auditors</li> </ol> <p>EMM also issued a summary report on the audit in response to sub-condition f.</p>		
E1.5	<p>Within three months of the appointment of the agreed auditor the licensee must submit to the EPA, for the EPA's consideration and comments, a draft Audit report, being a report prepared by the environmental auditor or team of environmental auditors and covering all matters described in condition E1.3 through E1.4.</p>	<p>Draft - Mandatory Soil and Water Management Audit (EMM, June 2022)</p> <p>Email titled "EPL 12365 Tarrawonga Draft MEA Report"</p>	<p>The draft audit report submitted to the EPA on 6 June 2022.</p>	C	N/A
E1.6	<p>The licensee must submit to the EPA a final Audit report by no later than one calendar month after receipt of the EPA's comments on the draft Audit report. Together with the final Audit report, the licensee must also submit a summary of the Audit report, including any conclusions or recommendations, in electronic format so it can be entered into the Public Register (as required by section 308 of the Protection of the Environment Operations Act 1997).</p>	<p>Mandatory Soil and Water Management Audit Tarrawonga Mine (Dated July 2022)</p> <p>Mandatory Soil and Water Management Audit - Summary Report (Dated July 2022)</p> <p>Cover letter titled "RE: Provision of Final Audit Report pursuant to Condition E1.6 of EPL 12365"</p> <p>Email titled "Final Audit Report MEA- EPL 12365"</p> <p>Email titled "Water Discharge Investigation and Mandatory audit"</p>	<p>EPA Officer Simon Lund emailed the site on 1 July 2022 stated that the EPA was satisfied with the draft report. TCM submitted the final Audit Report together with the summary of the audit report on 25 July 2022 which is within a month as required by this condition.</p>	C	N/A
E1.7	<p>Section 177(a) of the Protection of the Environment Operations Act 1997 provides that the licensee must retain any written documents required to be prepared in connection with this audit for period of at least 5 years after the concerned audit report has been produced to the EPA.</p>	<p>Mandatory Soil and Water Management Audit Tarrawonga Mine (Dated July 2022)</p> <p>Mandatory Soil and Water Management Audit - Summary Report (Dated July 2022)</p>	<p>Audit reports and documentation were provided as per auditors' request.</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<p>Draft - Mandatory Soil and Water Management Audit (EMM, June 2022)</p> <p>Email titled "Attn: Lindsay Fulloon-Tarrawonga Coal Pty Ltd- Environmental Audit Implementation Proposal Report"</p>			
E1.8	<p>Section 176 of the Protection of the Environment Operations Act 1997 provides that the Audit report will not be taken to have been produced to the EPA unless it is accompanied by:</p> <p>a) A declaration signed by the licensee certifying that the licensee has not knowingly provided any false or misleading information to the environmental auditor(s) and has provided all relevant information to the auditor(s) and,</p> <p>b) A declaration signed by the environmental auditor that:</p> <p>i. Sets out the environmental auditor's or auditors' qualifications, and</p> <p>ii. Certifies that the report is accurate, and that the environmental auditor(s) has knowingly included any false or misleading information in it or failed to include any relevant information in it.</p>	<p>Mandatory Soil and Water Management Audit Tarrawonga Mine (Dated July 2022)</p>	<p>Refer to comments in E1.4.</p>	C	N/A
E1.9	<p>The licensee must submit to the EPA an environmental audit implementation proposal report by no later than two calendar months after receipt of the EPA's comments on the final Audit report.</p> <p>The environmental audit implementation proposal report must include, but is not limited to:</p> <p>a) Identifying those actions the licensee proposes to take in response to the final Audit report,</p> <p>b) Specifying the proposed timeframe for taking those actions, and</p> <p>c) Providing an explanation for the actions the licensee proposes to take where there is any variance from the recommendations in the final Audit report.</p> <p>Note: Implementation of any actions identified in the environmental audit implementation proposal report are likely to be required to be carried out, by incorporating them into the licence through a subsequent licence variation, once the environmental audit implementation proposal report has been submitted to and accepted by the EPA.</p>	<p>Email titled "Attn: Lindsay Fulloon-Tarrawonga Coal Pty Ltd- Environmental Audit Implementation Proposal Report"</p> <p>Interview with Environmental Superintendent</p>	<p>The Site submitted the Environmental Audit Implementation Proposal Report to the EPA on 30 September 2022.</p> <p>Environmental Superintendent advised that the mandatory audit and implementation proposal report has resulted in the removal of condition E1 and addition of U1-U15 in the EPL.</p>	C	N/A



TABLE A3 – MINING LEASE 1579  
COMPLIANCE WITH MINING LEASE 1579

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Mining Lease Conditions</b>					
<b>Notice to Landholders</b>					
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>	Interview with Environmental Superintendent	Not related to this audit period	NT	N/A
<b>Mining, Rehabilitation, Environmental Management Process (MREMP) Mining Operations Plan (MOP)</b>					
2.1	<p>Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for:-</p> <ul style="list-style-type: none"> <li>a) ongoing mining operations and environmental management; and</li> <li>b) ongoing monitoring of the project.</li> </ul>	<p>Mining Operations Plan (Amendment F and G) MOP (Amendment F) Notice of Approval (ref: MAAG0008427 LETT0005143) MOP (Amendment G) Notice of Approval (ref: MAAG0012882 LETT0006870)</p>	<p>The Director-General satisfaction of performance is gained through the approval of the MOP (Amendment F and G) which were shown through the Notices of Approval of the amendments.</p> <p>Director-General also accepted the performance against the MOP reported in Annual Reviews. The 2020 Annual Review stated that there were</p>	C	N/A

TABLE A3 – MINING LEASE 1579  
COMPLIANCE WITH MINING LEASE 1579

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<p>Annual Reviews 2020-2022</p> <p>Tarrawonga Coal Mine Rehabilitation Monitoring Report 2020 (Volume 1,2)</p> <p>Letter from Eco Logical Australia (ELA), regarding Fauna Monitoring 2021/22 (dated 25 February 2022)</p>	<p>no non-compliances within this audit period. Annual Reviews 2021 and 2022 stated no non-compliances for this ML. Based on the auditor's inspection and the assessment of MOP and Annual Reviews, mining operations appear to be in accordance with the approved MOP. Refer to CoA.</p> <p>In terms of rehabilitation monitoring, according to the MOP, rehabilitation monitoring surveys are undertaken annually in spring by suitably qualified specialists. Annual Reviews report on the monitoring result. ELA assessed the progress of rehabilitation in Spring 2020 which was compared against the criteria set out in the MOP and Mine Site Rehabilitation Management Plan at the time. Letter from ELA reported the results from the fauna monitoring during winter and summer 2021/22. The bird assemblages of the rehabilitation area were becoming increasingly similar to Control Sites during the monitoring period. This shows that the mining operations and the rehabilitation work are conducted in accordance with the MOP.</p>		

TABLE A3 – MINING LEASE 1579  
COMPLIANCE WITH MINING LEASE 1579

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.2	The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgment.	Mining Operations Plan (Amendment F and G)	Mining Operations Plan (2015-2022) (Amendment F and G) Section 1 states that the document was prepared in accordance with the Mining Operations Plan (MOP) Guidelines (DTIRIS 2013).	C	N/A
2.3	A Plan must be lodged with the Director-General:- (a) prior to the commencement of mining operations (including mining purposes); (b) subsequently as appropriate prior to the expiry of any current Plan; and (c) in accordance with any direction issued by the Director-General.	Mining Operations Plan (Amendment F and G) - Notice of Approval Annual Review (2020-2022)	<ul style="list-style-type: none"> <li>a. Timing of condition predates this audit period.</li> <li>b. Mining Operations Plan (Amendment E) covered 1 November 2015 to 30 November 2020. Amendment F was put in place in August 2020 to extend the Plan till 1 November 2022. This Amendment F and the following Amendment G (2021) cover until amendment in Mining Regulation 2016 which introduced Standard Condition on 2 July 2022</li> <li>c. The MOP Amendment F and G were approved by the Resources Regulator on 23 October 2020 and 13 December 2021 respectively, which showed that the Resources Regulator has considered and granted the amendments.</li> </ul>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.4	<p>The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify:-</p> <ul style="list-style-type: none"> <li>a. area(s) proposed to be disturbed under the Plan;</li> <li>b. mining and their rehabilitation methods(s) to be used and their sequence;</li> <li>c. areas to be used for disposal of tailings/waste;</li> <li>d. existing proposed surface infrastructure;</li> <li>e. existing flora and fauna on the site;</li> <li>f. progressive rehabilitation schedules;</li> <li>g. areas of particular environment, ecological and cultural sensitivity and measures to protect these areas;</li> <li>h. water management systems (including erosion and sediment controls)</li> <li>i. proposed resource recovery; and</li> <li>j. where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation</li> </ul>	Mining Operations Plan (Amendment F and G)	<p>MOP Amendment F &amp; G covers the schedule and diagrams of rehabilitation and disturbance until the end of MOP on 1 July 2022. This includes</p> <ul style="list-style-type: none"> <li>a. Areas being disturbed during the time slices described by Plan 3A-3H, including void, rehabilitation, overburden emplacement.</li> <li>b. MOP Amendment F Section 5.4 outlined the rehabilitation methodologies including decommissioning, landform establishment, growth media development etc..</li> <li>c. Areas to be used for disposal of tailings or waste are labelled as overburden emplacement in Plan 3A-3H.</li> <li>d. Existing proposed surface infrastructure are mapped in Plan 3A-3H.</li> <li>e. Plans identifying existing flora and fauna have been included in Plans 4B, C and D.</li> <li>f. Table 17 in MOP Amendment G detailed the rate of rehabilitation and disturbance rates planned for each time period, with a Plan (Plan 3A to 3H) attached to</li> </ul>	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>each period showing the progression. Plan 4A shows the final rehabilitation and post-mining land use.</p> <ul style="list-style-type: none"> <li>g. Updated plans identifying areas of environmental, ecological or cultural sensitivity have been included in Plans 4B, C and D.</li> <li>h. MOP Revision F MOP Plans 3A-3H show water management structures.</li> <li>i. Resource recovery described in MOP Revision F Section 2.3.3.</li> <li>j. Mine closure not in MOP period. (NT)</li> </ul> <p>From the review of the MOP, auditor confirms that the document has presented the schedule of the development with the required diagrams and tables (except item j that is not applicable in this audit period).</p>		
2.5	The Plan when lodged will be reviewed by the Department.	N/A	Timing of condition predates this audit period.	NT	N/A
2.6	The Director-General may within two (2) months of the lodgement of a Plan, require modification and re-lodgement.	Note	Noted	Note	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.7	If a requirement in accordance with clause (6) is not issued within two (2) months of the lodgement of a Plan, the lease holder may proceed with implementation of the Plan.	Note	Noted	Note	N/A
2.8	During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlined in clauses (5) - (7) above.	Mining Operations Plan (Amendment F) Notice of Approval (dated 13 December 2021)	MOP Amendment F, dated August 2020 stated that consultation was undertaken with the Resources Regulator on 23 July 2020 regarding the Amendment and section 240 notice.  In addition, TCM requested an amendment to the Amendment F on 26 November 2021. The Resources Regular issued a Notice of Approval for the MOP Amendment G. The Amendment was approved on 13 December 2021 by the Regulator.	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Annual Environmental Management Report (AEMR)</b>					
3.1	Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.	DPE 2020 Annual Review Acceptance Letter (1 July 2021) DPE 2021 Annual Review Acceptance Letter (7 July 2022) DPE 2022 Annual Review Acceptance Letter (22 June 2023)  Annual Review 2020 Annual Review 2021 Annual Review 2022	Auditor reviewed evidence of reports and letters demonstrating satisfaction of the Minister.	C	N/A
3.2a	The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of: <ul style="list-style-type: none"> <li>a. the accepted Mining Operations Plan;</li> <li>b. development consent requirements and conditions;</li> <li>c. Department of Environment and Conservation and Department of Planning licences and approvals;</li> <li>d. any other statutory environmental requirements;</li> <li>e. details of any variations to environmental approvals applicable to the lease area; and</li> <li>f. where relevant, progress towards final rehabilitation objectives.</li> </ul>	DPE 2020 Annual Review Acceptance Letter (1 July 2021) DPE 2021 Annual Review Acceptance Letter (7 July 2022) DPE 2022 Annual Review Acceptance Letter (22 June 2023)  Annual Review 2020 Annual Review 2021	The AR were reviewed by the Department of Planning and Environment as stated in the Acceptance Letters, noted that they satisfied the requirements of MP11_0047 and the department's Annual Review Guideline. Auditor also reviewed the ARs demonstrating the review and forecast of performance with the followings: <ul style="list-style-type: none"> <li>a. Review of MOP requirements were provided under each</li> </ul>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Annual Review 2022	<p>sub heading within the AR.</p> <ul style="list-style-type: none"> <li>b. Review of development consent requirements were provided under each sub heading within Section 6 of the AR.</li> <li>c. review of development consent requirements are provided under each sub heading within Section 6 of the AR.</li> <li>d. review of statutory environmental requirements are provided under each sub heading within Section 6 of the AR.</li> <li>e. Section 3.1 Table 3-1 of the AR outlines variations to any environmental approvals. The proposed improvements component of Section 6 also outlines the required modifications to environmental approvals applicable to the lease area.</li> </ul>		

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			f. Section 8 of the AR outlines progress towards final rehabilitation.		
3.3	After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.	Interview: Site Environmental Superintendent	DRG have not requested any changes within the reporting period.	C	N/A
3.4	The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies and the local council.	Interview: Site Environmental Superintendent	Site Environmental Superintendent indicated in interview that the Minister did not direct TCM to conduct a review of the AR involving other government agencies.	C	N/A
<b>Subsidence Management</b>					
4a	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.	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A
4b	Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the <i>Applications for Subsidence Management Approvals guidelines (EDG17)</i> .	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
4c	The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the <i>Coal Mines Regulation Act 1982</i> , or the document <i>New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09)</i> .	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A
4d	Subsidence Management Plans are to be prepared in accordance with the <i>Guideline for Applications for Subsidence Management Approvals</i> .	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A
4e	Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document <i>New Approval Process for Management of Coal Mining Subsidence - Policy</i> .	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A
<b>Working Requirement</b>					
5a	The lease holder must: Ensure that at least 27 competent people are efficiently employed on the lease area on each week day except Sunday or any week day that is a public holiday, or	Interview: Site Environmental Superintendent  Annual Review 2022	Site Environmental Superintendent indicated in interview 170 people work on site on average.  AR recorded open cut mining activities, including processing of coal, generally occurred between the hours of 6:30 am and 5:00 pm (day shift) and	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			4:30 pm and 3:00 am (night shift) from Monday to Friday. Processing of coal on day shift also occurs almost every Saturday whereas mining activity on Saturday day shift has only occurred on an occasional basis to meet production deadlines.		
5b	Expand on operations carried in the course of prospecting or mining the lease area, an amount of not less than \$472,500 per annum whilst the lease is in force.	Interview: Site Environmental Superintendent	TCM has been actively mining the leased area across the audit period in which the total expenditure on operations is well above the limit stated in this condition.	C	N/A
5c	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.	Interview: Site Environmental Superintendent	The site representative advised that the Minister did not issue any instrument to make changes under this condition.	NT	N/A
<b>Control of Operations</b>					
6a	If an Environmental Superintendent 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: <ul style="list-style-type: none"> <li>(i) cease working the lease; or</li> <li>(ii) cease that part of the operation not complying with the Act or conditions;</li> </ul> until in the opinion of the Environmental Superintendent the situation is rectified.	Interview: Site Environmental Superintendent	Environmental Superintendent advised that there has not been any related direction.	NT	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
6b	The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction.	Interview: Site Environmental Superintendent	The site representative advised that the Director General did not give any direction under this condition.	C	N/A
6c	A direction referred to in this condition may be served on the Mine Manager.	Noted	Noted	Note	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Reports</b>					
7a	<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 item the satisfaction of the Director-General and contain the following:</p> <p>Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p>	<p>Annual Group Exploration Report (2021, 2022, 2023)</p> <p>Email receipts of annual report (dated 9 September 2021, 7 July 2022, 2 May 2023)</p>	<p>The Annual Group Exploration Report covers the exploration for four mining leases of the site. The details of the explorations were outlined in the reports. The email receipts show that the annual reports had been assessed as being satisfactorily prepared.</p> <p>Note that exploration activities have been reduced since 2021-2022 reporting period, and no field based exploration activities were undertaken on the project in 2022-2023.</p>	C	N/A
7b	<p>Details of expenditure incurred in conducting that exploration;</p>	<p>Annual Group Exploration Report (2021, 2022)</p>	<p>Only the 2021 exploration report detailed the expenditure of the Site. No exploration was conducted in 2022, hence no details of expenditure were recorded in the 2022 report. The only drilling following 2021 was pre-production drilling.</p>	C	N/A
7c	<p>A summary of all geological findings acquired through mining or development evaluation activities;</p>	<p>Annual Group Exploration Report (2021, 2022, 2023)</p>	<p>The Annual Group Exploration Report describes the geology of the mine which includes stratigraphy, structure and coal quality. Exploration drillholes data was indicated to be</p>	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			submitted with the Exploration Report 2021 and 2022. No data was submitted with the 2023 report since no exploration was carried out.		
7d	Particulars of exploration proposed to be conducted in the next twelve months period;	Annual Group Exploration Report (2021, 2022, 2023)	The proposed exploration in the next reporting period was outlined in the 2021-2022 report. The section of report has been reduced in the subsequent reports due to the reduction in exploration activities.	C	N/A
7e	All plans, maps, Sections and other data necessary to satisfactorily interpret the report.	Annual Group Exploration Report (2021, 2022, 2023)	Maps with the location of the exploration was included in the Exploration Reports. Additional data was provided with the submission of the report.	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Licence to Use Reports</b>					
8a	The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print and reproduce all exploration reports lodged in any forms for the full duration of copyright.	Noted	Noted	Note	N/A
8b	The non-exclusive licence will operate as a consent for the purposes of Section 365 of the Mining Act 1992.	Noted	Noted	Note	N/A
<b>Confidentiality</b>					
9a	All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where: <ul style="list-style-type: none"> <li>(i) the lease holder has agreed that specified reports may be made non-confidential.</li> <li>(ii) reports deal with exploration conducted exclusively on area that have ceased to be part of the lease.</li> </ul>	Noted	Noted	Note	N/A
9b	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.	Noted	Noted	Note	N/A
9c	The Director-General may extend the period of confidentiality.	Noted	Noted	Note	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Terms of the Non-Exclusive Licence</b>					
10a	The terms of the non-exclusive copyright licence granted under condition 8 (a) are: The Minister may sub-licence other to publish, print, adapt and reproduce but not on-licence reports.	Noted	Noted	Note	N/A
10b	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.	Noted	Noted	Note	N/A
10c	The lease holder does not warrant ownership of all copyright 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.	Noted	Noted	Note	N/A
10d	There is no royalty payable by the Minister for the licence.	Noted	Noted	Note	N/A
10e	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 not less than three months notice.	Noted	Noted	Note	N/A
<b>Blasting</b>					
11a	<u>Ground Vibration</u> 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	Environmental Blast Monitoring 2020-2022	Auditor reviewed blast monitoring records. Values generally recorded to be under	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	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 Conservation*. <i>* Auditor's note: this ML was dated 2006.</i>		1 mm/s with no record exceeding 4 mm/s.		
11b	<b>Blast Overpressure</b> The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Conservation*. <i>* Auditor's note: this ML was dated 2006.</i>	Environmental Blast Monitoring 2020-2022	Auditor reviewed blast monitoring records. Values recorded to be under the limit listed in this condition.	C	N/A
<b>Safety</b>					
12	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 Group Exploration Report (2021, 2022, 2023)  Interview: Site Environmental Superintendent	The Exploration Reports noted that the drill holes were logged and capped.  Site representative advised that the drill holes are within the footprint of the final void or will be mined through within the lease time period. Therefore no sealing is required.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Rehabilitation</b>					
13a	<p>Land disturbed must be rehabilitated to a stable and permanent form suitable for a subsequent land use acceptable to the Director-General and in accordance with the Mining Operations Plan so that:-</p> <ul style="list-style-type: none"> <li>there is no adverse environmental effect outside the disturbed area and that the land is properly drained and protected from soil erosion.</li> <li>the state of the land is compatible with the surrounding land and land use requirements.</li> <li>the landforms, soils, hydrology and flora require no greater maintenance than that in the surrounding land.</li> <li>in cases where revegetation is required and native vegetation has been removed or damaged, the original species must be re-established with close reference to the flora survey included in the Mining Operations Plan. If the original vegetation was not native, any re-established vegetation must be appropriate to the area and at an acceptable density.</li> <li>The land does not pose a threat to public safety.</li> </ul>	<p>Field inspection (rehabilitation areas)                      Mining Operations Plan (Amendment F and G)                      Interview: Site Environmental Superintendent</p>	<p>The MOP (Amendment F) includes rehabilitation planning with objectives to ensure public safety and to ensure a safe, stable, non-polluting mine site which has constructed landforms that drain to the natural environment.</p> <p>Environmental Superintendent advised that the rehabilitation work has been aiming to reconstruct the original landform of the area.</p> <p>During site visit, auditor observed the rehabilitated area does not pose a threat to public safety. The site has been putting in effort in the rehabilitation program as described in the MOP and other documentation.</p>	C	N/A
13b	<p>Any topsoil that is removed must be stored and maintained in a manner acceptable to the Director-General.</p>	<p>Interview: Site Environmental Superintendent                      Mining Operations Plan (Amendment F and G)</p>	<p>Environmental Superintendent advised that topsoil and subsoil removed are stored onsite. This was observed during site visit.</p>	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			MOP Section 8.2.3.3 described the soil and erosion management onsite. The Site engaged a soil specialist to conduct an extensive soil testing program in 2020. The finding indicated that the soil resources used onsite provide an adequate growth medium to establish the desired vegetation. Topsoil removed from clearing of vegetation were placed onto rehabilitation areas or stockpiled in accordance with the Rehabilitation Management Plan.		
14	The lease holder must comply with any direction given by the Director-General regarding the stabilisation and revegetation of any mine residues, tailings or overburden dumps situated on the lease area.	Interview: Site Environmental Superintendent	Environmental Superintendent advised that the Director General did not give any directions under this condition.	NT	N/A
<b>Exploratory Drilling</b>					
15.1	At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Natural Resources regional hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.	Commencement of Drilling Operations – Notification to the NSW Office of Water  Exploration drilling notification log	The site notified the NSW Office of Water on 14 September 2020 for a drilling operation commenced on 12 October 2020. The DPIE Office of Water acknowledge the	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		receipt and DPIE acknowledgement	notification on 20 September 2020.		
15.2a	<p>If the lease holder drills exploratory drill holes he must satisfy the Director- General that</p> <ul style="list-style-type: none"> <li>a. all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</li> <li>b. all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</li> <li>c. all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</li> <li>d. if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;</li> <li>e. if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</li> <li>f. 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.</li> <li>g. once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.</li> </ul>	Interview: Site Environmental Superintendent	Site representative advised that the drill holes are within the footprint of the final void or will be mined through within the lease time period. Therefore no sealing is required.	C	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Prevention of Soil Erosion and Pollution</b>					
16.	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.	(Details outlined in Appendix A2) EPA Penalty Notice (ref 3173530609) EPA Official Caution (ref 3500875) EPA Official Caution (ref 3502682) EPA Penalty Notice (ref 3503245)	Auditor reviewed the evidence and inspected the site with reference to the EPL as described in Appendix A2. During the time period that this version of the ML is valid, the site had a number of non-compliance under the EPL that relate to ML 1579: <ul style="list-style-type: none"> <li>• a wet water discharge event on 23 March 2021 with exceedances in TSS value and pH level. EPA issued a Penalty Notice on 30 September 2021 (ref 3173530609).</li> <li>• Blast event on 7 June 2021 with level 3B fume. An Official Caution (3502682) was issued by the EPA on 27 May 2022.</li> <li>• Blast event on 16 December 2021 with level 3C fume emitted</li> </ul>	NC  (Duplicate with EPL L1.1, L2.1, L2.2 and O5.1)	Duplicate NC. Refer to conditions of EPL (L1.1, L2.1, 2.2 and O5.1).

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>over the northern boundary. A Penalty Notice (3503245) was issued to the Site on 20 July 2022.</p> <p>These events have resulted in various Notices and Cautions from the EPA.</p> <p>TCM has been working according to the EPA recommendations and revised EPL conditions to mitigate some of the above issues.</p>		
<b>Transmission lines, Communication lines and Pipelines</b>					
17.	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.	Interview: Site Environmental Superintendent	Site representative advised that one Telstra communication line is on the access road. No mining activities are proposed in the area and the Site did not interfere with the line.	C	N/A
<b>Fences, Gates</b>					
18a	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.	required	Noted	Note	N/A

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
18b	Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.	required	Noted	Note	N/A
<b>Roads and Tracks</b>					
19a	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.	Road Maintenance Agreement between Whitehaven Coal Mining Pty and Gunnedah Shire Council. Payment records Gunnedah Shire Council for road maintenance	The Development Consent requires TCM to enter into a Road Maintenance Agreement with the Gunnedah Shire Council which was signed on 5 August 2009. The agreement listed the payment for routine maintenance of the road and resealing of the roads that the site is responsible for. Payment evidence was sighted during interview with site representatives.	C	N/A
19b	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.	As above	As above	C	N/A
20.	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	Site observations	Access tracks were observed to be kept to minimum and cause minimal damage to the surroundings. Rehabilitation is	C	N/A

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<b>No</b>	<b>Assessment Requirement</b>	<b>Reference/ Evidence</b>	<b>Comments</b>	<b>Compliance Status</b>	<b>Recommendations</b>
	design and construction of access tracks must be in accordance with specifications fixed by the Department of Natural Resources.		planned once no longer required for mining operations.		

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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Trees and Timber</b>					
21a	The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden.	Interview: Site Environmental Superintendent	Whitehaven is the landowner, therefore no other landowner consent is required.	C	N/A
21b	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.	Interview: Site Environmental Superintendent  S5C8 Notification - Vegetation clearing incident March 2022	The Environmental Superintendent advised that a portion of land was cleared in March 2022 which was not approved for clearing. The Department of Planning and Environment issued a Notification on 19 April 2022 responding to the incident. TCM updated the BMP to include the a boundary marking protocol with the use of continuous flagging tape as required by the notification.	NC	Follow vegetation clearing boundary marking protocol and use continuous flagging tape.
21c	The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	Interview: Site Environmental Superintendent	Site representative advised that there are some crown land (Leard State Forest) within the site boundaries.	C	N/A
<b>Resource Recovery</b>					

TABLE A3 – MINING LEASE 1579  
COMPLIANCE WITH MINING LEASE 1579

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
23a	(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A
23b	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.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A
23c	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.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A
23d	The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A

TABLE A3 – MINING LEASE 1579  
COMPLIANCE WITH MINING LEASE 1579

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
23e	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.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A
23f	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.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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Indemnity					
24.	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	Noted	Note	N/A

TABLE A3 – MINING LEASE 1579  
COMPLIANCE WITH MINING LEASE 1579

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Security</b>					
25a	A security in the sum of <b>\$100,000</b> 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.	2020 IEA report Notification of assessment for security deposit (Assessed Deposit) (dated 23 October 2020)	The security letter was verified during the previous audit. The security letter is valid until the change in Regulations.  The Resources Regulator issued a Notification of assessment for security deposit to TCM, dated 23 October 2020. This letter was an assessment for ML 1749, refer to Appendix A6.	C	N/A
25b	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.	N/A	Security was provided outside of this audit period and was confirmed by previous audit.	NT	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Mining Lease Conditions 2010</b>					
<b>Notice to Landholders</b>					
1.	<p>(a) Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	Interview with Environmental Superintendent	Not related to this audit as this is outside the audit period.	NT	N/A
<b>Environmental Harm</b>					
2.	<p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</p> <p>(A) land, air and water, and</p> <p>(B) any layer of the atmosphere, and</p>	This audit	<p>Auditor reviewed the evidence and inspected the site with reference to the EPL as described in Appendix A2.</p> <p>During the time period that this version of the ML is valid, the site had a number of non-compliance under the EPL that related to ML 1693:</p>	NC (duplicate with EPL O5.1)	Duplicate NC. Refer to conditions of EPL (O5.1).

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(C) any organic or inorganic matter and any living organism, and</p> <p>(D) human-made or modified structures and areas, and includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C).</p> <p>(ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>		<ul style="list-style-type: none"> <li>Blast event on 7 June 2021 with level 3B fume. An Official Caution (3502682) was issued by the EPA on 27 May 2022.</li> <li>Blast event on 16 December 2021 with level 3C fume emitted over the northern boundary. A Penalty Notice (3503245) was issued to the Site on 20 July 2022.</li> </ul> <p>These events have resulted in various Notices and Cautions from the EPA.</p> <p>TCM has been working according to the EPA recommendations and revised EPL conditions to mitigate some of the above issues.</p>		
<b>Mining Operations Plan</b>					
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.	Interview with Environmental Superintendent MOP (Amendment F) Notice of Approval (ref: MAAG0008427 LETT0005143)	The MOP Amendment F and G were approved by the Resources Regulator on 23 October 2020 and 13 December 2021 respectively, which showed that the Resources Regulator has considered and granted the amendments.	C	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		MOP (Amendment G) Notice of Approval (ref: MAAG0012882 LETT0006870) Annual Review (2020-2022)	Director-General acceptance of performance against the MOP reported in Annual Reviews. Based on the auditor's inspection, mining operations appear to be in accordance with the approved MOP. Refer to CoA		
3b.	<p>The MOP must:</p> <ul style="list-style-type: none"> <li>(i) identify areas that will be disturbed by mining operations;</li> <li>(ii) detail the staging of specific mining operations;</li> <li>(iii) identify how the mine will be managed to allow mine closure;</li> <li>(iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;</li> <li>(v) reflect the conditions of approval under: <ul style="list-style-type: none"> <li>• the <i>Environmental Planning and Assessment Act 1979</i></li> <li>• the <i>Protection of the Environment Operations 1997</i></li> <li>• and any other approvals relevant to the development including the conditions of the lease; and</li> <li>• have regard to any relevant guidelines adopted by the Director-General.</li> </ul> </li> </ul>	Mining Operations Plan (Amendment F and G)	<p>MOP Amendment F &amp; G covers the schedule and diagrams of rehabilitation and disturbance until the end of MOP on 1 July 2022. This includes</p> <ul style="list-style-type: none"> <li>i. Areas being disturbed during the time slices described by Plan 3A-3H, including void, rehabilitation, overburden emplacement.</li> <li>ii. The history and future operation plan of TCM are outlined in MOP Section 1, with mine and rehabilitation schedule.</li> <li>iii. MOP Amendment F Section 5.4 outlined the rehabilitation methodologies including</li> </ul>	C	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			decommissioning, landform establishment, growth media development etc.. iv. Section 3 of the MOP outlined the environmental management onsite v. Section 1.4 of the MOP listed the consents, authorisations and licences of the site which includes EPL and this MA. The specific environmental management to comply with the various approvals are listed in section 3.		
3c.	The leaseholder may apply to the Director-General to amend an approved MOP at any time.	Noted.	Noted	C	N/A
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 <i>Mining Act 1992</i> , the <i>Environmental Planning and Assessment Act 1979</i> , <i>Protection of the Environment Operations Act 1997</i> , <i>Mine Health and Safety Act 2004</i> , <i>Coal Mine Health and Safety Act 2002</i> and <i>Mine Health and Safety Regulation 2007</i> <i>Coal Mine Health and Safety Regulation 2006</i> or the <i>Occupational</i>	Noted.	Noted	C	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<i>Health and Safety Act 2000</i> ; and (ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.				
3e.	A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General.	Mining Operations Plan (Amendment F and G)	The MOP was in effect until the until the change in ML conditions on 1 July 2022.	C	N/A
<b>Non-compliance Reporting</b>					
4.	(a) The lease holder must notify the Department upon becoming aware of any breaches of the conditions of this mining lease or breaches of the Mining Act or Regulations; (b) Notifications under condition 4(a) must be provided in the form specified on the Department's website within seven (7) days of the mining lease holder becoming aware of the breach.	Not triggered	No breaches is recorded during this audit period.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>5. Environmental Incident Report</b>					
	<p>The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the Protection of the Environment Operations Act 1997.</p> <p><b>Definitions</b></p> <p><b>Environmental incident notifications and reports</b> means any notifications and reports required to be provided to relevant authorities under Part 5.7 or Part 5.7A of the <i>Protection of the Environment Operations Act 1997</i>.</p>		<p>A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community.</p> <p>TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.</p>	NC (Duplicate with EPL R2.2)	Ensure environmental incidents are notified to the Secretary within seven days of those environmental incident notifications and reports are provided to the relevant authorities.
<b>Additional Environmental Reports</b>					
6.	Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.	Not required	Not triggered	Note	N/A
<b>Rehabilitation</b>					
7.	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	Field inspection (rehabilitation areas) Mining Operations Plan (Amendment F and G) Interview: Site Environmental Superintendent	The MOP (Amendment F) includes rehabilitation planning with objectives to ensure public safety and to ensure a safe, stable, non-polluting mine site which has constructed landforms that drain to the natural environment.	C	N/A

**TABLE A4 – MINING LEASE 1693**  
**COMPLIANCE WITH MINING LEASE 1693**

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>Environmental Superintendent advised that the rehabilitation work has been aiming to reconstruct the original landform of the area.</p> <p>During site visit, auditor observed the rehabilitated area does not pose a threat to public safety. The site have been putting in effort in the rehabilitation program as described in the MOP and other documentation.</p>		

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Subsidence Management</b>					
8a.	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.	Not applicable	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	
8b.	Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar" extractions, and are otherwise defined by the <i>Applications for Subsidence Management Approvals guidelines (EDG17)</i> .	Not applicable	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	
8c.	The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the <i>Coal Mine Health &amp; Safety Act 2002</i> , or the document <i>New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09)</i> .	Not applicable	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	
8d.	Subsidence Management Plans are to be prepared in accordance with the <i>Guideline for Applications for Subsidence Management Approvals</i> .	Not applicable	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	
8e.	Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 3 and will be subject to the Environmental Management Report process as set out under Condition 4. The SMP is also subject to the	Not applicable	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	requirements for subsidence monitoring and reporting set out in the document <i>New Approval Process for Management of Coal Mining Subsidence – Policy</i> .				
<b>Working Requirement</b>					
9a.	The lease holder must:  Ensure that at least 17 competent people are efficiently employed in relation to the mining process or mining operations on the lease area.	Interview: Site Environmental Superintendent	Site Environmental Superintendent indicated in interview 170 people work on site on average.	C	N/A
9b.	Expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$297,500 per annum whilst the lease is in force.	Interview: Site Environmental Superintendent	TCM has been actively mining the leased area across the audit period in which the total expenditure on operations is well above the limit stated in this condition.	C	N/A
9.	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.	Interview: Site Environmental Superintendent	The site representative advised that the Minister did not issue any instrument to make changes under this condition.	NT	N/A
<b>Blasting</b>					
10a.	<u>Ground Vibration</u> 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,	Environmental Blast Monitoring 2020-2022	Auditor reviewed blast monitoring records. Values generally recorded to be under 1 mm/s with no record exceeding 4 mm/s.	C	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	unless determined otherwise by the Department of Environment, Climate Change and Water.				
10b.	<p><u>Blast Overpressure</u></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, Climate Change and Water.</p>	Environmental Blast Monitoring 2020-2022	Auditor reviewed blast monitoring records. Values recorded to be under the limit listed in this condition.	C	N/A
<b>Safety</b>					
11.	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.	<p>Annual Group Exploration Report (2021, 2022, 2023)</p> <p>Interview: Site Environmental Superintendent</p>	<p>The Exploration Reports noted that the drill holes were logged and capped.</p> <p>Site representative advised that the drill holes are within the footprint of the final void or will be mined through within the lease time period. Therefore no sealing is required.</p>	C	N/A
<b>Prevention of soil erosion and pollution</b>					
12.	Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution,	Interview with Environmental Superintendent	No incidents related to prospecting operations were	C	N/A

**TABLE A4 – MINING LEASE 1693**  
 COMPLIANCE WITH MINING LEASE 1693

<b>No</b>	<b>Assessment Requirement</b>	<b>Reference/ Evidence</b>	<b>Comments</b>	<b>Compliance Status</b>	<b>Recommendations</b>
	soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.	Incident notifications	noted for ML 1693 during the audit period.		

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Transmission lines, communication lines and Pipelines</b>					
13.	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions stipulated.	Interview: Site Environmental Superintendent	Site representative advised that one Telstra communication line is on the access road. No mining activities are proposed in the area and the Site did not interfere with the line.	C	N/A
<b>Roads and Tracks</b>					
14a.	The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the roads authority in making good any damage to roads or tracks caused by operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund.	Road Maintenance Agreement between Whitehaven Coal Mining Pty and Gunnedah Shire Council. Payment records Gunnedah Shire Council for road maintenance	The Development Consent requires TCM to enter into a Road Maintenance Agreement with the Gunnedah Shire Council which was signed on 5 August 2009. The agreement listed the payment for routine maintenance of the road and resealing of the roads that the site is responsible for. Payment evidence was sighted during interview with site representatives.	C	N/A
14b.	During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.	Noted	Noted	Note	
14c.	Existing access tracks should be used for all operations where reasonably practicable. New access tracks must be kept to a minimum and be positioned in order to minimise damage to the land, watercourses or vegetation	Site observations	Access tracks were observed to be kept to minimum and cause minimal damage to the surroundings. Rehabilitation is	C	N/A

**TABLE A4 – MINING LEASE 1693**  
 COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			planned once no longer required for mining operations.		
14d.	Temporary access tracks must be rehabilitated and revegetated to the satisfaction of the Director-General as soon as reasonably practicable after they are no longer required under this lease.	Not triggered	Not triggered	NT	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Trees and Vegetation</b>					
15a.	The lease holder must not fell trees, strip bark or cut timber on any land subject of this lease without the consent of the landholder who is entitled to the use of the timber.	Interview: Site Environmental Superintendent	TCM own the land and therefore, no clearing or bark stripping stated to have occurred during the audit period on ML 1693 without landholder consent.	C	N/A
15b.	The lease holder must contact Forests_ NSW and obtain any required permit, licence or approval before taking timber from any Crown land within the lease area.	Interview: Site Environmental Superintendent	Site representative advised that there are some crown land (Leard State Forest) within the site boundaries.	C	N/A
<b>Resource Recovery</b>					
17a.	Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, notice in writing to the lease holder may be given requiring the holder to recover such minerals.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
17b.	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.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A
17c.	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.	Interview: Site Environmental Superintendent	No notice has been received during the audit period.	NT	N/A
<b>Indemnity</b>					
18.	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction , maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.	Not required	Noted	Noted	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Single Security (extended)</b>					
21.	The single security given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under Mining Lease 1579 is extended to apply to this lease.	2020 IEA report	The security letter was verified during the previous audit. The security letter is valid until the change in Regulations.	C	N/A
<b>Suspension of Mining Operations</b>					
23.	The holder of a mining lease may not suspend mining operations in the mining area other than in accordance with the consent of the Minister.	Not required	Not triggered	NT	N/A
<b>Cooperation Agreement</b>					
24.	The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as: <ul style="list-style-type: none"> <li>• access arrangements</li> <li>• operational interaction procedures</li> <li>• dispute resolution</li> <li>• information exchange</li> <li>• well location</li> <li>• timing of drilling</li> <li>• potential resource extraction conflicts and</li> <li>• rehabilitation issues.</li> </ul>	Not required	Not triggered as there are no overlapping titles.	NT	N/A

TABLE A4 – MINING LEASE 1693  
COMPLIANCE WITH MINING LEASE 1693

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Exploration Reporting</b>					
	<p>Note: <u>Exploration Reports (Geological and Geophysical)</u></p> <p>The lease holder must lodge reports to the satisfaction of the Director-General in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</p> <p>Reports must be prepared in accordance with <u>Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales</u> (Department of Trade and Investment; Regional Infrastructure and Services 2010).</p>	<p>Annual Group Exploration Report (2021, 2022, 2023)</p> <p>Email receipts of annual report (dated 9 September 2021, 7 July 2022, 2 May 2023)</p>	<p>The Annual Group Exploration Report covers the exploration for four mining leases of the site. The details of the explorations were outlined in the reports. The email receipts show that the annual reports had been assessed as being satisfactorily prepared.</p> <p>Note that exploration activities has been reduced since 2021-2022 reporting period, and no field based exploration activities were undertaken on the project in 2022-2023.</p>	C	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Mining Lease Conditions</b>					
<b>Notice to Landholders</b>					
1.	<p>(a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders, 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 mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.</p>	Interview with Environmental Superintendent	Not related to this audit as this is outside the audit period.	NT	N/A
<b>Rehabilitation</b>					
2.	Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.	Field inspection (rehabilitation areas) Mining Operations Plan (Amendment F and G) Interview: Site Environmental Superintendent	The MOP (Amendment F) includes rehabilitation planning with objectives to ensure public safety and to ensure a safe, stable, non-polluting mine site which has constructed landforms that drain to the natural environment.	C	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>Environmental Superintendent advised that the rehabilitation work has been aiming to reconstruct the original landform of the area.</p> <p>During site visit, auditor observed the rehabilitated area does not pose a threat to public safety. The site have been putting in effort in the rehabilitation program as described in the MOP and other documentation.</p>		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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**Mining Operations Plan and Annual Rehabilitation Report**

3a.	The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, mining purposes and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, mining purposes and prospecting.	<p>Interview with Environmental Superintendent</p> <p>MOP (Amendment F) Notice of Approval (ref: MAAG0008427 LETT0005143)</p> <p>MOP (Amendment G) Notice of Approval (ref:</p>	<p>The MOP Amendment F and G were approved by the Resources Regulator on 23 October 2020 and 13 December 2021 respectively, which showed that the Resources Regulator has considered and granted the amendments.</p> <p>Director-General acceptance of performance against the MOP reported in Annual Reviews.</p>	C	N/A
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**TABLE A5 – MINING LEASE 1685**  
 COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		MAAG0012882 LETT0006870 Annual Review (2020-2022)	Based on the auditor's inspection, mining operations appear to be in accordance with the approved MOP. Refer to CoA		
3b.	The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which: <ol style="list-style-type: none"> <li>i. identifies areas that will be disturbed;</li> <li>ii. details the staging of specific mining operations, mining purposes and prospecting;</li> <li>iii. identifies how the mine will be managed and rehabilitated to achieve the postmining land use;</li> <li>iv. identifies how mining operations, mining purposes and prospecting will be carried out in order to prevent and or minimise harm to the environment; and</li> <li>v. reflects the conditions of approval under:                             <ul style="list-style-type: none"> <li>• the <i>Environmental Planning and Assessment Act 1979</i>;</li> <li>• the <i>Protection of the Environment Operations Act 1997</i>; and</li> <li>• any other approvals relevant to the development including the conditions of this mining lease.</li> </ul> </li> </ol>	Mining Operations Plan (Amendment F and G)	MOP Amendment F & G covers the schedule and diagrams of rehabilitation and disturbance until the end of MOP on 1 July 2022. This includes <ol style="list-style-type: none"> <li>i. Areas being disturbed during the time slices described by Plan 3A-3H, including void, rehabilitation, overburden emplacement.</li> <li>ii. The history and future operation plan of TCM are outlined in MOP Section 1, with mine and rehabilitation schedule.</li> <li>iii. MOP Amendment F Section 5.4 outlined the rehabilitation methodologies including decommissioning, landform establishment, growth</li> </ol>	C	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>media development etc..</p> <p>iv. Section 3 of the MOP outlined the environmental management onsite</p> <p>Section 1.4 of the MOP listed the consents, authorisations and licences of the site which includes EPL and this MA. The specific environmental management to comply with the various approvals are listed in section 3.</p>		
3c.	<p>The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a>.</p>	Mining Operations Plan (Amendment F and G)	Mining Operations Plan (Amendment F) Section 1 states that the document was prepared in accordance with the Mining Operations Plan (MOP) Guidelines (DTIRIS 2013).	C	N/A
3d.	The lease holder may apply to the Minister to amend an approved MOP at any time.	Noted.	Noted.	C	N/A
3e.	<p>It is not a breach of this condition if:</p> <p>i. the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations</p>	Noted.	Noted.	C	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>Act 1997, the Mine Health and Safety Act 2004 I Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007 I Coal Mine Health and Safety Regulation 2006 or the Work Health and Safety Act 2011; and</p> <p>ii. the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.</p>				
3f.	<p>The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <ul style="list-style-type: none"> <li>i. provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</li> <li>ii. be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</li> <li>iii. be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a>.</li> </ul> <p><i>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</i></p>	Annual Review (2020-2022)	The Site Annual Review detailed the progress of the rehabilitation, and the performance against the measures and criteria in the MOP.	C	N/A
<b>Non-Compliance Reporting</b>					
4.	<p>(a) The lease holder must notify the Department upon becoming aware of any breaches of the conditions of this mining lease or breaches of the Mining Act or Regulations;</p> <p>(b) Notifications under condition 4(a) must be provided in the</p>	Not triggered	No breaches is recorded during this audit period.	NT	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	form specified on the Department's website within seven (7) days of the mining lease holder becoming aware of the breach.				
<b>Environmental Incident Report</b>					
5.	<p>The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the <i>Protection of the Environment Operations Act 1997</i>.</p> <p><b>Definitions</b></p> <p><b>Environmental incident notifications and reports</b> means any notifications and reports required to be provided to relevant authorities under Part 5.7 or Part 5.7A of the <i>Protection of the Environment Operations Act 1997</i>.</p>	Interview with Environmental Superintendent Incident Notifications	<p>A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community.</p> <p>TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.</p>	NC (Duplicate with EPL (R2.2))	Ensure environmental incidents are notified to the Secretary within seven days of those environmental incident notifications and reports are provided to the relevant authorities.
<b>Extraction Plan</b>					
6a.	<p>In this condition:</p> <p>(i) approved Extraction Plan means a plan, being:</p> <p>A. an extraction plan or subsidence management plan approved in accordance with the conditions of a relevant development consent and provided to the Secretary; or</p> <p>B. a subsidence management plan relating to the mining operations subject to this lease:</p> <p>I. submitted to the Secretary on or before 31 December 2014; and</p>	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>II. approved by the Secretary.</p> <p>(ii) relevant development consent means a development consent or project approval issued under the Environmental Planning &amp; Assessment Act 1979 relating to the mining operations subject to this lease.</p> <p>.</p>				
6b.	(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A
6c.	(c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under this lease.	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A
6d.	<p>(d) The lease holder must notify the Secretary within 48 hours of any:</p> <p>(i) incident caused by subsidence which has a potential to expose any person to health and safety risks;</p> <p>(ii) significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person; or</p> <p>(iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing:</p> <p>A. built features;</p>	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A

**TABLE A5 – MINING LEASE 1685**  
COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	B. public safety; or C. subsidence monitoring.				
<b>Resource Recovery</b>					
7.	The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.	Note	Noted	Note	
<b>Group Security</b>					
8.	<p>The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining lease, including obligations of all or any kind under the mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$39,184,000.</p> <p>The leases covered by the group security include:</p> <p>Mining Lease 1579 (Act 1992)</p> <p>Mining Lease 1685 (Act 1992)</p> <p>Mining Lease 1693 (Act 1992)</p> <p>Mining Lease 1749 (Act 1992)</p>	2020 IEA report	The security letter was verified during the previous audit. The security letter is valid until the change in Regulations.	C	N/A
<b>Cooperation Agreement</b>					
9.	The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping	Not required	Not triggered as there are no overlapping titles.	NT	N/A

**TABLE A5 – MINING LEASE 1685**  
 COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> <li>• access arrangements</li> <li>• operational interaction procedures</li> <li>• dispute resolution</li> <li>• information exchange</li> <li>• well location</li> <li>• timing of drilling</li> <li>• potential resource extraction conflicts; and</li> <li>• rehabilitation issues.</li> </ul>				

**TABLE A5 – MINING LEASE 1685**  
 COMPLIANCE WITH MINING LEASE 1685

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Exploration Reporting</b>					
	<p><i>Note: <u>Exploration Reports (Geological and Geophysical)</u></i>  <i>The lease holder must lodge reports to the satisfaction of the Minister in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</i></p> <p><i>Reports must be prepared in accordance with <u>Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales</u>, (Department of Trade and Investment; Regional Infrastructure and Services 2010).</i></p>	<p>Annual Group Exploration Report (2021, 2022, 2023)</p> <p>Email receipts of annual report (dated 9 September 2021, 7 July 2022, 2 May 2023)</p>	<p>The Annual Group Exploration Report covers the exploration for four mining leases of the site. The details of the explorations were outlined in the reports. The email receipts show that the annual reports had been assessed as being satisfactorily prepared.</p> <p>Note that exploration activities has been reduced since 2021-2022 reporting period, and no field based exploration activities were undertaken on the project in 2022-2023.</p>	C	N/A

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>Mining Lease Conditions</b>					
<b>Notice to Landholders</b>					
1.	<p>(a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders, 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 mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.</p>	Interview with Environmental Superintendent	Not related to this audit as this is outside the audit period.	NT	N/A
<b>Rehabilitation</b>					
2.	Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.	Field inspection (rehabilitation areas) Mining Operations Plan (Amendment F and G)	The MOP (Amendment F) includes rehabilitation planning with objectives to ensure public safety and to ensure a safe, stable, non-polluting mine site which has constructed landforms that	C	N/A

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Interview: Site Environmental Superintendent	<p>drain to the natural environment.</p> <p>Environmental Superintendent advised that the rehabilitation work has been aiming to reconstruct the original landform of the area.</p> <p>During site visit, auditor observed the rehabilitated area does not pose a threat to public safety. The site have been putting in effort in the rehabilitation program as described in the MOP and other documentation.</p>		
<b>Mining Operations Plan and Annual Rehabilitation Report</b>					
3a.	The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, mining purposes and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, mining purposes and prospecting.	Interview with Environmental Superintendent MOP (Amendment F) Notice of Approval (ref: MAAG0008427 LETT0005143) MOP (Amendment G) Notice of Approval (ref:	The MOP Amendment F and G were approved by the Resources Regulator on 23 October 2020 and 13 December 2021 respectively, which showed that the Resources Regulator has considered and granted the amendments. Director-General acceptance of performance against the	C	N/A

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		MAAG0012882 LETT0006870)  Annual Review (2020-2022)	MOP reported in Annual Reviews.  Based on the auditor's inspection, mining operations appear to be in accordance with the approved MOP. Refer to CoA		
3b.	<p>The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <ul style="list-style-type: none"> <li>(i) identifies areas that will be disturbed;</li> <li>(ii) details the staging of specific mining operations, mining purposes and prospecting;</li> <li>(iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;</li> <li>(iv) identifies how mining operations, mining purposes and prospecting will be carried out in order to prevent and or minimise harm to the environment; and</li> <li>(v) reflects the conditions of approval under: <ul style="list-style-type: none"> <li>• the <i>Environmental Planning and Assessment Act 1979</i>;</li> <li>• the <i>Protection of the Environment Operations Act 1997</i>; and</li> <li>• any other approvals relevant to the development including the conditions of this mining lease.</li> </ul> </li> </ul>	Mining Operations Plan (Amendment F and G)	MOP Amendment F & G covers the schedule and diagrams of rehabilitation and disturbance until the end of MOP on 1 July 2022. This includes <ul style="list-style-type: none"> <li>i. Areas being disturbed during the time slices described by Plan 3A-3H, including void, rehabilitation, overburden emplacement.</li> <li>ii. The history and future operation plan of TCM are outlined in MOP Section 1, with mine and rehabilitation schedule.</li> <li>iii. MOP Amendment F Section 5.4 outlined the rehabilitation</li> </ul>	C	N/A

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>methodologies including decommissioning, landform establishment, growth media development etc..</p> <p>iv. Section 3 of the MOP outlined the environmental management onsite</p> <p>Section 1.4 of the MOP listed the consents, authorisations and licences of the site which includes EPL and this MA. The specific environmental management to comply with the various approvals are listed in section 3.</p>		
3c.	<p>The MOP must be prepared in accordance with the <i>ESG3: Mining Operations Plan (MOP) Guidelines September 2013</i> published on the Department's website at <a href="http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines">www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines</a></p>	Mining Operations Plan (Amendment F and G)	Mining Operations Plan (Amendment F) Section 1 states that the document was prepared in accordance with the Mining Operations Plan (MOP) Guidelines (DTIRIS 2013).	C	N/A
3d.	The lease holder may apply to the Minister to amend an approved MOP at any time.	Noted.	Noted.	C	N/A

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
3e.	<p>It is not a breach of this condition if:</p> <ul style="list-style-type: none"> <li>(i) the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the <i>Environmental Planning and Assessment Act 1979</i>, the <i>Protection of the Environment Operations Act 1997</i>, the <i>Work Health and Safety (Mines and Petroleum Sites) Act 2013</i> and <i>Work Health and Safety (Mines and Petroleum Sites) Regulation 2014</i> or the <i>Work Health and Safety Act 2011</i>; and <i>Work Health and Safety Regulation 2011</i>;</li> <li>(i) the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.</li> </ul>	Noted.	Noted.	C	N/A
3f.	<p>The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <ul style="list-style-type: none"> <li>(ii) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</li> <li>(iii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</li> <li>(iv) be prepared in accordance with any relevant annual reporting guidelines published on the Department’s website at <a href="http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines">www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines</a></li> </ul> <p><i>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</i></p>	Annual Review (2020-2022)	The Site Annual Review detailed the progress of the rehabilitation, and the performance against the measures and criteria in the MOP.	C	N/A

**Non-compliance reporting**

TABLE A6 – MINING LEASE 1749  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
4.	(a) The lease holder must notify the Department upon becoming aware of any breaches of the conditions of this mining lease or breaches of the Mining Act or Regulations;  (b) Notifications under condition 4(a) must be provided in the form specified on the Department's website within seven (7) days of the mining lease holder becoming aware of the breach.	Not triggered	No breaches were recorded during this audit period.	NT	N/A
<b>Environmental Incident Report</b>					
5.	The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the <i>Protection of the Environment Operations Act 1997</i> .	Interview with Environmental Superintendent Incident Notifications	A blast event on 7 June 2021 with level 3B fume contained and dissipated within the premises which triggered a complaint from a member of the community.  TCM did not report the incident to the EPA. An Official Caution was issued by the EPA on 27 May 2022.	NC (Duplicate with EPL (R2.2))	Ensure environmental incidents are notified to the Secretary within seven days of those environmental incident notifications and reports are provided to the relevant authorities.
<b>Extraction Plan</b>					
6.	(a) In this condition:  (i) <b>approved Extraction Plan</b> means a plan, being:  A. an extraction plan or subsidence management plan approved in accordance with the conditions of a relevant development consent and provided to the Secretary; or	Interview: Site Environmental Superintendent	No underground mining has commenced on the site so subsidence management is not an issue requiring management.	NT	N/A

**TABLE A6 – MINING LEASE 1749**  
 COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>B. a subsidence management plan relating to the mining operations subject to this lease:</p> <ul style="list-style-type: none"> <li>I. submitted to the Secretary on or before 31 December 2014; and</li> <li>II. approved by the Secretary.</li> </ul> <p>(ii) relevant development consent means a development consent or project approval issued under the Environmental Planning &amp; Assessment Act 1979 relating to the mining operations subject to this lease.</p> <p>(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.</p> <p>(c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under this lease.</p> <p>(d) The lease holder must notify the Secretary within 48 hours of any:</p> <ul style="list-style-type: none"> <li>(i) incident caused by subsidence which has a potential to expose any person to health and safety risks;</li> <li>(ii) significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person; or</li> <li>(iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing:             <ul style="list-style-type: none"> <li>A. built features;</li> </ul> </li> </ul>				

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	B. public safety; or C. subsidence monitoring.				
<b>Resource Recovery</b>					
7.	The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.	Note	Noted	Note	
<b>Group Security</b>					
8.	<p>The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining lease, including obligations of all or any kind under the mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security has been assessed by the Minister at <b>\$21,150,000</b>.</p> <p>The leases covered by the group security include:</p> <p><b>Mining Lease 1579, Mining Lease 1685 and Mining Lease 1693 (Act 1992)</b></p> <p>This group security is extended to apply to this lease.</p>	2020 IEA report	The security letter was verified during the previous audit. The security letter is valid until the change in Regulations.	C	N/A
<b>Cooperation Agreement</b>					
9.	<p>The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> <li>access arrangements</li> <li>operational interaction procedures</li> <li>dispute resolution</li> </ul>	Not required	Not triggered as there are no overlapping titles.	NT	N/A

**TABLE A6 – MINING LEASE 1749**  
COMPLIANCE WITH MINING LEASE 1749

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> <li>• information exchange</li> <li>• well location</li> <li>• timing of drilling</li> <li>• potential resource extraction conflicts; and</li> <li>• rehabilitation issues.</li> </ul>				
<b>Exploration Reporting</b>					
	<p><i>Note: <u>Exploration Reports (Geological and Geophysical)</u></i></p> <p><i>The lease holder must lodge reports to the satisfaction of the Minister in accordance with section 163C of the Mining Act 1992 and in accordance with clause 59 of the Mining Regulation 2016.</i></p> <p><i>Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.</i></p> <p><b>SPECIAL CONDITIONS</b></p> <p>Note: The standard conditions apply to all mining leases. The Division of Resources &amp; Geoscience (DRG) reserves the right to impose special conditions, based on individual circumstances, where appropriate.</p>	<p>Annual Group Exploration Report (2021, 2022, 2023)</p> <p>Email receipts of annual report (dated 9 September 2021, 7 July 2022, 2 May 2023)</p>	<p>The Annual Group Exploration Report covers the exploration for four mining leases of the site. The details of the explorations were outlined in the reports. The email receipts show that the annual reports had been assessed as being satisfactorily prepared.</p> <p>Note that exploration activities has been reduced since 2021-2022 reporting period, and no field based exploration activities were undertaken on the project in 2022-2023.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<b>SCHEDULE B – Standard Conditions</b>					
<b>Division 1 - Protection of the environment and rehabilitation</b>					
4	<p><b>Must prevent or minimise harm to environment</b></p> <p>(1) The holder of a mining lease must take all reasonable measures to prevent, or if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease.</p> <p>(2) In this clause—</p> <p><b>harm</b> to the environment has the same meaning as in the Protection of the Environment Operations Act 1997.</p>	This audit	Refer to the findings of this audit.	C	N/A
5	<p><b>Rehabilitation to occur as soon as reasonably practicable after disturbance</b></p> <p>The holder of a mining lease must rehabilitate land and water in the mining area that is disturbed by activities under the mining lease as soon as reasonably practicable after the disturbance occurs.</p>	<p>Annual Reviews 2020, 2021, 2022</p> <p>Rehabilitation Management Plan, 28-12-2022</p> <p>Forward Program, 7-3-2023</p>	The rehabilitation at the mine is an ongoing process, which based on ERM's observations and a review of relevant Annual Reviews from the audit period appears to be being undertaken generally in accordance with EA rehabilitation strategy; the EA, and the Rehabilitation Management Plan and Forward Program.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
6	<p><b>Rehabilitation must achieve final land use</b></p> <p>(1) The holder of a mining lease must ensure that rehabilitation of the mining area achieves the final land use for the mining area.</p> <p>(2) The holder of the mining lease must ensure any planning approval has been obtained that is necessary to enable the holder to comply with subclause (1).</p> <p>(3) The holder of the mining lease must identify and record any reasonably foreseeable hazard that presents a risk to the holder's ability to comply with subclause (1).</p> <p><b>Note—</b></p> <p>Clause 7 requires a rehabilitation risk assessment to be conducted whenever a hazard is identified under this subclause.</p> <p>(4) In this clause—</p> <p><b>final land use</b> for the mining area means the final landform and land uses to be achieved for the mining area—</p> <p>(a) as set out in the rehabilitation objectives statement and rehabilitation completion criteria statement, and</p> <p>(b) for a large mine—as spatially depicted in the final landform and rehabilitation plan, and</p> <p>(c) if the final land use for the mining area is required by a condition of development consent for activities under the mining lease—as stated in the condition.</p> <p><b>planning approval</b> means—</p> <p>(a) a development consent within the meaning of</p>	<p>Annual Reviews 2020, 2021, 2022</p> <p>Rehabilitation Management Plan 28-12-2022</p> <p>Forward Program 7-3-2023</p> <p>PA 11_0047</p>	<p>(1) TCM is undertaking rehabilitation in line with the Rehabilitation Plan to achieve final land use.</p> <p>(2) PA 11_0047</p> <p>(3) Rehabilitation Management Plan contains the risk assessment as required.</p> <p>(4) Note</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	the <a href="#">Environmental Planning and Assessment Act 1979</a> , or (b) an approval under that Act, Division 5.1.				
<b>Division 2 - Risk assessment</b>					
7	<p><b>Rehabilitation risk assessment</b></p> <p>(1) The holder of a mining lease must conduct a risk assessment (a <b>rehabilitation risk assessment</b>) that—</p> <p>(a) identifies, assesses and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease—</p> <p>(i) the rehabilitation objectives,</p> <p>(ii) the rehabilitation completion criteria,</p> <p>(iii) for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan, and</p> <p>(b) identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks.</p> <p>(2) The holder of the mining lease must implement the measures identified.</p> <p>(3) The holder of a mining lease must conduct a rehabilitation risk assessment—</p> <p>(a) for a large mine—before preparing a rehabilitation management plan, and</p>	<p>Rehabilitation Management Plan 28-12-2022, includes Risk Assessment</p> <p>Interviews with environmental personnel</p> <p>Site Observations</p>	<p>(1) The Rehabilitation Management Plan (RMP) includes the requirements for (1 a and b). Note, (1a-ii) rehabilitation completion criteria to be prepared and submitted once rehabilitation objectives are approved.</p> <p>(2) TCM stated are implementing measures to eliminate, minimise or mitigate the risks. This will be reported in future Annual Rehabilitation Reports.</p> <p>(3) Risk Assessment carried out prior to preparation of RMP as per (a) – large mine (Tarrawonga is classed as large mine) and will update as required as per (c) and (d).</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(b) for a small mine—before preparing the rehabilitation outcome documents for the mine, and</p> <p>(c) whenever a hazard is identified under clause 6(3)—as soon as reasonably practicable after it is identified, and</p> <p>(d) whenever given a written direction to do so by the Secretary.</p>				

### Division 3 - Rehabilitation documents

8	<p><b>Application of Division</b></p> <p>This Division does not apply to a mining lease unless—</p> <p>(a) the security deposit required under the mining lease is greater than the minimum deposit prescribed under the Act, section 261BF in relation to that type of mining lease, or</p> <p>(b) the Secretary gives a written direction to the holder of the mining lease that this Division, or a provision of this Division, applies to the mining lease.</p>	Security deposit calculations	Security deposits required under the mining leases are greater than minimum deposits prescribed under the Act, section 261BF. Therefore, the Division (for Rehabilitation documents) applies.	C	N/A
9	<p><b>General requirements for documents</b></p> <p>A document required to be prepared under this Division must—</p> <p>(a) be in a form approved by the Secretary, and</p> <p><b>Note—</b></p> <p>The approved forms are available on the Department's</p>	<p>Rehabilitation Management Plan 28-12-2022</p> <p>Forward Program 7-3-2023</p> <p>Rehabilitation Outcome</p>	Documents observed to be in required format and submitted as required.	C	N/A

	<p>website.</p> <p>(b) include any matter required to be included by the form, and</p> <p>(c) if required to be given to the Secretary—be given in a way approved by the Secretary.</p>	Documents submitted via online portal			
10	<p><b>Rehabilitation management plans for large mines</b></p> <p>(1) The holder of a mining lease relating to a large mine must prepare a plan (a <b>rehabilitation management plan</b>) for the mining lease that includes the following—</p> <p>(a) a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area,</p> <p>(b) a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation,</p> <p>(c) a summary of rehabilitation risk assessments conducted by the holder,</p> <p>(d) the risk control measures identified in the rehabilitation risk assessments,</p> <p>(e) the rehabilitation outcome documents for the mining lease,</p> <p>(f) a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored.</p> <p>(2) If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must include a proposed version of the document.</p> <p>(3) A rehabilitation management plan is not required to be</p>	<p>Rehabilitation Management Plan 28-12-2022</p> <p>Forward Program 7-3-2023</p> <p>Rehabilitation Outcome Documents</p>	<p>(1) Rehabilitation Management Plan covers the current listed requirements for (a) to (f).</p> <p>(2) TCM prepared a proposed version of the Rehabilitation Management Plan prior to submitting rehabilitation outcome documents for approval by the Secretary. Approval from the Secretary of the rehabilitation outcome documents has not yet been issued.</p> <p>(3) Noted</p> <p>(4) TCM is implementing the matters set out in the Rehabilitation Management Plan and Forward Program as per (a) and (b).</p>	C	N/A

	<p>given to the Secretary for approval.</p> <p>(4) The holder of the mining lease—</p> <p>(a) must implement the matters set out in the rehabilitation management plan, and</p> <p>(b) if the forward program specifies timeframes for the implementation of the matters—must implement the matters within those timeframes.</p>				
11	<p><b>Amendment of rehabilitation management plans</b></p> <p>The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows—</p> <p>(a) to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary—within 30 days after the document is approved,</p> <p>(b) as a consequence of an amendment made under clause 14 to a rehabilitation outcome document—within 30 days after the amendment is made,</p> <p>(c) to reflect any changes to the risk control measures in the prepared plan that are identified in a rehabilitation risk assessment—as soon as practicable after the rehabilitation risk assessment is conducted,</p> <p>(d) whenever given a written direction to do so by the Secretary—in accordance with the direction.</p>	<p>Rehabilitation Management Plan 28-12-2022</p> <p>Interviews with environmental personnel</p>	<p>(a) Not Triggered as rehabilitation outcome documents not yet approved by Secretary.</p> <p>(b) NT as no amendment made under Condition 14.</p> <p>(c) NT as no changes to risk control measures within audit period.</p> <p>(d) NT as not been directed to do so by Secretary.</p>	NT	N/A
12	<p><b>Rehabilitation outcome documents</b></p> <p>(1) The holder of a mining lease must prepare the following documents (the <b>rehabilitation outcome documents</b>) for the mining lease and give them to the Secretary for approval—</p> <p>(a) the <b>rehabilitation objectives statement</b>, which sets</p>	<p>Rehabilitation Management Plan 28-12-2022</p> <p>Tarrawonga Rehabilitation Objectives</p>	<p>(1a) Rehabilitation objectives statement was submitted which sets out rehabilitation objectives.</p> <p>(1b) Not Triggered – Rehabilitation completion</p>	C	N/A

	<p>out the rehabilitation objectives required to achieve the final land use for the mining area,</p> <p>(b) the <b>rehabilitation completion criteria statement</b>, which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives,</p> <p>(c) for a large mine, the <b>final landform and rehabilitation plan</b>, showing a spatial depiction of the final land use.</p> <p>(2) If the final land use for the mining area is required by a condition of development consent for activities under the mining lease, the holder of the mining lease must ensure the rehabilitation outcome documents are consistent with that condition.</p>	<p>Statement – spreadsheet. ROBJ submitted via online portal, 29-7-2022.</p>	<p>criteria statement no yet required as first need objectives statement to be approved by Secretary.</p> <p>(1c) included in RMP and submitted via online portal.</p> <p>(2) Final land use is consistent with conditions of development consent with spatial data submitted.</p>		
13	<p><b>Forward program and annual rehabilitation report</b></p> <p>(1) The holder of a mining lease must prepare a program (a <b>forward program</b>) for the mining lease that includes the following—</p> <p>(a) a schedule of mining activities for the mining area for the next 3 years,</p> <p>(b) a summary of the spatial progression of rehabilitation through its various phases for the next 3 years,</p> <p>(c) a requirement that the rehabilitation of land and water disturbed by mining activities under the mining lease must occur as soon as reasonably practicable after the disturbance occurs.</p> <p>(2) The holder of a mining lease must prepare a report (an <b>annual rehabilitation report</b>) for the mining lease that includes—</p> <p>(a) a description of the rehabilitation undertaken over the</p>	<p>Forward Program, 7-3-2023</p> <p>Annual Rehabilitation Report, 7-3-2023</p>	<p>(1) Forward Program includes 3-year schedule for mining activities (a), a summary of spatial progression for phases in the 3-year period (b) and the requirement for rehabilitation to occur as soon as reasonably practicable (c).</p> <p>(2) Annual Rehabilitation Report covering the period of 1 January 2022 to 31 December 2022 was prepared and covers requirements of (a) to (c). Note, report is generated automatically following submission of data to online portal.</p>	C	N/A

	<p>annual reporting period,</p> <p>(b) a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the reporting period,</p> <p>(c) a report demonstrating progress made towards the achievement of the following—</p> <p>(i) the objectives set out in the rehabilitation objectives statement,</p> <p>(ii) the criteria set out in the rehabilitation completion criteria statement,</p> <p>(iii) for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan.</p> <p>(3) If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must rely on a proposed version of the document.</p> <p>(4) The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.</p> <p>(5) In this clause—</p> <p><b>annual reporting period</b> means each period of 12 months commencing on—</p> <p>(a) the date on which the mining lease is granted, or</p> <p>(b) if the Secretary approves another date in relation to the mining lease—the other date.</p>		<p>(3) Rehabilitation Outcome Document not yet approved by the Secretary so TCM relying upon proposed version.</p> <p>(4) Forward Program and Annual Rehabilitation Report submitted to Secretary via online portal.</p> <p>(5) Noted.</p>		
14	<p><b>Amendment of rehabilitation outcome documents and forward program</b></p> <p>(1) This clause applies to—</p> <p>(a) a rehabilitation outcome document if it has been</p>	<p>Forward Program, 29-07-2022</p> <p>Forward Program, 7-3-2023</p>	<p>(1a) NT - Rehabilitation outcome document not yet approved.</p> <p>(1b) The Forward Program date changes are only</p>	C	N/A

	<p>approved by the Secretary, and</p> <p>(b) a forward program if it has been given to the Secretary.</p> <p>(2) The holder of a mining lease must not amend a document to which this clause applies that relates to the mining lease unless—</p> <p>(a) the Secretary gives the holder a written direction to do so, or</p> <p>(b) the Secretary, on written application by the holder, gives a written approval of the amendment.</p> <p>(3) The holder of the mining lease must amend the document in accordance with the Secretary’s direction or approval.</p> <p>(4) Nothing in this clause prevents the holder of a mining lease preparing a draft amendment for submission to the Secretary for approval.</p>		<p>administrative to align reporting timeframes. The legislation requiring Forward Programs to be developed and submitted came into effect at the end of June 2022 and required TCM to submit the Forward program within 30 days. Therefore, the original Forward Program was submitted 29 July 2022.</p> <p>First submission of the Forward program was based on calendar year backdated from 1 Jan 2022 to Dec 2024 in line with DPE reporting year.</p> <p>The Forward Program requires annual submission – after the first reporting period based on the Calendar Year 2022, hence update submission on 7 March 2023.</p> <p>(2 – 4) Noted</p>		
15	<p><b>Times at which documents must be prepared and given</b></p> <p>(1) The holder of a mining lease must do the following before the end of the initial period—</p> <p>(a) prepare a rehabilitation management plan, and</p> <p>(b) prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and</p>	<p>Rehabilitation Management Plan 28-12-2022</p> <p>Forward Program 7-3-2023</p> <p>Tarrawonga Rehabilitation Objectives</p>	<p>(1a) A proposed Rehabilitation Management Plan has been prepared as required.</p> <p>b) Rehabilitation outcome documents have been prepared and submitted to Secretary for approval. At this stage this comprises a</p>	C	N/A

<p>(c) prepare a forward program and give it to the Secretary.</p> <p>(2) The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before—</p> <p>(a) 60 days after the last day of each annual reporting period, commencing with the annual reporting period in which the forward program was given to Secretary under subclause (1)(c), or</p> <p>(b) a later date approved by the Secretary.</p> <p>(3) A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary.</p> <p>(4) The holder of the mining lease must prepare updated rehabilitation outcome documents for the mining lease and give them to the Secretary for approval before—</p> <p>(a) 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or</p> <p>(b) a later date approved by the Secretary.</p> <p>(5) A rehabilitation completion criteria statement is not required to be given to the Secretary under subclause (4) unless a rehabilitation completion criteria statement has already been given to the Secretary under subclause (3).</p> <p>(6) The Secretary may, by written notice, direct the holder of a mining lease to prepare, or give to the Secretary, a document required to be prepared under this Division at a time other than that specified in this clause.</p> <p>(7) The holder of the mining lease must comply with the direction.</p>	<p>Statement – spreadsheet. ROBJ submitted via online portal, 29-7-2022.</p>	<p>rehabilitation objectives statement only. Once that is approved TCM will need to submit the rehabilitation completion criteria statement.</p> <p>c) Prepared Forward Program and submitted to Secretary.</p> <p>(2) Forward Program and Annual Rehabilitation Report prepared and submitted within stated period.</p> <p>(3) Not yet triggered. Rehabilitation completion criteria to be submitted once Rehabilitation Objectives Statement is approved.</p> <p>(4-8) Noted</p>		
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	<p>(8) In this clause—</p> <p><b>initial period</b> means the period commencing when the mining lease is granted and ending—</p> <p>(a) 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or</p> <p>(b) if this Division applies to the mining lease because of an increase in the required security deposit—</p> <p>(i) when the surface of the mining area is disturbed by activities under the mining lease, or</p> <p>(ii) at a later date approved by the Secretary.</p>				
16	<p><b>Certain documents to be publicly available</b></p> <p>(1) This clause applies to the following documents—</p> <p>(a) a rehabilitation management plan,</p> <p>(b) a forward program,</p> <p>(c) an annual rehabilitation report.</p> <p>(2) The holder of a mining lease must make a document to which this clause applies publicly available by—</p> <p>(a) publishing it on its website in a prominent position, or</p> <p>(b) if the holder does not have a website— providing a copy of it to a person—</p> <p>(i) on the written request of a person, and</p> <p>(ii) without charge, and</p> <p>(iii) within 14 days after the request is received.</p> <p>(3) If a document is published on the website of the holder of the mining lease, the holder must ensure that it is</p>	<p>Viewed on TCM website.</p> <p>Interviews with environmental personnel</p>	<p>It was noted during the audit site component that the Annual Rehabilitation Report, 7-3-2023 was at the time not on the website. Therefore, it was not published within 14 days as per (3b).</p> <p>Upon becoming aware of this, TCM published the report to the website and entered a notification reminder into the CMO. TCM also notified the department that report was not published within stated time period.</p> <p>It was noted that report though had been submitted to the NSW Resources Regulator as required.</p>	NC	<p>Recommend TCM maintain notification reminder within CMO to ensure all required documents are published to the website in accordance with this condition.</p> <p>No further action required.</p>

<p>published—</p> <p>(a) for a rehabilitation management plan—within 14 days after it is prepared or amended, or</p> <p>(b) for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended,</p> <p>(4) Personal information within the meaning of the <a href="#">Privacy and Personal Information Protection Act 1998</a> is not required to be included in a document made available to a person under this clause.</p>		<p>Rehabilitation Management Plan 28-12-2022 on website.</p> <p>Forward Program Forward Program 7-3-2023 on website.</p>		
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**Division 4 - Records, reporting and notification**

17	<p><b>Records demonstrating compliance</b></p> <p>The holder of a mining lease must create and maintain records of all actions taken that demonstrate compliance with each of the conditions set out in this Part.</p> <p><b>Note—</b></p> <p>The Act, sections 163D and 163E provide for the form in which records must be kept and the period for which they must be retained.</p>	<p>Annual Reviews</p> <p>Annual Returns</p> <p>CMO Compliance Management Software</p> <p>Interview with environmental personnel</p>	<p>Internal CMO compliance management software is used for creating and maintaining records of actions to demonstrate compliance.</p> <p>Compliance status is reported through Annual Reviews.</p> <p>The auditor reviewed the CMO compliance management action records that demonstrate compliance during the audit.</p>	C	N/A
18	<p><b>Report on non-compliance</b></p> <p>(1)The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with—</p>	<p>Interviews with environmental personnel.</p>	<p>Site personnel stated no non-compliances during the audit period that this ML with</p>	C	N/A

	<p>(a) a condition of the mining lease, or</p> <p><b>Note—</b></p> <p>The Act, section 364A contains provisions relating to the use and disclosure of information provided under this condition.</p> <p>(b) a requirement of the Act or this Regulation relating to activities under the mining lease.</p> <p>(2) The holder of the mining lease must provide the report within 7 days after becoming aware of the non-compliance.</p> <p>(3) The holder of the mining lease must ensure the report—</p> <p>(a) identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and</p> <p>(b) describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and</p> <p>(c) describes the causes or likely causes of the non-compliance, and</p> <p>(d) describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance.</p>		<p>Standard Conditions was in force.</p> <p>Upon identification (on 26-7-2023) of the Annual Rehabilitation Report not being published to the website in accordance with condition 16,3.c TCM stated they would notify the Minister as per this condition.</p>		
19	<p><b>Nominated contact person</b></p> <p>(1) The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary</p>	<p>Confirmation of Nominated Contact Person email from NSW Resources</p>	<p>Contact person is - Daryl Robinson, nomination reference NCP0001061</p>	C	N/A

<p>can communicate in relation to the mining lease for the purposes of the Act.</p> <p><b>Note—</b></p> <p>The Act, section 383 sets out the ways in which notices or other documents may be issued or given to, or served on, a person for the purposes of the Act.</p> <p>(2) The holder of the mining lease must give written notice to the Secretary of—</p> <p>(a) the full name and contact details of the nominated person—within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and</p> <p>(b) any change in nomination or in the nominated person’s contact details—within 28 days after the change occurs.</p> <p>(3) The holder of the mining lease must ensure that the contact details for the nominated person include the person’s phone number and postal and email addresses.</p>	<p>Regulator 13-07-2023</p>			
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**Division 5 - Applications relating to development consent**

<p>20</p>	<p><b>Additional requirements—application for or to modify development consent</b></p> <p>(1) The holder of a mining lease must give written notice to the Secretary within 10 days after—</p> <p>(a) making an application for development consent that relates to the mining area, or</p> <p>(b) making an application for modification of a</p>	<p>PA 11_0047</p>	<p>The most recent modification (Mod 9) to the development consent was in May 2021 – prior to the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the <i>Mining</i></p>	<p>NT</p>	<p>N/A</p>
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	<p>development consent—</p> <p>(i) under the <a href="#">Environmental Planning and Assessment Act 1979</a>, section 4.55(2), and</p> <p>(ii) that proposes to modify a condition of the consent that relates to rehabilitation of the mining area in a way that may affect an obligation under the mining lease relating to rehabilitation of the mining area.</p> <p>(2) This clause does not apply if the development is State significant development.</p>		<p><i>Regulation 2016</i> taking effect from 2-07-2022.</p> <p>As there were no modifications to the development consent during the period this ML (with Standard Conditions) was in force, this condition is not triggered.</p>		
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**General Conditions**

1	<p><b>1. Notice to Landholders</b></p> <p>(a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing:</p> <p>(i) that this mining lease has been granted or renewed; and</p> <p>(ii) whether the lease includes the surface.</p> <p>The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area.</p> <p>(b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.</p>	Interview with Environmental personnel.	TCM stated all land within these Tarrawonga Mining Leases is owned by Whitehaven Coal.	C	N/A
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2	<p><b>Group Security</b></p> <p>The security deposit to be provided and maintained for this mining lease is part of a group security deposit.</p> <p>The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security deposit has been assessed at <b>\$ \$49,375,000</b>.</p> <p>The leases covered by the group security include this <b>ML 1579</b> and: <b>ML 1693, ML 1685 &amp; ML 1749</b></p>	<p>Deed of Security Deposit Bond – ML 1579, 1693, 1685 and 1749.</p> <p>NSW Resources Regulator Notification of Assessment for security deposit, 23-10-2020.</p> <p>Resources Regulator Notification of Assessment for security deposit, 23-6-2023.</p>	<p>Deed of Security Deposit Bond viewed for amount stipulated in Mining Leases of \$49,375,000.</p> <p>It was noted during the audit that the NSW Resources Regulator recently (23-6-2023) notified TCM of an increase in the assessed deposit requirements to \$59,550,000, an increase of \$10,175,000 over the amount previously held by the Department of regional NSW. Due date for this hadn't been reached during the audit period.</p>	C	N/A
3	<p><b>Cooperation Agreement</b></p> <p>The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the <i>Mining Act 1992</i> and petroleum titles issued under the <i>Petroleum (Onshore) Act 1991</i>. The cooperation agreement should address but not be limited to:</p> <ul style="list-style-type: none"> <li>• access arrangements</li> <li>• operational interaction procedures</li> <li>• dispute resolution</li> <li>• information exchange</li> <li>• well location</li> </ul>	<p>Interview with Environmental personnel.</p> <p>NSW Dep of Mining, Exploration and GeoScience MinView mapping</p>	<p>A review of MinView confirmed that Santos titles overlaps part of Tarrawonga.</p> <p>TCM advised that discussions on a draft agreement with Santos are ongoing between the parties.</p>	C	N/A

	<ul style="list-style-type: none"> <li>• timing of drilling</li> <li>• potential resource extraction conflicts; and</li> <li>• rehabilitation issues.</li> </ul>				
4	<p><b>Assessable Prospecting Operations</b></p> <p>(a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless:</p> <p>(i) it is carried out in accordance with any necessary development consent; or</p> <p>(ii) if development consent is not required, the prior written approval of the Minister has been obtained.</p> <p>(b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval.</p> <p>(c) An approval granted by the Minister under this condition may be granted subject to terms.</p> <p>(d) The lease holder must comply with the approval granted to the holder under this condition.</p>	Interview with Environmental personnel.	TCM stated no prospecting operations have been carried out within the audit period.	NT	N/A
<b>Special Conditions</b>					
	Nil				

## **APPENDIX B    AUDIT TEAM ENDORSEMENT**

Megan Martin  
Environmental Superintendent  
Tarrawonga Coal Mine  
Whitehaven Coal Limited  
Kamilaroi Country

By email only: [TAR-approval@whitehavencoal.com.au](mailto:TAR-approval@whitehavencoal.com.au)

15/05/2023

Dear Mrs Martin

**Tarrawonga Coal Mine (MP11\_0047)  
Auditor endorsement request**

Reference is made to your post approval matter, MP11\_0047-PA-61, request for the Planning Secretary's approval of suitably qualified, experienced, and independent persons to conduct the 2023 Independent Environmental Audit of the Tarrawonga Coal Mine, submitted as required by Schedule 5, Condition 10 of MP11\_0047 as modified (the approval) to the Department of Planning and Environment (the department) on 27 April 2023.

The department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified, experienced, and independent. Consequently, in accordance with Schedule 5, Condition 10 of the approval and the department's *Independent Audit Post Approval Requirements* (2020), the Planning Secretary has agreed to the following audit team:

- Mr Andrew Lewis – Lead Auditor
- Ms Leanne Lee – Support Auditor
- Ms Heather McKay – Project Manager
- Mr Oliver Moore – Technical Oversight

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the department's *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

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

Yours sincerely



Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

## **APPENDIX C    CONSULTATION**



AREQ0042697

Mr Andrew Lewis  
ERM  
Level 9  
260 Queen Street  
Brisbane QLD 4000

By email: Andrew.Lewis@erm.com

Dear Mr Lewis,

**Subject: Tarrawonga Coal Mine – Independent Environmental Audit**

Thank you for your email dated 10 July 2023 requesting consultation on the independent environmental audit to be undertaken of the Tarrawonga Coal Mine which is covered by the following mining leases.

- ML1579 (1992)
- ML1685 (1992)
- ML1693 (1992)
- ML1749 (1992)

The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 3 mining leases that comprise the Tarrawonga Coal Mine have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.

The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice. It would be appreciated if a copy of the final audit report could be sent to the Regulator at [nswresourcesregulator@service-now.com](mailto:nswresourcesregulator@service-now.com) upon completion of the audit.

Yours sincerely

**Jenny Ehmsen**  
Principal Compliance Auditor  
10 July 2023

**From:** [David Ross - VUCA Strategist](#)  
**To:** [Andrew Lewis](#)  
**Subject:** RE: Whitehaven - Tarrawonga Independent Environmental Audit  
**Date:** Friday, 21 July 2023 2:47:14 PM  
**Attachments:** [image001.png](#)

You don't often get email from david.ross@phoenixstrategic.com.au. [Learn why this is important](#)

**EXTERNAL MESSAGE**

Hi Andrew,

Despite my pushing, a comment on the audit from a committee member has literally just arrived as follows:

“Tarrawonga Coal Mine Independent Environmental audit inclusions

The community requests that the following be included in the Audit:

1. the Peer review of the BTM water model;
2. a review of and comparison between the Namoi alluvium aquifer boundaries claimed by Tarrawonga mine compared to the State govt and how the mine footprint correlates;
3. the impacts from mining on water in the absence of installation of a permeability barrier;
4. the wasting of water with aerating;
5. details of the collection and recording of data for Bore TA65
6. Climate modelling in place and the means of accounting for a range of climatic conditions;
7. Basis and robustness of Greenhouse Gas (GHG) emissions modelling in light of climate change and the social cost the project is having, and will continue to have, on the community under different climate scenarios:
8. An acknowledgement that the mine was non-compliant regarding the management and burial of tyres prior to the EPL change; what meaningful action is being undertaken to monitor tyre burials
9. Compliance and evidence of commitment to waste tyres recycling, what meaningful action is being undertaken to engage in recycling;
10. Community Consultative committee timeliness and ability to respond to questions and transparency to community; the provision to the community of environmental information and modification engagement;
11. supplying of documents in a timely manner to government departments for review and assessment;
12. ability to work with other mining operations in the area to assess cumulative impacts of environmental factors;
13. adherence to principles of ecological sustainable development in management plans

and

14. ability to work with regulators in a timely fashion.

Could we be given access to the completed review for comment before it is sent to the department (as I understand has happened in the past)?”

Regards

David

---

**From:** Andrew Lewis <andrew.lewis@erm.com>  
**Sent:** Monday, July 10, 2023 12:45 PM  
**To:** David Ross - VUCA Strategist <david.ross@phoenixstrategic.com.au>  
**Subject:** Whitehaven - Tarrawonga Independent Environmental Audit

Hi David,

I am writing to provide a reminder that we will be undertaking the Independent Environmental Audit for Tarrawonga Coal Project shortly.

As per the email below, we invite you to provide comment on the Terms of Reference (attached) by which we shall be conducting the audit.

If you have any comments, could you please provide by Thursday, 20 July.

Regards,

Andrew Lewis  
Managing Consultant

**ERM**  
Level 9, 260 Queen St | Brisbane | QLD 4000  
**T** +61 (0) 7 3007 8477 **M** +61 488 166 325  
**E** [Andrew.Lewis@erm.com](mailto:Andrew.Lewis@erm.com) | **W** [www.erm.com](http://www.erm.com)



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**From:** [Joel Curran](#)  
**To:** [Andrew Lewis](#)  
**Cc:** [Megan Martin](#); [James Epstein](#)  
**Subject:** RE: Whitehaven - Tarrawonga Independent Environmental Audit  
**Date:** Monday, 10 July 2023 2:57:11 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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**EXTERNAL MESSAGE**

Hi Andrew

Thanks for getting in touch.

A couple of points to make following a review of your terms of reference.

- The department's *Independent Audit Post Approval Requirements* (2020) require:
  - Submission of the Independent Audit Report and proponent's response to audit findings within 2 months of undertaking the site inspection.
  - Only the compliance status descriptors 'Compliant', 'Non-compliant', or 'Not-triggered' are to be used.
- The department requests a focus on the adequacy and implementation of the Air Quality and Greenhouse Gas Management Plan.

Regards

**Joel Curran**  
**Senior Compliance Officer**

Development Assessment | Department of Planning and Environment  
**T** 02 4904 2702 | **M** 0412 323 331 | **E** [joel.curran@planning.nsw.gov.au](mailto:joel.curran@planning.nsw.gov.au)  
PO Box 1226 | Newcastle NSW 2300

Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



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

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

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

---

**From:** andrew.lewis@erm.com <andrew.lewis@erm.com>  
**Sent:** Monday, July 10, 2023 12:44 PM

**To:** Joel Curran <Joel.Curran@planning.nsw.gov.au>  
**Cc:** Megan Martin <MMartin@whitehavencoal.com.au>  
**Subject:** Whitehaven - Tarrawonga Independent Environmental Audit

Hi Joel,

I am writing to provide a reminder that we will be undertaking the Independent Environmental Audit for Tarrawonga Coal Project shortly.

As per the email below, we invite you to provide comment on the Terms of Reference (attached) by which we shall be conducting the audit.

If you have any comments, could you please provide by Thursday, 20 July.

Regards,

Andrew Lewis  
Managing Consultant

**ERM**

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E [Andrew.Lewis@erm.com](mailto:Andrew.Lewis@erm.com) | W [www.erm.com](http://www.erm.com)



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**From:** [Michelle Henry](#)  
**To:** [Andrew Lewis](#)  
**Subject:** RE: Whitehaven - Tarrawonga Independent Environmental Audit  
**Date:** Monday, 24 July 2023 1:55:02 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)

**EXTERNAL MESSAGE**

Good afternoon Andrew,

Thanks for your email and the opportunity to review and provide feedback.

Following review of the document provided, Council is generally satisfied with the Terms of Reference as supplied.

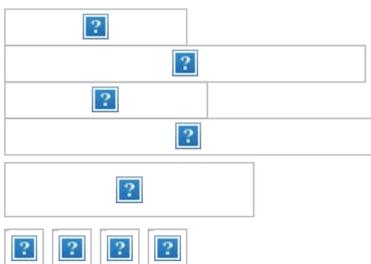
It would also be appreciated if the following items could also be considered/focused on:

- Waste management, particularly waste tyre management given the ongoing community interest.
- Biosecurity (weeds) management given the nature of the current season and ongoing flow on from recent flooding impacts.

Apologies for delay in getting back to you on this matter.

Please let me know if you require anything further.

Kind Regards,



**From:** Andrew Lewis <[andrew.lewis@erm.com](mailto:andrew.lewis@erm.com)>  
**Sent:** Friday, July 21, 2023 3:37 PM  
**To:** Michelle Henry <[michelleh@narrabri.nsw.gov.au](mailto:michelleh@narrabri.nsw.gov.au)>  
**Subject:** FW: Whitehaven - Tarrawonga Independent Environmental Audit

Hi Michelle,

This is a reminder as per the email below that we are undertaking the IEA for Tarrawonga next week and if you have any comments on the attached ToR to please provide by Monday the 24<sup>th</sup>.

Regards,

Andrew Lewis  
Managing Consultant

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E Andrew.Lewis@erm.com | W [www.erm.com](http://www.erm.com)



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**From:** Andrew Lewis  
**Sent:** Monday, July 10, 2023 12:42 PM  
**To:** [michelleh@narrabri.nsw.gov.au](mailto:michelleh@narrabri.nsw.gov.au)  
**Cc:** Megan Martin <[MMartin@whitehavencoal.com.au](mailto:MMartin@whitehavencoal.com.au)>  
**Subject:** Whitehaven - Tarrawonga Independent Environmental Audit

Hi Michelle,

I am writing to provide a reminder that we will be undertaking the Independent Environmental Audit for Tarrawonga Coal Project shortly.

As per the email below, we invite you to provide comment on the Terms of Reference (attached) by which we shall be conducting the audit.

If you have any comments, could you please provide by Thursday, 20 July.

Regards,

Andrew Lewis  
Managing Consultant

**ERM**

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**From:** [Simon Lund](#)  
**To:** [Andrew Lewis](#)  
**Subject:** RE: Whitehaven Tarrawonga Project - Independent Environmental Audit  
**Date:** Monday, 10 July 2023 5:10:33 PM  
**Attachments:** [image001.png](#)

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**EXTERNAL MESSAGE**

Hello Andrew

No comment to make

Regards

Simon.

---

**From:** andrew.lewis@erm.com <andrew.lewis@erm.com>  
**Sent:** Monday, 10 July 2023 12:41 PM  
**To:** Simon Lund <Simon.Lund@epa.nsw.gov.au>  
**Cc:** Megan Martin <MMartin@whitehavencoal.com.au>  
**Subject:** Whitehaven Tarrawonga Project - Independent Environmental Audit

Hi Simon,

I am writing to provide a reminder that we will be undertaking the Independent Environmental Audit for Tarrawonga Coal Project shortly.

As per the email below, we invite you to provide comment on the Terms of Reference (attached) by which we shall be conducting the audit.

If you have any comments, could you please provide by Thursday, 20 July.

Regards,

Andrew Lewis  
Managing Consultant

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## **APPENDIX D INDEPENDENT AUDIT DECLARATION FORM**

# Independent Audit Report Declaration Form

## Independent Audit Report Declaration Form

Project Name	Tarrawonga Coal Mine
Consent Number	PA 11_0047
Description of Project	Open cut mine
Project Address	469 Goonbri Road, Boggabri, NSW 2382
Proponent	Whitehaven Coal Mining Ltd
Title of Audit	Tarrawonga Coal Mine Independent Environmental Audit 2023
Date	25 September 2023

I declare 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. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

Name of Auditor	Andrew Lewis
Signature	
Qualification	BSc – Environmental Science
Company	Environmental Resources Management - ERM
Company Address	Level 9, 260 Queen St, Brisbane, QLD 4000

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