# **Annual Review**

# Vickery Coal Mine

Name of operation
Name of operator
Development consent/project approval number
Name of holder of development consent/project
approval
Mining lease number
Name of holder of mining lease

Water licence number
Name of holder of water licence
MOP start date
MOP end date
Annual review start date
Annual review end date

Vickery Coal Mine Whitehaven Coal Mining Ltd SSD-5000 Whitehaven Coal Mining Ltd

ML 1471, CL 316, ML 1718, AUTH 406
Whitehaven Coal Mining Ltd (ML 1471),
Whitehaven Coal Mining Ltd (CL 316),
Whitehaven Coal Mining Ltd (ML 1718),
Whitehaven Coal Mining Ltd (AUTH 406)
Not applicable
Whitehaven Coal Mining Ltd
Not applicable
Not applicable
1st January 2019
31st December 2019

I, Jacques du Toit, certify that this audit report is a true and accurate record of the compliance status of Vickery Coal Project for the period January 1<sup>st</sup> 2019 until December 31<sup>st</sup> 2019, and that I am authorised to make this statement on behalf of Whitehaven Coal Mining Pty Ltd.

Note. a) The Annual Review is an 'environmental audit' for the purposes of section 122B (2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.

b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).

Name of authorised reporting officer
Title of authorised reporting officer
Signature of authorised reporting officer
Date

General Manager – Open Cut Operations

Jacques du Toit

<sup>1</sup> Vickery Coal Project Environmental Assessment referenced a number of water licences for the Project however development, and hence utilisation of licences, is yet to commence.

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# 1. STATEMENT OF COMPLIANCE

The compliance status of the Vickery Coal Mine as at the 31st December 2019, is summarised in **Table 1** and further detailed in **Table 2**.

**Table 1 - Statement of Compliance** 

Approval	Were all conditions of the relevant approval(s) complied with? <sup>1</sup>
Development Consent SSD-5000	No
EPBC 2012/6263	Yes
Coal Lease 316	No
ML 1471	No
Authorisation 406	Yes
ML 1718 (MLA 1, 2, 3)	No

<sup>&</sup>lt;sup>1</sup>Vickery Coal Project Environmental Assessment referenced a number of water licences for the Project, however development, and hence utilisation of licences, is yet to commence.

Table 2 - Non-Compliances

Relevant Approval	Condition, Schedule & Number	Condition Description (Summary)	Compliance Status	Comment	Section
CL 316	3	"Prospecting operations must be carried out in accordance with an accepted Mining Operations Plan."	Non-Compliant	Two penalty infringement notices were received in November 2019 relating	11.1
ML 1718	3	ML 1718 authorises an Ancillary Mining Activity only as defined by the Regulation and does not confer rights to mine any scheduled mineral as prescribed by the Regulation.	Non-Compliant	to exploration activities that were conducted without the appropriate approvals in place.	11.1
ML 1471	15, 47	The lease holder shall comply with any direction given by the Inspector regarding dumping, depositing or removal of material.	Non-Compliant	Areas requiring erosion repair within the Canyon Void were identified. Dependent on determination of the Vickery Extension Project, remediation work is anticipated to commence in Q1 2020 and anticipated to be completed by September 2020.	10
ML 1471	51	Evidence to support the security was provided to the Minister is required to clearly demonstrate compliance.	Non-Compliant	WHC requested written confirmation from the Minister. Pending at time of report.	10

Table 3 - Key for Table 2

Risk Level	Colour Code	Description
High	Non-	Non-compliance with potential for significant environmental consequences,
riigii	compliant	regardless of the likelihood of occurrence
	Non-	Non-compliance with:
Medium		- Potential for serious environmental consequences, but is unlikely to occur; or
	compliant	- Potential for moderate environmental consequences, but is likely to occur
	Non-	Non-compliance with:
Low		- Potential for moderate environmental consequences, but is unlikely to occur; or
	compliant	- Potential for low environmental consequences, but is likely to occur
Administrative	Non-	Only to be applied where the non-compliance does not result in any risk of
non-		environmental harm (e.g. submitting a report to government later than required under
compliance	compliant	approval conditions)

# 2. INTRODUCTION

This is the fifth Annual Review (AR) produced for the Vickery Coal Mine (VCM), and has been prepared in accordance with Schedule 5, Condition 4 of Development Consent SSD-5000. The AR follows the format required by the NSW Government Annual Review Guideline (October, 2015).

The VCM is located approximately 15 kilometres (km) south-east of Boggabri and approximately 25 km north of Gunnedah in New South Wales (Refer to Figure 1). Mining operations at the previous VCM ceased in 1998 when approval from the NSW Department of Primary Industries (DPI) was granted to suspend operations and complete rehabilitation works on-site. Rehabilitation activities at the open cut and waste emplacement areas are now complete and the site is currently in closure. Whitehaven acquired 100 percent (%) of the Coal Lease (CL) 316 and Authorisation (AUTH) 406 from Rio Tinto Limited in January 2010. ML1718 was issued under Part 5 of the NSW *Mining Act*, 1992 by the NSW Minister for Mineral Resources in September 2015.

The current VCM (SSD 5000), to which this AR related, was granted on the 19<sup>th</sup> September 2014. Construction and operation is yet to commence under SSD 5000. Physical commencement has been undertaken, these works consist of engineering works including surveying and geotechnical works and construction work including temporary construction compounds. Exploration activity was undertaken in the reporting period.

#### 2.1 Mine Contacts

The management personnel responsible for the VCM, and their relevant contact details, are as follows:

- Mr Jorge Moraga, General Manager Vickery (part-period), Mr Matthew Sparkes (Operations Manager – Vickery (part-period) and Mr Jacques du Toit, General Manager, Open Cut Operations. Contact (02) 6741 9309.
- Mr Andrew Raal (part-period) and Ms Alexandra Carynny (part-period), Environmental Officer.
   Contact (02) 6741 9325 and (02) 6741 9321.

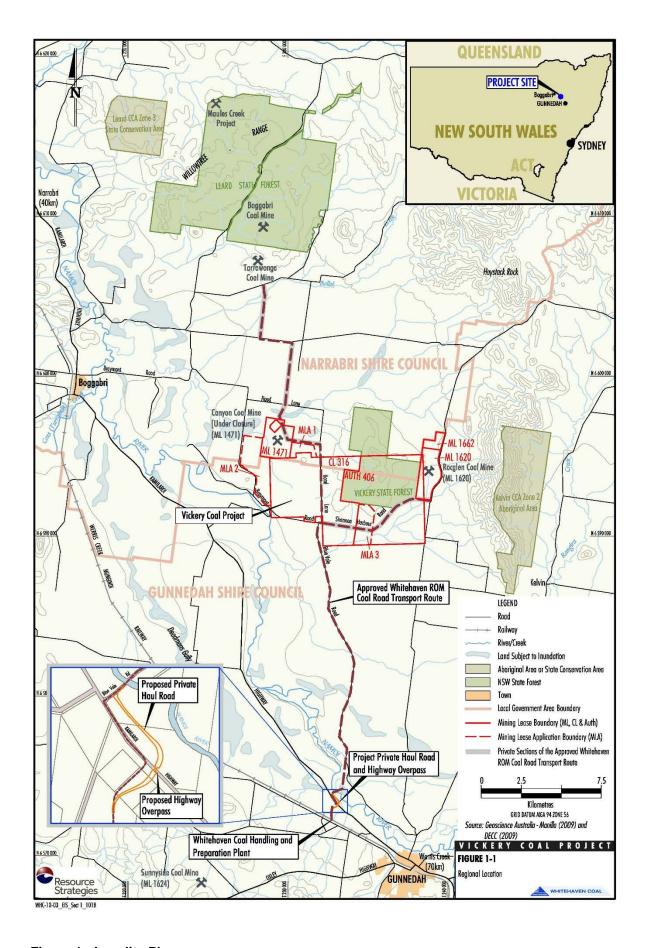


Figure 1 - Locality Plan

# 3. APPROVALS

# 3.1 Tenements, Licences and Approvals

**Table 4** identifies the approvals in place for the VCM at the end of the reporting period, the issuing/responsible Authority, date of issue, expiry date and relevant comments.

Table 4 - Tenements, Licences and Approvals

Issuing/Responsible Authority	Type of Lease, Licence, Approval	Date of Issue	Expiry
Department of Planning and Environment (DP&E)	Development Consent SSD-5000	19 <sup>th</sup> September 2014	31st December 2044
Department of the Environment	EPBC 2012/6263	17 <sup>th</sup> May 2012	Continuing
DP&E – Division of Resources and Geoscience (DRG)	Authorisation 406	29 <sup>th</sup> November 1988	18 <sup>th</sup> November 2019
DP&E – Division of Resources and Geoscience (DRG)	Mining Lease 1471 (ML 1471)	7 <sup>th</sup> September 2000	7 <sup>th</sup> September 2021
DP&E – Division of Resources and Geoscience (DRG)	Coal Lease 316 (CL 316)	5 <sup>th</sup> June 1988	15 <sup>th</sup> June 2033
Division of Resources and Energy	Mining Lease 1718 (ML 1718)	15 <sup>th</sup> September 2015	15 <sup>th</sup> September 2036

Note: Vickery Coal Project Environmental Assessment referenced a number of water licences for the Project however development, and hence utilisation of licences, is yet to commence.

# 4. OPERATIONS SUMMARY

# **4.1 Mining Operations**

No mining operations have commenced for the VCM (refer to **Table 5**).

**Table 5 - Production Summary** 

Material	Approved Limit	Previous Reporting Period (actual)	This Reporting Period (actual)	Next Reporting Period (forecast)
Waste	1,269 Mbcm <sup>1</sup>	0	0	0
Rock/Overburden	1,203 WIDCH	o o		
ROM Coal/Ore	4.5 Mtpa <sup>2</sup>	0	0	0
Coarse Reject	N/A	0	0	0
Fine Reject	N/A	0	0	0
(Tailings)	IN/A	o o		
Saleable Product	N/A	0	0	0

<sup>&</sup>lt;sup>1</sup>Environmental Impact Statement – Life of Mine

# **4.2 Next Reporting Period**

Operations forecast for the next reporting period is expected to be limited to environmental monitoring and exploration activities (post MOP approval).

<sup>&</sup>lt;sup>2</sup> Development Consent SSD-5000

# 5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW

There were no actions required from DPI&E in relation to the 2018 Annual Review. However, **Table 6** indicates commitments identified by WHC from the last Annual Review.

Table 6 - Actions from the previous Annual Review

Action required from previous Annual	Requested	Action taken by the Operator	Where discussed
Review	by		in Annual Review
Continue CCC Meetings	Operator	CCC Meeting held in May and October 2019	Section 9
Continue weed and feral animal control, as required	Operator	Weed and feral animal monitoring was undertaken	Section 6.2.4
Continue environmental monitoring and reporting, as required	Operator	Environmental monitoring was continued	Section 6
Expansion of Biodiversity monitoring, integration of control programs based on monitoring results	Operator	Biodiversity monitoring ongoing which guides control measures	Section 6.2
Upon approval of the Biodiversity Management Plan, the translocation of the Winged Peppercress will be undertaken.	Operator	Threatened Species  Management Plan submitted, fencing works and monitoring.	Section 6.2.1

### 6. ENVIRONMENTAL PERFORMANCE

# 6.1 Air Quality

Dust and air quality criteria for VCM is noted in SSD-5000 however, they are not relevant as no operational activities have occurred during the reporting period.

#### 6.1.1 Dust Monitoring

Construction of the VCM is yet to commence and as such no air quality monitoring for compliance purposes is undertaken. Monitoring of deposited dust is undertaken on a monthly basis, with results presented in **Table 7**. An elevated mean annual dust deposition level of 4.1 g/m²/month was recorded at site DG1 and reported to the DPI&E for administrative purposes. This result has been determined to be unrelated to the development and attributable to the ongoing drought conditions and regional dust events experienced during the course of the year.

**Table 7 - Depositional Dust** 

Site	Property Name	Annual mean total insoluble solids (g/m²/month)
DG1	Ingleburn	4.1
DG2	Mirrabinda	1.9
V1	Greenwood/Shannon Harbour	1.7
V2	Greenwood/Shannon Harbour	1.4
V3	Welkaree/Tralee	2.6
V4	Shannon Harbour	2.0
V5	Wilga	2.2

#### 6.1.2 Air Quality Monitoring

PM<sub>10</sub> is measured at a Whitehaven Coal owned property, approximately 1.5 km to the east of the north-eastern boundary of the mining lease. For the majority of the year, the results were within the criteria. However, the mean annual PM<sub>10</sub> particulate level was 31.61  $\mu$ g/m³ which exceeded the criteria by 1.61  $\mu$ g/m³. This value is consistent with the predicted mean annual PM<sub>10</sub> particulate levels in the EIS (between 15  $\mu$ g/m³ and 35  $\mu$ g/m³).

The 24 hour average PM<sub>10</sub> particulate level was exceeded on 54 occasions during 2019. However, these exceedances are not due to the development as the site remains in closure and the measurements correlate with regional dust storms and the prolonged drought conditions. Total suspended particulate matter was within target criteria during the year with a value of 63 µg/m<sup>3</sup>.

#### 6.1.3 Key Environmental Performance/Management Issues

No key environmental performance/management issues were identified during the reporting period.

#### 6.1.4 Proposed Improvements to Environmental Management

No improvements are proposed within the next reporting period.

### 6.2 Biodiversity

#### 6.2.1 Threatened Flora

During the reporting period, WHC developed a Threatened Species Project Plan and a Translocation Strategy specific for the management of the Winged Peppercess threatened flora located at the VCM. In January 2019, refurbishment of existing fences of the Vickery Impact Area and Canyon Protection Area was undertaken to exclude herbivore access from the two population areas that first identified Winged Peppercess back in 2011. An experienced botanist undertook target inspections during the annual plants growing season but due to the ongoing drought, there were no Winged Peppercress specimens identified from formal inspection in November and December 2019; which was consistent with 2018 inspections also not identifying the species. Modelling of the topography micro-relief within each fenced areas was undertaken to identify areas of potential localised ponding and thus target those areas for future inspections.

#### 6.2.2 Threatened Fauna

Construction of the VCM is yet to commence and as such, no monitoring of threatened fauna was conducted during the reporting period.

#### 6.2.3 Biodiversity Offsets

WHC are materially progressing towards the securement of offset properties to align with the requirements in SSD-5000. Currently, WHC have secured the Willeroi Biodiversity Offset Area (BOA) offset area and have prepared a Conservation Agreement which was submitted to the NSW Biodiversity Conservation Trust (BCT). WHC have consulted with DPI&E and Department of Energy and Environment (DoEE) during the reporting period. Following registration of Conservation Agreements; WHC will prioritise negotiations of those BOAs that NPWS has previously shown interest in being transferred to National Park Estate.

Biodiversity management of the Willeroi BOA was ongoing during the reporting period. Maintenance works have been undertaken as per the Willeroi West Biodiversity Offset Strategy, which include;

- Multiple assessments, inspections and surveys including;
  - o seed assessment,
  - heritage fencing inspections,
  - o quarterly weed monitoring,
  - quarterly feral animal monitoring,
  - o annual fuel load monitoring, and
  - o ecological monitoring program.
- Ground preparation works completed in May, overstorey revegetation in September, and routine tree
  watering and maintenance throughout the year,
- Infrastructure maintenance and removal,
- Exclusion of grazing activity,
- Fencing of 19 known Aboriginal heritage sites,
- Maintenance weed spraying,
- Maintenance of fire breaks, and
- Feral animal control program resulting in the management of foxes, pigs, hares, goats, cat and a dog.

Ecological monitoring found that all 8 sites met or exceeded the performance criteria for native plant species richness which did not change from the monitoring undertaken in 2018. Winter bird surveys recorded 58 bird species, of which 6 were threatened species (Brown Treecreeper, Diamond Firetail, Hooded Robin, Little Lorikeet, Swift Parrot and Turquoise Parrot). The average species richness at the 4 woodland sites was 19 and 10.5 at the restoration sites. These results are similar to 2018, although average species richness is slightly lower at woodland sites. Four microbat species were recorded in 2019, which is down from 6 species in 2018.

#### 6.2.4 Weeds and pests

Given their proximity to one another, feral animal monitoring and control was undertaken on the Canyon Coal Mine which is considered to be applicable to the VCM. Monitoring cameras have been successful in monitoring pests. Monitoring indicates that feral pig and fox abundance remains scarce to medium. No control programs are required, however regular monitoring will continue and trends will be reviewed regularly.

African Boxthorn and Prickly Pear have been identified on site. Weeds are to be regularly managed, monitoring to be continued and trends to be reviewed regularly.

#### 6.2.5 Key Environmental Performance/Management Issues

No key environmental performance/management issues were identified during the reporting period.

#### 6.2.6 Proposed Improvements to Environmental Management

No improvements are proposed within the next reporting period.

# 6.3 Blasting

Blasting criteria for the VCM are noted in SSD 5000 however, they are not relevant for this reporting period as no blasting has been undertaken on site.

#### 6.4 Operational Noise

Noise criteria for the VCM are noted in SSD 5000 however, they are not relevant for this reporting period as site operations and coal haulage have not begun on site.

# 6.5 Aboriginal Heritage Management

A number of cultural heritage items have been identified on the site. A total of 34 Aboriginal cultural heritage sites (including those sites that have been previously recorded and were reinspected as part of the field surveys) were identified during the field surveys of the Project mining area in 2012.

No Aboriginal management measures were put in place in 2019 due to the status of the mine site.

No consultation with Aboriginal stakeholders was conducted during the reporting period.

# 6.6 Natural Heritage

There are no features of natural heritage within the Project Approval area, and hence no specific management procedures are required.

# **6.7 ENVIRONMENTAL PERFORMANCE SUMMARY**

An environmental performance summary for VCM is presented in **Table 8** below.

**Table 8 - Environmental Performance** 

Aspect	Approval Criteria/ EIS Prediction	Performance During the Reporting Period	Trend/Key Management Implications	Implemented/Proposed Management Actions
Mean annual dust deposition	4 g/m²/month	4.1 g/m²/month at site DG1	No operational activities at VCM – exceedances not deemed to be mine related	N/A - site not operational
Mean annual PM <sub>10</sub> particulate level	30 µg/m³	31.61 µg/m³	No operational activities at VCM – exceedances not deemed to be mine related	N/A - site not operational
24 hour average PM <sub>10</sub> particulate level	50 μg/m³	54 individual days where PM <sub>10</sub> levels were above the criteria	No operational activities at VCM – exceedances not deemed to be mine related	N/A - site not operational
Mean annual Total Suspended Particulate (TSP) matter	90 μg/m³	63 µg/m³	Within criteria	N/A
Biodiversity	EPBC 2012/6263 and 3(33) of SSD- 5000, requires the translocation and protection of the Winged Peppercress.	Progress made towards protecting the species.	N/A	Refurbishment of existing fences was undertaken. Regular inspections is undertaken. Modelling conducted to identify areas of potential localised ponding.
Erosion	ML 1471 (15 & 47)	Continued erosion issues within the final void.	Erosion within Canyon void. Void is a closed system.	Areas requiring erosion repair within the Canyon Void were identified. Dependent on determination of the Vickery Extension Project, remediation work is anticipated to commence in Q1 2020 and anticipated to be completed by September 2020.
Water	SSD-5000, Schedule 3 (25)	No water discharges on site.	No operational activities at VCM	N/A

#### 7. WATER MANAGEMENT

# 7.1 Surface Water Management

#### 7.1.1 Environmental Performance/Management

Construction of the VCM is yet to commence and as such no water quality monitoring for compliance purposes is undertaken. No water take occurred during the reporting period.

#### 7.1.2 Key Environmental Performance/Management Issues

No key environmental performance/management issues were identified during the reporting period.

#### 7.1.3 Proposed Improvements to Environmental Management

No improvements are proposed for the next reporting period.

#### 7.2 Groundwater Management

#### 7.2.1 Environmental Performance/Management

No groundwater monitoring for compliance purposes has been undertaken during the reporting period, as construction of the VCM is yet to commence.

#### 7.2.2 Key Environmental Performance/Management Issues

No key environmental performance/management issues were identified during the reporting period.

#### 7.2.3 Proposed Improvements to Environmental Management

No improvements are proposed for the next reporting period.

#### 8. REHABILITATION PERFORMANCE DURING THE REPORTING PERIOD

#### 8.1 Status of Mining and Rehabilitation

No disturbance has yet been undertaken for the VCM and as such, there has been no requirement for rehabilitation (**Table 9**).

**Table 9 - Rehabilitation Status** 

	Previous Reporting Period	This Reporting Period	Next Reporting Period
Mine Area Type <sup>1</sup>	(Actual) (ha)	(Actual) (ha)	(Forecast) (ha)
	2018	2019	2020
Total Mine Footprint	0	0	0
Total Active Disturbance	0	0	0
Land Being Prepared for	0	0	0
Rehabilitation			
Land Under Active	0	0	0
Rehabilitation			, and the second
Completed Rehabilitation	0	0.6	0

<sup>&</sup>lt;sup>1</sup>Refer to Annual Review Guidelines (p.11) for description of mine area types.

#### 8.2 Post Rehabilitation Land Uses

Two final rehabilitation land uses are to be established at Vickery – land suitable for grazing (780 ha) and native forest/woodland (1,360 ha).

#### 8.3 Key Rehabilitation Performance Indicators

No rehabilitation occurred during the reporting period.

# 8.4 Renovation or Removal of Buildings

No renovation or removal of buildings occurred during the reporting period.

#### 8.5 Other Rehabilitation Undertaken

Ten exploration drill holes have been grouted and nine drill pads have been rehabilitated in the reporting period (one exploration hole redrilled). The approximate size of the drill pads are 0.06 ha each, with an approximate total rehabilitation area of 0.6 ha.

No additional rehabilitation of infrastructure, shafts, adits, dams, fence lines or bunds occurred during the reporting period.

#### 8.6 Departmental Sign-off of Rehabilitated Areas

Departmental sign-off has not been requested for any rehabilitated areas.

# 8.7 Variations in Activities against MOP/RMP

Not applicable.

# 8.8 Trials, Research Projects and Initiatives

No rehabilitation trials, research projects or other initiatives were undertaken during the reporting period.

# 8.9 Key Issues to Achieving Successful Rehabilitation

No specific issues in achieving rehabilitation success have been determined to date.

# 8.10 Actions for Next Reporting Period

Ongoing environmental monitoring and management, as per SSD-5000.

# 9. COMMUNITY

In accordance with Schedule 5, Condition 6 of SSD-5000, the Community Consultative Committee (CCC) met in May and October 2019.

No complaints were received during the 2019 reporting period, consistent with previous years.

Community contributions are managed in accordance with the Whitehaven Coal Donations and Sponsorship Policy. Whitehaven Coal donated \$447,993 to local Gunnedah and Regional groups during the reporting period. Groups which received contributions included, but were not limited to the following;

Gunnedah	Regional
Gunnedah Community Scholarship Fund	Brewarrina Central School
McGrath Cancer Foundation	Children's Charity Network
Role Models and Leaders Australia Ltd	Westpac Rescue Helicopter Service
Gunnedah Miners Support Group	Australian Indigenous Oztag
Gunnedah Show Society	Winanga-Li Aboriginal Child & Family Centre
Gunnedah Combined Catholic Schools P & F	Rotary Australia Districts
Gunnedah Eisteddfod Society	Dorothea Mackellar Memorial Society
Gunnedah High School	
Gunnedah MS Incorporated	
Gunnedah Miners Support Group	
Gunnedah Cycling & Triathlon Club	
Curlewis Public School P & C Association	
Winanga-Li Aboriginal Child and Family Centre	
Country Education Foundation of Australia	

# 10. INDEPENDENT AUDIT

No independent audit was undertaken for the VCM during the reporting period. The first scheduled Independent Environmental Audit (IEA) will take place within 2 years from the commencement of construction.

The Canyon Coal Mine and the Vickery Coal Mine both overlap ML 1471. In 2019, Canyon Coal Mine IEA produced an action relating to the Canyon Void. The action required ongoing maintenance for the recurring erosion impact within the Canyon Void. The Canyon Void is proposed to be a waste emplacement dump as part of the VCM.

An action from the IEA relating to ML 1471 advised that WHC acquire evidence to clearly demonstrate compliance with condition 51 for the security bond that was paid to the Regulator. WHC has requested written confirmation from the Regulator to demonstrate compliance with this condition.

# 11. INCIDENTS AND NON-COMPLIANCES DURING THE REPORTING PERIOD

### 11.1 Reportable Incidents

There were no reportable incidents recorded during the reporting period.

### 11.2 Non-compliances

One non-compliance occurred at VCM during the reporting period. The non-compliance was self-reported to the Resource Regulator on 10 October 2019.

Exploration activity occurred in CL316 and ML1718. Exploration activities occurred as per the '2017-18 Group Annual Exploration Report' and '2018-19 Group Annual Exploration Report' which was submitted to the Resource Regulator. Exploration activity in CL316 was not captured in an approved MOP, as per CL316 conditions, and ML 1718 did not have provision for exploration. WHC received two Penalty Notices (3148489237 and 3148489246). The activities will resume once a MOP is approved. WHC made payment relating to the penalty notices within the required timeframe.

#### 11.3 Regulatory Actions

Two penalty notices were received in November 2019 relating to the non-compliance described in Section 11.2.

# 12. ACTIVITIES TO BE COMPLETED IN THE NEXT REPORTING PERIOD

The following measures will continue, or be implemented, in the next reporting period to improve the environmental or community performance of the operation:

- Pursuing the approval of the Vickery Extension Project;
- Continued undertaking of the CCC meetings;
- Continuation of weed and feral animal monitoring on-site to guide management actions,
- Continued environmental monitoring and reporting, as required.

# 11. REFERENCES

Annual Review Guideline – Post Approval requirements for State significant mining developments (October 2015), *NSW Government, available:* 

https://www.planning.nsw.gov.au/en/Policy-and-Legislation/Mining-and-Resources/~/media/3AA21D35168042FE813DD0FB92E00E58.ashx, accessed on 13/01/2020