



Werris Creek Coal Mine

Noise Audit 2026

PREPARED FOR



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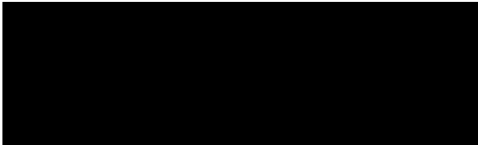
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Werris Creek Coal Mine

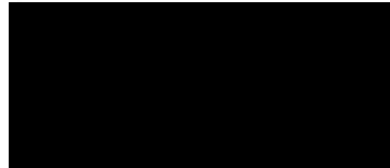
Noise Audit 2026

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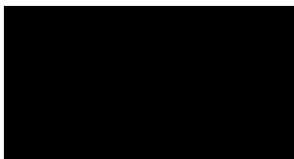
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ACRONYMS AND ABBREVIATIONS

Acronym	Description
A-weighting	Adjustment made to a noise level based on international standards. Approximates a human's hearing response to frequency at lower sound levels.
CoA	Condition of Approval
dB(A)	A-weighted decibels
DPE	Department of Planning and Environment
EPA	Environment Protection Authority
EPBC	Environment Protection and Biodiversity Conservation Act
EPL	Environment Protection Licence
ERM	Environmental Resources Management Australia Pty Ltd
EO	Environmental Officer
IEA	Independent Environmental Audit
INA	Independent Noise Audit
INP	NSW Industrial Noise Policy [now NSW Noise Policy for Industry (NPI) 2017]
LA1 (1min)	A-weighted noise level exceeded for 1% in 1 minute
LAeq (15min)	Equivalent average noise level A-weighted in 15 minutes
LOM	Life Of Mine
ML	Mine Lease
MOD	Modification
NCO	Noise Control Operator
NMP	Noise Monitoring Program
NSW	New South Wales
PA	Project Approval
TLO	Train Load Out
WCC	Werris Creek Coal
WCCM	Werris Creek Coal Mine
WHC	Whitehaven Coal Limited

EXECUTIVE SUMMARY

Whitehaven Coal Limited (herein referred to as 'WHC'), commissioned Environmental Resources Management Australia Pty Ltd (ERM) to perform an Independent Noise Audit (INA) for the Werris Creek Coal Mine (WCCM).

WCCM is located approximately 45km south-west and 4km south from Tamworth and Werris Creek, respectively, New South Wales (NSW).

In accordance with the Department of Planning and Environment (DPE), *Ministers' Conditions of Approval (CoA) Project Approval (PA) No. PA 10_0059*, an INA is required to be completed by the end of June 2014, and every 3 years thereafter. The audit period assessed in this INA began 6th July 2023 and ended 12th June 2026.

The primary objectives of the audit include:

- Assess the environmental performance of the project and compliance with the requirements in the CoA, the Environment Protection Licence (EPL) 12290, and associated Mine Leases (MLs) 1563/ 1671/ 1672, 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.

Relevant noise-related conditions are stated in the following:

- Project Approval – PA 10_0059 Modification 4 – Schedule 3 Condition 4(e) and Schedule 5 Condition 8(a);
- Environment Protection Licence – EPL12290 – Condition E1.1; and
- Project Approval – PA 10_0059 Statement of Commitments

The monitoring data reviewed by ERM indicates general compliance throughout the audit period with the PA 10_0059 conditions and EPL 12290 licence noise limits. Monthly operator attended noise monitoring results have demonstrated that the noise management and mitigation strategies employed by WCC are effective in managing noise impacts from the site. The long-term noise goal of 35 dB(A) $L_{Aeq}(15min)$ is also demonstrated to have been achieved during this audit period.

1. INTRODUCTION

1.1 OVERVIEW

Whitehaven Coal Limited (herein referred to as 'WHC'), commissioned Environmental Resources Management Australia Pty Ltd (ERM) to perform an Independent Noise Audit (INA) for the Werris Creek Coal Mine (WCCM).

WCCM is located approximately 45km south-west and 4km south from Tamworth and Werris Creek, respectively, New South Wales (NSW). Mining of coal ceased in April 2024, and mine operations since have consisted of rehabilitation activities, including bulk earth moving and shaping, placement of subsoils and topsoil, seeding, tubestock planting and rock lining of drainage structures.

In accordance with the Department of Planning and Environment (DPE), *Ministers' Conditions of Approval (CoA) Project Approval (PA) No. PA 10_0059*, an INA is required to be completed by the end of June 2014, and every 3 years thereafter. The audit period assessed in this INA began 6th July 2023 and ended 12th June 2026.

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- Assess the environmental performance of the project and compliance with the requirements in the CoA, the Environment Protection Licence (EPL) 12290, and associated Mine Leases (MLs) 1563/ 1671/ 1672, 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.

1.2 SCOPE OF WORKS

The scope of this audit is outlined in **Table 1-1** below.

TABLE 1-1 STATUTORY CONDITIONS RELATING TO THE INDEPENDENT NOISE AUDIT

Condition	Requirement	Section Addressed
PA 10_0059		
Schedule 3 Condition 4(e)	The Proponent shall: (e) carry out a comprehensive noise audit of the project in conjunction with each independent environmental audit, to the satisfaction of the Secretary.	This document
EPL 12290		
E1.1	The licensee must provide the EPA with a copy of any Noise Audit and Independent Environmental Audit Report required by condition 4 of Schedule 3 and conditions 8 and 9 of Schedule 5 of the Werris Creek Mine Extension Project Approval (No. 10_0059). If the Noise Audit and	This document

Condition	Requirement	Section Addressed
	Independent Environmental Audit Report do not incorporate the following information or assessments, then the licensee must also provide a separate report to the EPA that incorporates the following:	
E1.1(a)	An assessment of noise emissions from the premises against the noise limits established by the Project Approval (No. 10_0059), as well as against the long-term noise goal and noise acquisition criteria established within Project Approval No. 10_0059 that has been completed in accordance with the procedures defined in the NSW Industrial Noise Policy and any relevant Application Notes published by the EPA;	Section 3
E1.1(b)	An evaluation of current mine noise impacts at all non-project related receptors and the noise mitigation practices that have been implemented at the premises against the best available economically achievable technology and current best practice principles for minimising noise emissions; and	Section 4
E1.1(c)	Where noise impacts at any affected non-project related receptor exceeds the long-term noise goal established by condition 4 of Schedule 3 of Project Approval 10_0059, the licensee must provide documented evidence that demonstrates that reasonable attempts have been made to reach a negotiated agreement with all relevant affected receptors within the last 3 years.	Section 3.2.3
E1.1	The reports required by this condition must be submitted to the EPA's Armidale office within 6 weeks of the 30 June 2014, and every three years thereafter.	This document is to be submitted to EPA by 22 nd July 2026
E1.1	Note: For the purposes of this condition, a privately owned property that is subject to a current and legally binding negotiated agreement between the licensee and the relevant property owner, is considered project related, as is any property or residence held in the ownership of the licensee or its associated companies.	Section 3.1

Statement of Commitments

7.	Attenuate mining noise sources to ensure compliance with Project Specific Noise Criteria.	Section 3
	Monitor and manage noise generated by the LOM Project	Section 4

2. AUDIT METHODOLOGY

2.1 METHODOLOGY

The Independent Noise Audit (INA) methodology consisted of the following key steps:

- Reviewing all relevant documents provided by Werris Creek Coal Mine (WCCM); and
- WCCM review and comment on the draft audit report.

2.2 ASSESSMENT OF COMPLIANCE

Appendices A, B and C provide a detailed review of each of the noise related conditions contained within PA 10_0059, EPL 12290 and the Statement of Commitments respectively. Section 5 below summarises any identified non-compliances.

In the appendices mentioned above, findings resulting from an assessment of audit evidence were divided into four categories as follows:

1. **Compliant (C)**: the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit;
2. **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;
3. **Not Triggered (NT)**: A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made; and
4. **Note**: A statement or fact, where no assessment of compliance is required.

3. ASSESSMENT OF MINE NOISE PERFORMANCE – EPL CLAUSE E1.1(A)

3.1 LOM NOISE CRITERIA

Noise criteria are presented in **Table 3-1** only for all privately owned properties not subject to negotiated agreements with WCCM. It is understood that all other locations listed within PA 10_0059 have negotiated agreements in place or have been acquired by WCCM.

TABLE 3-1 LOM NOISE CRITERIA

Location	Day LAeq (15min)	Evening/ Night LAeq (15min)	Night LA1 (1min)	Long Term LAeq (15min)	Acquisition LAeq (15min)
R12 - Quipolly Railway Cottage	38	38	45	35	40
R24 - Hazeldene	37	37	45	35	40
R96 - Talavera	38	38	45	35	40
R98 - Kyooma	36	38	45	35	40
Any other non-project related residence (R57)	35	35	45	35	40

3.2 ASSESSMENT OF WCCM NOISE

3.2.1 MONTHLY OPERATOR ATTENDED NOISE MONITORING RESULTS

WCCM has developed and implemented a noise monitoring program, comprising monthly operator attended noise monitoring and real time noise monitoring, as documented in *Section 9* of the Noise Management Plan (NMP) for WCCM.

Monthly operator attended noise monitoring was completed during the audit period in accordance with the NMP. The monthly noise monitoring results for the audit period, as reported in the WCCM EPL monthly reports, are summarised in **Table 3-2**.

TABLE 3-2 SUMMARY OF NOISE MONITORING RESULTS

Date of Noise Monitoring	Reported Noise Contribution from WCCM at Receiver Location, L _{Aeq} (15min) in dB(A) - Day / Night				
	R12	R24	R96	R98	R57
25 Jul 2023	<20 / 23	<20 / 22	<20 / <20	<20 / <20	<20 / <20
29 Aug 2023	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
26 & 27 Sep 2023	<20 / <20	<26 / <20	<32 / <20	<20 / <20	<20 / <20
17 Oct 2023	<20 / <20	<20 / <20	24 / <20	<20 / <20	<20 / <20
7 Nov 2023	<20 / <20	<20 / <20	<20 / <20	24 / <20	<20 / 22
18 Dec 2023	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / 22
15 Jan 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
27 & 28 Feb 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
20 Mar 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / 30
15 Apr 2024	<20 / 23	<20 / <20	<20 / 30	24 / <20	<20 / <20
8 May 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
25 Jun 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
22 Jul 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
15 Aug 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
24 Sep 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
17 Oct 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
12 Nov 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
17 Dec 2024	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
9 Jan 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
24 Feb 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
19 Mar 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
29 Apr 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
14 May 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
26 Jun 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
10 & 11 Jul 2025	<20 / <20	<20 / <20	<20 / <20	24 / <20	<20 / <20
15 Aug 2025	<20 / <20	<20 / <20	<20 / 25	<20 / <20	<20 / <20
4 & 5 Sep 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
29 Oct 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
19 Nov 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
2 Dec 2025	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20
28 Jan 2026	<20 / <20	<20 / <20	<20 / <20	<20 / <20	<20 / <20

Effective February 2026, attended noise monitoring is no longer a requirement of EPL 12290 Condition M9 at WCC

3.2.2 EVALUATION OF COMPLIANCE WITH THE PA AND EPL NOISE CRITERIA

As shown in **Table 3-2** above and as reported in the Annual Reviews for 2023, 2024 and 2025, the monthly noise monitoring results identified no exceedances of the $L_{Aeq} (15min)$ noise limits as defined in *Clause L4* of the EPL 12290 during the audit period.

Additionally, the monthly noise monitoring reports also concluded no exceedances of the $L_{A1} (1min)$ noise criteria as defined in *Clause L4* of the EPL 12290 during the audit period.

3.2.3 EVALUATION OF COMPLIANCE WITH THE LONG-TERM NOISE GOAL

Clause E1.1(c) requires that "Where noise impacts at any affected non-project related receptor exceeds the long-term noise goal:

"...the licensee must provide documented evidence that demonstrates that reasonable attempts have been made to reach a negotiated agreement with all relevant affected receptors within the last 3 years".

During the audit period, no exceedances of the long-term noise goal of 35 dB(A) $L_{Aeq} (15min)$ were recorded. The results demonstrate that adequate noise mitigation measures were in place to achieve the long-term noise goal.

3.3 ASSESSMENT OF WCCM NOISE / NOISE COMPLAINTS

The history of noise complaints received by WCCM since 2012 to June 2026 indicate that noise complaints have decreased over time, with no noise-related complaints registered during this audit period.

3.4 MINE NOISE PERFORMANCE SUMMARY

In general, the following is noted with regard to WCCM noise emissions during this audit period:

- The existing NMP was effectively implemented with operator attended noise monitoring conducted in accordance with the noise-monitoring program on a monthly basis;
- Noise emissions from WCCM were compliant with the noise limits defined in *Clause L4* of the EPL 12290 at all identified residential receiver locations during the monthly attended noise monitoring surveys;
- Noise emissions from WCCM were compliant with the long-term noise goal defined in PA 10_0059 at all identified residential receiver locations;
- Evidence showed adequate noise mitigation measures were in place to achieve the long-term noise goal; and
- No noise-related complaints were registered.

4. EVALUATION OF CURRENT MINE NOISE IMPACTS AND MITIGATION PRACTICES – EPL CLAUSE E1.1(B)

4.1 NOISE MANAGEMENT PLAN

The WCC Noise Management Plan (NMP) describes the noise mitigation and management measures currently implemented by WCCM.

This includes:

- At-source noise reduction (e.g. attenuation packages installed on trucks, enclosed conveyor, silent horns);
- Source to receiver noise barriers in the form of bunds;
- Noise management measures including a “real time” noise monitoring program allowing “live” management of WCCM noise emissions by reviewing continuous noise monitoring levels; and
- A dedicated noise control operator responsible and trained to identify risks of noise exceedances and modify operations promptly to reduce the risk of any potential noise exceedances.

4.2 NOISE MITIGATION PRACTICES

The effectiveness of WCCM noise mitigation practises was evaluated using the following indicators:

- Results of monthly operator-attended noise monitoring;
- Number of noise-related complaints; and
- Trends of WCCM related night-time noise levels measured in compliance monitoring locations.

The monthly operator attended noise monitoring results and absence of registered noise related complaints show general compliance with the EPL Clause E1.1. These practises are consistent with “best available economically achievable technology and current best practice principles for minimising noise emissions”.

5. SUMMARY OF AUDIT

The monitoring data reviewed by ERM indicate general compliance throughout the audit period with the PA 10_0059 conditions and EPL 12290 licence noise limits:

- Monthly operator attended noise monitoring results have demonstrated that the noise management and mitigation strategies employed by WCCM are effective in managing noise impacts from the site;
- The long-term noise goal was demonstrated to be achieved at all times during this audit period; and
- No noise-related complaints were registered during this audit period.



APPENDIX A PA 10_0056 NOISE COMPLIANCE
REGISTER

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																								
SCHEDULE 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS																																												
Noise																																												
Noise Criteria																																												
1	The Proponent shall ensure that the noise generated by the project (including noise generated on the Werris Creek Rail Spur) does not exceed the criteria in Table 1 at any residence on privately-owned land. <table><tr><th colspan="4">Table 1: Noise Criteria</th></tr><tr><th>Location</th><th>Day dB(A) L_{Aeq}(15 min)</th><th>Evening & Night dB(A) L_{Aeq}(15 min)</th><th>Night dB(A) L_{A1}(1 min)</th></tr><tr><td>R10, R11</td><td>39</td><td>39</td><td>45</td></tr><tr><td>R21</td><td>39</td><td>37</td><td>45</td></tr><tr><td>R12</td><td>38</td><td>38</td><td>45</td></tr><tr><td>R96</td><td>38</td><td>38</td><td>45</td></tr><tr><td>R7, R8, R9, R24</td><td>37</td><td>37</td><td>45</td></tr><tr><td>R22</td><td>36</td><td>37</td><td>45</td></tr><tr><td>R98</td><td>36</td><td>38</td><td>45</td></tr><tr><td>All other privately-owned residences</td><td>35</td><td>35</td><td>45</td></tr></table> Notes: - To interpret the locations referred to in Table 1, see the applicable figure in Appendix 3; and - Noise generated by the project is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.	Table 1: Noise Criteria				Location	Day dB(A) L _{Aeq} (15 min)	Evening & Night dB(A) L _{Aeq} (15 min)	Night dB(A) L _{A1} (1 min)	R10, R11	39	39	45	R21	39	37	45	R12	38	38	45	R96	38	38	45	R7, R8, R9, R24	37	37	45	R22	36	37	45	R98	36	38	45	All other privately-owned residences	35	35	45	Compliant	There were no exceedances of Noise Criteria during the audit period. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCC Summary Reports: From July 2023 to Jan 2026	N/A
Table 1: Noise Criteria																																												
Location	Day dB(A) L _{Aeq} (15 min)	Evening & Night dB(A) L _{Aeq} (15 min)	Night dB(A) L _{A1} (1 min)																																									
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R12	38	38	45																																									
R96	38	38	45																																									
R7, R8, R9, R24	37	37	45																																									
R22	36	37	45																																									
R98	36	38	45																																									
All other privately-owned residences	35	35	45																																									
			Section 9.1 and Appendix E of the approved NMP outlines methodology in accordance with INP. Section 8.1 of the approved NMP identifies those receivers which have agreement with WCCM for																																									

Condition Number	Condition	Compliance Status	Evidence	Recommended Action				
	However, these criteria do not apply if the Proponent has an agreement with the relevant owner/s of these residences/land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.		higher noise levels with those agreements being to the satisfaction of DPIE and the EPA. Evidence: Noise Management Plan (NMP): WHC_PLN_WC_NOISE MANAGEMENT PLAN 16 April 2014					
Noise Acquisition Criteria								
2	If the noise generated by the project causes sustained exceedances of the criteria in Table 2 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 5 - 6 of schedule 4.	Not Triggered	No WCCM noise contribution levels above 40 dBA reported in Annual Reviews. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	N/A				
	Table 2: Noise Acquisition Criteria							
	<table><tr><th>Location</th><th>Day/Evening/Night dB(A) L_{Aeq} (15min)</th></tr><tr><td>All privately-owned land</td><td>40</td></tr></table>			Location	Day/Evening/Night dB(A) L _{Aeq} (15min)	All privately-owned land	40	
	Location			Day/Evening/Night dB(A) L _{Aeq} (15min)				
All privately-owned land	40							
Note: Noise generated by the project is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW INP.								
Additional Noise Mitigation Measures								
3	Upon receiving a written request from the owner of the land listed in Table 3, the Proponent shall implement additional noise mitigation measures (such as double-glazing, insulation, and/or air conditioning) at any residence on the land in consultation with the owner. These measures must be reasonable and feasible. If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be	Not Triggered	Outlined in Section 8.12 of the approved NMP. Based on records in Annual Reviews and no written requests identified. Evidence:	N/A				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.		- Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	
	Table 3: Land subject to additional noise mitigation measures			
	<table><tr><th>Location</th></tr><tr><td>R10, R11, R12, R21, R96</td></tr></table>			Location
Location				
R10, R11, R12, R21, R96				

Operating Conditions

4	The Proponent shall: (a) implement best practice noise management to minimise the operational, low frequency, rail and road traffic noise of the project; (b) regularly assess the real-time noise monitoring and meteorological forecasting data and relocate, modify, and/or stop operations on site to ensure compliance with the relevant conditions of this approval; (c) minimise the noise impacts of the project during temperature inversions; and (d) use its best endeavours to achieve the long-term noise goals in Table 4, where this is reasonable and feasible, and report on the progress towards achieving these goals in the annual review; (e) carry out a comprehensive noise audit of the project in conjunction with each independent environmental audit, to the satisfaction of the Secretary.	Compliant	Evidence: (a) Reviewed Noise Management Plan. No noise complaints were recorded over the audit period. (b) Sentinex real time noise website for project. (c) Noise Control Operators (NCOs) proforma log records in operation during night-time period, with notes on revised operations during night-time period when noise issues identified. (d) Review of EPL monthly monitoring reports from WCC Summary Reports indicated no exceedances of the long-term noise goal. Long-term noise goal observed to be achieved during the audit period. (e) Noise audits are carried out alongside the triennial independent environmental audits.	N/A															
<table><tr><td colspan="5">Table 4: Long-term noise goal</td></tr><tr><td colspan="2">Location</td><td colspan="3">Day/Evening/Night dB(A) L_{Aeq} (15min)</td></tr><tr><td colspan="2">All privately-owned land</td><td colspan="3">35</td></tr></table>					Table 4: Long-term noise goal					Location		Day/Evening/Night dB(A) L_{Aeq} (15min)			All privately-owned land		35		
Table 4: Long-term noise goal																			
Location		Day/Evening/Night dB(A) L_{Aeq} (15min)																	
All privately-owned land		35																	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Noise Management Plan				
5	The Proponent shall prepare and implement a NMP for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with EPA by a suitably qualified expert whose appointment has been approved by the Secretary; (b) be submitted to the Secretary for approval by the end of April 2012; (c) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including: - a real-time noise management system that employs both reactive and proactive mitigation measures; and - rail spur management plan, that has been prepared in consultation with ARTC and the rail freight company; and (d) include a Noise Monitoring Program that: - uses a combination of real-time and supplementary attended noise monitoring measures to evaluate the performance of the project; - is capable of monitoring temperature inversion strengths at an appropriate sampling rate; - evaluates and reports on the effectiveness of the real-time noise management system; - includes a protocol for determining exceedances of the relevant conditions of this approval.	Compliant	Covered in previous audits. Evidence: Noise Management Plan (NMP): WHC_PLN_WC_NOISE MANAGEMENT PLAN 16 April 2014	N/A
SCHEDULE 4 - ADDITIONAL PROCEDURES				
Notification of Landowners				
1	By the end of December 2011, the Proponent shall: (a) notify in writing the owners of: any residence on the land listed in Table 3 of schedule 3 that they are entitled to ask the Proponent to install additional noise	Not Triggered	Covered in previous audit. There was no new cases where a landowner had to be notified.	N/A

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	mitigation measures at their residence at any stage during the project; and any privately-owned land within 2 kilometres of the approved open cut mining pit that they are entitled to ask the proponent 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; and (b) 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 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.			
2	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 each of these parties until the project is complying with the relevant criteria again	Not Triggered	Based on a review of Annual Reviews, this condition has not been triggered. Evidence: Annual reviews: 2023 / 2024 / 2025	N/A

Independent Review

3	If an owner of privately-owned land considers the project to be exceeding the relevant criteria in schedule 3, 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 person, whose appointment has been approved by the Secretary, to: - consult with the landowner to determine his/her concerns; - conduct monitoring to determine whether the project is complying with the relevant criteria in schedule 3; and	Not triggered	Based on a review of Annual Reviews, this condition has not been triggered. Evidence: Annual reviews: 2023 / 2024 / 2025	N/A
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Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	if the project is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Secretary and landowner a copy of the independent review.			
4	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 in schedule 3, then the Proponent shall: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; and (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria; to the satisfaction of the Secretary. 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 condition 5-6 below.	Not triggered	Based on a review of Annual Reviews, this condition has not been triggered. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCC Summary Reports: From July 2023 to Jan 2026	N/A

Land Acquisition

5	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: (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the:	Not triggered	Based on a review of Annual Reviews, this condition has not been triggered. Evidence: Annual reviews: 2023 / 2024 / 2025	N/A
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Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	- existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and - presence of improvements on the 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 'additional noise mitigation measures' in condition 4 of schedule 3; (b) the reasonable costs associated with: - relocating within the Liverpool Plains Shire local government area, or to any other local government area agreed to by the Secretary; - 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 (c) reasonable compensation for any disturbance caused by the land acquisition process. However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution. Upon receiving such a request, the Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to: - consider submissions from both parties; - 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; - prepare a detailed report setting out the reasons for any determination; and - provide a copy of the report to both parties.		EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	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. 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 and any other relevant submissions. 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.			
6	The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 4 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.	Not triggered	Based on a review of Annual Reviews, this condition has not been triggered. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	N/A

APPENDIX B EPL 12290 COMPLIANCE REGISTER

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																														
3. Limit Conditions																																		
L4 Noise Limits																																		
L4.1	Noise generated from the premises must not exceed the noise limits in the table below. <table> <tr> <th>Locality and Location</th><th>Day L_{Aeq}(15min)</th><th>Evening L_{Aeq}(15min)</th><th>Night L_{Aeq}(15min)</th><th>Night L_{A1}(1min)</th></tr> <tr> <td>R96 Talavera</td><td>38</td><td>38</td><td>38</td><td>45</td></tr> <tr> <td>R12 Quipolly Railway Cottage</td><td>38</td><td>38</td><td>38</td><td>45</td></tr> <tr> <td>R24 Hazeldene</td><td>37</td><td>37</td><td>37</td><td>45</td></tr> <tr> <td>R98 Kyooma</td><td>36</td><td>38</td><td>38</td><td>45</td></tr> <tr> <td>Any other affected residence not owned by the licensee or its related companies</td><td>35</td><td>35</td><td>35</td><td>45</td></tr> </table>	Locality and Location	Day L _{Aeq} (15min)	Evening L _{Aeq} (15min)	Night L _{Aeq} (15min)	Night L _{A1} (1min)	R96 Talavera	38	38	38	45	R12 Quipolly Railway Cottage	38	38	38	45	R24 Hazeldene	37	37	37	45	R98 Kyooma	36	38	38	45	Any other affected residence not owned by the licensee or its related companies	35	35	35	45	Compliant	There were no exceedances of Noise Criteria during the audit period. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	N/A
Locality and Location	Day L _{Aeq} (15min)	Evening L _{Aeq} (15min)	Night L _{Aeq} (15min)	Night L _{A1} (1min)																														
R96 Talavera	38	38	38	45																														
R12 Quipolly Railway Cottage	38	38	38	45																														
R24 Hazeldene	37	37	37	45																														
R98 Kyooma	36	38	38	45																														
Any other affected residence not owned by the licensee or its related companies	35	35	35	45																														
L4.2	For the purpose of the condition above; a) Day is defined as the period from 7am to 6pm on any day. b) Evening is defined as the period 6pm to 10pm on any day. c) Night is defined as the period from 10pm to 7am on any day.	Compliant	EPL monthly monitoring reports consider the appropriate daytime, evening and night-time periods. The reports did not report on any instance of tonal, low frequency and impulsive components.	N/A																														

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	Note: For the purpose of the noise criteria for this condition, 5dBA must be added to the measurement level if the noise is substantially tonal or impulsive in character.			
L4.3	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) Temperature inversion conditions up to 12°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Temperature inversion conditions greater than 12°C/100m. Note: For the purpose of this condition, data recorded by the meteorological station identified as EPA Identification Point no. 9 and the lower level temperature sensor identified as EPA Identification Point No. 31 must be used to determine meteorological conditions. Note: Temperature inversion conditions (vertical temperature gradient in degrees C/100m) are to be determined as $[(TM2 - TM3 - 0.7) * 1.25]$, where TM2 is the temperature from sensor M2 (10m weather station at top of rehabilitated overburden emplacement) and TM3 is the temperature from sensor M3 (lower weather station at base of rehabilitated overburden emplacement). Reference: Spectrum Acoustics letter report Ref: 04035/4580 of 7 November 2012 to Werris Creek Coal.	Compliant	EPL monthly monitoring reports include weather data observations during compliance monitoring.	N/A
L4.4	Noise impacts where wind speed exceeds 3 metres per second at 10 metres above the ground must be addressed by: a) documenting noise complaints received to identify any higher level of impacts or wind patterns;	Compliant	Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary	N/A

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	b) where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts where wind speed exceeds 3 metres per second at 10 metres above the ground must be developed and implemented.		Reports: From July 2023 to Jan 2026 Complaints Register	
L4.5	The noise limits set by condition L4.1 of the licence do not apply where a current legally binding agreement exists between the proponent and the occupant of a residential property that: a) agrees to an alternative noise limit for that property; or b) provides an alternative means of compensation to address noise impacts from the premises. A copy of any agreement must be provided to the EPA before the proponent can take advantage of the agreement.	Compliant	Section 8.1 of the approved Noise Management Plan identifies those receivers which have agreement with WCCM for higher noise levels with those agreements being to the satisfaction of the DPE and EPA. Section 8.1 of the revised Noise Management Plan identifies the receivers with the private agreements. While the revised Noise Management Plan does not state that these have been agreed with DPE this is inferred from the previous Noise Management Plan. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026 - Noise Management Plan (NMP): WHC_PLN_WC_NOISE MANAGEMENT PLAN 16 April 2014	N/A

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
L4.6	Determining Compliance To determine compliance: a) with the $L_{Aeq(15min)}$ 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 $L_{A1(1min)}$ 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. Note: A non-compliance of the Noise Limits table will still occur where noise generated from the premises in excess of the appropriate limit is measured: i) at a location other than an area prescribed in part (a) and part (b); and/or	Compliant	Covered in previous audit, reported as monitoring being undertaken in accordance with these requirements. Evidence: EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	N/A

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	ii) at a point other than the most affected point at a location.			
O4 Other operating conditions				
O4.1	All reversing beepers fitted to vehicles on the premises must be a mid-high frequency broadband type as described in the EIS.	Compliant	Covered in previous audit, reported as confirmed during inspection to be compliant for all large plant items (broadband beepers audible during inspection).	N/A
M9 Other Monitoring and Recording Conditions				
M9.1	To assess compliance with the noise limits presented in the Noise Limits table, attended noise monitoring must be undertaken in accordance with the condition titled Determining Compliance, outlined above, and: a) at the locations labelled "R24 Hazeldene", "R12 Quipolly Railway Cottage", "R96 Talavera", "R98 Kyooma" and "R57 33 Kurrara St, Werris Ck" (non project related residence number 57) on the figure titled "EPL 12290 Licensed Monitoring Points", received by the EPA via email on 17 December 2015 (DOC16/111380); b) occur monthly in a reporting period; c) occur during each day, evening and night period as defined in the NSW INP for a minimum of: i) 1 hour during the day; and ii) 1 hour during the evening or night.	Compliant	EPL monthly monitoring reports from WCCM Summary Reports for the audit period have been reviewed and has been conducted in accordance with the required conditions. Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCC Summary Reports: From July 2023 to Jan 2026	N/A
R4 Other reporting conditions				
R4.1	A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the monthly monitoring. The	Compliant	EPL monthly monitoring reports from WCCM Summary Reports for	N/A

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits presented in the Noise Limits table; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in the Noise Limits table.		the audit period have been reviewed and have been conducted in accordance with the required conditions. Review of the completion dates of the monitoring reports and records of submission to EPA indicated these were submitted within the 30-day period. Evidence: EPL monthly monitoring reports from WCC Summary Reports: From July 2023 to Jan 2026	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
8 Special Conditions				
E1.1	E1 Three Yearly Independent Noise Audit E1.1 The licensee must provide the EPA with a copy of any Noise Audit and Independent Environmental Audit Report required by condition 4 of Schedule 3 and conditions 8 and 9 of Schedule 5 of the Werris Creek Mine Extension Project Approval (No. 10_0059). If the Noise Audit and Independent Environmental Audit Report do not incorporate the following information or assessments, then the licensee must also provide a separate report to the EPA that incorporates the following: (a) An assessment of noise emissions from the premises against the noise limits established by the Project Approval (No. 10_0059), as well as against the long term noise goal and noise acquisition criteria established within Project Approval No. 10_0059 that has been completed in accordance with the procedures defined in the NSW Industrial Noise Policy and any relevant Application Notes published by the EPA; (b) An evaluation of current mine noise impacts at all non-project related receptors and the noise mitigation practices that have been implemented at the premises against the best available economically achievable technology and current best practice principles for minimising noise emissions; and (c) Where noise impacts at any affected non-project related receptor exceeds the long term noise goal established by condition 4 of Schedule 3 of Project Approval 10_0059, the licensee must provide documented evidence that demonstrates that reasonable attempts have been made to reach a negotiated agreement with all relevant affected receptors within the last 3 years.	Compliant	This condition was met for last audit period 2023 reports and has been prepared for 2026 to meet the requirements.	N/A

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	The reports required by this condition must be submitted to the EPA's Armidale office within 6 weeks of the 30 June 2014, and every three years thereafter.			
E1.2	If the reports required by E1.1 above indicate that non-project related receptors continue to receive impacts that exceed the long term noise goal established by condition 4 of Schedule 3 of Project Approval 10_0059, then the licensee must provide the EPA with a report detailing the actions it will take during the next three year period, to further reduce noise impacts from the mine. The report must: (a) Provide details of any trials, tests or research that it will commission in an attempt to develop new or innovative noise mitigation technologies or management practices; (b) Detail the nature of any works that will be carried out at the premises or at the relevant receptor locations to further reduce noise impacts; (c) Provide timelines and provisional costings for the proposed actions or works; (d) Provide an analysis where possible of the potential noise reductions that the proposed actions are likely to achieve; and (e) Define any additional noise monitoring programs that might be required to measure/validate the performance of the proposed mitigation actions. The report required by this condition must be submitted to the EPA by 31 August 2014 and every three years thereafter until noise emissions from the premises meet the long term noise goal established by condition 4 of Schedule 3 of Project Approval 10_0059.	Not triggered	Evidence: - Annual reviews: 2023 / 2024 / 2025 - EPL monthly monitoring reports from WCCM Summary Reports: From July 2023 to Jan 2026	N/A

APPENDIX C STATEMENT OF COMMITMENTS 2026 – COMPLIANCE REGISTER

Desired Outcome	Action	Timing	Compliance Status	Evidence	Recommended Action
7. Noise					
Attenuate mining noise sources to ensure compliance with Project Specific Noise Criteria.	7.1 Construct an Acoustic and Visual Amenity Bund at the northern extent of mining operations.	Completed	Compliant	Covered during previous audit.	N/A
	7.2 Implement noise mitigation and management measures in accordance with an approved NMP.	Completed	Compliant	Covered during previous audit.	N/A
	7.3 Employ a dedicated Noise Control Operator (NCO) to continually monitor real time noise levels and inform the Open Cut Examiner (OCE) if the dominant noise source is mining.	Completed	Compliant	Covered during previous audit.	N/A
	7.4 Modify or partially suspend mining operations to achieve the nominated noise criteria when elevated noise levels a result of mining noise	Completed	Compliant	Covered during previous audit.	N/A
Monitor and manage noise generated by the LOM Project	7.5 Implement noise monitoring in accordance with an approved NMP for the Mine.	As defined within the NMP	Compliant	Evidence: WHC_PLN_WC_NOISE MANAGEMENT PLAN 16 April 2014	N/A

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Department of Planning, Housing and Infrastructure

Reference: MP10_0059-PA-62 and MP10_0059-PA-63

[REDACTED]
Superintendent - Environment
Werris Creek Coal Pty Ltd
21/09/2026

Sent via the Major Projects Portal only

Subject: Werris Creek Coal - 2026 IEA Report and RAR

Dear [REDACTED]

I refer to your Independent Environmental Audit (IEA) report, Independent Noise Audit (INA) report and Response to Audit Recommendations (RAR) for the period 6 July 2023 to 12 June 2026, submitted as required by Schedule 5, Condition 8 and Schedule 3, Condition 4(e) of MP10_0059 as modified (the consent) to the NSW Department of Planning, Housing and Infrastructure (the Department) on 24 July 2026.

The Department considers the IEA report, INA report and RAR to generally satisfy the reporting requirements of the consent and the Department's *Independent Audit Post Approval Requirements* (2026).

Nil non-compliances with the consent were identified by the endorsed Lead Auditor in the IEA report or INA report.

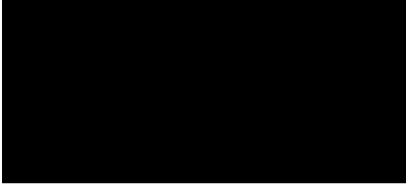
Please note:

- The Department's acceptance of the IEA report and INA report is not an endorsement of the compliance status of the project.
- In accordance with Schedule 5, Condition 10 of the consent, please publish the IEA report, INA report and RAR on the project website. Please also notify the stakeholders consulted as part of the audit process, as identified in Section 2.2.2 of the IEA report, when the documents are published and provide them with a link to the published reports.
- A status update for all actions provided in the RAR is to be reported in the next IEA report and the next Annual Review, until all actions are completed.
- Following submission of the IEA report you are required to review, and if necessary, revise the strategies, plans, and programs required under this consent, in accordance with Schedule 5, Condition 4 of the consent.

Should you wish to discuss the matter further, please contact me on 02 65753401 or email compliance@planning.nsw.gov.au

Department of Planning, Housing and Infrastructure

Yours sincerely



Team Leader - Hunter
Compliance

As nominee of the Planning Secretary