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Werris Creek Coal Independent Environmental Audit

Report Number 630.12027-R01

27 September 2017

Werris Creek Coal Mine

Version: v1.1

Werris Creek Coal Independent Environmental Audit

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This report has been prepared by SLR Consulting Australia Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

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SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
630.12027-R01-v1.1	27 September 2017	Chris Jones	Chris Jones	Chris Jones
630.12027-R01-v0.1	26 September 2017	Chris Jones	Chris Jones	Chris Jones

Table of Contents

1	INTRODUCTION	1
1.1	Background to Site	1
1.2	Audit Scope	3
1.3	Key Site Contacts	3
1.4	Audit Methodology	4
1.4.1	Introductory and Closeout Meetings	4
1.5	Consultation Requirements	5
1.5.1	DPE Comments	5
1.5.2	DRG Comments	6
1.5.3	DPI Water Comments	8
1.5.4	Liverpool Plains Shire Council Comments	8
2	DOCUMENTS REVIEWED AND REFERENCED	9
3	ASSESSMENT OF COMPLIANCE	10
4	APPROVALS AND DOCUMENTATION ASSESSED	11
4.1	Previous Audit Recommendations	11
4.2	Project Approval	11
4.3	Environmental Assessment – Statement of Commitments	12
4.4	Management Plans and Programs	13
4.5	Environment Protection Licence	14
4.6	Mining Leases	14
4.7	Water Access Licences	15
4.8	Complaints	15
4.9	Incident / Non Compliance Management	15
5	WATER MANAGEMENT	16
5.1	Water Management Audits	16
5.2	Surface Water Management	17
5.2.1	Background to Surface Water Management	17
5.2.2	Key Findings – Surface Water	17
5.3	Groundwater	17
5.3.1	Background to Groundwater Management	17
5.3.2	Groundwater Specialist Assessments	18
5.3.3	SLRs Findings - Groundwater	18
6	AUDIT FINDINGS - SUMMARY OF NON - COMPLIANCES	19
7	ADDITIONAL RECOMMENDED ACTIONS FOR COMPLIANT CONDITIONS	28
8	CONCLUSION	30

Table of Contents

TABLES

Table 1	Contact Details for Key Mine Personnel	3
Table 2	Meeting Attendees	4
Table 3	Stakeholder Consultation for the Audit	5
Table 4	DPE Comments Relating to WCC Audit	5
Table 5	DRG Comments Relating to WCC Audit	6
Table 6	DPI Water Comments Relating to the WCC Audit	8
Table 7	Compliance Assessment Criteria	10
Table 8	Risk Levels for Non - compliances	10
Table 9	Status of the Implementation of the Independent Environmental Audit Action Plan (2014 Audit)	11
Table 10	Management Plans and Programs	13
Table 11	Assessment Against Water Access Licences	15
Table 12	Summary of Non - compliances	19
Table 13	Additional Recommendations for WCC	28

FIGURES

Figure 1	WCC Locality Map (Source: Whitehaven Coal AEMR)	2
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APPENDICES

Appendix A – Photographs
Appendix B – Compliance Spreadsheet;
Appendix C – Audit Certification Form;
Appendix D – Endorsement of SLR

1 INTRODUCTION

1.1 Background to Site

The Werris Creek Coal Mine (WCCM) is operated by Werris Creek Coal Pty Ltd (WCC) and is located approximately 4 km south of Werris Creek and 11 km north-northwest of Quirindi in central northern New South Wales. WCCM is owned and operated by Werris Creek Coal Pty Limited (WCC), a wholly owned subsidiary of Whitehaven Coal Limited (WHC). The locality of the site is shown in **Figure 1**.

The current Project Approval (PA) 10_0059 Modification 2, limits mining until 31st December 2032. The Mining Operations Plan (MOP) covers a 7 year period from the 14 January 2016 to the 30 November 2022.

WCC has approval to mine in full the Werris Creek coal measures, which occur as a synclinal (bowl-shaped) formation to the immediate south of Werris Creek. Activities undertaken at the WCCM include the clearing of vegetation, stripping and relocation of topsoil, followed by the blasting of overburden and interburden material which is subsequently loaded into earthmoving trucks by excavators for hauling to the overburden dumps. Coal excavated from the mining pit is hauled to the Run-Of-Mine (ROM) stockpiles where it is crushed and carted using road trains to the Train Load Out (TLO) facility, for loading on to trains.

Train loading operations occurred 24 hours per day, 7 days per week dependent on train scheduling. Coal is segregated at the ROM coal stockpile based on the expected ash content of the coal. The higher ash coal products are processed through the fixed plant crusher at an average 420t/hr using a Front End Loader to feed the hopper of the primary crusher (to <150mm) and subsequently processed through the secondary crusher to <50mm size, this being the specification for export quality coal. Low ash coal products are processed by the mobile crushers at an average 240t/hr straight to <50mm product and then screened. Product coal is transported by road trucks from the coal processing area to the product coal stockpile area at the train load out facility via the private coal haul road. The despatch of product coal from WCC is either railed to the Port of Newcastle or by road to domestic customers.

The final stage of the mining process involves the reshaping, topsoiling and seeding of the overburden emplacement to achieve the rehabilitation objectives of WCC.

WCCM operates under Project Approval (PA) 10_0059 which was originally granted on 25 October 2011. PA 10_0059 has subsequently been modified on two occasions as follows:

- Modification 1 (PA 10_0059 MOD1) dated 30 August 2012 allowing for the relocation of some surface infrastructure; and
- Modification 2 (PA 10_0059 MOD2) dated 3 November 2015 allowing for minor overburden emplacement changes, agricultural water supply, coal deshaling plant and SB18.

There are a series of biodiversity offset areas (BOA) which are managed by WCC, with these outlined within the *Biodiversity and Offset Management Plan*, including:

- Narrawolga BOA;
- Eurunderee BOA;
- Railway View BOA;
- Marengo BOA;
- Hillview BOA; and
- Greenslopes BOA.

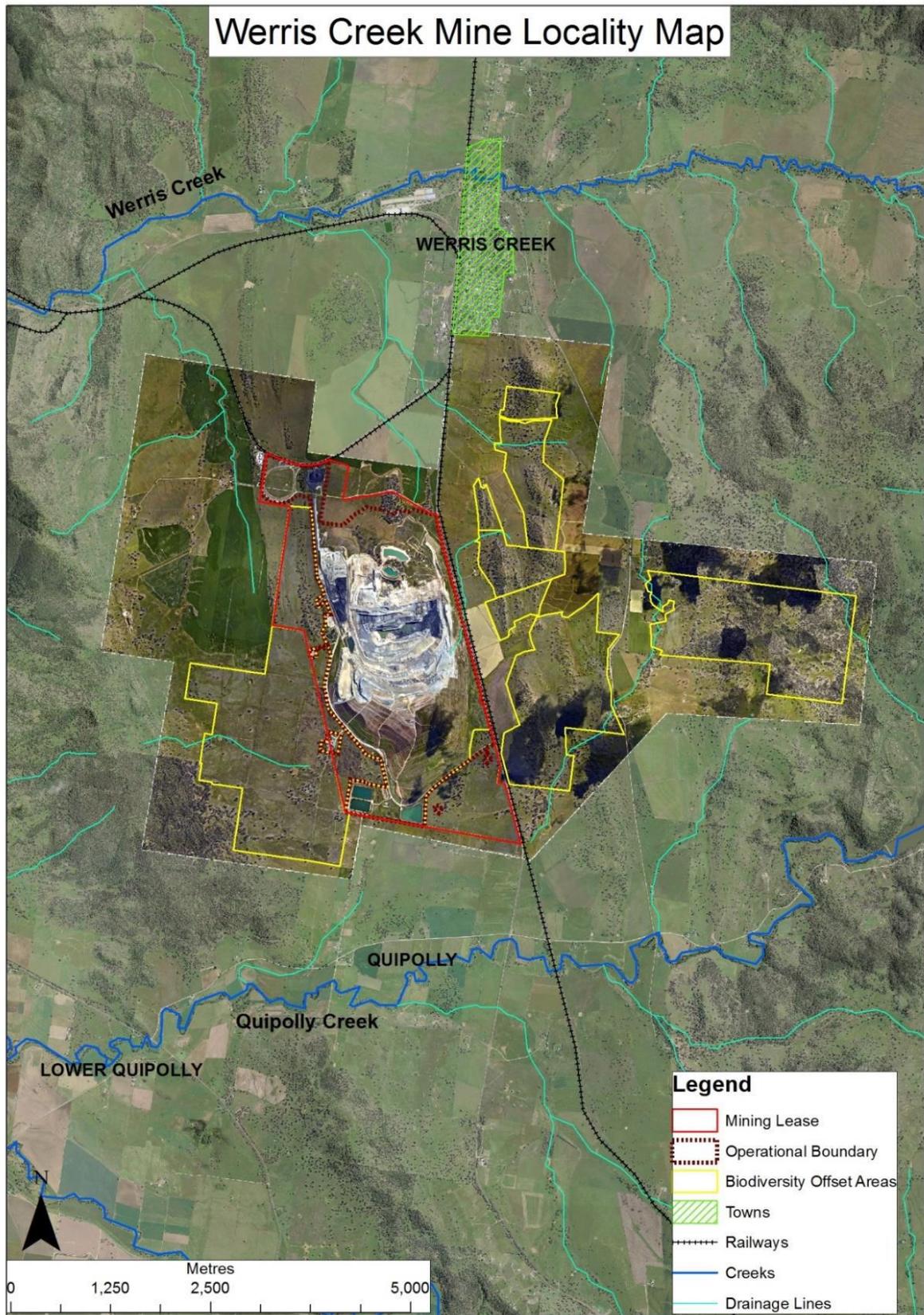


Figure 1 WCC Locality Map (Source: Whitehaven Coal AEMR)

1.2 Audit Scope

Schedule 5 Condition 8 and 9 of the Project Approval outlines the requirement to complete the Independent Environmental Audit (Audit).

8. 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:

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

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.

9. Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

The Audit has assessed the key approvals and documentation outlined in Section 4, including:

- Project Approval – PA 10-0059 (including management plans and programs);
- Environment Protection Licence – EPL12290;
- Environmental Assessment (EA) Modification 2 (MOD 2) Statement of Commitments;
- Mining Leases – ML 1671, ML 1672 and ML 1563;
- Water Access Licence – WAL 29506 and WAL 32224

The physical boundaries of the audit are defined by the Project Approval area, which is outlined in **Figure 1**. SLR visited the Eurunderee BOA as part of the Independent Environmental Audit, with compliance assessed across other offset areas based on a review of desktop information.

1.3 Key Site Contacts

The key contact details for key personnel at WCC are provided in **Table 1** below:

Table 1 Contact Details for Key Mine Personnel

Name	Role	Telephone	Email
Rod Hicks	Operations Manager	02 6763 6000	RHicks@whitehavencoal.com.au
Lynden Cini	Environmental Officer	02 6763 6018	LCini@whitehavencoal.com.au

1.4 Audit Methodology

The Independent Environmental Audit audit was undertaken on site by Chris Jones (Lead Auditor) and Nathan Archer (Assistant Auditor), with the site component completed on 14 and 15 June 2017. At the request of the DPE SLR also used Duncan Barnes (SLR Surface Water specialist) and Timothy Wilkinson (SLR Groundwater specialist) to provide specialist input into the audit. The SLR audit team are independent of WCC as defined under Section 3.3 of the NSW Government's (2015) *Independent Audit Guideline*.

Information was provided by WCC prior to the audit, during the audit and following the audit. SLR also sourced a large amount of information from the WCC website.

The methodology for the Independent Environmental Audit consisted of the following key steps:

- a. Introductory and close out meetings;
- b. Reviewing key documents provided by WCC prior to the audit;
- c. Consultation with relevant government agencies as per the audit requirements prior to the site component;
- d. Site component of the audit on 14 and 15 June 2017 – including inspections and discussions with key WCC personnel;
- e. Review of additional relevant documentation obtained while on site during the inspection or provided by WCC after the site inspection; and
- f. Client review and comment on the draft audit report.

Photographs taken during the site inspections are contained in **Appendix A**. A large amount of evidence was viewed and collected as part of the audit, including monitoring records, reports, and correspondence. While this key evidence has been referenced in **Section 2**, it has not been attached to this audit report.

The audit has been completed as per the *Independent Environmental Audit Guidelines* (DPE, October 2015).

The audit team assessed the approvals and documentation outlined in **Section 4**.

1.4.1 Introductory and Closeout Meetings

Introductory and close out meetings were held for the audit. At these meetings the current status of the site was discussed as well as a general discussion about compliance and areas for improvement. **Table 2** lists those present at these meetings.

Table 2 Meeting Attendees

Name	Role	Comment
Rod Hicks	Operations Manager	Present at both meetings and site inspection.
Lynden Cini	Environmental Officer	Present at both meetings and site inspection.
Chris Jones	SLR Lead Auditor	Present at both meetings and site inspection.
Nathan Archer	SLR Assistant Auditor/Noise Specialist	Present at both meetings and site inspection.

1.5 Consultation Requirements

Table 3 outlines the stakeholder consultation completed for the WCC, with this undertaken per as the Audit Guidelines.

Table 3 Stakeholder Consultation for the Audit

Regulatory Authority	Contact Details	Comment
Department of Planning and Environment (DPE)	Heidi Watters Senior Compliance Officer Northern Region Department of Planning and Environment	Email from SLR on 2 June 2017. Response provided by DPE by email on 8 June 2017. Comments provided. See Section 1.5.1 below. WCC also consulted with the DPE regarding the extensions to the audit submission date.
Environment Protection Authority (EPA)	Simon Lund Operations Officer – Armidale Region North Branch, NSW Environment Protection Authority	Email from SLR on 2 June 2017. No comments provided
Division of Resources and Geosciences (DRG)	Chris Cooper Inspector Environment Environmental Sustainability Unit Resources and Energy NSW Department of Industry	Comments provided. See Section 1.5.2 below. Email from SLR on 2 June 2017. Response provided by DRG by email on 2 June 2017
Department of Primary Industries – Water (DPI Water)	Tim Baker Senior Water Regulation Officer NSW Department of Primary Industries Water	Comments provided. See Section 1.5.3 below. Email from SLR on 2 June 2017. Response provided by DPI Water by email on 2 June 2017
Liverpool Plains Shire Council (LPSC)	Donna Ausling Director of Environmental and Economic Development Services Liverpool Plains Shire Council	Email from SLR on 2 June 2017. Response provided on 24 July 2017.
CCC Chairman	Gaye Swain	Email from SLR on 2 June 2017. No comments provided.

1.5.1 DPE Comments

Table 4 outlines the DPE comments relating to the WCC Audit.

Table 4 DPE Comments Relating to WCC Audit

Aspect	Comment
Adequacy of environmental management plans	The adequacy of approved management plans was reviewed. There are a series of management plans which were with DPE at the site of the Independent Environmental Audit, and these have not been assessed by SLR.
Effectiveness and adequacy of environmental monitoring (air and noise) locations, particularly in relation to the location of private receivers	Air quality and noise monitoring has been undertaken in accordance with management plans
Review of groundwater monitoring results and implementation of groundwater impacts contingency plan	SLR assessed the groundwater results and 'Determination of Groundwater Interception Report – Ramboll Environ 2015 and 2016). SLR has some recommendations relating to the additional reporting of groundwater performance in future

Aspect	Comment
	Annual Reviews. Recommendations are outlined in Section 5 .
Spontaneous combustion management	There is little detail relating to spontaneous combustion within the Annual Review. In future Annual Reviews there should be some information relating to whether there have been any spontaneous combustion and mitigation measures.
Effectiveness and health of rehabilitation	Rehabilitation health was assessed in the Flora and Fauna Monitoring reports. The audit team viewed rehabilitation. The rehabilitation (old and recent rehabilitation) was in stable condition, with good vegetative growth.
Effectiveness of current measures to minimise visual impacts (including vegetation screening)	Generally visual management has been effective at the site. Additional visual screening is required at the site advances.

1.5.2 DRG Comments

Table 5 outlines the DRG comments relating to the WCC Audit.

Table 5 DRG Comments Relating to WCC Audit

Aspect	Comment
Desktop	
Is there a current Mining Operations Plan (MOP) in place and has it been approved by DRG?	Yes approved MOP in place.
Has the MOP been prepared in consultation with the relevant agencies as outlined in the Project Approval?	<p>Consultation for most recent <i>MOP/Rehabilitation Management Plan</i> outlined within Section 1.5.2. Although there is some discussion relating to consultations regarding 'proposed modifications at Werris Creek' there is no evidence that these agencies were specifically sent a copy of the new MOP for comment (MOP dated December 2015).</p> <p>For the next MOP update, SLR recommends that WCC send the relevant sections of the MOP document to the relevant government agencies (DPI Water, OEH, Council) for review/comment. Discussion of the MOP would be required at the CCC meeting for future MOP updates.</p>
Is the rehabilitation strategy in the MOP consistent with the Project Approval in terms of progressive rehabilitation schedule and proposed final land use(s)?	Based on a review of Annual Reviews rehabilitation appears to be progressing in line with the MOP.
Are the rehabilitation objectives and completion criteria in the MOP in accordance with the rehabilitation objectives and proposed final land use(s) defined in the Project Approval?	The rehabilitation objectives are outlined in Section 4 of the MOP. Completion criteria outlined in Section 6 of the MOP. These cover key Project Approval requirements.
Has a rehabilitation monitoring program been developed and implemented to assess performance against the nominated objectives and completion criteria? <i>verified by reviewing monitoring reports and rehabilitation inspection records.</i>	The monitoring program covers the key requirements of completion criteria in Section 6 of the MOP.
Has a rehabilitation care and maintenance program been developed and implemented based on the	Rehabilitation is being completed. Viewed evidence of weed management and additional planting of tube stock. Evidence of inspections and maintenance.

Aspect	Comment
outcomes of monitoring program? <i>verified by reviewing Annual Rehabilitation Programs or similar documentation.</i>	
Audit Component – Site Inspection	
Are mining operations being conducted in accordance with the approved MOP (production, mining sequence etc.) and within the MOP approval boundary	Yes. Based on the field inspection and a review of Annual Review/MOP figures, operations are generally in accordance with the MOP and activities within the MOP boundary.
Is rehabilitation progress consistent with the approved MOP progressive rehabilitation schedule? <i>This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in Project Approval.</i>	Additional information is required in future Annual Reviews comparing goal of rehabilitation (hectares) vs actual. See Section 7 for recommendations.
Based on a visual inspection, are there any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation?	The audit team viewed rehabilitation. The rehabilitation (old and recent rehabilitation) was in a good condition, with the landform being stable and excellent growth.

1.5.3 DPI Water Comments

Table 6 outlines the DPI Water comments relating to the WCC Audit.

Table 6 DPI Water Comments Relating to the WCC Audit

Aspect	Comment
Assessment as to whether the project holds the required water entitlements and licenses under the <i>Water Management Act 2000</i> or <i>Water Act 1912</i> (as applicable)	A review of Water Access Licenses (WAL's) and results from the Annual Reviews illustrates WCC holds the required water entitlements and licenses.
Compliance with the conditions of any water licenses/approvals held.	SLR audited against the WAL 29506 and 32224. WCC has been compliant with these conditions during the audit period relating to the interception of groundwater.
Quantification of both active and passive take by the project from each relevant water source and a comparison against previous predictions.	There has been numerous groundwater assessments completed for WCC. Annual Groundwater Assessments viewed and assessed by SLR's groundwater specialist.
Compliance with the management, monitoring and contingency requirements in the Water Management Plan for the site.	There have been some commitments within the <i>Water Management Plan</i> which have not been fully implemented. See Section 5 for details.

1.5.4 Liverpool Plains Shire Council Comments

There was one aspect raised by the Liverpool Plains Shire Council in an email dated 24 July 2017. The email stated:

The primary issue that I was interested in is the overall traffic movements and ensuring that the company is compliant with its road maintenance contributions.

Schedule 3 Condition 35 relates to road maintenance of Taylor Lane. SLR's response to this condition is stated below:

There is an executed agreement between WCC and Liverpool Plains Shire Council. Based on the details provided by WCC, contributions towards Taylors Lane maintenance would be incurred once haul tonnages exceeded 20,000 tonnes. As evident within the audit period, all haulages were below this figure.

2 DOCUMENTS REVIEWED AND REFERENCED

Some of the key documentation reviewed as part of the audit includes:

- Project Approval – PA10_0059;
- Environment Protection Licence – EPL 12290;
- Mining Leases (ML 1563, ML 1671 and ML 1672);
- Environmental Assessment – Life of Mine (Prepared by RW Corkery and Co. 2010);
- Environmental Assessment – Mod 2 (Prepared by RW Corkery and Co.- 2015);
- EA Statement of Commitments (Attached to the Project Approval);
- Previous Independent Environmental Audit – SLR Consulting (August 2014);
- Approved Environmental Management Plans, including:
 - *Water Management Plan* (July 2015);
 - *Noise Management Plan* (April 2014);
 - *Waste Management Plan* (July 2015);
 - *Air Quality and Greenhouse Gas Management Plan* (March 2014);
 - *Biodiversity and Offset Management Plan* (August 2013);
 - *Blast Management Plan* (December 2013);
 - *Heritage Management Plan* (July 2014); and
 - *Environmental Management Strategy* (April 2012 - not approved).
- Unapproved Management Plans (Prepared during audit period but not approved);
 - *Water Management Plan* (March 2017);
 - *Noise Management Plan* (September 2016);
 - *Blast Management Plan* (September 2016); and
 - *Biodiversity Management Plan* (September 2016)
- Mining Operations Plan – 2015 – 2022 (December 2015);
- Annual Returns – across the audit period;
- Annual Reviews across the audit period;
- Community Consultative Committee Meeting Minutes – across the audit period;
- Key consultation with government – including consultation and approval letters;
- Groundwater reports – Determination of Groundwater Interception Werris Creek Coal Mine (Ramboll Environ 2015 and 2016).
- DPI Water – Groundwater Review
<http://www.water.nsw.gov.au/water-management/groundwater/werris-creek-groundwater-review>
- Final Compliance Audit Report – Dams at NSW Mines (EPL 12290) – April 2017;
- Joint Agency Environment Audit (Covering management of tailings, wastewater holding and sedimentation dams) – Action Plan Letter Dated 23 May 2017.
- EPA Audit and Multi Agency Audit Action Plan – June 2017; and
- Environmental monitoring reports and data – air, blasting, noise and water.

3 ASSESSMENT OF COMPLIANCE

The terms used in the audit to describe the level of compliance of the site with the relevant approval documentation are outlined in **Table 7** and **Table 8**. These are requirements of the DPE *Independent Environmental Audit Guidelines* (October 2015).

Table 7 Compliance Assessment Criteria

Assessment	Criteria
Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.
Not verified	Where the auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non - compliant with that requirement.
Non-compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
Administrative non compliance	A technical non - compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval).
Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection; therefore a determination of compliance could not be made.
Observation	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. Further observations are considered to be indicators of potential non - compliances or areas where performance may be improved.
Note	A statement or fact, where no assessment of compliance is required.

Table 8 Risk Levels for Non - compliances

Risk level	Colour Code	Description
High		Non - compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium		Non - compliance with: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> potential for moderate environmental consequences, but is unlikely to occur; or potential for low environmental consequences, but is likely to occur.
Administrative Non - compliance		Only to be applied where the non - compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

4 APPROVALS AND DOCUMENTATION ASSESSED

4.1 Previous Audit Recommendations

The previous audit was completed by SLR Consulting, with the audit dated August 2014.

<https://www.whitehavencoal.com.au/environment/docs/2014-independent-environmental-audit.pdf>

The audit covered the period of 25 October 2011 to 30 May 2014. In the 2016 Annual Review, WCC provided an update on three recommended actions following the 2014 audit. This update and SLR's comments are provided in **Table 9** below.

Table 9 Status of the Implementation of the Independent Environmental Audit Action Plan (2014 Audit)

Recommendation	Actions Taken by WCC	SLR Comment
<p>PA 10_0059 – Schedule 3 Condition 27</p> <p>SLR recommends that WCC progress consultation with the DP&E in order to close out this condition regarding long term security for the offset area.</p>	<p>WCC solicitor sent modified S88E instruments back to DP&E solicitor on 31st July 2015. WCC requested extension to timing for registration of long term security from the 21st December 2015 to the 21st December 2017. This was granted by the Department on the 19th December 2016.</p>	<p>This has not yet been completed. WCC continue to the process to close out this condition.</p>
<p>PA 10_0059 – Schedule 3 Condition 37</p> <p>Finalise the construction of the visual bund and revegetate the visual bund.</p>	<p>The eastern visual bund has progressed to a point where by current WCC operations are not in view of the public, reducing potential visual and noise impacts. Finalisation of the visual bund will occur in subsequent reporting periods, pending mining schedule commitments.</p>	<p>Finalisation of the visual bund is not yet required.</p>
<p>PA 10_0059 – Schedule 3 Condition 39</p> <p>Develop a waste management plan for the site to document the waste management strategy for the site.</p>	<p>Draft Waste and Hydrocarbon Management Plan developed which is currently undergoing internal reviews prior to finalisation.</p>	<p>Finalised plan provided to SLR during the 2017 audit. This is an internal document.</p>

4.2 Project Approval

Appendix 1 lists the conditions imposed by the Project Approval and indicates the compliance status of each condition, along with recommended actions in response to non-compliances.

WCCM operates under Project Approval (PA 10_0059) which was originally granted on 25 October 2011. PA 10_0059 has subsequently been modified on two occasions as follows:

- PA 10_0059 MOD1 dated 30 August 2012 allowing for the relocation of some surface infrastructure; and
- PA 10_0059 MOD2 dated 3 November 2015 allowing for minor overburden emplacement changes, agricultural water supply, coal deshalting plant and SB18.

Non-compliances relating to the Project Approval are outlined in **Section 6**. The Project Approval includes specific reference to each of the conditions within the following key areas of the consent:

Schedule 2: Administrative Conditions

Schedule 3: Specific Environmental Conditions

- Noise;
- Blasting;
- Air Quality and Greenhouse Gas;
- Meteorological Monitoring;
- Soil and Water;
- Biodiversity;
- Heritage;
- Transport;
- Visual;
- Waste;
- Bushfire Management; and
- Rehabilitation.

Schedule 4: Additional Procedures

- Notification of Landowners;
- Independent Review; and
- Land Acquisition.

Schedule 5: Environmental Management and Monitoring

- Environmental Management;
- Reporting;
- Independent Environmental Audit; and
- Access to Information.

4.3 Environmental Assessment – Statement of Commitments

Appendix 2 lists the conditions imposed by the EA Statement of Commitments Mod 2) and indicates the compliance status of each condition, along with recommended actions in response to non-compliances. Non-compliances relating to the EA Statement of Commitments are outlined in **Section 6**.

Key aspects for the Statement of Commitments include:

- Environmental Management System;
- Groundwater;
- Surface Water;
- Biodiversity;
- Heritage;
- Transport Aspects;
- Noise;
- Blasting;
- Air Quality;
- Visibility;

- Soils, Land Capability and Agricultural Suitability;
- Waste;
- Hazards; and
- Community Contributions.

4.4 Management Plans and Programs

The following Management Plans (**Table 10**) were assessed as part of the Independent Environmental Audit. Only the plans which were approved during the reporting period were assessed for compliance. Some plans are currently with the DPE for approval or were not approved during the audit period. SLR completed a cursory review of these plans, however did not assess against compliance.

Table 10 Management Plans and Programs

Management Plan	Comment
<i>Water Management Plan</i>	Water management is a key management aspect of the site. There were two government water audits during the period. Further details regarding these audits and SLR's review of the implementation of the <i>Water Management Plan</i> is outlined in Section 5 .
<i>Noise Management Plan (April 2014)</i>	<p>The key commitments relating to monitoring and mitigation were reviewed for noise, with the site generally in compliance. It has been noted that complaints relating to noise have dropped considerably over the reporting period. There was evidence of operations being altered based on the findings of the noise control operators.</p> <p>The revised <i>Noise Management Plan</i> has been submitted to the DPE for approval in 2016. As this is not yet approved, this is not within the audit scope.</p>
<i>Air Quality and Greenhouse Gas Management Plan (March 2014)</i>	<p>The key commitments relating to monitoring and mitigation from the <i>Air Quality and Greenhouse Gas Management Plan</i> were reviewed for this audit, with the site generally in compliance. There were a small number of occasions during the audit period where there were power outages at the High Volume Air Sampler (HVAS), however there were upgrades made to the power supply to reduce the likelihood of future failures.</p> <p>It has been noted that complaints relating to air quality have dropped considerably in the 2015-16 and 2016 Annual Reviews, following an increase in dust complaints in 2014-15. Air quality results for depositional dust, HVAS and Tapered Element Oscillating Microbalance (TEOM) were reviewed as part of the audit.</p> <p>Evidence of monitoring results is outlined in the Annual Reviews and EPL Annual Returns. Evidence of field implementation of the <i>Air Quality and Greenhouse Gas Management Plan</i> was noted through the use of water carts. Minimal dust was determined during the audit inspection by SLR on 15 June 2017. SLR witnessed a blast event, with dust remaining within the pit shell and not leaving site.</p>
<i>Biodiversity and Offset Management Plan (August 2013)</i>	<p>Evidence of the <i>Biodiversity and Offset Management Plan</i> implementation was provided to SLR through monitoring reports, pre clearance permits, fire management, weed management, additional plantings reports and consultation.</p> <p>The key recommendation from the review of the <i>Biodiversity and Offset Management Plan</i> and its implementation was that there appears to be a lag in flora and fauna monitoring compared to reporting. For monitoring that is undertaken in Spring of each year, a report should be prepared prior to the next submission of the AEMR. This will assist in adaptive management and the implementation of the <i>Biodiversity and Offset Management Plan</i>.</p> <p>SLR visited the Eurunderee BOA as part of the Independent Environmental Audit, with compliance assessed across other offset areas based on a review</p>

Management Plan	Comment
	of desktop information.
<i>Blast Management Plan (December 2013)</i>	SLR viewed evidence of the <i>Blast Management Plan</i> implementation when the audit team witnessed a blast onsite on 15 June 2017 including pre, during and post blast management. Evidence of blast results and blasting times were provided by WCC, with results within criteria. Based on the information provided to SLR, WCC are effectively implementing the <i>Blast Management Plan</i> .
<i>Heritage Management Plan (July 2014)</i>	SLR reviewed the <i>Heritage Management Plan</i> and its implementation. Based on the information provided to SLR during the audit the <i>Heritage Management Plan</i> is being effectively implemented.
<i>Environmental Management Strategy (not approved)</i>	The current Environmental Management Strategy document is dated April 2012 and requires an update. Much of the information relating to complaints and risk management is based on documentation from 2010, with an update required to bring it up to the current Project Approval (Mod 2). Due to the time the document has been unapproved we recommend the document should be updated and resubmitted. SLR recommends that WCC liaises with the DPE.
<i>Waste Management Plan (July 2015)</i>	This is an internal document prepared based on the findings from the previous audit. The <i>Waste Management Plan</i> has been effectively implemented. SLR reviewed waste management in the field inspection with waste being effectively implemented and the site being clean and tidy.

4.5 Environment Protection Licence

Appendix B lists the conditions imposed by EPL and indicates the compliance status of each condition, along with recommended actions in response to non - compliances. The EPL includes specific reference to each of the following aspects:

- Administrative Conditions;
- Limit Conditions;
- Operating Conditions;
- Monitoring and Recording Conditions;
- Reporting Conditions;
- General Conditions;
- Pollution Studies and Reduction Programs; and
- Special Conditions.

4.6 Mining Leases

There are three Mining Leases (ML) relating to WCC operations including ML 1671, ML 1672 and ML 1563.

Appendix B lists the conditions imposed by Mining Leases and indicates the compliance status of each condition, along with recommended actions in response to non - compliances. Non-compliances relating to the Mining Leases are outlined in **Table 6**. The Mining Leases includes specific reference to each of the following aspects:

- Environmental harm;
- Mining Operations Plan;
- Blasting;
- Erosion;

- Rehabilitation;
- Security Deposit;
- Infrastructure management; and
- Exploration; and Resource Recovery.

4.7 Water Access Licences

Water Access Licence (WAL) 29506 and 32224 were reviewed as part of this audit. WCC were compliant with the conditions of the water access licences. A review of performance against the water access licences are outlined in the table below:

Table 11 Assessment Against Water Access Licences

Access Licence	Annual Allocation (Interception)	2014/15 AEMR	2015/16 Annual Review	2016/17 Annual Review
WAL29506	50ML	0ML	0ML	0ML
WAL32224	211ML	56ML	35ML	14ML

Based on the evidence outlined in the AEMRs/Annual Reviews, WCC have met the requirements of the allocation limits for WAL 29506 and 32224

4.8 Complaints

Complaints are outlined within the Annual Review, with the document providing a breakdown of the complaints across a five year period. The site receives most complaints relating to blasting operations. The 2016 Annual Review illustrates the lowest number of complaints in the audit period, with 30 complaints received. The highest number of complaints was recorded in 2014-15 with 95 complaints recorded.

4.9 Incident / Non Compliance Management

Incidents and non - compliances are outlined in the Annual Reviews and Annual Return documents. Most non compliances and incidents were related to minor issues. There was however an incident relating to blast fumes on 2 July 2014, with an investigation completed and the site consulting with the DPE.

5 WATER MANAGEMENT

The DPE requested specialists in surface water and groundwater to assist with the Independent Environmental Audit. The DPE approved SLR's surface water and groundwater specialists on 1 June 2017. These specialists have assisted in the review of the performance of WCC in relation to surface water and groundwater management.

5.1 Water Management Audits

There were two audits undertaken during the audit period relating to water management with these including:

- Final Compliance Audit Report – Dams at NSW Mines (EPL 12290) – April 2017; and
- Joint Agency Environment Audit (Covering management of tailings, wastewater holding and sedimentation dams) – Action Plan Letter Dated 23 May 2017.

As part of these two audits, action plans were developed. There have been several draft copies of these action plans developed, based on the audit findings from the government agencies.

SLR understands there are still some outcomes of the audits which WCC are still disputing. Where this is the case WCC will need to liaise with the agencies requiring the agreed action. SLR recommends that WCC must implement the actions from these audits as per a finalised agreed action plan.

Some of these non - compliances related to water management and the implementation of the management plan, included:

- At time of inspection by the EPA dam heights above designed capacity;
- Lack of implementing a pre-start checklist;
- Lack of calculations for sediment dams within the *Water Management Plan*;
- Sediment dams not fully compliant with the Blue Book designs;
- Requirement to test the PIRMP; and
- Sediment dam sizes not provided in *Water Management Plan*.

There are some other potential non - compliances that WCC are disputing including the methods of laboratory analysis relating to analysing water samples.

Following the audit some of the controls implemented or to be implemented include:

- Review and update to *Water Management Plan*;
- Update and implementation on inspection checklists;
- Additional maintenance of water management structures such as sediment dams;
- Completion of bathometric survey (completed May 2017);
- WCC has developed a strategy for alternative water use / augmented storage arrangements going forward and is currently reviewing the approval pathways to implement the strategy; and

- Update and testing of the PIRMP.

5.2 Surface Water Management

5.2.1 Background to Surface Water Management

The surface water management system at WCC includes the following key components which have been outlined in the *Water Management Plan*:

- Void Water – the void water catchment area is comprised of the active mining area and overburden emplacement which collects both rainfall runoff and groundwater in the base of the open cut void and needs to be dewatered by pumping to the surface to allow mining of the basal coal seam;
- Dirty Water – the dirty water catchment area comprises of areas previously disturbed by mining such as rehabilitation and soil stockpile areas with the focus on treatment of water quality and subsequent discharge;
- Clean Water – the clean water catchment area is undisturbed by mining activities and allowed to flow offsite without active management required. Clean water upslope of the mining area and to the east of Werris Creek Road is diverted around the outside of mining operations; and
- Contaminated Water – includes potentially hydrocarbon contaminated water runoff from the workshop and fuel farm areas which is treated through an oil/water ceptor and water from ablutions is treated through a septic systems onsite.

The audit team assessed compliance against the *Water Management Plan* which was approved during the audit period (plan dated 17 July 2015). The *Water Management Plan* was updated during the audit period following consultation with the DPE, with the most recent version now approved (following site auditing component). It should be noted that compliance against this plan was not reviewed as the approval for the 2017 *Water Management Plan* occurred outside the audit period.

5.2.2 Key Findings – Surface Water

Key findings from the SLR Independent Environmental Audit include:

- Storage of groundwater within Void Water Dams is a key ongoing management aspect for the site. Implement the agreed actions of the government water audits (as per Section 5.1);
- There is little information in the Annual Reviews comparing trends and performance against the EIS in terms of surface water monitoring. Additional information is to be provided in future Annual Reviews; and
- The field inspection noted that surface water management has generally been managed well, with some upgrades completed following the government water audits (including sediment dam maintenance). SLR only found minor housekeeping issues such as the cleaning out of an almost blocked culvert. Evidence of cleaning this culvert was provided to SLR by WCC.

5.3 Groundwater

5.3.1 Background to Groundwater Management

The Annual Review (2015-16) states that the management of groundwater at WCC is undertaken to achieve two goals, namely:

- Monitoring and measuring potential impacts from mining operations on adjacent aquifers and privately owned bores: and

- Dewatering and use of void water (rainfall runoff and groundwater) that is intercepted by mining operations.

WCC currently monitors a series of groundwater bores, located on the mine site and neighbouring properties, to measure potential impacts on groundwater quality and groundwater availability.

5.3.2 Groundwater Specialist Assessments

There have been a series of specialist assessments relating to groundwater at WCC, including:

- Groundwater reports – Determination of Groundwater Interception Werris Creek Coal Mine (Ramboll Environ 2015 and 2016).
- DPI Water – Groundwater Review

<http://www.water.nsw.gov.au/water-management/groundwater/werris-creek-groundwater-review>

Some of the key aspects from the DPI Water Groundwater Review are outlined below:

Water management at WCC, has been subject to extensive investigations and ongoing review by the NSW Government. The investigations have been undertaken independently from the company and have included a range of desktop and hydrogeological reviews, as well as multiple site inspections by experts and compliance staff from Department of Primary Industries – Water division (DPI Water), and the Department of Planning & Environment.

These investigations are part of ongoing management and compliance activities and follow reports by nearby landholders that their alluvial water bores have been impacted by the mine. The investigations by the NSW Government found that there is no evidence to support claims that the mine has impacted on the alluvial bores and confirmed that the mine is compliant with the conditions of its water licence.

The Government's investigations confirmed that there has been a drop in groundwater levels in the Quipolly Creek alluvium. However, the investigations found no evidence that the declines are due to the mine and point to climatic conditions as the likely cause for the drops.

DPI Water has stated that it is likely that declining groundwater levels are due to climatic conditions and declining rainfall. There has been a significant dry period in the area from early 2013 to this year.

The alluvial aquifer at Quipolly Creek is dependent on rainfall to recharge its levels, and the observed groundwater declines in the Quipolly Creek alluvium closely reflect the rainfall trend.

DPI Water's own bores, up to 15 km away from the mine, have shown a similar drop in water level.

5.3.3 SLRs Findings - Groundwater

Key Findings from the SLR Independent Environmental Audit include:

- Minimal groundwater quality results discussed in the Annual Review. Additional information should be provided in future Annual Reviews;
- There is little information in the Annual Reviews comparing trends and performance against the EIS in terms of groundwater monitoring (depth and quality). Additional information should be provided in future Annual Reviews;
- Table 15 in the 2016 Annual Review lists the monitoring bores, sampling frequency and proposed monitoring parameters. This section of the Annual Review outlines that six monthly monitoring is required; however it does not state that this is only for MW1, 2, 3, 4, 5 and 6 as per the *Water Management Plan*. Update Table 15 in future Annual Reviews to illustrate only some monitoring locations are monitored six monthly.
- In terms of the Ramboll 2016 Groundwater Report - the report does not address or mention water quality or change (if any) of water quality over time.
- Appendix A of the Ramboll 2016 Groundwater Report shows several bores in the Werrie Creek Basalt with trends above the trigger level, however these are not discussed. Monitoring bores are MW3, MW4b, MW5, MW8 (control bore), MW14, MW17b, MW19b, MW20 and MW27. An explanation should be given for not discussing these results.

6 AUDIT FINDINGS - SUMMARY OF NON - COMPLIANCES

Table 12 outlines the summary of non - compliances relating to the statutory conditions for WCC.

Table 12 Summary of Non - compliances

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
Project Approval – PA 10-0059				
Schedule 2 Condition 12	<p>Operation of Plant and Equipment</p> <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>	Non-Compliant (Low Risk)	<p>Findings from Inspection and Review of Records:</p> <p>Requested maintenance records were sighted at WCC. Including blasting services, water pumps and level sensors. Based on the inspection and review of records plant and equipment on site generally operated in a competent manner.</p> <p>Findings from EPA:</p> <p>The EPA noted that the licensee was not maintaining two sedimentation dams at the site in a proper and efficient condition, and the licensee's maintenance system was found to be not effective in ensuring maintenance issues are addressed.</p> <p>The works associated with upgrading SB18 was shown to SLR during the field inspection. There is still some additional works required for SB17.</p>	Additional maintenance works are required for SB17, with WCC committing to this by 30 September 2017.
Schedule 3 Condition 4	<p>Operating Conditions</p>	Administrative Non-compliance	<p>(a) Reviewed <i>Noise Management Plan</i>. Evidence of decreased noise complaints over the audit period over successive Annual Review periods.</p> <p>(b) Noise Control Operators (NCOs) in operation during night-time period, evidence of revised operations during night-time period when noise issues identified.</p> <p>c) See section 8.5 & 10.1 of <i>Noise Management Plan</i>.</p> <p>(d) Evidence of best practice through monitoring, NCO's</p>	<p>(d) it is recommended that the future Annual Reviews should present trended noise data to show how WCC is progressing towards the long term noise goal of 35 dBA. The current versions only state where noise criteria have been exceeded.</p> <p>It should be noted that the 2016 Annual Review was amended to reflect some commentary on</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<p>and implementation of changes to operations based on NCO's monitoring and measurements. However, there is no evidence of reporting the progress towards the achievement of the long term noise goals in the annual review. No trending information is provided to show the long term noise levels of the project. Only exceedances of the approved are reported.</p> <p>(e) This audit. Separate Noise Report has been prepared as part of this audit.</p> <p>OCE Shift change diary detailing noise levels, shut downs etc.</p>	<p>historical trends in relation to the long term goal of 35 dBA. Inclusions reviewed and approved by DPE.</p>
<p>Schedule 3 Condition 23</p>	<p>Water Management Plan</p> <p>(b) a Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • detailed baseline data of the surface water flows and quality in the waterbodies that could be affected by the project; • a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> - clean water diversion systems; - erosion and sediment controls; and - water storages; • a plan for identifying, extracting, handling, and the long-term storage of potentially acid forming material on site; • detailed plans, including design objectives and performance criteria, for: <ul style="list-style-type: none"> - design and management of the final void; - reinstatement of drainage lines on the rehabilitated areas of the site; and - control of any potential water pollution from the 	<p>Non-Compliant (Low Risk)</p>	<p><u>Plan Preparation:</u></p> <ul style="list-style-type: none"> • Baseline - Section 4 • Section 8.1 and 8.2 outline water management system. • Storage of water - Section 8.2, including details about void water storage dams. • Water objectives and criteria - Section 7. • Drainage management in rehabilitation outlined in Section 8.3.4. • Monitoring outlined in Section 9. • Contingency Plan - Section 14. <p><u>Implementation:</u></p> <p>At the Training Load Out (TLO) there was one culvert (part of dirty water management system) that was blocked. During heavy rainfall this may cause disruptions at site as water may not be able to reach the main sediment dam at the TLO. Based on evidence provided from WCC this has since been cleaned out, with no further recommendation required post audit.</p> <p>There were 2 government audits during the IEA audit</p>	<p>There have been audits from the EPA and DPE, with outcomes and proposed actions currently being finalised. Implement the agreed outcomes from this audit (See Section 5 of main report for additional details).</p> <p>Additional details relating to trends in water monitoring data is to be outlined in the future Annual Reviews.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>rehabilitated areas of the site;</p> <ul style="list-style-type: none"> - a program to monitor the effectiveness of the water management system; • a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project; 		<p>period (EPA audit and multi agency audit). The key aspects of these audits are outlined within Section 5 of the main report. Some of these non - compliances related to implementing this management plan, including:</p> <ul style="list-style-type: none"> • At time of inspection dam heights above designed capacity; • Lack of implementing a pre-start checklist; • Lack of calculations for sediment dams within the <i>Water Management Plan</i>; and • Sediment dams not fully compliant with the Blue Book designs. 	
Schedule 3 Condition 43	<p>43. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of DRE. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with the Department, DPI Water, OEH, Council and the CCC; (b) be submitted to DRE by the end of April 2012 (c) be prepared in accordance with any relevant DRE guideline; (d) describe how the rehabilitation of the site would be integrated with the implementation of the biodiversity offset strategy; (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary); (f) describe the measures that would be implemented to ensure compliance with the conditions of this approval, and address all aspect of rehabilitation including mine closure, final landform, and final land use; (g) include a program to monitor and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; 	Administrative Non - compliance	<ul style="list-style-type: none"> a) Consultation for most recent <i>MOP/Rehabilitation Management Plan</i> outlined within Section 1.5.2. Although there are some discussions relating to consultations regarding 'proposed modifications at Werris Creek' there is no evidence that these agencies were specifically sent a copy of the new MOP for comment (MOP dated December 2015). Therefore non - compliant with this condition. b) Completed. New MOP submitted during audit period in December 2015. c) Prepared in accordance with the MOP Guideline. d) Table 4.2 covers this in sufficient detail. e) Criteria outlined in Section 6. f) Section 7 of the MOP outlines Rehabilitation Implementation. Covered within multiple sections of the MOP. g) Criteria outlined in Section 6 and 8. Reporting is within the 'Rehabilitation Monitoring Reports' and there is a basic summary within the Annual Reviews. The monitoring program for rehabilitation and offset areas reviews some of the key criteria which are outlined in the MOP. h) Section 1.3 references management plans at WCC. 	<p>For the next MOP update, send the key sections of the MOP document to these agencies for review/comment.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	and (h) build to the maximum extent practicable on the other management plans required under this approval.			
Schedule 5 Condition 3	<p>Annual Review</p> <p>By the end of March each year, the Proponent shall review the environmental performance of the project to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EA; <p>(c) identify any non - compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the project.</p>	Administrative Non - compliance	<p>The 2016, 2015-16 and 2014 - 15 Annual Reviews have been reviewed for this audit.</p> <p>a) Outlined in Annual Reviews. Including Section 4 and 8 of 2016 Annual Review.</p> <p>b) Monitoring results have been reviewed for key aspects and is outlined within Section 6 of the 2016 Annual Review.</p> <p>c) Section 1 of Annual Review outlines the Statement of Compliance.</p> <p>d) NC. Annual Reviews from 2014-15 under the previous guidelines had trends for water and air. The most recent Annual Reviews from 2015 and 2016 have minimal information relating to trends or how the site performed against previous years.</p> <p>e) There is little information relating performance against predictions (EA predictions).</p> <p>f) Proposed improvements are outlined in Annual Reviews.</p> <p>There is minimal information relating to trends in the Annual Reviews.</p>	<p>Additional information relating to trends should be outlined in the Annual Review. This may include aspects such as water, noise and air.</p> <p>Comparison of monitoring results against EA predictions.</p> <p>Additional information relating to groundwater quality.</p>
Schedule 5 Condition 4	Revision of Strategies, Plans and Programs	Administrative Non -	Plans have not been reviewed and revised as required annually. There are a series of plans currently sitting with	Continue to liaise with DPE to discuss the status of the revised management plans. Undertake

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>Within 3 months of:</p> <p>(a) the submission of an annual review under condition 3 above;</p> <p>(b) the submission of an incident report under condition 6 below;</p> <p>(c) the submission of an audit under condition 8 below; or</p> <p>(d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions of any plan then within four weeks of the review the revised document must be submitted to the Secretary and any other relevant agencies for approval.</p> <p>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.</p>	compliance	DPE. Some plans were also not updated within three months of the 2014 independent environmental audit.	<p>management plan 'review' as per the required condition.</p> <p>In the Annual Review state whether management plans need to be revised and reasons for revisions. Resubmission of management plans to DPE.</p>
Environment Protection Licence – EPL 12290				
O1.1	<p>Activities must be carried out in a competent manner</p> <p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the</p>	Non-Compliant (Low Risk)	<p><u>Waste:</u></p> <p>Site inspection and a review of documentation indicates that the site has generally been operating as per the required statutory conditions, with no evidence of material harm as defined under the POEO Act.</p> <p>Waste management managed as per the internal <i>Waste Management Plan</i>. Waste management has improved in the audit period with a greater emphasis on recycling. From site inspection evidence of storage of hydrocarbons and chemicals within bunded areas.</p>	Continue to implement agreed actions relating to water management.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	activity.		<p><u>Water Management:</u></p> <p>Water levels in all Void Water Dams were low at the site of the audit by SLR. However the multi agency audit noted that there the site had not been 'minimising water levels in the wastewater holding dams to prevent uncontrolled discharge'.</p> <p>Since the EPA and multi agency audit the site has completed several updates including:</p> <ul style="list-style-type: none"> • Bathometric survey - completed May 2017; • Review of Void Water Dams volume spreadsheet; and • Further development of strategy for alternative water use/augmented storage arrangements. 	
O2.1	<p>Maintenance of plant and equipment</p> <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</p> <p>b) must be operated in a proper and efficient manner.</p>	Non-Compliant (Low Risk)	<p><u>Findings from Inspection and Review of Records:</u></p> <p>Requested maintenance records were sighted at WCC. Including blasting services, water pumps and level sensors. Plant and equipment on site generally operated in a competent manner.</p> <p><u>Findings from EPA:</u></p> <p>The EPA noted that 'the licensee was not maintaining two sedimentation dams at the site in a proper and efficient condition, and the licensee's maintenance system was found to be not effective in ensuring maintenance issues are addressed'.</p> <p>The works associated with upgrading SB18 was shown to SLR during the field inspection. There is still some additional works required for SB17.</p>	Additional maintenance works are required for SB17, with WCC committing to this by 30 September 2017.
04.2	<p>Blast Fume</p> <p>Offensive blast fume must not be emitted from the</p>	Non-Compliant	Blast fume management is required in blast design at the site.	No further action

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation												
	<p>premises.</p> <p>Definition: Offensive blast fume means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</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>	(Low Risk)	<p>There was one blast related non-compliance (Condition 4 – O1.1 of EPL 12290) during the period on the 2nd July 2014 generating fume that travelled off the mine site but did not result in any offsite impacts. WCC fired a production blast #45 on Wednesday 2nd July 2014 at 1:05pm (S15_B12- B16_330_EXT) with the fume cloud generated travelling north-north west above the ground surface, across Escott Road (a closed, private road owned by WCC) and off the Mine site at 1:25pm, at a height of approximately 50m above the ground surface. The blast fume cloud dispersed at 1:41pm over the "Cintra" property owned by WCC. WCC was not able to establish whether there was a definitive cause, however the "Incident Investigation Report into the Blast Related Fume Incident" prepared by Safety Wise Solutions Pty Ltd (the Investigation Report) identified some contributing factors.</p>													
O4.3	<p>Pollution Incident Response Management Plan</p> <p>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.</p>	Administrative Non-compliance	<p>A PIRMP has been prepared. The website version has no figure, with this noted by the audit team.</p> <p>Not all sediment dams are in the PIRMP figure that was provided. Void Water Dams have been included in the figure.</p> <p>Since this was noted during the audit the PIRMP (internal and website versions) were updated by WCC. No further recommendations.</p>	No further action												
M2.2	<p>Air Monitoring Requirements</p> <p>Point 28, 29, 30</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> <tr> <td>Solid Particles</td> <td>grams per square metre per month</td> <td>Continuous</td> <td>AM-19</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Every 6 days	AM-18	Solid Particles	grams per square metre per month	Continuous	AM-19	Non-Compliant (Low Risk)	<p>M2.2 requires monitoring of PM10 concentrations every 6 days at "R98" ("Kyooma"). Due to a power loss, this monitoring was not undertaken on the 28th July, 3rd and 9th of August 2015 - outlined in the 2015-16 EPL Annual Return.</p> <p>TEOM suffered a series of faults in March 2015.</p>	No further action
Pollutant	Units of measure	Frequency	Sampling Method													
PM10	micrograms per cubic metre	Every 6 days	AM-18													
Solid Particles	grams per square metre per month	Continuous	AM-19													

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation												
M3.2	<p>Testing Methods</p> <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>	Non-Compliant (Low Risk)	The EPA audit found there to be a potential discrepancy relating to monitoring as per the Approved Methods Publication for analysing water samples. The EPA and WCC are still liaising regarding this finding.	Continue to liaise with the EPA regarding this aspect and implement any actions if required.												
M8.1	<p>Blasting</p> <p>POINTS: Within 30 metres of the residences at the locations marked as "R98" ("Kyooma"), "R11" ("Glenara") and "R62" (43 Kurrara Street, Werris Creek) on Appendix 3 of Project Approval 10_0059 and within 30 metres of the location marked as "R92" in Figure 4A.5 of Environmental Assessment for Werris Creek Coal Mine, Life of Mine Project, dated December 2010 and prepared by R.W. Corkery and Co. Pty Limited.</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Blast Noise</td> <td>dB (Lin Peak)</td> <td>Every Blast</td> <td>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	Non-Compliant (Low Risk)	<p>On 3/3/ 2016 - Glenara blast monitor did not record blast vibration and air overpressure.</p> <p>2015-16 Annual Review stated: Loss of communications due to changes in mobile network in local area and subsequent corruption of memory card. WCC have stated that a review of other blast monitors and past performance suggests it is highly unlikely criteria would have been exceeded. Blast monitor upgraded with 4metre directional antenna and key electronics replaced.</p> <p>No further recommendations.</p>	No further action
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													
E1.1	<p>E1 Three Yearly Independent Noise Audit</p> <p>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:</p> <p>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</p>	Administrative Non-compliance	<p>This was completed in 2014 and 2017. 2014 met this requirement. 2017 report prepared to meet these requirements.</p> <p>However no evidence has been able to be provided of submission of the Three Yearly Noise Audit within 6 weeks of 30 June 2014.</p>	Liaison with the EPA regarding the future submissions of the Three Yearly Noise Audit.												

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	thereafter.			
EA Statement of Commitments				
3.1	Surface Water Construct and maintain surface water management infrastructure of the Mine in accordance with an approved Site Water Management Plan.	Non-Compliant (Low Risk)	During the site inspection, void water dams were well below freeboard and there only minor aspects noted by the SLR audit team. However the audits from the EPA and multi agency audit noted some mitigation measures from the <i>Water Management Plan</i> were not fully implemented.	Continue to implement agreed actions from the EPA and multi agency audit relating to water management.
3.2	Surface Water Implement impact mitigation measures in accordance with an approved Site Water Management Plan.	Non-Compliant (Low Risk)	During the site inspection, void water dams were well below freeboard and there only minor aspects noted by the SLR audit team. SLR were provided evidence through photos on 13 July 2017 outlining this culvert had been cleaned out. The audits from the EPA and multi agency audit noted some mitigation measures from the <i>Water Management Plan</i> were not fully implemented. It should be noted that the <i>Water Management Plan</i> has been updated and approved since the findings of the multi-agency audit.	Continue to implement agreed actions from the EPA and multi agency audit relating to water management.
3.4	Surface Water Operate void water dams with sufficient freeboard to prevent discharge during high rainfall events.	Non-Compliant (Low Risk)	During the site inspection by SLR, void water dams were well below freeboard. However the audits from the EPA and multi agency audit noted some mitigation measures from the <i>Water Management Plan</i> were not fully implemented.	Continue to implement agreed actions from the EPA and multi agency audit relating to water management.
Mining Leases ML1671, ML1672, ML1563				
Nil – non compliances				
Water Access Licences – WAL 29506 and WAL 32224				
Nil – non compliances				

7 ADDITIONAL RECOMMENDED ACTIONS FOR COMPLIANT CONDITIONS

Additional recommendations relating to compliant conditions are outlined within **Table 13**.

Table 13 Additional Recommendations for WCC

Condition	Aspect	Recommendation
Schedule 3 Condition 13	Blast Management	Provide copies of consultation for the 2017 <i>Blast Management Plan</i> as an appendix. Include further details in the document about the outcomes of consultation.
Schedule 3 Condition 14	Odour Management	Continue to adopt odour management measures relating to spontaneous combustion to mitigate the potential for odour migration offsite. Continue to perform detailed analysis of any odour complaints to confirm whether the mine is the likely source.
Schedule 3 Condition 20	Meteorology	Meteorology has not been reported since the 2014-2015 Annual Review. Some details to be included as this relates to water management and air quality.
Schedule 3 Condition 22 Statement of Commitments 2.2 – regarding Groundwater Monitoring	Groundwater	<p>Additional details relating to trends in water monitoring data is to be outlined in the future Annual Reviews.</p> <p>Additional information relating to groundwater quality.</p> <p>Table 15 in the 2016 Annual Review lists the monitoring bores, sampling frequency and proposed monitoring parameters. This section of the Annual Review outlines that six monthly monitoring is required, however it does not state that this is only for MW1, 2, 3, 4, 5 and 6 as per the <i>Water Management Plan</i>. Update Table 15 in future Annual Reviews to illustrate only some monitoring locations are monitored six monthly.</p> <p>In terms of the Ramboll 2016 Groundwater Report - the report does not address or mention water quality or change (if any) of water quality over time.</p> <p>Appendix A of the Ramboll 2016 Groundwater Report shows several bores in the Werrie Creek Basalt with trends above the trigger level, however these are not discussed. Monitoring bores are MW3, MW4b, MW5, MW8 (control), MW14, MW17b, MW19b, MW20 and MW27. An explanation should be given for not discussing these results.</p>
P1.1 of EPL	Surface Water	In Section 7 of the <i>Water Management Plan</i> which is being updated, include a new column outlining the EPA Identification number.
L4.5 of EPL	Noise	Greater discussion of trends against previous periods in future Annual Reviews.
M9.1 of EPL	Noise	<p>Monitoring results for R57 should be included in the EPL monitoring data presented on the website.</p> <p>Given that ongoing, nightly real-time noise monitoring is undertaken by dedicated noise control officers (NCOs) and assessed on an ongoing basis with operations being modified to reduce noise levels to within the applicable noise criteria, it is recommended that consideration could be given to reducing the frequency of attended noise monitoring to quarterly.</p>

Condition	Aspect	Recommendation
		It is unclear to the auditor as to why the EPL requires 60 minute noise monitoring surveys to assess compliance with the criteria which is LAeq15minute.
M4.1 of EPL	Meteorology	Meteorology has not been reported since the 2014-2015 Annual Review. Some details to be included as this relates to water management and air quality. General trends of data.
Schedule 3 Condition 24	Biodiversity	Additional detail is required for the monitoring and management of the offset areas in the Annual Review (little detail in recent Annual Reviews). This should include a summary of results and trends and reference publically available documentation (including referencing the specialist reports). Monitoring results (methodology outlined in Section 9.2 of the <i>Biodiversity Offset Area Management Plan</i>) should be referenced. Send the OEH a final copy of the <i>Biodiversity Offset Area Management Plan</i> for their records.
Schedule 3 Condition 28	Biodiversity	There appears to be a lag in monitoring compared to reporting. For monitoring that is undertaken in Spring of each year, a report should be prepared prior to the next submission of the Annual Review.
Condition 7 of ML1672	Weed Management	There were a couple of small areas where weeds are dominant. These areas are already known. Continue to implement the strategy to remove these weeds from site and complete additional rehabilitation once weeds are removed.
Condition 4 of ML1671 and 1672	Rehabilitation and Disturbance	State how the site performed in terms of disturbance and rehabilitation against goals in the MOP. Some quantitative data should be provided. eg. Rehabilitation completed during the year, compared to the predicted rehabilitation in the MOP.
Condition 20 of ML 1671 and 1672 Condition 25 of ML1563	Rehabilitation Security	There is now a requirement to update all Rehabilitation Cost Estimates for sites and send to the DRG by end of December 2017. This should be completed in the next few months.
Based on audit feedback from DPE (email dated 8 June 2017)	Spontaneous Combustion	There is little detail relating to spontaneous combustion within the Annual Review. In future Annual Reviews there should be some information relating to whether there have been any spontaneous combustion and mitigation measures.
Schedule 5 Condition 1	Environmental Management Strategy	Due to the time the document has been unapproved we recommend the Environmental Management Strategy document should be updated and resubmitted. Undertake liaison with the DPE.
Schedule 5 Condition 2	Management Plan Requirements	From a site management and auditing perspective it is recommended that a table is developed outlining this condition and where they have been covered within specific management plans. This table should be developed for each management plan.

8 CONCLUSION

The following areas of good performance were noted during the audit:

- The non - compliances identified were administrative or low risk;
- Established rehabilitation is of a good standard with there being diversity of species and generally a quality ground cover in areas of established rehabilitation. There was evidence of rehabilitation activities providing additional habitat for fauna including the planting of additional tube stock and installation of stag trees;
- Environmental monitoring has generally been completed as per the requirements of the Project Approval, EPL and management plans;
- Key aspects such as surface water, noise and air are being managed well. There is evidence of altering operations to manage environmental impacts such as noise and dust; and
- There is a detailed monitoring program, with the site generally compliant for water, noise, air, biodiversity and rehabilitation monitoring.

The following areas have been identified as areas of improvement:

- There were some non - compliances and recommendations from the government agency water audits. Some of these actions have been completed, however some actions will need to be completed over the next audit period;
- There are some improvements relating to the Annual Groundwater Report (as per **Section 5.3**);
- There are some minor updates required to management plans; and
- There are updates required to future Annual Reviews, including a review of trends.

APPENDIX A - PHOTOGRAPHS



Photo 1 – Void Water Dam



Photo 2 – Empty Void Water Dam 4



Photo 3 – Reshaped Sediment Dam



Photo 4 – Built up sediment at culvert. This has since been removed.



Photo 5 – Looking into the pit



Photo 6 – Blast event – 15 June 2017 (within criteria)



Photo 7 – Dust remaining within the pit following the blast



Photo 8 – Dozer pushing stockpile

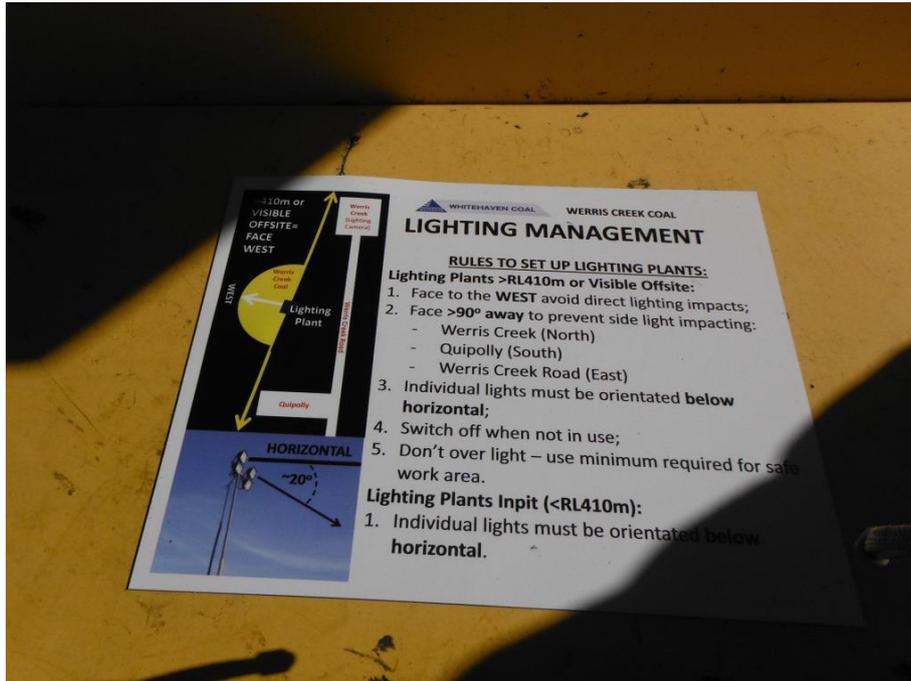


Photo 9 – Lighting Plant Training Sheet



Photo 10 – Chemicals stored within bunded area



Photo 11 – Established Rehabilitation at WCC



Photo 12 – Established Rehabilitation at WCC



Photo 13 - Stage Trees in Rehabilitation



Photo 14 – Tree Planting in Rehabilitation



Photo 15 – Partially shaped and rehabilitated noise bund



Photo 16 – Weeds present onsite

APPENDIX B – COMPLIANCE SPREADSHEET

Project Approval 10_0059

Proponent Werris Creek Coal Pty Limited

Date of Approval: 25 October 2011 (Mod 1 approved August 2012; Mod 2 approved November 2015)

Authority Department of Planning and Infrastructure

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Schedule 2 - Administrative Conditions				
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.	Compliant	Site inspection and a review of documentation indicates that the site has generally been operating as per the required statutory conditions, with no evidence of material harm as defined under the POEO Act. There was evidence of a blast fume incident in July 2014 however there is no evidence of material harm.	
TERMS OF APPROVAL				
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	Compliant	Most recent EA modification dated November 2015. Project has generally been in accordance with the EA.	
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.	Compliant	Noted.	
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; and (b) the implementation of any actions or measures contained in these documents.	Compliant	There have been some recommendations from the EPA and the DPE regarding updates to water management. These are being addressed at site with evidence of consultation with government departments.	
LIMITS ON APPROVAL				
Mining Operations				
5	The Proponent may carry out mining operations on site until the end of December 2032. 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 the Executive Director, Mineral Resources in DRE. 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 those additional undertakings have been carried out satisfactorily.	Not Triggered	Still within date of the Project Approval.	
Coal Extraction				
6	The Proponent shall not extract more than 2.5 million tonnes of ROM coal from the site in a calendar year.	Compliant	Production impacted by noise management measures shutting down operations. Annual Review- 2016 - 1.86 mtpa ROM 2015-16 - 2.03 mtpa ROM 2014-2015 2.45 mtpa ROM	
Coal Stockpiling				
7	The Proponent shall not stockpile more than 250,000 tonnes of product coal on the site.	Compliant	Pers coms Lyndon Cini - product coal stockpile surveyed monthly and reported in the Annual Review. Annual Review records: 2016 - 134343 tonnes maximum. 2015-16 - 224,465 tonnes maximum stockpiled. 2014-15 - 190,475 tonnes max. This area was inspected as part of the audit with there being a large amount of capacity.	
Coal Transport				
8	The Proponent shall not transport: (a) more than 50,000 tonnes of product coal from the site by public road in any calendar year; (b) any product coal from the site by public road to the Muswellbrook, Singleton, Mid-Western Regional, Cessnock or Newcastle local government areas without the written approval of the Secretary; and (c) any coal to the Whitehaven CHPP.	Compliant	Results outlined in the Annual Reviews 2016 - 1620 tonnes 2015-16 - 3043 tonnes by public road 2014-15 - 3866 tonnes transported Pers com - the coal is transported to Tamworth Hospital, Glen Innes Tomato Farm. No coal is transported to CHPP. Werris Creek Coal Sales docket book was sighted showing location of orders over the past four years.	
SURRENDER OF EXISTING DEVELOPMENT CONSENT				
9	By the end of October 2012, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing development consent (DA 172-7-2004) for the Werris Creek 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.	Compliant	Outside of audit period. Covered by previous audit.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
STRUCTURAL ADEQUACY				
10	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. Notes: • Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates (where necessary) for the proposed building works; and • Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.	Compliant	No construction reported in 2015, 2016 and 2017 Annual Reviews. None based on discussions with site.	
DEMOLITION				
11	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.	Compliant	No demolition reported in 2015 and 2016 2017 annual reviews. None based on discussions with site.	
OPERATION OF PLANT AND EQUIPMENT				
12	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Non-Compliant (Low Risk)	Findings from Inspection and Review of Records: Requested maintenance records were sighted at WCC. Including blasting services, water pumps and level sensors. Based on the inspection and review of records plant and equipment on site generally operated in a competent manner. Findings from EPA: The EPA noted that The licensee was not maintaining two sedimentation dams at the site in a proper and efficient condition, and the licensee's maintenance system was found to be not effective in ensuring maintenance issues are addressed. The works associated with upgrading SB18 was shown to SLR during the field inspection. There is still some additional works required for SB17.	Additional maintenance works are required for SB17, with WCC committing to this by 30 September 2017.
STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM				
13	With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis. Notes: • While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and • 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.	Compliant	There are a series of approved plans at site - available on website. It is noted that several key plans are currently with the DPE for approval. Until approval the site is being managed under existing approved plans.	
COMMUNITY ENHANCEMENT				
15	15. The Proponent shall establish and operate a Community Enhancement Fund for the project to the satisfaction of the Secretary. This fund must: (a) be established and operated in consultation with Council and the CCC; (b) be directed towards providing benefits to the local communities affected by the project; (c) provide for the expenditure of at least \$300,000 (indexed to CPI) over 6 calendar years (2012 to 2017), and include at least \$200,000 of expenditure within the town of Werris Creek; and (d) be operating from the end of April 2012, unless the Secretary agrees otherwise.	Compliant	Section 4.3.3 2015 Annual Review - CEF approved July 2012 Section 9.2 of 2016,2017 Annual Review Whitehaven has pledged more than \$1m in payments to the Liverpool Plains Shire Council for community projects. Community Enhancement Fund (CEF) section from Annual Review: As part of the Life of Mine Project, WCC established the Community Enhancement Fund (CEF) to provide support for community projects in the Liverpool Plain Shire and in particular the Werris Creek township. At the start of the 2015-2016 reporting period, over \$186,000 had been directed to support community improvement projects in the shire, with another \$77,000 in funds committed to specific projects but as yet unspent. Two projects underway at the commencement of the period include the provision of additional public seating along Single St, Werris Creek, and the construction of a new playground facility in Hoamme Park, Werris Creek. The seating project was completed in autumn 2015, while the Liverpool Plains Shire Council (LPSC) has matched the funding provided by the CEF with the planned completion date for this project of the end of April 2016. The remaining \$50,000 (approximately) of the CEF was designated for playground augmentation in the Spring Ridge community following consultation at the November 2015 CCC meeting. Planning is currently underway for this project. Following the completion of these projects, approximately \$263,000 will have been contributed for projects in the Werris Creek Township, with a further \$20,000 for Quirindi and \$50,000 for Spring Ridge.	
Schedule 3 - Environmental Performance Conditions				
NOISE				
Noise Criteria				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																				
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.																																							
	<p>Table 1: Noise criteria</p> <table border="1"> <thead> <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> </thead> <tbody> <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> </tbody> </table>	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	<p>Exceedances during the audit period were less than 2dB.</p> <p>2017 - none identified during 2017 monitoring.</p> <p>2016 - R98 Kyooma monitoring site during the evening of the 27th September 2016. On this occasion, the measured Werris Creek Mine noise was 39 dB(A) Leq, exceeding the criteria of 38 dB(A) Leq. The approved noise management plan states that Kyooma is subject to negotiated agreement.</p> <p>2015-16 - Attended noise monitoring identified one exceedance of the noise criteria at WCC during the 2015-16 reporting period, at the R57 Kurrara St monitoring site during the evening of the 4th August 2015. On this occasion, the measured Werris Creek Mine noise was 37 dB(A) Leq, exceeding the criteria of 35 dB(A) Leq. It should be noted that while the NSW Industrial Noise Policy specifies that an exceedance of no more than 2 dB(A) above a statutory noise limit specified in a licence condition is not considered a non-compliance, WCC undertook an investigation into this measurement as if it was, with appropriate notifications to the EPA and DP&E. WCC subsequently received a Formal Warning Letter from the EPA in relation to this incident.</p> <p>2014-15 - The noise exceedance events are discussed below:</p> <ul style="list-style-type: none"> On 29th September 2014, R96 ("Talavera") recorded a mining related noise of 38dB(A) located 2.5km east of the closest active mining area at WCC. The resulting exceedance at R96 was +1dB(A) above the evening/night period noise criteria of 37dB(A). weather conditions were noise enhancing with a source to receiver north westerly wind 3280 @ 1.8m/s with a temperature inversion (+10.5 oC/100m). On 16th October 2014, R97 (vacant land) recorded a mining related noise of 38dB(A) located 1.5km east of the closest active mining area at WCC. The weather conditions were noise enhancing with a light south easterly wind (153 o) @ 2.0m/s with a temperature inversion (+7.9oC/100m). The EPA responded stating that this was not an EPL 12290 noise exceedance because there was no residence on the property. 	
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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	<p>Notes:</p> <ul style="list-style-type: none"> 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. <p>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.</p>		<p>Section 9.1 and appendix E of the approved NMP outlines methodology in accordance with INP. It is noted that much of this information has been culled from the proposed Noise Management Plan.</p> <p>Section 8.1 of the approved Noise Management Plan identifies those receivers which have agreement with WCC for higher noise levels with those agreements being to the satisfaction of the DoPI (Now DPE) and the EPA.</p> <p>Section 7.1 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 the then DoPI, this is inferred from the previous Noise Management Plan.</p>																																					
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.																																							
	<p>Table 2: Noise acquisition criteria</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day/Evening/Night dB(A) $L_{Aeq}(15min)$</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>40</td> </tr> </tbody> </table> <p>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 Industrial Noise Policy.</p>	Location	Day/Evening/Night dB(A) $L_{Aeq}(15min)$	All privately-owned land	40	Compliant	No noise levels above 40 dBA reported in Annual Reviews.																																	
Location	Day/Evening/Night dB(A) $L_{Aeq}(15min)$																																							
All privately-owned land	40																																							
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 implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.	Compliant	Outlined in Section 8.12 of the approved Noise Management Plan and Section 6.2 of the revised Noise Management Plan.																																					

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																
	<p>Table 3: Land subject to additional noise mitigation measures</p> <table border="1"> <thead> <tr> <th>Location</th> </tr> </thead> <tbody> <tr> <td>R10, R11, R12, R21, R96</td> </tr> </tbody> </table> <p>Note: To interpret the locations referred to in Table 3, see the applicable figure in Appendix 3.</p>	Location	R10, R11, R12, R21, R96		Based on records in Annual Reviews and discussions with the Environmental Officer, there have been no additional requests.															
Location																				
R10, R11, R12, R21, R96																				
Operating Conditions																				
4	<p>The Proponent shall:</p> <p>(a) implement best practice noise management to minimise the operational, low frequency, rail and road traffic noise of the project;</p> <p>(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;</p> <p>(c) minimise the noise impacts of the project during temperature inversions; and</p> <p>(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;</p> <p>(e) carry out a comprehensive noise audit of the project in conjunction with each independent environmental audit, to the satisfaction of the Secretary.</p>	Administrative Non-Compliance	<p>(a) Reviewed Noise Management Plan. Evidence of decreased noise complaints over the audit period over successive Annual Review periods.</p> <p>(b) Noise Control Operators (NCOs) in operation during night-time period, evidence of revised operations during night-time period when noise issues identified.</p> <p>(c) See section 8.5 & 10.1 of Noise Management Plan.</p> <p>(d) Evidence of best practice through monitoring, NCO's and implementation of changes to operations based on NCO's monitoring and measurements. However, there is no evidence of reporting the progress towards the achievement of the long term noise goals in the annual review. No trending information is provided to show the long term noise levels of the project. Only exceedances of the approved are reported.</p> <p>(e) This audit. Separate Noise Report has been prepared as part of this audit.</p> <p>OCE Shift change diary detailing noise levels, shut downs etc.</p>	<p>(d) it is recommended that the future Annual Reviews should present trended noise data to show how WCC is progressing towards the long term noise goal of 35 dBA. The current versions only state where noise criteria have been exceeded.</p> <p>It should be noted that the 2016 Annual Review was amended to reflect some commentary on historical trends in relation to the long term goal of 35 dBA. Inclusions reviewed and approved by DPE.</p>																
<p>Table 4: Long-term noise goal</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day/Evening/Night dB(A) <small>L_{avg} (15min)</small></th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>35</td> </tr> </tbody> </table>	Location				Day/Evening/Night dB(A) <small>L_{avg} (15min)</small>	All privately-owned land	35													
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All privately-owned land	35																			
Noise Management Plan																				
5	<p>5. The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA by a suitably qualified expert whose appointment has been approved by the Secretary;</p> <p>(b) be submitted to the Secretary for approval by the end of April 2012;</p> <p>(c) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including:</p> <ul style="list-style-type: none"> 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 <p>(d) include a Noise Monitoring Program that:</p> <ul style="list-style-type: none"> 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	<p>CURRENT APPROVED PLAN</p> <p>a) WCC EMS - Noise Management Plan dated 16 April 2014. The Noise Management Plan contains direct reference to relevant communication with EPA and expert approval from the Director- General (Appendix A of Noise Management Plan). Letter from the then DP&I to WCC dated 29/4/14 Werris Creek Mine Extension Project (MP 10_005) Approval of revised Air and Noise Management Plans.</p> <p>b) Letter to DPI from WCC dated 30/4/14 Werris Creek Coal Life of Mine Management Plan Submission (Appendix A of Noise Management Plan)</p> <p>c) WCC EMS - Noise Management Plan dated 16 April 2014, Sections 8.3, 8.4, 8.19. Relevant communication via email sighted: - from Pacific National's Leanne Perry dated 21/6/12 - from Mountain Industries Phil Carey dated 21/5/12 - from ARTC's John Brown dated 5/10/12.</p> <p>d) WCC EMS - Noise Management Plan dated 16 April 2014, Section 9.</p>																	
BLASTING																				
Blasting Criteria																				
6	<p>The Proponent shall ensure that blasting on site does not cause exceedances 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 (ppv(mm/s))</th> <th>Allowable Exceedance</th> </tr> </thead> <tbody> <tr> <td>Any residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td></td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50</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, and has advised the Department in writing of the terms of this agreement.</p>	Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (ppv(mm/s))	Allowable Exceedance	Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months		120	10	0%	All public infrastructure	-	50	0%	Compliant	<p>No exceedances of this Project Approval condition in 2014, 2015, 2016.</p> <p>Also note that the number of blasting complaints have decreased during the audit period.</p>	
Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (ppv(mm/s))	Allowable Exceedance																	
Any residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months																	
	120	10	0%																	
All public infrastructure	-	50	0%																	
Blasting Hours																				
7	<p>The Proponent shall only carry out blasting on 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.</p>	Compliant	Blast log reviewed illustrating dates and times. Blasts within defined period.																	
Blasting Frequency																				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
8	<p>The Proponent shall not carry out more than:</p> <p>(a) 1 blast a day on site, unless an additional blast is required following a blast misfire; and</p> <p>(b) 15 blasts a month on site.</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 blasts required to ensure the safety of the mine or its workers.</p> <p>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.</p>	Compliant	Blast log reviewed illustrating dates and times. Blasts within defined period and frequency.	
Property Inspections				
9	<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 their 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 has been approved by the Secretary to:</p> <ul style="list-style-type: none"> establish the baseline condition of the buildings and/or structures on the land or update the previous property inspection report; and identify any measures that should be implemented to minimise the potential blasting impacts of the projects on these buildings and/or structures; and <p>(b) give the landowner a copy of the new or updated property inspection report.</p>	Not triggered	Based on a review of Annual Reviews and discussions with the Environmental Officer, this condition has not been triggered.	
Property Investigations				
10	<p>If the owner of any privately-owned land claims that the buildings and/or structures on their land have been damaged as a result of blasting on site, then within 2 months of receiving this claim the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, 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 damage to the satisfaction of the Secretary.</p> <p>If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.</p>	Not triggered	Based on a review of Annual Reviews and discussions with the Environmental Officer, this condition has not been triggered.	
Operating Conditions				
11	<p>The Proponent shall:</p> <p>(a) implement best practice blasting management on site to:</p> <ul style="list-style-type: none"> protect the safety of people and livestock in the surrounding area; protect private or public property in the surrounding area; minimise the dust and fume emissions of the blasting; and <p>(b) minimise the duration and frequency of any road closures for blasting;</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>	Compliant	<p>a) Compliant based on site communications and site inspection/witnessing of the blast event. No blasting is to occur until the weather conditions meet the 'allowable conditions' from the Blasting Management Plan.</p> <p>b) The road closures are minimised, with council consulted prior to road closures.</p> <p>c) Notification on website.</p>	
12	<p>The Proponent shall not carry out blasting on site that is within 500 metres of:</p> <p>(a) Werris Creek Road without the approval of RMS;</p> <p>(b) the Main Northern Railway without the approval of ARTC; and</p> <p>(c) any land outside the site that is not owned by the Proponent unless:</p>	Compliant	<p>Road closures are organised with council and rail closures are organised with ARTC. Council manage the road closures.</p> <p>Covered within Section 8.15 of the current approved Blast Management Plan.</p>	
Blast Management Plan				
13	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA, RMS and ARTC;</p> <p>(b) be submitted to the Secretary for approval by the end of April 2012;</p> <p>(c) describe the mitigation measures that would be implemented to ensure compliance with the relevant conditions of this approval;</p> <p>(d) describe the measures that would be implemented to ensure that the public can get up-to-date information on the proposed blasting schedule on site; and</p> <p>(e) include a blast monitoring program for evaluating the performance of the project, including:</p> <ul style="list-style-type: none"> compliance with the applicable criteria; and minimising the fume emissions from the site 	Compliant	<p>2013 APPROVED BLAST MANAGEMENT PLAN</p> <p>a) WCC Blast Management Plan. Consultation with EPA and ARTC attached to BMP, email from RMS dated 21 May 2012 indicated no objections or comment on the BMP.</p> <p>b) Email from WCC EO to DPI dated 30 April 2012.</p> <p>c) WCC Blast Management Plan - Section 6. Includes details of management strategies including fly rock and road and rail closures. Evidence of road closures provided by WCC through email notifications to Liverpool Council.</p> <p>d) WCC Blast Management Plan. Witnessed the live update of blast information via the online notification system. Witnessed a blast at 1:10pm on 14 June 2017. SLR witnessed the pre - blast and post - blast process. SLR was provided copies of blast notifications, including a link to the website notifications.</p> <p>e) WCC Blast Management Plan - monitoring section.</p>	Provide copies of consultation for the 2017 Blast Management Plan as an appendix. Include further details in the document about the outcomes of consultation.
AIR QUALITY & GREENHOUSE GAS				
Odour				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action									
14	The Proponent shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	Compliant	<p>As identified within the Annual Reviews, Five complaints were received relating to odour in the reporting period.</p> <p>Information from WCC indicates that these complaints were received from locations >4km from the mine. The likelihood that these odour complaints relate to mining operations is low although management measures implemented to reduce the impacts of odour related to spontaneous combustion should be continually reviewed.</p> <p>Two odour complaints (6th and 9th March 2015) were recorded during the period that were allegedly in relation to spontaneous combustion.</p> <p>Due to different wind directions present at the time of the complaints and long distances (>4km) between the complainant and WCC, it is not possible to confirm the source of the odour. However instances of spontaneous combustion are managed by the use of water curtains or sprinklers to suppress hot areas plus uncovering and mining the workings quickly and soaking any hot coal immediately. Smaller areas of spontaneous combustion can occur in the dumps or coal stockpiles but are attended to as soon as practicable. On each occasion of odour from spontaneous combustion, WCC are stating that it was unlikely to contain harmful levels of SO₂ or H₂S because no alarms from personal gas detectors of employees occurred at the time of each complaint.</p>	Continue to adopt odour management measures relating to spontaneous combustion to mitigate the potential for odour migration offsite. Continue to perform detailed analysis of any odour complaints to confirm whether the mine is the likely source.									
Greenhouse Gas Emissions													
15	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.	Compliant	The Air Quality and Greenhouse Gas Management Plan (AQGHGMP) has been approved by then Director General (Now Secretary). Further control procedures are outlined in the AQGHGMP.										
Air Quality Criteria													
16	<p>The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not exceed the criteria listed in Tables 6, 7 and 8 at any residence on privately-owned land or on more than 25 percent of any privately- owned land.</p> <p>Table 6: Long-term criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table>	Pollutant	Averaging Period	Criterion	Total suspended particulate	Annual	90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³	Compliant		
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<p>Table 7: Short-term criterion for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table>	Pollutant	Averaging Period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	All annual averages shown in Annual Review within criteria						
Pollutant	Averaging Period	^d Criterion											
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³											
<p>Table 8: Long-term criteria for deposited dust</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/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table>	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	<p>One exceedance of 24hr PM₁₀ in 2016 Annual Review, one in 2015-16 AR at Glenara. Investigations shown that not attributable to WCC. Sighted site review.</p> <p>One exceedance in 2014-2015 at Werris Creek TEOM. This was not an exceedance of the daily PM₁₀ criteria because the source off the dust was from a regional dust event which was also measured in the PA's Tamworth PM₁₀ dust monitor recording 66.6µg/m³ on the same day. The average wind direction between 9am and 4pm on the 15th November was a north westerly (308 degrees) and as WCC is south south west of Werris Creek town i.e. the mine was downwind and not contributing to the PM₁₀ dust levels measured by the Werris Creek TEOM.</p>				
Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level										
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month										
			<p>2016 Annual Review - no annual average > 4g/m²/month.</p> <p>2015-2016 Annual Review - 3 exceedances, reduced to one once contaminated data excluded. Exceedance at project owned property - investigations shown that due to isolated event from localised dust generation.</p> <p>2014-2015 Annual Review - September 2014: DG20 result was 4.3g/m²/month. DG20 ("Tonsley Park" – WCC owned) was substantially higher than any of the other six dust deposition gauge results in Werris Creek town or north of the mine due to adjacent harvesting activities, the dust recorded is not representative of WCC operations. DG3, DG5, DG9, DG15, DG34, DG62, DG96 and DG103 dust results were not representative of mining dust levels as organics were greater than 50% of the sample.</p>										
Air Quality Acquisition Criteria													

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																										
17	<p>If particulate matter emissions generated by the project exceed the criteria in Tables 9, 10, and 11 at any residence on privately-owned land, or on more than 25 percent of any privately owned land, then upon 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.</p> <p>Table 9: Long term land acquisition criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^a 90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> </tbody> </table> <p>Table 10: Short term land acquisition criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^{da} Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 150 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> </tbody> </table> <p>Table 11: Long term land acquisition criteria for deposited dust</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase^e in deposited dust level</th> <th>Maximum total^f deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes to Tables 9-11:</p> <ul style="list-style-type: none"> • a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources); • b Incremental impact (i.e. incremental increase in concentrations due to the development on its own); • c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and • d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary. 	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^{da} Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 150 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³	Pollutant	Averaging period	Maximum increase ^e in deposited dust level	Maximum total ^f deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	Not triggered	<p>All annual averages shown in the Annual Review are within criteria.</p> <p>One exceedance of 24hr PM10 in 2016 AR, one in 2015-16 AR at Glenara. Investigations shown that not attributable to WCC.</p> <p>One exceedance in 2014-2015 at Werris Creek TEOM. This was not an exceedance of the daily PM10 criteria because the source of the dust was from a regional dust event which was also measured in the EPA's Tamworth PM10 dust monitor recording 66.6µg/m3 on the same day. The average wind direction between 9am and 4pm on the 15th November was a north westerly (308o) and as WCC is south south west of Werris Creek town i.e. the mine was downwind and not contributing to the PM10 dust levels measured by the Werris Creek TEOM.</p> <p>All exceedances at project owned residences.</p>	
Pollutant	Averaging period	^d Criterion																												
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Operating Conditions																														
18	<p>The Proponent shall:</p> <p>(a) implement best practice air quality management on site to minimise the off-site odour, fume and particulate matter emissions of the project, including the dust emissions associated with the transport coal produced on site by road or rail;</p> <p>(b) minimise any visible air pollution generated by the project;</p> <p>(c) minimise any surface disturbance on site; and</p> <p>(d) regularly assess the real-time air quality monitoring and meteorological forecasting data and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Secretary.</p>	Compliant	<p>The AQGHGMP has been approved by the Director General. Further control procedures are outlined in the AQGHGMP and the Annual Reviews. Dust complaints have reduced significantly since the approval of the 2014 AQGHGMP from 21 in 2014-2015 to 2 and 4 in 2015-16 and 2016 respectively.</p> <p>Evidence noted from the 'OCE' Diary' outlining some modifying activities, including moving away from areas and use of additional water carts. Modifying activities based on the real time results and site conditions.</p> <p>Evidence of monitoring results in the Annual Reviews and EPL Annual Returns. Evidence of field implementation through the use of water carts. Dust levels have been within criteria. Minimal dust determined during the audit inspection.</p>																											
Air Quality and Greenhouse Gas Management Plan																														
19	<p>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:</p> <p>(a) be prepared in consultation with EPA, and submitted to the Secretary by the end of April 2012;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including a real-time air quality management system that employs both reactive and proactive mitigation measures;</p> <p>(c) describe the measures that would be implemented to minimise the release of greenhouse gas emissions from the site; and</p> <p>(d) include an air quality monitoring program, that:</p> <ul style="list-style-type: none"> • uses a combination of real-time monitors and supplementary monitors, to evaluate the performance of the project; • evaluates and reports on the effectiveness of the real-time air quality management system; and • includes a protocol for determining any exceedances of the relevant conditions of this approval. 	Compliant	<p>Review of approved AQGHGMP dated 16 April 2014.</p> <p>a) Covered in App A including correspondence with the EPA from April 2012. Submitted to then DP&I on 27 April 2014.</p> <p>b) Covered in Section 8 and 9.</p> <p>c) Section 8.3.</p> <p>d) Section 9 - includes details of different types of monitoring.</p> <p><u>Implementation:</u></p> <p>Evidence of monitoring results in the Annual Reviews and EPL Annual Returns. Evidence of field implementation through the use of water carts. Dust levels have been within criteria. Minimal dust determined during the audit inspection. SLR witnessed a blast event, with dust remaining within the pit shell and not leaving site. Evidence of changed activities in the OCE reports based on real time monitoring and field observations.</p> <p>Monitoring program implemented. There were a small number of occasions during the audit period where there were power outages at the HVAS.</p>																											
METEOROLOGICAL MONITORING																														

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																
	<p>(c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> • detailed baseline data of groundwater levels and quality surrounding the site; • groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; • a program to monitor : <ul style="list-style-type: none"> - groundwater inflows to the open cut mining operations; - the impacts of the project on any groundwater bores on privately-owned land; - the seepage/leachate from water storages or backfilled voids on site; and 	Compliant	<p><u>Plan Preparation:</u> Baseline data outlined in Section 4. Criteria and contingency's outlined in Section 7 and 14. * Inflows outlined in Section 8.7.</p> <p><u>Plan Implementation:</u> * Key monitoring data provided to SLR * Annual Groundwater Report provided.</p>	<p>Additional details relating to trends in water monitoring data is to be outlined in the future Annual Reviews.</p> <p>Additional information relating to groundwater quality.</p> <p>Table 15 in the 2016 Annual Review lists the monitoring bores, sampling frequency and proposed monitoring parameters. This section of the Annual Review outlines that six monthly monitoring is required, however it does not state that this is only for MW1, 2, 3, 4, 5 and 6 as per the Water Management Plan. Update Table 15 in future Annual Reviews to illustrate only some monitoring locations are monitored six monthly.</p> <p>In terms of the Ramboll 2016 Groundwater Report - the report does not address or mention water quality or change (if any) of water quality over time.</p> <p>Appendix A of the Ramboll 2016 Groundwater Report shows several bores in the Werrie Creek Basalt with trends above the trigger level, however these are not discussed. Monitoring bores are MW3, MW4b, MW5, MW8 (control), MW14, MW17b, MW19b, MW20 and MW27 . An explanation should be given for not discussing these results.</p>																
	<p>(d) an Irrigation Management Plan, which includes:</p> <ul style="list-style-type: none"> • a detailed methodology for the transfer (including for pipeline and/or road transportation) and application of void water for each irrigation site; • detailed consideration of the irrigation activities guided by the Environmental Guideline "Use of Effluent by Irrigation, DEC 2014", including site specific soil analysis and consideration of the short and long term impacts of salinity and sodicity on soils; • parameters for the sustainable application of void water to maximise water uptake and minimise deep percolation to groundwater and/or run-off from the application site; • identification of the appropriate approvals held under the Water Management Act 2000; • a program to monitor void water quality and soil characteristics; and • a description of the procedures to be implemented to measure and report on the quantity of water supplied to each individual user and the quantity of void water used against the parameters identified 	Not triggered	<p>Irrigation Management Plan has been prepared and is with DPE for approval. Planned irrigation on 'Plain View' property.</p> <ul style="list-style-type: none"> * Detailed soil analysis outlined; * Guideline is referred to on numerous occasions; * Section 4 of the plan outlines proposed methodology; * Proposed monitoring program outlined in Section 6; and * Approvals required outlined under Section 5. <p>No implementation yet as the plan has not been approved.</p>																	
Void Water Dam 1																				
23a	Within 2 months of the completion of construction works for the expanded Void Water Dam 1, the Proponent shall submit a "works as-executed" report to the Secretary and EPA, certified by a practising engineer, confirming that the expanded dam has been constructed to its design specifications.	Compliant	<p><u>As previous audit</u></p> <p>Construction Review Report completed by URS - Dated 13 Feb 2013. The Dam was fully constructed in December 2012.</p>																	
BIODIVERSITY																				
Biodiversity Offset Strategy																				
24	The Proponent shall implement the biodiversity offset strategy for the project described in the EA, summarised in Table 12, and shown conceptually on the figure in Appendix 4 to the satisfaction of the Secretary.																			
	<table border="1"> <thead> <tr> <th>Offset Areas</th> <th>Minimum Size (hectares)</th> </tr> </thead> <tbody> <tr> <td>Eurunderee</td> <td>363.93</td> </tr> <tr> <td>Hillview</td> <td>57.32</td> </tr> <tr> <td>Marengo</td> <td>284.12</td> </tr> <tr> <td>Railway View</td> <td>243.69</td> </tr> <tr> <td>Mine Site</td> <td>215.86</td> </tr> <tr> <td>Greenslopes/Banool</td> <td>123</td> </tr> <tr> <td>TOTAL</td> <td>1,287.92</td> </tr> </tbody> </table>	Offset Areas	Minimum Size (hectares)	Eurunderee	363.93	Hillview	57.32	Marengo	284.12	Railway View	243.69	Mine Site	215.86	Greenslopes/Banool	123	TOTAL	1,287.92	Compliant	<p>Letter sent to DP&I on 22/6/2012 seeking approval for BOMP. BOMP approved by the DP&I on 30/8/2013.</p> <p>Section 8.8 of the BOMP outlines the management strategy of these areas.</p> <p>Section 3.5 of the 2013-14 AEMR outlines the management of the offset areas.</p> <p>The audit team inspected the 'eurunderee' offset area. See photos in audit report. Planting of eucalypts has just been completed prior to the audit. The area has been maintained as per the Biodiversity Offset Area.</p>	<p>Additional detail is required for the monitoring and management of the offset areas in the Annual Review (little detail in recent Annual Reviews). This should include a summary of results and trends and reference publically available documentation (including referencing the specialist reports).</p> <p>Monitoring results (methodology outlined in Section 9.2 of the Biodiversity Offset Area Management Plan) should be referenced.</p>
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Greenslopes/Banool	123																			
TOTAL	1,287.92																			
	<p>Notes:</p> <ul style="list-style-type: none"> • To identify the areas referred to in Table 12, see the applicable figure in Appendix 4; • The strategy includes the enhancement of existing fauna habitat within these areas, and where necessary the targeted establishment of naturally scarce fauna habitat; and • Greenslopes/Banool must have at least 74 hectares of Box Gum Woodland EEC. 	Compliant	<p>Director-General - SEWPAC letter sent 27/6/12, Letter approving the BOMP sent from DPI on 30/8/13.</p> <p>OEH - letter sent 27/6/12, 20/12/12 response requiring further clarification and review. WCC did not respond to the OEH following the updates to the BOMP.</p>	Send the OEH a final copy of the BOMP for their records.																
25	By the end of June 2012, unless the Secretary agrees otherwise, the Proponent shall update the biodiversity offset strategy for the project, in consultation with OEH, and to the satisfaction of the Secretary. The updated strategy must include the specific details of the Additional Offset Area (see Table 12).	Compliant	<p>Offset strategy outlined in the BOMP. See section 8.2, 8.3 and 8.5 of the BOMP.</p> <p>Prepared to meet this timing.</p>																	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
26	The Proponent shall ensure that the biodiversity offset strategy and/or rehabilitation strategy is focused on the re-establishment and/or enhancement of: (a) the following endangered ecological communities: • White Box-Yellow Box-Blakely's Red Gum Woodland EEC; and • White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland CEEC; and (b) habitat for threatened fauna species, including the: • Regent Honeyeater, Swift Parrot, Brown Treecreeper, Hooded Robin, Little Lorikeet, and Barking Owl; and • Eastern Bent-wing Bat, Eastern False pipistrelle, Yellow-bellied Bent-wing Bat and Greater Broad-nosed Bat.	Compliant	Section 8.6 of the BOMP outlines key processes for habitat augmentation. Goal is to improve the habitat connectivity of the rehabilitation areas and offset areas. 2015 Annual Review section 6.4.2. 2016 Annual Review stated revegetation land preparation had occurred. During the site visit the planting of eucalypts within these areas of the rehab and eurunderee offset areas was being undertaken and sighted.	
Long Term Security of Offsets				
27	The Proponent shall make suitable arrangements to provide appropriate long-term security for the offset areas (excluding the rehabilitation areas) by December 2012, or other date agreed by the Secretary, to the satisfaction of the Secretary.	Not triggered	2016 Annual Review "WHC is in the final stages of negotiation with DPE regarding the wording of positive and negative covenants to be registered on individual land titles that make up the WCCM BOA. It is anticipated that this will be concluded and submitted to NSW Land and Property Information for registration during 2017." Efforts have been made by WCC since 2012 to 'make suitable arrangements'.	
Biodiversity Offset Management Plan				
28	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 OEH, and submitted to the Secretary for approval by the end of December 2012; (b) describe how the implementation of the biodiversity offset strategy would be integrated with the overall rehabilitation of the site; (c) describe the short, medium, and long term measures that would be implemented to: • manage the remnant vegetation and habitat on the site and in the offset area/s (if and when applicable); and • implement the biodiversity offset strategy (if and when applicable), including detailed performance and completion criteria; (d) include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy, and triggering remedial action (if necessary); (e) include a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for: • enhancing the quality of existing vegetation and fauna habitat; • restoring native vegetation and fauna habitat on the biodiversity areas and rehabilitation area through focusing on assisted natural regeneration, targeted vegetation establishment and the introduction of naturally scarce fauna habitat features (where necessary); • landscaping the land on site that faces public roads to minimise the visual and lighting impacts of the project; • maximising the salvage of resources within the approved disturbance area - including vegetative, soil and cultural heritage resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area; • collecting and propagating seed; • minimising the impacts on fauna on site, including undertaking pre-clearance surveys; • managing any potential conflicts between the proposed restoration works in the biodiversity areas and any Aboriginal heritage values (both cultural and archaeological); • managing salinity; • controlling weeds and feral pests; • controlling erosion; • managing grazing and agriculture on site; • controlling access; and • bushfire management; (f) include a seasonally-based program to monitor and report on the effectiveness of these measures, and progress against the detailed performance and completion criteria; (g) 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 (h) include details of who would be responsible for monitoring, reviewing, and implementing the plan.	Compliant	BOMP updated in the audit period, however this has not been approved (currently with DPE). Current approved BOMP is dated August 2013. a) Original submission December 2012. b) Section 8.3 of the BOMP. c) Section 8.0, 8.5 and 7.1 of the BOMP. d) Inspections undertaken quarterly. Inspection dated 20 February 2014. Section 7.1 of the BOMP. e) Section 8.0 of the BOMP. Section 6.4 of the Annual Review. Biodiversity Offset Monitoring reports. f) Section 9.0 of the BOMP and Biodiversity Offset Monitoring reports. Includes vegetation monitoring and fauna monitoring. Has been completed in Winter and Spring by Ecological during the audit period. g) Section 6.0 of the BOMP. h) Section 2 of the Plan. <u>Implementation:</u> Annual Reviews outline seed collection and propagation details. Evidence of planting and management of the 'eurunderee' offset area was noted during the site inspection. There is no grazing within the offset areas. The most recent reports provided for flora and fauna monitoring are from 2016 (based on 2015 results) and 2015 (based on 2014 results). The monitoring report for 2016 has not yet been supplied to WCC. This may result in a delay to adaptive management. Evidence of fire management provided through hazard reduction burns documentation. Evidence of pre clearance permit and figures illustrating clearance.	There appears to be a lag in monitoring compared to reporting. For monitoring that is undertaken in Spring of each year, a report should be prepared prior to the next submission of the Annual Review.
Conservation Bond				
29	Within 6 months of the approval of the biodiversity offset strategy, the Proponent shall lodge a conservation 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: (a) calculating the full cost of implementing the offset strategy (other than land acquisition costs); and (b) employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the Secretary. 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. 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. With the agreement of the Secretary, this bond may be combined with rehabilitation security deposit administered by DRE.	Compliant	As per previous audit. Letter from DPI - Bond agreed 4/2/14. Lodged in January 2014. Report completed by Lindsey Doyle. Quality surveying report was sighted for calculated the costs - dated 30 January 2014.	
HERITAGE				
Historic Heritage				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
30	By the end of April 2012, the Proponent shall: (a) undertake primary historical investigations and provide a report prepared by an experienced heritage consultant approved by the Secretary on the archaeological potential of the former Werris Creek Colliery site, remaining buildings and surrounds; (b) provide recommendations for the management, salvage or recording of any archaeological features on the site and a timetable for the implementation of these recommendations; (c) include in this report detailed archival recording, including photographic recording and location plans of any structures relating to the former Werris Creek Colliery; and (d) provide a copy of this report to the Department, Heritage Council of NSW and Council, to the satisfaction of the Secretary.	Compliant	No change from previous audit. Report prepared by Advitech Environmental Archaeological Investigation and Heritage. Report covers key requirements of this condition including consultation. Addressed in Heritage Management Plan including Appendix K.	
Human Remains				
31	This approval does not allow the Proponent to disturb any human remains found on the site.	Not triggered	Section 8.4 of Heritage Management Plan. Condition not triggered.	
Heritage Management Plan				
32	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with OEH and the Aboriginal stakeholders (in relation to the management of Aboriginal heritage values); (c) be submitted to the Secretary for approval by the end of June 2012, unless the Secretary agrees otherwise; (d) include the following for the management of Aboriginal Heritage: • a description of the measures that would be implemented for: o protecting, relocating, monitoring and/or managing the axe-grinding grooves known as the "Narrawolga site"; o managing the discovery of any human remains or previously unidentified Aboriginal objects on site; o maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site and within any Aboriginal heritage conservation areas; o ongoing consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage both on site and within any Aboriginal heritage conservation areas; and o ensuring any workers on site receive suitable heritage inductions and that suitable records are kept of these inductions; • a strategy for the storage of any heritage items salvaged on site, both during the project and in the long-term; (e) include the following for the management of historic heritage: • a detailed plan for the implementation of any measures resulting from the further investigations into the former Werris Creek Colliery site and buildings; • a description of the measures that would be implemented for: o managing the discovery of human remains or previously unidentified heritage items on site; and o ensuring any workers on site receive suitable heritage inductions and that suitable records are kept of these inductions. Note: It is accepted that the detailed plan for the implementation of any measures resulting from further investigations into the former Werris Creek Colliery site will not be submitted with the initial Heritage Management Plan. They should be progressively added to the plan once they are completed.	Compliant	Original Heritage Management Plan sent to the DPE in October 2012. Current website version dated July 2014. a) Appendix A - endorsement of Advitech ion December 2011 to prepare the Heritage MP. b) Appendix A - Consultation records from 2012. c) Original Heritage Management Plan sent to the DPE in October 2012. d) Management measures described in Section 8 and 10. e) Section 8 and Section 10. <u>Implementation:</u> The Narrawolga Axe Grinding Groove Rocks were relocated from the temporary storage facility at WCC to the Willow Tree Visitor Information Centre on 15th April 2015. The relocation project was the culmination of 13 months of planning and included the relocation of ten sandstone boulders with 43 axe grinding grooves originally relocated from the mining footprint at WCC in 2007. The project involved detailed consultation with the Liverpool Plains Shire Council and Nungaroo Local Aboriginal Lands Council, with assistance provided by a geotechnical engineer and archaeologists to minimise the risk of damage to the Groove Rocks and meet regulatory and documentation requirements.	
TRANSPORT				
Roadworks				
33	Prior to the use of the Northern Site Access Road, the Proponent shall: (a) construct the intersection of the Northern Site Access Road (see the figure in Appendix 2) to the satisfaction of Council; (b) tar seal Escott Road from Werris Creek Road to the coal haul road to the satisfaction of Council; (c) upgrade the intersection of Escott Road and Werris Creek Road to a CHR type intersection to the satisfaction of RMS and Council; (d) install appropriate rail crossings at the rail loop on Escott Road; and (e) install appropriate advance warning signs and lighting on Escott Road and at the intersection of the Northern Site Access Road to the satisfaction of Council.	Not triggered	Not yet used as site access road.	
34	Within 3 months of the commencement of coal transport from the Northern Site Access Road, the Proponent shall close the existing mine entrance on Werris Creek Road (see Figure 1 of Appendix 2) to coal transport (unless required in an emergency).	Not triggered	Not yet used as site access road.	
Road Maintenance				
35	For the life of the project, the Proponent shall continue to provide funding towards the maintenance of Taylors Lane, in accordance with the existing road maintenance contributions agreement with Council.	Compliant	There is an executed agreement between WCC and LPSC. Based on the details provided by WCC, contributions towards Taylors Lane maintenance would be incurred once haul tonnages exceeded 20,000 tonnes. As evident within the audit period, all haulages were below this figure.	
Monitoring of Coal Transport				
36	The Proponent shall: (a) keep accurate records of the amount of coal transported from the site (on a monthly basis); and (b) make these records available on its website at the end of each calendar year.	Compliant	Records sighted on website. Up to date to end 2016 on website, 2017 excel spreadsheet sighted.	
VISUAL				
Visual Amenity				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
37	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project, including: <ul style="list-style-type: none"> • progressively rehabilitating overburden emplacement areas (particularly the outer batters), including partial rehabilitation of temporarily inactive areas and proposed topsoil storage stockpiles; • constructing a 15 metre high visual/amenity bund along the north-eastern perimeter of the northern extent of the open-cut pit, and • planting trees at the foot of the overburden emplacement area along the eastern boundary of the site, in front of the visual/amenity bund, and to the north and east of the product coal stockpile and rail load-out facility; (b) establish and maintain an effective vegetative screen along the boundary of the site adjoining public roads; (c) ensure no outdoor lights shine above the horizontal; and (d) ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, to the satisfaction of the Secretary. 	Compliant	<ul style="list-style-type: none"> a) Field inspection noted the visual bund. Visual bund in the north eastern perimeter. Visual bund has been partially established. b) Vegetation and rehabilitation has been completed along the boundaries of the site to reduce visual aspects of the mine. c) Lighting monitoring camera established on the southern edge of Werris Creek township facing the mine site to monitor in real time. This assists in determining if the mine is a source of visual/lighting complaints. An inspection of the Train Load Out Area determined lights are pointing away from the town of Werris Creek. A lighting procedure was attached to the lighting tower. The number of lighting complaints has reduced. d) Lighting impacts have decreased during the audit period. During previous audit period a lighting audit was completed. 	
Additional Visual Impact Mitigation				
38	<p>38. 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 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 these mining operations from the residences on their properties.</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 Secretary for resolution.</p> <p>Notes:</p> <ul style="list-style-type: none"> • The additional visual impact mitigation measures must be aimed at reducing the visibility of the mining operations on site from significantly affected residences, and do not require measures to reduce the visibility of the mining operations from other locations on the affected properties; • The additional visual impact mitigation measures do not necessarily have to include the implementation of measures on the affected property itself (i.e. the additional measures could involve the implementation of measures outside the affected property boundary that provide an effective reduction in visual impacts). 	Compliant	<p>Number of lighting complaints in 2016 - 0. 2015-2016 -2. 2014-2015 -0. Based on discussions with the WCC Environmental Officer there have been no requests for additional visual mitigation measures.</p>	
Waste				
39	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible measures to minimise the waste generated by the project; (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; and (c) monitor and report on effectiveness of the waste minimisation and management measures in the annual review. 	Compliant	<ul style="list-style-type: none"> a) Based on the site inspection, waste management appears to have been well implemented. Evidence of waste segregation, spill kits. Site is very clean and tidy with excellent house keeping. A copy of the Waste Management Plan was provided for the site. This provides details regarding management and reporting. b) Site inspection confirmed good storage and management c) 2014-2016 Annual Reviews show progressive decrease in general waste. Annual Reviews report on effectiveness. 	
BUSHFIRE MANAGEMENT				
40	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) ensure that the project is suitably equipped to respond to any fires on site; and (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the surrounding area. 	Compliant	<p>Annual Review reports maintenance of fire breaks, controlled burns with RFS and BOA fire management activities.</p> <p>Refer section 3.12 of 2014-2015 Annual Review.</p>	
REHABILITATION				
Rehabilitation Objectives				
41	<p>The Proponent shall rehabilitate the site to the satisfaction of DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (and shown conceptually in the figure in Appendix 5), and comply with the objectives in Table 13.</p>	Compliant	<p>Rehabilitation is ongoing. Work is generally in accordance with proposed rehabilitation strategy from the EA Mod and the MOP. Progressive rehabilitation has been completed where practical based on future mining operations.</p>	
Progressive Rehabilitation				
42	<p>The Proponent shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance.</p>	Compliant	<p>Rehabilitation is ongoing. Most of the disturbed areas at site are required for mining operations. Evidence of rehabilitation in the field across a number of years. Evidence of good quality medium and longer term rehabilitation.</p>	
Rehabilitation Management Plan				
43	<p>43. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of DRE. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with the Department, DPI Water, OEH, Council and the CCC; (b) be submitted to DRE by the end of April 2012 (c) be prepared in accordance with any relevant DRE guideline; (d) describe how the rehabilitation of the site would be integrated with the implementation of the biodiversity offset strategy; (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary); (f) describe the measures that would be implemented to ensure compliance with the conditions of this approval, and address all aspect of rehabilitation including mine closure, final landform, and final land use; (g) include a program to monitor and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; and (h) build to the maximum extent practicable on the other management plans required under this approval. 	Administrative Non-Compliance	<ul style="list-style-type: none"> a) Consultation for most recent MOP/Rehabilitation Management Plan outlined within Section 1.5.2. Although there is some discussions relating to consultations regarding 'proposed modifications at Werris Creek' there is no evidence that these agencies were specifically sent a copy of the new MOP for comment (MOP dated December 2015). Therefore non compliant with this condition. b) Completed. New MOP submitted during audit period in December 2015. c) Prepared in accordance with the MOP Guideline. d) Table 4.2 covers this in sufficient detail. e) Criteria outlined in Section 6. f) Section 7 of the MOP outlines Rehabilitation Implementation. Covered within multiple sections of the MOP. g) Criteria outlined in Section 6 and 8. Reporting is within the 'Rehabilitation Monitoring Reports' and there is a basic summary within the Annual Reviews. The monitoring program for rehabilitation and offset areas reviews some of the key criteria which are outlined in the MOP. h) Section 1.3 references management plans at WCC. <p>For the next MOP update, send the key sections of the MOP document to these agencies for review/comment.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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 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.	Compliant	Covered in previous audit.	
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; and (b) an exceedance of the relevant air quality criteria schedule 3, the Proponent shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners.	Compliant	2016 Annual Review - evidence provided of notification of landowner of exceedance.	
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 • 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.	Not triggered	Based on a review of Annual Reviews and discussions with the Environmental Officer this condition has not been triggered.	
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 and discussions with the Environmental Officer this condition has not been triggered.	
Land Acquisition				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
5	<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> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and presence of improvements on the 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: <ul style="list-style-type: none"> 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 reasonable compensation for any disturbance caused by the land acquisition process. <p>However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary will 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"> 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. <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 and any other relevant submissions. <u>Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at</u></p>	Not triggered	<p>No requests received.</p> <p>Based on a review of Annual Reviews and discussions with the Environmental Officer this condition has not been triggered.</p>	
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		

Schedule 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must:</p> <ul style="list-style-type: none"> (a) be submitted to the Secretary for approval by the end of April 2012; (b) provide the strategic framework for the environmental management of the project; (c) identify the statutory approvals that apply to the project; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project; (e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the project; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the project; respond to any non-compliance; respond to emergencies; and (f) include: <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this approval; and a clear plan depicting all the monitoring required to be carried out under the conditions of this approval. 	Compliant	<ul style="list-style-type: none"> a) Environmental Management Strategy document has been submitted but has not been approved. First sent 30 April 2012. b) Section 8; c) Section 3; d) Section 2 e) Section 12; f) Section 8 and 9. 	Due to the time the document has been unapproved we recommend the document should be updated and resubmitted. Undertake liaison with the DPE.
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Management Plan Requirements

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
2	The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: • impacts and environmental performance of the project; • effectiveness of any management measures (see (c) above); (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a protocol for managing and reporting any: • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and (g) a protocol for periodic review of the plan.	Compliant	Management Plans generally cover these requirements.	From a site management and auditing perspective it is recommended that a table is developed outlining this condition and where they have been covered within specific management plans. This table should be developed for each management plan.
Annual Review				
3	By the end of March each year, the Proponent shall review the environmental performance of the project to the satisfaction of the Secretary. This review must: (a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year; (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the: • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EA; (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the project; (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.	Administrative Non-Compliance	The 2016, 2015-16 and 2014 - 15 Annual Reviews have been reviewed for this audit. a) Outlined in Annual Reviews. Including Section 4 and 8 of 2016 Annual Review. b) Monitoring results have been reviewed for key aspects and is outlined within Section 6 of the 2016 Annual Review. c) Section 1 of Annual Review outlines the Statement of Compliance. d) NC. Annual Reviews from 2014-15 under the previous guidelines had trends for water and air. The most recent Annual Reviews from 2015 and 2016 have minimal information relating to trends or how the site performed against previous years. e) There is little information relating performance against predictions (EIS predictions). f) Proposed improvements are outlined in Annual Reviews. There is minimal information relating to trends in the Annual Reviews.	Additional information relating to trends should be outlined in the Annual Review. This may include aspects such as water, noise and air. Comparison of monitoring results against EA predictions. Additional information relating to groundwater quality.
Revision of Strategies, Plans and Programs				
4	Within 3 months of: (a) the submission of an annual review under condition 3 above; (b) the submission of an incident report under condition 6 below; (c) the submission of an audit under condition 8 below; or (d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions of any plan then within four weeks of the review the revised document must be submitted to the Secretary and any other relevant agencies for approval. 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.	Administrative Non-Compliance	Plans have not been reviewed and revised as required annually. There are a series of plans currently sitting with DPE. Some plans were also not updated within three months of the 2014 independent environmental audit.	Continue to liaise with DPE to discuss the status of the revised management plans. Undertake management plan 'review' as per the required condition. In the Annual Review state whether management plans need to be revised and reasons for revisions. Resubmission of management plans to DPE.
Community Consultative Committee				
5	The Proponent shall operate a Community Consultative Committee (CCC) for the Werris Creek Coal Mine for the life of the project, in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version), and to the satisfaction of the Secretary. Notes: • The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval; and • In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.	Compliant	CCC minutes available on the website. CCC generally operates in accordance with the guidelines. The CCC has met every three months during the audit period.	
REPORTING				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
Regular Reporting				
7	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.	Compliant	Reporting is outlined on the website including EPL monitoring summaries and Annual Reviews.	
INDEPENDENT ENVIRONMENTAL AUDIT				
8	<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 by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the:</p> <ul style="list-style-type: none"> • environmental performance of the project; and • whether it is complying with the requirements in this approval, any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); and <p>(d) recommend appropriate measures or actions to improve the environmental performance and rehabilitation of the project.</p> <p>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</p>	Compliant	<p>a) Audit in 2014 completed by SLR. Endorsed as part of the 2014 audit. The SLR and specialists were endorsed as part of the 2017 audit dated 5 May 2017 (Chris Jones and Nathan Archer) and specialists on 1 June 2017 (Duncan Barnes for surface water and Tim Wilkinson for Groundwater).</p> <p>b) consultation was completed for the previous audit and the 2017 audit. Details of consultation for this audit contained within the main document.</p> <p>c) Performance against this condition assessed for 2014 and 2017 audit.</p> <p>d) 2014 and 2017 audits provide recommendations.</p>	
ACCESS TO INFORMATION				
10	<p>The Proponent shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> • the EA; • current statutory approvals for the project; • approved strategies, plans and programs required under the conditions of this approval; • a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the conditions of this approval or any approved plans or programs; • a complaints register, which is to be updated on a monthly basis; • minutes of any CCC meetings; • the last five annual reviews; • any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; • any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	Compliant	The key documentation is available on the website. Information is up to date.	

EPL 12290

Anniversary Date: 1 April
 Authority: Office of Environment and Heritage

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																								
1. Administrative Conditions																												
A1 What the Licence Authorises and Regulates																												
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2: Construct mine entrance/ access/ rail road out roads; site preparation; (clearing/ soil removal) including mining activities, earthworks for processing plant, coal loading & office facility installation; install water management controls.	Compliant	Site inspection and records (Annual Reviews, Annual Returns) illustrate the site has complied with this condition. Works generally carried out with EA Mods.																									
A1.2	This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. 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. <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>> 2000000 - 5000000 T handled</td> </tr> <tr> <td>Mining for Coal</td> <td>Mining for coal</td> <td>> 2000000 - 3600000 T produced</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal Works	Coal works	> 2000000 - 5000000 T handled	Mining for Coal	Mining for coal	> 2000000 - 3600000 T produced	Compliant	Production impacted by noise management measures shutting down operations. Annual Review- 2016-17- 1.86 2015-16 - 2.03 mtpa 2014-2015 2.45 mtpa																
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A1.3	The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.	Compliant	No reason to determine non compliance with this condition based on field inspections and records provided.																									
A2 Premises or plant to which this licence applies																												
A2.1	The licence applies to the following premises: Premises Details WERRIS CREEK COAL 1435 WERRIS CREEK ROAD WERRIS CREEK NSW 2341 THE LAND BOUND WITHIN THE "PROJECT SITE BOUNDARY" IDENTIFIED IN THE MAP TITLED "FIGURE 1: SCHEDULE OF LAND" OF APPENDIX 1 SCHEDULE OF LAND OF PROJECT APPROVAL 10_0059, DATED 25 OCTOBER 2011 (DOC13/87398).	NA	Works completed within site boundary based on field inspections and records provided.																									
A3 Information supplied to the EPA																												
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Compliant	Activities generally completed in accordance with this licence. There were some controlled discharges during the audit period, however these were monitored and managed in accordance with the Water Management Plan.																									
2. Discharges to Air and Water and Applications to Land																												
P1 Location of monitoring/discharge points and areas																												
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Compliant	Water Management Plan notes these sites - included in 2017 update	In Section 7 of the Water Management Plan which is being updated, include a new column outlining the EPA Identification number.
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34	Discharge Water Quality Monitoring Discharge for off-site agricultural use	Discharge Water Quality Monitoring Discharge for off-site agricultural use	Point known as "WWD3" and identified as "EPL34" on the figure titled "EPL 12290 Licensed Monitoring Points", received by the EPA via email on 17 December 2015 (DOC16/111380).																																																																																					
35	Discharge Water Quality Monitoring Discharge for off-site agricultural use	Discharge Water Quality Monitoring Discharge for off-site agricultural use	Point known as "WWD4" and identified as "EPL35" on the figure titled "EPL 12290 Licensed Monitoring Points", received by the EPA via email on 17 December 2015 (DOC16/111380).																																																																																					
3. Limit Conditions																																																																																								
L1 Pollution of Waters																																																																																								

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																																
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.	Compliant	Although there have been some non compliances relating to implementing the Water Management Plan there has been no evidence of a non compliance with this condition.																																																	
L2 Concentration limits																																																				
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.	Compliant	2016 - 3 discharges with one exceedance of TSS. However compliant due to over 5 day period rainfall (Condition L2.5 of EPL). 2015-2016 - one discharge within criteria. 2014-2015 - no discharges.																																																	
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Compliant	pH results within criteria for discharges.																																																	
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.	Compliant	Noted. No reason to determine a non compliance.																																																	
L2.4	Water and/or Land Concentration Limits Point 10, 12, 14, 32	Compliant	Based on evidence provided, this is compliant. 2016 - 3 discharges with one exceedance of TSS. However compliant due to over 5 day period rainfall (Condition L2.5 of EPL). Discharges occurred at LDP10, 12 and 14. 2015-2016 - one discharge within criteria 2014-2015 - no discharges																																																	
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L2.5	The Total Suspended Solids concentration limits specified for Points 10, 12 and 14 may be exceeded for water discharged from the sediment basins provided that: (a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 39.2 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and (b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 39.2 millimetre, 5 day rainfall event.	Compliant	2016 - 3 discharges with one exceedance of TSS. However compliant due to over 5 day period rainfall (Condition L2.5 of EPL). 2015-2016 - one discharge within criteria 2014-2015 - no discharges These events were during high rainfall for the reason.																																																	
L3 Waste																																																				
L3.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	Compliant	No evidence to cause, permit or allow any waste generated outside the premises. Waste management was of a high standard during the audit. Based on the site inspection, waste management appears to have been well implemented. Evidence of waste segregation, spill kits. Site is very clean and tidy with excellent house keeping. A copy of the Waste Management Plan was provided for the site. This provides details regarding management and reporting.																																																	
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.	Compliant	The 2014-2016 Annual Reviews show progressive decrease in general waste. Annual Reviews report on effectiveness.																																																	
L4 Noise limits																																																				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																									
L4.1	<p>Noise generated from 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 minutes)</th> <th>Evening LAeq (15 minutes)</th> <th>Night LAeq (15 minutes)</th> <th>Night L_{A1} (1 minute)</th> </tr> </thead> <tbody> <tr> <td>The residence on the property "Talavera" located at location "R96" on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>The residence known as "Kooragang Railway Cottage" located at location "R97" (vacant land) on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>The residence on the property "Kooragang" located at location "R98" on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).</td> <td>37</td> <td>37</td> <td>37</td> <td>48</td> </tr> <tr> <td>The residence on the property "Kyooma" located at location "R99" on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Any other affected residence not covered by the limits of its licensed monitoring</p>	Locality and Location	Day LAeq (15 minutes)	Evening LAeq (15 minutes)	Night LAeq (15 minutes)	Night L _{A1} (1 minute)	The residence on the property "Talavera" located at location "R96" on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).	35	35	35	45	The residence known as "Kooragang Railway Cottage" located at location "R97" (vacant land) on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).	35	35	35	45	The residence on the property "Kooragang" located at location "R98" on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).	37	37	37	48	The residence on the property "Kyooma" located at location "R99" on the figure titled "EPL 12290 Licensed Monitoring Points" (revised by the EPA via email on 17 December 2016 (DOCC16111385)).	35	35	35	45	Compliant	<p>Exceedances during the audit period were less than 2dB.</p> <p>2016 - R98 Kyooma monitoring site during the evening of the 27th September 2016. On this occasion, the measured Werris Creek Mine noise was 39 dB(A) Leq, exceeding the criteria of 38 dB(A) Leq.</p> <p>2015-16 - Attended noise monitoring identified one exceedance of the noise criteria at WCC during the 2015-16 reporting period, at the R57 Kurrara St monitoring site during the evening of the 4th August 2015. On this occasion, the measured Werris Creek Mine noise was 37 dB(A) Leq, exceeding the criteria of 35 dB(A) Leq. It should be noted that while the NSW Industrial Noise Policy specifies that an exceedance of no more than 2 dB(A) above a statutory noise limit specified in a licence condition is not considered a non-compliance, WCC undertook an investigation into this measurement as if it was, with appropriate notifications to the EPA and DP&E. WCC subsequently received a Formal Warning Letter from the EPA in relation to this incident.</p> <p>2014-15 - The noise exceedance events are discussed below:</p> <ul style="list-style-type: none"> On 29th September 2014, R96 ("Talavera") recorded a mining related noise of 38dB(A) located 2.5km east of the closest active mining area at WCC. The resulting exceedance at R96 was +1dB(A) above the evening/night period noise criteria of 37dB(A). weather conditions were noise enhancing with a source to receiver north westerly wind 328o @ 1.8m/s with a temperature inversion (+10.5 oC/100m). On 16th October 2014, R97 (vacant land) recorded a mining related noise of 38dB(A) located 1.5km east of the closest active mining area at WCC. The weather conditions were noise enhancing with a light south easterly wind (153 o) @ 2.0m/s with a temperature inversion (+7.9oC/100m). The EPA responded stating that this was not an EPL 12290 noise exceedance because there was no residence on the property. 	
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L4.2	<p>For the purpose of the condition above;</p> <p>a) Day is defined as the period from 7am to 6pm on any day.</p> <p>b) Evening is defined as the period 6pm to 10pm on any day.</p> <p>c) Night is defined as the period from 10pm to 7am on any day.</p> <p>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.</p>	Compliant	<p>Noise reports consider the appropriate daytime, evening and night-time periods.</p> <p>Noise reports state that data from times where WCC operations were audible were analysed using the "Evaluator" software for tonal, impulsive or low frequency components as per definitions in the NSW Industrial Noise Policy. The reports reviewed did not identify any noise warranting the 5dB character penalty.</p>																										
L4.3	<p>The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following:</p> <p>a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or</p> <p>b) Temperature inversion conditions up to 12°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or</p> <p>c) Temperature inversion conditions greater than 12°C/100m.</p> <p>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.</p> <p>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.</p>	Compliant	<p>Noise monitoring results are analysed in conjunction with weather data monitored at the WCC Mine.</p> <p>Noise monitoring reports state that the Meteorological data used is supplied by the mine from the automatic weather station M2 located on top of the overburden emplacement. Temperature inversion strength is extrapolated from gauges with 80m vertical separation.</p>																										
L4.4	<p>Noise impacts where wind speed exceeds 3 metres per second at 10 metres above the ground must be addressed by:</p> <p>a) documenting noise complaints received to identify any higher level of impacts or wind patterns;</p> <p>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.</p>	Compliant	<p>Werris Creek Coal Annual Reviews and associated monthly noise monitoring reports. 2014 to 2017 complaints register was provided.</p> <p>All noise complaints are documented in the complaints registers. All complaints are actioned by the Environmental Officer and NCO. Where relevant complaints have recorded the weather conditions during the complaint.</p>																										
L4.5	<p>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:</p> <p>a) agrees to an alternative noise limit for that property; or</p> <p>b) provides an alternative means of compensation to address noise impacts from the premises.</p> <p>A copy of any agreement must be provided to the EPA before the proponent can take advantage of the agreement.</p>	Compliant	<p>Section 8.1 of the approved Noise Management Plan identifies those receivers which have agreement with WCC for higher noise levels with those agreements being to the satisfaction of the DPE and EPA.</p> <p>Section 7.1 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.</p>	Noise monitoring reports to be appended to Annual Reviews. Greater discussion on trends against previous periods.																									

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
L4.6	<p>Determining Compliance</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>i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or</p> <p>ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable</p> <p>iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.</p> <p>b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.</p> <p>c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) at the most affected point at a location where there is no dwelling at the location; or</p> <p>ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.</p> <p><i>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></p> <p>i) at a location other than an area prescribed in part (a) and part (b); and/or</p> <p>ii) at a point other than the most affected point at a location.</p>	Compliant	The sighted noise monitoring reports detail this condition and state that monitoring is undertaken in accordance with these requirements.	
L5 Blasting				
L5.1	The overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time. 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.	Compliant	Blasting results were within the range of this condition.	
L5.2	The air blast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant	Blasting results were within the range of this condition.	
L5.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant	Blasting results were within the range of this condition.	
L5.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant	Blasting results were within the range of this condition.	
L5.5	Blasting operations at the premises may only take place between 9:00am-5:00pm Monday to Saturday. Blasting is not permitted on public holidays. Blasting outside the hours specified above can only take place with the written approval of the EPA.	Compliant	Blast log reviewed illustrating dates and times. Blasts within defined period.	
L5.6	The hours of operation for blasting operations specified in this licence may be varied by the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.	Not triggered		
L5.7	Blasting at the premises is limited to 1 blast on each day on which blasting is permitted. <i>Note: Additional blasts are permitted where the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired; and</i> <i>- it is demonstrated to be necessary for safety reasons; or</i> <i>- the previous blast generated ground vibration levels of less than 0.5 mm per second at all non-project related residences.</i>	Compliant	Blast log reviewed illustrating dates and times. Blasts within defined period and frequency. Results provided meet this condition.	
L5.8	To determine compliance with condition(s) L5.1, L5.2, L5.3 and L5.4 a) Air blast overpressure and ground vibration levels must be measured and electronically recorded at any point within 30 metres of any non-project related residential building or other sensitive locations such as schools or hospitals for all blasts carried out in or on the premises; and b) Instrumentation used to measure the air blast overpressure and ground vibration must meet the requirements of Australian Standard AS 2187.2-2006. <i>Note: A breach of the licence will still occur where air blast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in this licence at any "noise sensitive locations" other than the locations identified in the above condition.</i>	Compliant	Blast locations outlined within the Blast Management Plan. Results included in Annual Reviews.	
L6 Hours of Operation				
L6.1	Activities at the premises, other than blasting (which is subject to the limits applied by condition L5.5), may be carried out 24 hours a day, 7 days per week.	Compliant	Site operates to these conditions. Blasting log provides dates and times.	
L6 Potentially Offensive Odour				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
L7.1	No condition in this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997. <i>Note: Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</i>	Compliant	As identified within the Annual Reviews, Five complaints were received relating to odour in the reporting period. Information from WCC indicates that these complaints were received from locations >4km from the mine. The likelihood that these odour complaints relate to mining operations is low although management measures implemented to reduce the impacts of odour related to spontaneous combustion should be continually reviewed. Two odour complaints (6th and 9th March 2015) were recorded during the period that were allegedly in relation to spontaneous combustion. Due to different wind directions present at the time of the complaints and long distances (>4km) between the complainant and WCC, it is not possible to confirm the source of the odour. However instances of spontaneous combustion are managed by the use of water curtains or sprinklers to suppress hot areas plus uncovering and mining the workings quickly and soaking any hot coal immediately. Smaller areas of spontaneous combustion can occur in the dumps or coal stockpiles but are attended to as soon as practicable. On each occasion of odour from spontaneous combustion, it was unlikely to contain harmful levels of SO2 or H2S because no alarms from personal gas detectors of employees occurred at the time of each complaint.	
4. Operating Conditions				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Non-Compliant (Low Risk)	Waste: Site inspection and a review of documentation indicates that the site has generally been operating as per the required statutory conditions, with no evidence of material harm as defined under the POEO Act. Waste management managed as per the internal Waste Management Plan. Waste management has improved in the audit period with a greater emphasis on recycling. From site inspection evidence of storage of hydrocarbons and chemicals within bunded areas. Water Management: Water levels in all Void Water Dams were low at the site of the audit by SLR. However the multi agency audit noted that there the site had not been 'minimising water levels in the wastewater holding dams to prevent uncontrolled discharge'. Since the EPA and multi agency audit the site has completed several updates including: - Bathometric survey - completed May 2017; - Review of Void Water Dams volume spreadsheet; and - Further development of strategy for alternative water use/augmented storage arrangements.	Continue to implement agreed actions relating to water management.
O2 Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Non-Compliant (Low Risk)	Findings from Inspection and Review of Records: Requested maintenance records were sighted at WCC. Including blasting services, water pumps and level sensors. Plant and equipment on site generally operated in a competent manner. Findings from EPA: The EPA noted that 'the licensee was not maintaining two sedimentation dams at the site in a proper and efficient condition, and the licensee's maintenance system was found to be not effective in ensuring maintenance issues are addressed'. The works associated with upgrading SB18 was shown to SLR during the field inspection. There is still some additional works required for SB17.	Additional maintenance works are required for SB17, with WCC committing to this by 30 September 2017.
O3 Dust				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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.	Compliant	<p>The site inspection indicated that dust controls were being implemented. The air quality results have been within criteria.</p> <p><u>PM10 and TSP</u> One exceedance of 24hr PM10 in 2016 AR, one in 2015-16 AR at Glenara. Investigations shown that not attributable to WCC. Sighted site review.</p> <p>One exceedance in 2014-2015 at Werris Creek TEOM. This was not an exceedance of the daily PM10 criteria because the source off the dust was from a regional dust event which was also measured in the PA's Tamworth PM10 dust monitor recording 66.6µg/m3 on the same day. The average wind direction between 9am and 4pm on the 15th November was a north westerly (308o) and as WCC is south south west of Werris Creek town i.e. the mine was downwind and not contributing to the PM10 dust levels measured by the Werris Creek TEOM.</p> <p><u>DDG's</u> 2016 AR - no annual average > 4 2015-2016 - 3 exceedances, reduced to one once contaminated data excluded. Exceedance at project owned property - investigations shown that due to isolated event from localised dust generation.</p> <p>2014-2015 - September 2014: DG20 result was 4.3g/m2/month. DG20 ("Tonsley Park" – WCC owned) was substantially higher than any of the other six dust deposition gauge results in Werris Creek town or north of the mine due to adjacent harvesting activities, the dust recorded is not representative of WCC operations. DG3, DG5, DG9, DG15, DG34, DG62, DG96 and DG 103 dust results were not representative of mining dust levels as organics were greater than 50% of the sample.</p>	
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.	Compliant	<p>No trucks were found leaving site during the inspection.</p> <p>The approved AQHGMP outlines for the following controls for Off-site Coal Transportation.</p> <ul style="list-style-type: none"> • Loaded train wagons sprayed with water. • Trucks not filled above gunnel level and loads covered. 	
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	Reversing beepers heard during site visit. Based on areas shown during the inspection this appears to be compliant.	
O4.2	<p>Blast Fume</p> <p>Offensive blast fume must not be emitted from the premises. Definition: Offensive blast fume means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances: (i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</p>	Non-Compliant (Low Risk)	<p>Blast fume management is required in blast design at the site.</p> <p>There was one blast related non-compliance (Condition 4 – O1.1 of EPL 12290) during the period on the 2nd July 2014 generating fume that travelled off the mine site but did not result in any offsite impacts. WCC fired a production blast #45 on Wednesday 2nd July 2014 at 1:05pm (S15_B12-B16_330_EXT) with the fume cloud generated travelling north-north west above the ground surface, across Escott Road (a closed, private road owned by WCC) and off the Mine site at 1:25pm, at a height of approximately 50m above the ground surface. The blast fume cloud dispersed at 1:41pm over the "Cintra" property owned by WCC. WCC was not able to establish whether there was a definitive cause, however the "Incident Investigation Report into the Blast Related Fume Incident" prepared by Safety Wise Solutions Pty Ltd (the Investigation Report) identified some contributing factors.</p>	
O4.3	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.	Administrative Non-Compliance	<p>A PIRMP has been prepared. The website version has no figure, with this noted by the audit team.</p> <p>Not all sediment dams are in the PIRMP figure that was provided. Void Water Dams have been included in the figure.</p> <p>Since this was noted during the audit the PIRMP (internal and website versions) were updated by WCC. No further recommendations.</p>	
O4.4	The licensee must keep the PIRMP on the premises at all times.	Compliant	A copy was present at site during the audit.	
5. Monitoring and Recording				
M1 Monitoring Records				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant	Monitoring records kept in a database. Results outlined in the Annual Review.	
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	Monitoring records kept in a databases with these results going back greater than four years. Key results outlined in the Annual Review which is publically available.	

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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.	Compliant	Monitoring spreadsheets provided. Surface Water - date, time and point is included. No name is included in database but is provided in chain of custodies. Groundwater - date, time and point is included. No name is included in database but is provided in chain of custodies. HVAS and DDG's - date, time and point is included. No name is included in database but is provided in chain of custodies. Blasting - date, time and point is included. Names provided in blasting sheets.																																																																																																																																													
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	Compliant	Monitoring undertaken by specialists. From results provided appears to be completed in accordance with the relevant standards. Copies of maintenance/calibration of Meteorological station and HVAS units provided.																																																																																																																																													
M2.2	Air Monitoring Requirements Point 28, 29, 30 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> <tr> <td>Solid Particles</td> <td>grams per square metre per month</td> <td>Continuous</td> <td>AM-18</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Every 6 days	AM-18	Solid Particles	grams per square metre per month	Continuous	AM-18	Non-Compliant (Low Risk)	M2.2 requires monitoring of PM10 concentrations every 6 days at "R98" ("Kyooma"). Due to a power loss, this monitoring was not undertaken on the 28th July, 3rd and 9th of August 2015 - outlined in the 2015-16 EPL Annual Return. TEOM suffered a series of faults in March 2015.																																																																																																																																	
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M2.5	For the purposes of the table(s) above, monitoring at points 17, 18, 19, 20, 21 and 22 is not required in the six month period if the monitoring site is dry or inadequate water is available to collect a sample.	Noted																																																																																																		
M3 Testing Methods - Concentration Limits																																																																																																				
M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW"</p>	Compliant	Generally compliant with EPA requirements for monitoring. Monitoring is undertaken by specialists.	None																																																																																																
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Non-Compliant (Low Risk)	The EPA audit found there to be a potential discrepancy relating to monitoring as per the Approved Methods Publication for analysing water samples. The EPA and WCC are still liaising regarding this finding.	Continue to liaise with the EPA regarding this aspect and implement any actions if required.																																																																																																
M4 Weather monitoring																																																																																																				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																																							
M4.1	<p>Weather Monitoring Requirements</p> <p>Point 0</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>Rainfall</td> <td>millimetres per hour</td> <td>continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Wind speed @ 10 metres</td> <td>metres per second</td> <td>continuous</td> <td>15 minute</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Wind direction @ 10 metres</td> <td>degrees clockwise from true north</td> <td>continuous</td> <td>15 minute</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Temperature @ 2 metres</td> <td>degrees Celsius</td> <td>continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Temperature @ 10 metres</td> <td>degrees Celsius</td> <td>continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Relative Humidity @ 10 metres</td> <td>degrees clockwise from true north</td> <td>continuous</td> <td>15 minute</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Solar radiation</td> <td>watts per square metre</td> <td>continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Additional requirements - siting</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1, AM-2 & special method 2</td> </tr> <tr> <td>Additional requirements - measurement</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1, AM-2 & special method 2</td> </tr> <tr> <td>Temperature @ 2 metres</td> <td>degrees Celsius</td> <td>continuous</td> <td>15 minute</td> <td>AM-4 & special method 2</td> </tr> </tbody> </table> <p>Note: For the purposes of conditions M4.1 & M4.2, Special Method 2 means that the location of the meteorological monitoring equipment and details of that equipment, the equipment operation and maintenance/service procedures and schedules must be submitted in writing and approved in writing by the EPA before any sampling or analysis is carried out. The meteorological monitoring equipment must be calibrated at least once every 12 months. Any proposed changes to the meteorological monitoring equipment location, operating and maintenance/service procedures and schedules, or to the monitoring hardware itself must also be submitted in writing and approved in writing by the EPA. The EPA is to be provided with the monitoring data on request in a Microsoft Office software compatible format.</p>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Rainfall	millimetres per hour	continuous	1 hour	AM-4	Wind speed @ 10 metres	metres per second	continuous	15 minute	AM-2 & AM-4	Wind direction @ 10 metres	degrees clockwise from true north	continuous	15 minute	AM-2 & AM-4	Temperature @ 2 metres	degrees Celsius	continuous	15 minute	AM-4	Temperature @ 10 metres	degrees Celsius	continuous	15 minute	AM-4	Relative Humidity @ 10 metres	degrees clockwise from true north	continuous	15 minute	AM-2 & AM-4	Solar radiation	watts per square metre	continuous	15 minute	AM-4	Additional requirements - siting	-	-	-	AM-1, AM-2 & special method 2	Additional requirements - measurement	-	-	-	AM-1, AM-2 & special method 2	Temperature @ 2 metres	degrees Celsius	continuous	15 minute	AM-4 & special method 2	Compliant	<p>WCC maintains an on-site weather station identified as "M2" (EPL 12290 EPA ID #9) located on the top level of the overburden emplacement (at final rehabilitated landform surface RL445.5m) as well as "M3" (EPL 12290 EPA ID #31) lower level temperature sensor (base of overburden emplacement area at RL373.5m). In addition, WCC also maintains "mini" weather stations associated with the Continuous Noise Monitors ("M1" for SX95 and SX116). "M2" is the main weather station utilised by WCC on a 10m mast which continuously monitors the meteorological parameters in Table 27. "M2" weather station operates in accordance with EPL 12290 (including AM-1, AM-2, AM-4 and Special Method 2) and AS 2923 -1987: Guide for measurement of horizontal wind for air quality applications.</p> <p>Meteorological station sighted during inspection.</p>	<p>Meteorology has not been reported since the 2014-2015 Annual Review. Some details to be included as this relates to water management and air quality. General trends of data and graphs/tables.</p>
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M4.2	<p>POINT 31</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>degrees Celsius</td> <td>continuous</td> <td>15 minute</td> <td>AM-4 & special method 2</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Temperature @ 2 metres	degrees Celsius	continuous	15 minute	AM-4 & special method 2	Compliant																																															
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M5 Recording of pollution complaints																																																											
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	Complaints records provided in Annual Review. Records go back many years.																																																								
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.	Compliant	Complaints register sighted and appropriate.																																																								
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Complaints records provided in Annual Review. Records go back many years.																																																								
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Compliant	Records are saved onsite.																																																								
M6 Telephone complaints line																																																											
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Compliant	Evidence on website of 'Telephone Complaints Line'																																																								
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.	Compliant	Complaints line is provided on the website. Also there is a weekly advertisement in the local paper (sighted evidence of advertisement). This advertisement outlines proposed blasting times along with contact details.																																																								
M6.3	The preceding two conditions do not apply until 3 months after: a) the date of the issue of this licence or b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.	Compliant																																																									
M7 Requirement to monitor volume or mass																																																											

Condition Number	Condition	Compliance Status	Evidence	Recommended Action												
M7.1	<p>For each discharge point or utilisation area specified below, the licensee must monitor:</p> <p>a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below.</p> <table border="1"> <thead> <tr> <th colspan="3">POINT 33,34,35</th> </tr> <tr> <th>Frequency</th> <th>Unit of Measure</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Daily during any discharge</td> <td>Kilolitres per day</td> <td>By Calculation (volume flow rate or pump capacity multiplied by operating time)</td> </tr> </tbody> </table>	POINT 33,34,35			Frequency	Unit of Measure	Sampling Method	Daily during any discharge	Kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)	Not triggered	These discharge points have not been established. Irrigation points.				
POINT 33,34,35																
Frequency	Unit of Measure	Sampling Method														
Daily during any discharge	Kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)														
M8 Blasting																
M8.1	<p>POINTS: Within 30 metres of the residences at the locations marked as "R98" ("Kyooma"), "R11" ("Glenara") and "R62" (43 Kurrara Street, Werris Creek) on Appendix 3 of Project Approval 10_0059 and within 30 metres of the location marked as "R92" in Figure 4A.5 of Environmental Assessment for Werris Creek Coal Mine, Life of Mine Project, dated December 2010 and prepared by R.W. Corkery and Co. Pty Limited.</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Blast Noise</td> <td>dB (L_A 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>Geophones Logger or similar</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Sampling Method	Blast Noise	dB (L _A Peak)	Every Blast	Type 1 Noise/Blast Logger	Blast Vibration	mm/s	Every Blast	Geophones Logger or similar	Non-Compliant (Low Risk)	<p>On 3/3/ 2016 - Glenara blast monitor did not record blast vibration and air overpressure.</p> <p>2015-16 Annual Review stated: Loss of communications due to changes in mobile network in local area and subsequent corruption of memory card. WCC have stated that a review of other blast monitors and past performance suggests it is highly unlikely criteria would have been exceeded. Blast monitor upgraded with 4metre directional antenna and key electronics replaced.</p> <p>No further recommendations.</p>	
Parameter	Units of Measure	Frequency	Sampling Method													
Blast Noise	dB (L _A Peak)	Every Blast	Type 1 Noise/Blast Logger													
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M9 Other Monitoring and Recording Conditions																
M9.1	<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 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 Industrial Noise Policy for a minimum of: i) 1 hour during the day; and ii) 1 hour during the evening or night.</p>	Compliant	Noise monitoring reports for the audit period have been reviewed and has been conducted in accordance with the required conditions.	<p>Monitoring results for R57 should be included in the EPL monitoring data presented on the website.</p> <p>Given that ongoing, nightly real-time noise monitoring is undertaken by dedicated noise control officers (NCOs) and assessed on an ongoing basis with operations being modified to reduce noise levels to within the applicable noise criteria, it is recommended that consideration could be given to reducing the frequency of attended noise monitoring to quarterly.</p> <p>It is unclear to the auditor as to why the EPL requires 60 minute noise monitoring surveys to assess compliance with the criteria which is LAeq15minute.</p>												
6 Reporting Conditions																
R1 Annual return documents																
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"> a Statement of Compliance, a Monitoring and Complaints Summary, a Statement of Compliance - Licence Conditions, a Statement of Compliance - Load based Fee, a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and a Statement of Compliance - Environmental Management Systems and Practices. <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>	Compliant	2014-15, 2015-16 and 2016-17 Annual Reviews meet this condition.													
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below. <i>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i></p>	Compliant	2014-15, 2015-16 and 2016-17 Annual Reviews meet this condition.													
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. <i>Note: An application to transfer a licence must be made in the approved form for this purpose.</i></p>	Not triggered														

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not triggered		
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').	Compliant	2014-15, 2015-16 and 2016-17 Annual Reviews meet this condition.	
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.	Compliant	Sighted submission of Annual Returns. Previous copies are saved on the WCC server.	
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	Signed and meets requirements.	
R2 Notification of environmental harm				
R2.1	<i>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i> Notifications must be made by telephoning the Environment Line service on 131 555.	Compliant	There have been some exceedances and minor incidents at WCC during the audit period. There was one incident (Blast Fume incident) on 2 July 2014 which was a higher risk environmental incident.	
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.	Compliant	There was immediate notification following the blast fume incident. There was a detailed written report completed.	
R3 Written report				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Not triggered	There have been government audits completed during the audit period relating to water management. WCC are liaising with the DPE and EPA to implement outcomes from the audit. SLR has not been provided with any additional evidence of this condition being enacted.	
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not triggered		
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.	Not triggered		
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.	Not triggered		
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 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.	Compliant	Noise monitoring reports for the audit period have been reviewed and has been conducted in accordance with the required conditions.	
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.	Compliant	No exceedances of this Project Approval condition in 2014, 2015, 2016. Also note that the number of blasting complaints have decreased during the audit period.	
7 General Conditions				
G1 Copy of licence kept at the premises or plant				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Evidence of EPL at the premises.	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Compliant		
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant		
G2 Other general conditions				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																					
G2.1	<p>Completed Pollution Studies and Reduction Programs (PRPs)</p> <table border="1"> <thead> <tr> <th>Program</th> <th>Description</th> <th>Completed Date</th> </tr> </thead> <tbody> <tr> <td>PRP 1: Noise Monitoring and Assessment Program</td> <td>This PRP requires the licensee to undertake a noise monitoring and assessment of the impacts of typical construction and mining activities on the premises.</td> <td>19-May-2009</td> </tr> <tr> <td>PRP 2: Coal Mine Particulate Matter Control Best Practice</td> <td>Requires licensee to conduct a site specific land management practice (LMP) determination to identify ways to reduce particulate emissions.</td> <td>27-June-2012</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation - Wheel Generated Dust</td> <td>Implementation of particulate matter best management practices to address wheel-generated dust.</td> <td>13-August-2014</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation - Dusting and Handling Operations under Adverse Weather Conditions</td> <td>Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.</td> <td>13-August-2014</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation - Use of Best Practice Measures for Dusting and Handling Operations</td> <td>Investigation to establish best practice measures for the handling of overburden.</td> <td>14-April-2014</td> </tr> <tr> <td>Coal Mine Wind Emission Assessment</td> <td>Calculate the stabilised and disturbed surface areas (in hectares) within the premises as of 30 June 2014, against the predictions within the licensee's Environmental Assessment of Environmental Impact Statement for the premises.</td> <td>28-August-2015</td> </tr> </tbody> </table>	Program	Description	Completed Date	PRP 1: Noise Monitoring and Assessment Program	This PRP requires the licensee to undertake a noise monitoring and assessment of the impacts of typical construction and mining activities on the premises.	19-May-2009	PRP 2: Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific land management practice (LMP) determination to identify ways to reduce particulate emissions.	27-June-2012	Particulate Matter Control Best Practice Implementation - Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	13-August-2014	Particulate Matter Control Best Practice Implementation - Dusting and Handling Operations under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	13-August-2014	Particulate Matter Control Best Practice Implementation - Use of Best Practice Measures for Dusting and Handling Operations	Investigation to establish best practice measures for the handling of overburden.	14-April-2014	Coal Mine Wind Emission Assessment	Calculate the stabilised and disturbed surface areas (in hectares) within the premises as of 30 June 2014, against the predictions within the licensee's Environmental Assessment of Environmental Impact Statement for the premises.	28-August-2015	Compliant	These have been completed.	
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8 Special Conditions																									
E1.1	<p>E1 Three Yearly Independent Noise Audit</p> <p>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:</p> <p>(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;</p> <p>(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</p> <p>(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.</p> <p>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.</p>	Administrative Non-Compliance	<p>This was completed in 2014 and 2017. 2014 met this requirement. 2017 report prepared to meet these requirements.</p> <p>However no evidence has been able to be provided of submission of the Three Yearly Noise Audit within 6 weeks of 30 June 2014.</p>	Liaison with the EPA regarding the future submissions of the Three Yearly Noise Audit.																					
E1.2	<p>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:</p> <p>(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;</p> <p>(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;</p> <p>(c) Provide timelines and provisional costings for the proposed actions or works;</p> <p>(d) Provide an analysis where possible of the potential noise reductions that the proposed actions are likely to achieve; and</p> <p>(e) Define any additional noise monitoring programs that might be required to measure/validate the performance of the proposed mitigation actions.</p> <p>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.</p>	Not triggered	<p>This was not triggered. The 2014 report did not find continual exceedances.</p> <p>The 2017 audit found that there is no consistent exceedances of the long term noise goal with just 5 exceedances of the long term noise goal during the audit period. As such it is considered that the current noise management practices, in particular the real time noise monitoring and NCOs are providing adequate noise management to continue to reduce noise levels to the long term goal.</p>																						
E2	<p>Water Management Plan</p> <p>E2.1 The licensee must not provide any water for off-site irrigation until after the revised Water Management Plan required by Modification 2 to PA 10_0059 (November 2015) is approved by the Department of Planning and Environment.</p>	Not triggered	No offsite discharge from irrigation.																						

EA Statement of Commitments

Desired Outcome	Action	Timing	Compliance Status	Evidence	Recommended Action
1. Environmental Management System					
A systematic set of documents are in place to guide the planning and implementation of all environmental management strategies.	1.1 Incorporate the environmental procedures in an on-site management system.	As required	Compliant	There are a series of management plans developed for the site. Sighted and reviewed.	
	1.2 Implement the following management plans; <ul style="list-style-type: none"> • Mining Operations Plan (Rehabilitation Management Plan) • Heritage Management Plan • Site Water Management Plan • Noise Management Plan • Blast Management Plan • Air Quality and Greenhouse Gas Management Plan • Biodiversity and Offset Management Plan • Waste and Hydrocarbon Management Plan 	Ongoing	Compliant	Management plans sighted and reviewed.	
	1.3 Incorporate relevant environmental data / information in Annual Environmental Management Reports.	Annually	Compliant	Key requirements incorporated into the Annual Review.	
2. Groundwater					
Effective management of the potential contamination and/or reduction in availability of groundwater resources.	2.1 Implement impact mitigation measures in accordance with an approved Site Water Management Plan.	As defined by the Site Water Management Plan	Compliant	Specifically relating to groundwater, the site has generally been compliant with the Site Water Management Plan.	
	2.2 Undertake groundwater monitoring in accordance an approved Site Water Management Plan.	As defined by the Site Water Management Plan	Compliant	Groundwater monitoring is generally in accordance with the Water Management Plan. There is little detail relating to the reporting of groundwater results (monitoring parameters).	Additional details relating to trends in water monitoring data to be outlined in the future Annual Reviews. Additional information relating to groundwater quality.
	2.3 Implement additional assessment, land owner notification and contingency or compensatory measures in accordance with an approved Site Water Management Plan.	As defined by the Site Water Management Plan	Compliant		
Prevent Accumulation of void water within the final landform which may impact on final land form and land use.	2.4 Backfill overburden into the final void above the equilibrium water level.	As defined by the Site Water Management Plan	--	Ongoing. No final void at this point in time.	
3. Surface Water					
Effective management of the potential contamination and/or reduction in availability of surface water resources.	3.1 Construct and maintain surface water management infrastructure of the Mine in accordance with an approved Site Water Management Plan.	Ongoing	Non-Compliant (Low Risk)	During the site inspection, void water dams were well below freeboard and there only minor aspects noted by the SLR audit team. However the audits from the EPA and multi agency audit noted some mitigation measures from the Site Water Management Plan were not fully implemented.	Continue to implement agreed actions from the EPA and multi agency audit relating to water management.
	3.2 Implement impact mitigation measures in accordance with an approved Site Water Management Plan.	As defined by the Site Water Management Plan	Non-Compliant (Low Risk)	During the site inspection, void water dams were well below freeboard and there only minor aspects noted by the SLR audit team. SLR were provided evidence through photos on 13 July 2017 outlining this culvert had been cleaned out. The audits from the EPA and multi agency audit noted some mitigation measures from the Site Water Management Plan were not fully implemented. It should be noted that the WMP has been updated and approved since the findings of the multi-agency audit.	
	3.3 Undertake surface water monitoring in accordance an approved Site Water Management Plan.	As defined by the Site Water Management Plan	Compliant	Based on a review of results and frequency, compliant with monitoring.	
Prevention of void water	3.4 Operate void water dams with sufficient freeboard to prevent discharge during high rainfall events.	Prior to commencement of off-site irrigation	Non-Compliant (Low Risk)	During the site inspection by SLR, void water dams were well below freeboard. However the audits from the EPA and multi agency audit noted some mitigation measures from the Site Water Management Plan were not fully implemented.	Continue to implement agreed actions from the EPA and multi agency audit relating to water management.

Desired Outcome	Action	Timing	Compliance Status	Evidence	Recommended Action
discharge off site.	3.5 Complete an irrigation assessment for specific irrigation campaigns in accordance with EPA requirements.	Prior to commencement of off-site irrigation	Not Triggered	There has not been any offsite irrigation.	
	3.6 Provide each irrigation assessment to the EPA for review and approval.		Not Triggered		
4. Biodiversity					
Avoid, minimise, mitigate or offset impacts (in that hierarchical order) on native vegetation (including the two identified EECs), native fauna (including threatened species) and their habitat.	4.1 Implement the impact avoidance, minimisation, mitigation and offset measures of an approved Biodiversity Offset Strategy and Biodiversity and Offset Management Plan (BOMP) for the Mine in consultation with the OEH, DPE and DoE.	Ongoing	Compliant	Inspection of eurunderee offset area as part of the audit. Offset monitoring reports provided to SLR. Evidence of implementation of works in the offset area through the annual review, clearance inspections, BOMP and flora and fauna monitoring reports.	
	4.2 Include detail on the following activities in the BOMP. <ul style="list-style-type: none"> • Identification and demarcation of areas to be cleared. • Retention of felled trees for subsequent use during rehabilitation activities • Identification of biological resources within the disturbance area including habitat resources such as hollows, stag trees and coarse woody debris, and the availability of endemic seed. • Seed collection. • Monitoring and inspection programs. • Noxious weed management. 	As defined within the BOMP	Compliant	The BOMP provides these details. Where clearing of fauna habitat is required pre, during and post clearing reports are completed.	
Rehabilitate disturbed areas to create a final landform that maintains or improves biodiversity values of the Mine Site.	4.3 Complete rehabilitation in accordance with an approved Rehabilitation Management Plan (RMP) or Mining Operations Plan (MOP).	Ongoing	Compliant	Rehabilitation is ongoing. Generally appears to be completed as per the MOP/ Evidence of records provided for rehabilitation.	
5. Heritage					
Maintain Aboriginal heritage values on site.	5.1 Implement the Heritage Management Plan for the Mine in consultation with OEH and DPE	Ongoing	Compliant	Heritage management outlined in the Annual Review. No incidents noted relating to heritage.	
	5.2 Relocate the Narrawolga Axe Grinding Grooves to the Willow Tree Visitor Information Centre (at Willow Tree), as nominated in the Mine Heritage Management Plan, and in accordance with a care agreement transferring the responsibility from Werris Creek Coal to Nungaroo LALC.	Completed 15 April 2015	Compliant	Previously completed.	
6. Transport Aspects					
Product haulage by public road is conducted in an appropriate and safe manner	6.1 Adhere to the restricted hours of operation.	Ongoing	Compliant	No reason to determine non compliance. Transport hours reviewed based on transport log.	
	6.2 Prevent spillage from the trucks through the continuation of a 'covered load' policy.	Ongoing	Compliant	Covered loads policy in induction. No reason to determine non compliance.	
	6.3 Consult with DPE prior to undertaking any haulage of coal to the Gunnedah CHPP (to confirm compliance with PA 10_0059)	Prior to commencement of haulage to the Gunnedah CHPP	Not triggered		
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.	Prior to mining through the "Old Colliery" Hill	Not triggered	Mining through Old Colliery Hill has not yet commenced.	
	7.2 Implement noise mitigation and management measures in accordance with an approved Noise Management Plan (NMP).	Ongoing	Compliant	Evidence noted from field inspection, NCO's and Annual Reviews. Evidence of implementing Noise MP.	
	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.	Ongoing	Compliant	Evidence noted from field inspection, NCO's and Annual Reviews. Evidence of implementing Noise MP.	

Desired Outcome	Action	Timing	Compliance Status	Evidence	Recommended Action
	7.4 Modify or partially suspend mining operations to achieve the nominated noise criteria when elevated noise levels a result of mining noise	On advice from NCO of elevated mining noise	Compliant	Evidence noted from field inspection, NCO's and Annual Reviews. Evidence of implementing Noise MP.	
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 noted from field inspection, NCO's and Annual Reviews. Evidence of implementing Noise MP.	
8. Blasting					
Minimise impacts from blasting on surrounding receptors and infrastructure.	8.1 Undertake blasting in accordance with an approved Blast Management Plan (BMP).	Ongoing	Compliant	Blasting has generally been completed in accordance with the Blast MP. There was an incident relating to blast fumes however there was an investigation as per the plan.	
	8.2 Continue to monitor blasting impacts in accordance with BMP.	All blasts	Compliant	Monitoring as per plan.	
9. Air Quality					
Minimise impacts to air quality relating to the Project.	9.1 Undertake all surface disturbance, mining, processing, transportation and other air emissions activities in accordance with an approved Air Quality and Greenhouse Gas Management Plan (AQGHGMP) for the Mine.	Ongoing	Compliant		
Monitor and manage dust emissions generated by the LOM Project.	9.2 Undertake air quality monitoring in accordance with an approved AQGHGMP for the Mine.	As defined within the AQGHGMP	Compliant	Monitoring as per plan.	
10. Visibility					
Screen the operation visually from the surrounding local area	10.1 Construct an Acoustic and Visual Amenity Bund at the northern extent of mining operations.	Prior to mining through the "Old Colliery" Hill	Not triggered	Bund has partially been prepared, but not yet required as mining has not been undertaken through the 'Old Colliery Hill'	Continue the construction of the bund and subsequent seeding of the bund.
	10.2 Maintain screening vegetation and constructed landforms in accordance with an approved RMP (or MOP).	Ongoing	Compliant	This is ongoing. Additional bund construction and screening required at site.	
	10.3 Continue to position and direct floodlights visible offsite to not shine above horizontal and generally orientated in a westerly direction away from Werris Creek Road and adjacent communities.	During night-time operations	Compliant	There were two complaints during the audit period for mine site lights (2015-16 Annual Review). There were also two complaints in 2015-16 for lights - train load out. The investigation for the complaints stated no lights were identified from the real time camera.	
	10.4 Ensure fixed lights visible from offsite locations will comply with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting	During night-time operations	Compliant	Despite there were two complaints there is no evidence to determine lights were not meeting this requirements. Evidence of lighting towers pointing away from possible receptors.	
	10.5 Maintain a lighting camera located adjacent to R62 on southern edge of Werris Creek orientated towards the Mine.	Ongoing (or until advised by resident)	Compliant	This was sighted during inspection.	
	10.6 Maintain the Mine Site in a clean and tidy condition at all times.	Ongoing	Compliant	Housekeeping was excellent for the inspection.	
11. Soils, Land Capability and Agricultural Suitability					
Create a final landform that is safe, stable and is amenable to a combination of agricultural and native flora/fauna conservation activities.	11.1 Undertake final landform construction and rehabilitation in accordance with an approved RMP or MOP.	Ongoing	Not triggered	Ongoing. Not yet final landform. Current rehabilitation is of good quality and has been well shaped to avoid erosion.	
12. Waste					
Manage waste appropriately on site.	12.1 Prepare and implement waste management activities in accordance with an approved Waste and Hydrocarbon Management Plan (WHMP).	Ongoing	Compliant	This has been prepared and sighted. Implementation noted.	
13. Hazards					
Manage bushfire hazards appropriately.	13.1 Prepare and implement fire prevention, management and suppression measures in accordance with a Fire Management Strategy which forms part of an approved BOMP.	Ongoing	Compliant	Fire Management Strategy provided. Evidence of fire management (figure provided) and hazardous reduction burns.	
The storage and handling of hazardous materials is appropriately managed.	13.2 Prepare and implement hydrocarbon management activities in accordance with an approved WHMP.	Ongoing	Compliant	The proper storage of chemicals and hydrocarbons was noted during the audit.	
14. Community Contributions					
	14.1 Maintain the Community Consultative Committee or similar and include local community representatives.	Ongoing	Compliant		

Desired Outcome	Action	Timing	Compliance Status	Evidence	Recommended Action
Provide for ongoing support to the Werris Creek local community and Liverpool Plains Shire Council.	14.2 Complete and distribute regular newsletters regarding project progress and operations.	Ongoing	Compliant	Evidence of CCC minutes on the website. In addition to this: 2017 Water fact sheet 2015 May: Water Factsheet June: Newsletter Autumn 2014 June: Newsletter Winter September: Newsletter Spring http://www.whitehavencoal.com.au/community/werris_community_news.cfm	
	14.3 Continue to provide funding towards maintenance of Taylors Lane through Section 94 contributions.	Ongoing	Compliant	There is an executed agreement between WCC and LPSC. Based on the details provided by WCC, contributions towards Taylors Lane maintenance would be incurred once haul tonnages exceeded 20,000 tonnes. As evident within the audit period, all haulages were below this figure.	
	14.4 Implement the Community Enhancement Fund with the Liverpool Plains Shire Council and Community Consultative Committee.	Ongoing	Compliant	Evidence noted community enhancement activities.	

ML1671

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
NOTICE TO LANDLORDS				
1	<p>(a) Within a period of three months from the date of grant/renewal of this lease or within such a time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that the 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 must be granted/renewed; state whether the lease includes the surface and must contact an adequate plan and description of the lease area.</p>	N/A	NA as WCC owns all land within the mining lease.	
ENVIRONMENTAL HARM				
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: (A) land, air and water, and (B) any layer of the atmosphere, and (C) any organic or inorganic matter and any living organism, and (D) human-made or modified structures and areas, and includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C). (ii) harm to the environment include 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 degrading of any threatened species, populations, contributes to the extinction or degradation of any threatened species, population or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	Compliant	WCC has implemented measures to minimise harm to the environment. There has continued to be upgrades relating to void water management during the audit period.	
MINING OPERATIONS PLAN				
3	<p>(a) 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.</p> <p>(b) The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations; (ii) detail the staging of specific mining operations; (iii) identify how the mine will be managed to allow mine closure; (iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment; (v) reflect the conditions of approval under: * the <i>Environmental Planning and Assessment Act 1979</i> * the <i>Protection of the Environment Operations Act 1997</i> * and any other approvals relevant to the development including the conditions of this lease; and * have regard to any relevant guidelines adopted by the Director-General.</p> <p>(c) The leaseholder may apply to the Director-General to amend an approved MOP at any time</p> <p>(d) It is not a breach of this condition if: (i) the operations constituting the breach were necessary to comply with 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/ Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007/ Coal Mine Health and Safety Regulation 2006</i> or the <i>Occupational Health and Safety ACT 2000</i>; and (ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.</p> <p>(e) A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General.</p>	Compliant	<p>MOP has been prepared. Dated December 2015.</p> <p>MOP has been prepared to meet these conditions. Includes rehabilitation and closure components.</p>	
ENVIRONMENTAL MANAGEMENT REPORT				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
4	(a) The lease holder must lodge Environmental Management Report (EMR) with the Director-General annually or at dates otherwise directed by the Director-General. (b) The EMR must: (i) report against compliance with the MOP (ii) report on progress in respect of rehabilitation completion criteria (iii) report on the extent of compliance with regulatory requirements; and (iv) have regard to any relevant guidelines adopted by the Director-General;	Compliant	Annual Review has been prepared for the site. Minimal information relating to comparing goals against the MOP and Annual Review period (hectares of rehab and disturbance)	State how the site performed in terms of disturbance and rehabilitation against goals in the MOP. Some quantitative data should be provided. Eg. Rehabilitation completed during the year, compared to the predicted rehabilitation in the MOP.
ENVIRONMENT INCIDENT REPORT				
5	(a) The lease holder must report any environmental incidents. The report must: (i) be prepared according to any relevant Departmental guidelines; (ii) be submitted within 24 hours of the environmental incident occurring; (b) For the purposes of this condition, environmental incidents includes: (i) any incident causing or threatening material harm to the environment (ii) any breach of Conditions 1 to 9 and 11 and 24; (iii) any breach of environment protection legislation; or (iv) a serious complaint from landholders or the public. (c) For the purposes of this condition, harm to the environment is material if: (i) it involves actual or potential harm to the health and safety of human beings or to ecosystems that is not trivial, or (ii) it results in actual or potential loss or property damage of an amount , or amounts in aggregate, exceeding \$10,000, where loss includes the reasonable costs and expense that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.	Compliant	Environmental incidents are reported to the relevant government agencies. They are to be contacted immediately following an incident. This is a component of the Pollution Incident Response Management Plan. Minor non compliances in relation to criteria are also reported. Detailed incident reports are to be sent to the EPA and other relevant agencies within 7 days of an incident. Evidence of notification to agencies when there was the blast fume incident (2nd July 2014). Incident report completed for blast fume incident.	
ADDITIONAL ENVIRONMENTAL REPORTS				
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.	Compliant	Additional environmental reports are completed if requested.	
REHABILITATION				
7	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	Compliant	Progressive rehabilitation is of a good quality. As the site is still operational no rehabilitation has been signed off by the DG.	
BLASTING				
10	(a) Ground Vibration The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water. (b) Blast Overpressure The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 db (linear) and does not exceed 115 db (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.	Compliant	Monitoring results presented in Annual Reviews. Blasting is within criteria.	
SAFETY				
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.	N/A	N/A to this audit	
PREVENTION OF SOIL EROSION AND POLLUTION				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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.	Compliant	Disturbance permits completed during exploration activities. Exploration on site appears to have been managed effectively.	
TRANSMISSION LINES, COMMUNICATION LINES AND PIPELINES				
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.	Compliant	No impacts identified as part of the audit.	
ROAD AND TRACKS				
14	(a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the road authority in making good any damage to roads or tracks caused by the operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund. (b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track. (c) 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. (d) 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.	Compliant	Haul roads and access tracks are generally kept to a minimum. Inspections noted maintenance of roads. No roads appear to be available for rehabilitation.	
TREES AND VEGETATION				
15	(a) 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. (b) 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. <i>Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking on Crown land is subject to the requirements of the Forestry Act 1916</i>	Compliant	Felling of trees is completed in accordance with the pre clearance permit (sighted) and is within the approved disturbance area. Trees are not sold, and are used in rehabilitation.	
INDEMNITY				
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.	N/A	N/A for this audit.	
SINGLE SECURITY				
20	A single security in the sum of \$4,062,000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under each mining lease 1563 (Act 1992) and any lease granted in satisfaction of Mining Lease Applications 407, 408 and 409 (Act 1992).	Compliant	A security deposit has been completed for the whole of the WCC operation and has been completed in accordance with the DRG closure tool. This security deposit covers this lease.	There is now a requirement to update all Rehabilitation Cost Estimates for sites and send to the DRG by end of December 2017. This should be completed in the next few months.
COOPERATION AGREEMENT				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
24	<p>The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> * access arrangements * operational interaction procedures * dispute resolution * information exchange * well location * timing of drilling * potential resource extraction conflicts and * rehabilitation issues <p><u>Note: Exploration Reports (Geological and Geophysical)</u> 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>	N/A	NA as WCC owns all land within the mining lease.	

ML1672

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
NOTICE TO LANDLORDS				
1	<p>(a) Within a period of three months from the date of grant/renewal of this lease or within such a time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that the 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 must be granted/renewed; state whether the lease includes the surface and must contact an adequate plan and description of the lease area.</p>	N/A	NA as WCC owns all land within the mining lease.	
ENVIRONMENTAL HARM				
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 activates 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 (B) any layer of the atmosphere, and (C) any organic or inorganic matter and any living organism, and (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 include 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 degrading of any threatened species, populations, contributes to the extinction or degradation of any threatened species, population or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	Compliant	WCC has implemented measures to minimise harm to the environment. There has continued to be upgrades relating to void water management during the audit period.	
MINING OPERATIONS PLAN				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
3	<p>(a) 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.</p> <p>(b) The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations;</p> <p>(ii) detail the staging of specific mining operations;</p> <p>(iii) identify how the mine will be managed to allow mine closure;</p> <p>(iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;</p> <p>(v) reflect the conditions of approval under:</p> <p>* the <i>Environmental Planning and Assessment Act 1979</i></p> <p>* the <i>Protection of the Environment Operations Act 1997</i></p> <p>* and any other approvals relevant to the development including the conditions of this lease; and</p> <p>* have regard to any relevant guidelines adopted by the Director-General.</p> <p>(c) The leaseholder may apply to the Director-General to amend an approved MOP at any time</p> <p>(d) It is not a breach of this condition if:</p> <p>(i) the operations constituting the breach were necessary to comply with 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/ Coal Mine Health and Safety Act 2002</i> and <i>Mine Health and Safety Regulation 2007/ Coal Mine Health and Safety Regulation 2006</i> or the <i>Occupational Health and Safety Act 2000</i>; and</p> <p>(ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.</p> <p>(e) A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General.</p>	Compliant	<p>MOP has been prepared. Dated December 2015.</p> <p>MOP has been prepared to meet these conditions. Includes rehabilitation and closure components.</p>	
ENVIRONMENTAL MANAGEMENT REPORT				
4	<p>(a) The lease holder must lodge Environmental Management Report (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.</p> <p>(b) The EMR must:</p> <p>(i) report against compliance with the MOP</p> <p>(ii) report on progress in respect of rehabilitation completion criteria</p> <p>(iii) report on the extent of compliance with regulatory requirements; and</p> <p>(iv) have regard to any relevant guidelines adopted by the Director-General;</p>	Compliant	<p>Annual Review has been prepared for the site. Minimal information relating to comparing goals against the MOP and Annual Review period (hectares of rehabilitation and disturbance)</p>	<p>State how the site performed in terms of disturbance and rehabilitation against goals in the MOP. Some quantitative data should be provided. Eg. Rehabilitation completed during the year, compared to the predicted rehabilitation in the MOP.</p>
ENVIRONMENT INCIDENT REPORT				
5	<p>(a) The lease holder must report any environmental incidents. The report must:</p> <p>(i) be prepared according to any relevant Departmental guidelines;</p> <p>(ii) be submitted within 24 hours of the environmental incident occurring;</p> <p>(b) For the purposes of this condition, environmental incidents includes:</p> <p>(i) any incident causing or threatening material harm to the environment</p> <p>(ii) any breach of Conditions 1 to 9 and 11 and 24;</p> <p>(iii) any breach of environment protection legislation; or</p> <p>(iv) a serious complaint from landholders or the public.</p> <p>(c) For the purposes of this condition, harm to the environment is material if:</p> <p>(i) it involves actual or potential harm to the health and safety of human beings or to ecosystems that is not trivial, or</p> <p>(ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, where loss includes the reasonable costs and expense that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.</p>	Compliant	<p>Environmental incidents are reported to the relevant government agencies. They are to be contacted immediately following an incident. This is a component of the Pollution Incident Response Management Plan. Minor non compliances in relation to criteria are also reported.</p> <p>Detailed incident reports are to be sent to the EPA and other relevant agencies within 7 days of an incident. Evidence of notification to agencies when there was the blast fume incident (2nd July 2014). Incident report completed for blast fume incident.</p>	
ADDITIONAL ENVIRONMENTAL REPORTS				
6	<p>Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.</p>	Compliant	<p>Additional environmental reports are completed if requested.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
REHABILITATION				
7	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	Compliant	Progressive rehabilitation is of a good quality. As the site is still operational no rehabilitation has been signed off by the DG.	There was a couple of small areas where weeds are dominant. These areas are already known. Continue to implement the strategy to remove these weeds from site and complete additional rehabilitation once weeds are removed.
SUBSIDENCE MANAGEMENT				
8	<p>(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gate roads, installation roads and associated main headings, etc) and pillar extractions, and are otherwise defined by the Applications for Subsidence Management Approvals guidelines (EDG17)</p> <p>(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the <i>Coal Mine Health and Safety Act 2002</i>, or the document New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09)</p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>(e) Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under condition 3 and will be subject to the Environmental Management Report process as set out under Condition 4. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document New Approval Process for Management of Coal Mining Subsidence - Policy</p>	Not Triggered	WCC is an open cut mine however there are some interactions with old underground workings. However this condition is not applicable.	
WORKING REQUIREMENT				
9	<p>The lease holder must:</p> <p>(a) ensure that at least six (6) competent people are efficiently employed in relation to the mining process or mining operations on the lease area</p> <p>OR</p> <p>(b) expand on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$105,000 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	Compliant	WCC operation as a whole meets this requirement.	
BLASTING				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
10	<p>(a) Ground Vibration The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.</p> <p>(b) Blast Overpressure The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 db (linear) and does not exceed 115 db (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.</p>	Compliant	Monitoring results presented in Annual Reviews. Blasting is within criteria.	
SAFETY				
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.	N/A	N/A to this audit	
PREVENTION OF SOIL EROSION AND POLLUTION				
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.	Compliant	Pre disturbance permits completed. Evidence of recording of exploration disturbance within the Annual Exploration Reports.	
TRANSMISSION LINES, COMMUNICATION LINES AND PIPELINES				
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.	Compliant	No impacts identified as part of the audit.	
ROAD AND TRACKS				
14	<p>(a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the road authority in making good any damage to roads or tracks caused by the operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund.</p> <p>(b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.</p> <p>(c) 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.</p> <p>(d) 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.</p>	Compliant	Haul roads and access tracks are generally kept to a minimum. Inspections noted maintenance of roads. No roads appear to be available for rehabilitation.	
TREES AND VEGETATION				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
15	<p>(a) 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.</p> <p>(b) 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.</p> <p><i>Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking on Crown land is subject to the requirements of the Forestry Act 1916</i></p>	Compliant	<p>Felling of trees is completed in accordance with the pre clearance permit (sighted) and is within the approved disturbance area.</p> <p>Trees are not sold, and are used in rehabilitation.</p>	
RESOURCE RECOVERY				
17	<p>(a) Notwithstanding any description of mining methods and their sequence 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 the environmental reasons are necessary to be removed, notice in writing to the lease holder may be given requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director- General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p>	N/A	Mining is completed as per the MOP.	
INDEMNITY				
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.	N/A	N/A for this audit.	
SINGLE SECURITY				
20	A single security in the sum of \$4,062,000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under each mining lease 1563 (Act 1992) and any lease granted in satisfaction of Mining Lease Applications 407, 408 and 409 (Act 1992).	Compliant	A security deposit has been completed for the whole of the WCC operation and has been completed in accordance with the DRE closure tool. This security deposit covers this lease.	There is now a requirement to update all Rehabilitation Cost Estimates for sites and send to the DRG by end of December 2017. This should be completed in the next few months.
SUSPENSION OF MINING OPERATIONS				
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.	Compliant	Mining operations continued during the audit period.	
COOPERATION AGREEMENT				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
24	<p>The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> * access arrangements * operational interaction procedures * dispute resolution * information exchange * well location * timing of drilling * potential resource extraction conflicts and * rehabilitation issues <p><i>Note: Exploration Reports (Geological and Geophysical)</i> <i>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.</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>	N/A	NA as WCC owns all land within the mining lease.	

ML1563

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
NOTICE TO LANDLORDS				
1	<p>Within a period of three months from the date of grant of this lease or within such further time as the Minister will allow, the lease holder must serve on each landholder of the land a notice in writing indicating that the lease has been granted 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 the region where the lease area is situated. The notice must indicate that this lease has been granted; state whether the lease includes the surface and must contain an adequate plan and description of the lease area</p>	N/A	NA as WCC owns all land within the mining lease.	
MINING, REHABILITATION, ENVIRONMENTAL MANAGEMENT PROCESS (MREMP)				
2	<p>(1) 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> <p>(a) ongoing mining operations and environmental management; and (b) ongoing monitoring of the project</p> <p>(2) The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgement.</p> <p>(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.</p> <p>(4) 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> <p>(a) area(s) proposed to be disturbed under the Plan (b) mining and rehabilitation method(s) to be used and their sequence (c) areas to be used for disposal of tailings/waste; (d) existing and proposed surface infrastructure (e) existing flora and fauna on the site; (f) progressive rehabilitation schedules; (g) areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas; (h) water management systems (including erosion and sediment controls); (i) proposed resource recovery; and (j) where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining land use/vegetation.</p> <p>(5) The Plan when lodged will be reviewed by the Department</p> <p>(6) The Director-General may within two (2) months of lodgement of a Plan, require modification and re-lodgement.</p> <p>(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</p>	Compliant	<p>MOP has been prepared. Dated December 2015.</p> <p>MOP has been prepared to meet these conditions. Includes rehabilitation and closure components.</p>	
ANNUAL ENVIRONMENTAL MANAGEMENT REPORT (AEMR)				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
3	<p>(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.</p> <p>(2) 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 ensuring twelve months of:</p> <p>(a) the accepted Mining Operations Plan; (b) development consent requirements and conditions; (c) Department of Environment and Conservation and Department of Infrastructure, Planning and Natural Resources licences and approvals; (d) any other statutory environmental requirements (e) details of any variations to environmental approvals applicable to the lease area; and (f) where relevant, progress towards final rehabilitation objectives</p> <p>(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.</p> <p>(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.</p>	Compliant	<p>Annual Reviews prepared for the site.. Covers required information in this condition.</p> <p>Outlines rehabilitation monitoring and progress.</p>	None
SUBSIDENCE MANAGEMENT				
4	<p>(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc.) and pillar extractions, and are otherwise defined by the <i>Guideline for Applications for Subsidence Management Approvals</i>.</p> <p>(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the <i>Coal Mines Regulation Act 1982</i>, or the document <i>New Subsidence Management Plan Approval Process - Transitional Provisions</i></p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the <i>Guideline for Applications for Subsidence Management Approvals</i></p> <p>(e) 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 of subsidence monitoring and report set out in the document <i>New Approval Process for Management of Coal Mining Subsidence - Policy</i></p>	Not Triggered	<p>WCC is an open cut mine however there are some interactions with old underground workings. However this condition is not applicable.</p>	
WORKING REQUIREMENT				
5	<p>The lease holder must:</p> <p>(a) ensure that at least 28 competent people are efficiently employed on the lease area on each week day except Saturday or any week day this is a public holiday,</p> <p>OR</p> <p>(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$490,000.00 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	Compliant	<p>WCC operation as a whole meets this requirement.</p>	
CONTROL OF OPERATIONS				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
6	<p>(a) If an Environmental Office of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:-</p> <p>(i) cease working the lease; and (ii) cease that part of the operation not complying under the Act or conditions; until in the opinion of the Environmental Office the situation is rectified</p> <p>(b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction</p> <p>(c) A direction referred to in the condition may be served on the Mine Manager</p>	Not Triggered	No issues have required for this condition to be triggered. Any non compliances reported in the AEMR.	
REPORTS				
7	<p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>	Compliant	Evidence supplied for Annual Exploration Reports for ML 1563, ML1671 and ML 1672. Three reports cover the full period. Reports completed as per this condition.	
LICENCE TO USE REPORTS				
8	<p>(a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right to copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.</p> <p>(b) The non-exclusive licence will operate as a consent for the purpose of section 365 of the Mining Act 1992.</p>	Compliant	WCC allows for exploration reports to be published by the minister.	
CONFIDENTIALITY				
9	<p>(a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential (ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease</p> <p>(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow on-title or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality.</p>	Compliant	Evidence supplied for Annual Exploration Reports for ML 1563, ML1671 and ML 1672. Three reports cover the full period. Reports completed as per this condition.	
TERMS OF THE NON-EXCLUSIVE LICENCE				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
10	<p>The terms of the non-exclusive copyright licence granted under condition 8 (a) are:</p> <p>(a) the Minister may sub licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(b) the Minister and any sub-licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.</p> <p>(c) the lease holder does not warrant ownership of all copyrights works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright</p> <p>(d) there is no royalty payable by the Minister for the licence</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of the period of not less than three months notice</p>	N/A	Condition is noted.	
BLASTING				
11	<p>(a) Ground Vibration The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Conservation</p> <p>(b) Blast Overpressure The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 db (linear) and does not exceed 115 db (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Conservation</p>	Compliant	Monitoring results presented in Annual Reviews. Blasting is within criteria.	
SAFETY				
12	Operations must be carried out in a manner that ensures the safety of a 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.	N/A	N/A to this audit	
REHABILITATION				
13	<p>(a) Land disturbed must be rehabilitated to a stable and permanent form suitable for 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"> * there is no adverse environmental effect outside the disturbed area and that the land is properly drained and protected from soil erosion * the state of land is compatible with the surrounding land and land use requirements * the landforms, soil, hydrology and flora require no greater maintenance than that in the surrounding land * in cases where revegetation is require 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. * the land does not pose a threat to public safety <p>(b) Any topsoil that is removed must be stored and maintained in a manner acceptable to the Director-General</p> <p>The lease holder must comply with any direction given by the Director-General regarding the stabilisation and revegetation of any mines residues, tailings or overburden dumps situated on the lease area.</p>	Compliant	<p>Progressive rehabilitation is of a good quality. As the site is still operational no rehabilitation has been signed off by the Secretary. .</p> <p>Current shaping and rehabilitation has produced good results. Topsoil is stored at site and labelled.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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.	Compliant	WCC has completed work at site with the direction provided by the DPE and other agencies.	
EXPLORATORY DRILLING				
15	<p>(1) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Infrastructure, Planning and Natural Resources regional hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(2) If the lease holder drill exploratory drill holes he must satisfy the Director-General that:-</p> <p>(a) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>(b) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(c) all drill hole meet natural or noxious gases it is plugged or sealed to prevent their escape;</p> <p>(e) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers</p> <p>(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.</p> <p>(g) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.</p>	Compliant	<p>A brief summary of the proposed exploration program is outlined in the AEMR/Annual Reviews - estimation on the total number of drill holes.</p> <p>The AEMR/Annual Reviews is provided to several government agencies including DRE.</p>	
PREVENTION OF SOIL EROSION AND POLLUTION				
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, water body or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	Compliant	Although there were some exceedances and incidents during the audit period operations not causing additional pollution as per this condition.	
TRANSMISSION LINES, COMMUNICATION LINES AND PIPELINES				
17	Operations must not interfere with or impair the stability of 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.	Compliant	No impacts identified as part of the audit.	
FENCES,GATES				
18	<p>(a) Activities on the lease must not interfere with or damage fences without the prior written approval of the owner thereof or the Minister and subject to any conditions the Minister may stipulate.</p> <p>(b) Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.</p>	Compliant	Inspections by the audit team noted fences were maintained. Fences reviewed during regular site inspections. Fences reviewed in nearby offset area.	
ROADS AND TRACKS				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
19	<p>(a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.</p> <p>(b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mines Subsidence Compensation Fund.</p> <p>Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damaged to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Infrastructure, Planning and Natural Resources</p>	Compliant	Haul roads and access tracks are generally kept to a minimum. Inspections noted maintenance of roads. No roads appear to be available for rehabilitation.	
TREES AND TIMBER				
21	<p>(a) The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden.</p> <p>(b) The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying out of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the Native Vegetation Conservation Act 1997.</p> <p>(c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.</p>	Compliant	<p>Felling of trees is completed in accordance with the pre clearance permit (sighted) and is within the approved disturbance area.</p> <p>Trees are not sold, and are used in rehabilitation.</p>	
RESOURCE RECOVERY				
23	<p>(a) Notwithstanding any description of mining methods and their sequence 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 the environmental reasons are necessary to be removed, notice in writing to the lease holder may be given requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director- General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p> <p>(d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.</p> <p>(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for injury and report under Section 334 of the Mining Act 1992</p> <p>(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.</p>	Not Triggered	Mining is completed as per the MOP.	
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.	N/A	N/A for this audit.	
SECURITY				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
25	<p>(a) A security in the sum of \$50,000.00 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder or obligations under this lease. If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of this lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.</p> <p>(b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:</p> <p>(i) cash</p> <p>(ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.</p>	Compliant	A security deposit has been completed for the whole of the WCC operation and has been completed in accordance with the DRE closure tool. This security deposit covers this lease.	There is now a requirement to update all Rehabilitation Cost Estimates for sites and send to the DRG by end of December 2017. This should be completed in the next few months.
BARRIERS				
29	<p>(a) Unless with the consent of the Minister first had and obtained and subject to such further conditions as he may impose, the lease holder shall not mine within a barrier of 50 metres in width against the underground workings of the former Werris Creek Colliery as referred to in the Environmental Impact Statement entitled "Werris Creek Coal Pty Limited - ABN 69 107 169 103 - Environmental Impact Statement for the Proposed Werris Creek Coal Mine" dated August 2004</p> <p>(b) The lease holder must, prior to seeking the Minister consent under this condition, complete a risk assessment to determine hazards and develop management controls. This risk assessment is to be subject to any amendments as may be required by the Director-General.</p>	Compliant	<p>Mining is completed within 50 metres of the former underground workings.</p> <p>WCC has approval to mine through these old underground workings using open cut mining methods as part of the project and has controls in place.</p>	

APPENDIX C – AUDIT CERTIFICATION FORM

Independent Audit Certification Form	
Development Name	Werris Creek No. 2 Coal Mine
Development Consent No.	PA 10_0059
Description of Development	Open Cut Mining Operation
Development Address	1435 Werris Creek Road, Werris Creek, NSW 2341
Operator	Werris Creek Coal Pty Limited
Operator Address	1435 Werris Creek Road, Werris Creek, NSW 2341
Independent Audit	
Title of Audit	Werris Creek Coal 2017 Independent Environmental Audit
<p><i>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <p><i>The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i></p> <p><i>The findings of the audit are reported truthfully, accurately and completely;</i></p> <p><i>I have exercised due diligence and professional judgement in conducting the audit;</i></p> <p><i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i></p> <p><i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i></p> <p><i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></p> <p><i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i></p> <p><i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></p> <p><i>Note.</i></p> <p><i>The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead / Principal Auditor	Chris Jones
Address	10 Kings Road, New Lambton NSW 2305, Australia
Email Address	cjones@slrconsulting.com
Auditor Certification (if relevant)	Principal Environmental Auditor
Date:	27 September 2017

APPENDIX D – ENDORSEMENT OF SLR



Contact: Heidi Watters
Phone: (02) 6570 3401
Fax: (02) 6575 3415
Email: heidi.watters@planning.nsw.gov.au
MP 10_0059

Mr Lynden Cini
Environmental Officer
Werris Creek Coal
1435 Quirindi Road
WERRIS CREEK NSW 2341

Dear Mr Cini,

Werris Creek Coal (MP 10_0059) – Independent Environmental Audit

I refer to your letter dated 4 May 2017 seeking the endorsement of the Secretary of the Department of Planning and Environment (the Department) of a suitably qualified, experienced and independent team to undertake an independent environmental audit (IEA) for the Werris Creek Mine, as required by Schedule 5, Condition 8 of Project Approval 10_0059 (the Approval).

The Secretary endorses SLR Consulting to conduct the 2017 IEA of the Werris Creek Mine with the following audit team:

- Chris Jones – Lead Auditor
- Nathan Archer – Audit support and noise specialist

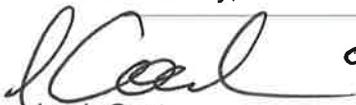
The Secretary also requests the audit team include a Surface and Groundwater Specialist, to be endorsed by the Secretary, as per Schedule 5 Condition 9 of the approval, prior to conducting the audit.

In preparing the IEA, the audit team must ensure the IEA is conducted in accordance with Schedule 5, Condition 8 of the Approval, and the Department's *Post-approval requirements for State Significant Developments – Independent Audit Guideline* (October 2015).

In accordance with Schedule 5, Condition 9 of the Approval, a copy of the IEA report must be submitted to the Secretary, together with responses to any recommendations (RAR) contained in the IEA report within six weeks of the site inspection component of this audit. Please submit the IEA report and RAR to compliance@planning.nsw.gov.au

Should you wish to discuss the above please contact Heidi Watters on 02 6575 3401 or by email at heidi.watters@planning.nsw.gov.au

Yours sincerely,

 05/05/2017
Leah Cook
Team Leader – Compliance
As nominee for the Secretary



Contact: Heidi Watters
Phone: (02) 6570 3401
Fax: (02) 6575 3415
Email: heidi.watters@planning.nsw.gov.au
MP 10_0059

Mr Lynden Cini
Environmental Officer
Werris Creek Coal
1435 Quirindi Road
WERRIS CREEK NSW 2341

Dear Mr Cini,

**Werris Creek Coal (MP 10_0059)
Independent Environmental Audit – Endorsement of water specialists**

I refer to your email dated 30 May 2017 seeking the endorsement of the Secretary of the Department of Planning and Environment (the Department) of a Surface Water and Groundwater Specialist for the upcoming independent environmental audit (IEA) for the Werris Creek Mine, as required by Schedule 5, Condition 8 of Project Approval 10_0059 (the Approval) and as requested in the Department's letter dated 5 May 2017.

After due consideration, the Secretary's nominee endorses the following specialists:

- Duncan Barnes – Surface Water; and
- Timothy Wilkinson – Groundwater

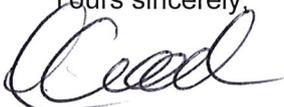
to audit with the already endorsed team of Chris Jones and Nathan Archer of SLR.

As previously advised, in preparing the IEA, the audit team must ensure the IEA is conducted in accordance with Schedule 5, Condition 8 of the Approval, and the Department's *Post-approval requirements for State Significant Developments – Independent Audit Guideline* (October 2015).

In accordance with Schedule 5, Condition 9 of the Approval, a copy of the IEA report must be submitted to the Secretary, together with responses to any recommendations (RAR) contained in the IEA report within six weeks of the site inspection component of this audit. Please submit the IEA report and RAR to compliance@planning.nsw.gov.au

Should you wish to discuss the above please contact Heidi Watters as per the contacts details above.

Yours sincerely,



01/06/2017

Leah Cook
Team Leader – Compliance
As nominee for the Secretary