



2016 INDEPENDENT ENVIRONMENTAL AUDIT

Ashton Coal Operations Limited

ABSTRACT

Ashton Coal Operations Limited is required to undertake an Independent Environmental Audit conducted every three years in order to satisfy the requirements of Development Approval 309-11-2001-i. This report details the results of the 2016 audit.

Peter Horn

Environmental Lead Auditor

Date

19 December 2016



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Executive Summary

Yancoal Australia Ltd (Yancoal) have requested Peter Horn to conduct an Independent Environmental Audit of the Ashton Coal Project (ACP), operated by Ashton Coal Operations Limited (ACOL). To fulfil the requirements of the Development Consent DA 309-11-2001-i (as modified) an Independent Environmental Audit (IEA) of compliance is required in 2016. In accordance with the approval letter from The Department of Planning and Environment (DP&E), the audit excludes MOD 5 and is based on MOD 10 which prevailed for the audit period. The previous independent environmental audit was undertaken 10th October 2013.

The audit was designed and conducted to satisfy the development approval conditions for ACOL and focused on the site's compliance with licences, approvals and supporting documents including management plans. This audit period is 10th October 2013 to 19th June 2016.

The ACP is an open-cut and underground coal mine, operating in the Camberwell district, NSW. The mine lies in the in the upper Hunter Valley, approximately 14 kilometres north-west of Singleton in the Local Government Area of Singleton.

Planning approval under DA 309-11-2001-i was initially granted in October 2002. The DA currently allows for the extraction of up to 5.45 million tonnes per annum of run of mine (ROM) coal and for undertaking associated coal mining activities. The operational mine life is until 11th October 2023.

Open-cut mining operations commenced as the North East Open Cut in January 2004, with the first coal produced in March 2004. In September 2011 open cut mining operations ceased. ACOL currently operates underground mining operations only.

The Independent Environmental Audit was undertaken generally in accordance with *AS/NZS ISO 19011:2014 – Guidelines for quality and/or environmental management systems* auditing by Peter Horn as a certified lead auditor. The Independent Environmental Audit consisted of a detailed desktop review of documents supporting compliance, interviews with ACOL staff and contractors as well as a site inspection of the complex and supporting infrastructure in October/November 2016.

In conducting the audit, the auditor communicated with The NSW Department of Planning and Environment, NSW Office of Environment and Heritage, NSW Division of Resources and Energy, NSW Environment Protection Authority, the NSW DPI Water, the ACOL CCC and Singleton Shire Council to assist in directing the audit focus.

The Independent Environmental Audit reviewed 47 approvals and environmental management documents in detail and other documents in a more general manner, where relevant. The auditor's recommendations from the 2013 Independent Environmental Audit (Parsons Brinckerhoff Australia Pty Limited, 2014) were also included in the audit as a compliance document. A total of 1550 conditions and commitments were assessed as part of this audit. 25 issues resulted in 27 non-compliances. 16 of the non-compliances were administrative. Some of the non-compliances noted in this audit relate to the



same issue which, due to the duplication of commitments between consent documents and management plans, raise the same non-compliance several times.

A basic risk assessment was conducted for all non-compliances with Low/Medium/High risk levels as results. For the non-compliances that were not administrative (there were 14 administrative non-compliances), there were 3 Low, and 11 Medium results. No High risks were identified in the audit.

There have been few environmental issues, with the general environmental management of the site has been acceptable through the audit period.



Glossary

Term	Meaning
ACHMP	Archaeology and Cultural Heritage Management Plan
ACOL	Ashton Coal Operations Limited
AEMR	Annual Environmental Management Report
AQMP	Air Quality Management Plan
AR	Annual Review (was AEMR)
Archaeology	In this text refers to archaeological and culturally significant sites of the area and any history they may have on the development site
BCD	Bowmans Creek Diversion
BOMP	Biodiversity Offsets Management Plan
CCC	Community Consultative Committee
CCL	Consolidated Coal Lease
CL	Coal Lease
DA	Development Application
DP&E	NSW Department of Planning and Environment.
DRE	NSW Department of Trade and Industry, Division of Resources and Energy
EA	Environmental Assessment
EEC	Endangered Ecological Community, a community of native species that exist in the same geographical area that are listed as endangered as a community under either NSW or Commonwealth legislation.
EIS	Environmental Impact Statement – is a document describing the potential environmental impact of a proposed development and offering mitigation strategies to reduce or remove the impacts.
EL	Exploration Licence
EMF	Environmental Management Framework
EMS	Environmental Management System
EOP	End of Panel (report)



Term	Meaning
EPA	Environment Protection Authority
EPL	Environment Protection Licence
FFMP	Flora and Fauna Management Plan
LW	Longwall
ML	Mining Lease
MOP	Mining Operations Plan
MP	Management Plan
NMP	Noise Management Plan
NOW	NSW Office of Water
OEH	NSW Office of Environment and Heritage
PA	Project Approval
PIRMP	Pollution Incident Response Plan
PAD	Potential Archaeological Deposit
RAP	Registered Aboriginal Party
RFS	Rural Fire Service
SCMP	Spontaneous Combustion Management Plan
SC	Singleton Council
SSD	State Significant Development
TARP	Trigger Action Response Plan, managing environmental issues using trigger levels for assessment of environmental variables to develop actions to remedy impacts
WMP	Water Management Plan



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1 INTRODUCTION

1.1 BACKGROUND

Yancoal have requested Peter Horn to undertake an Independent Environmental Audit (IEA) of the Ashton Coal Project (ACP), operated by Ashton Coal Operations Limited, including the operation of underground mining operations, management of the open cut (not operational in the audit period) and the Coal Handling and Preparation Plant (CHPP).

The ACP is located in the Camberwell district, NSW. The mine lies in the in the upper Hunter Valley, approximately 14 kilometres north-west of Singleton in the Local Government Area of Singleton.

To fulfil the requirements of DA 309-11-2001-i (as modified), Conditions 8.8, 8.9 and 8.10 an Independent Environmental Audit of compliance is required in 2016. The last independent environmental audit was undertaken on 10th October 2013. In accordance with the approval letter from DP&E (Appendix A), the audit excludes MOD 5 and is based on MOD 10 which prevailed for the audit period.

This audit was designed and conducted to satisfy the development approval conditions and focus on the site's compliance with licences, approvals and supporting documents including management plans. This audit period is 10th October 2013 to 19th June 2016.

1.2 SITE DESCRIPTION

Operational areas of the ACP include the North East Open Cut (NEOC), no longer operational, Ashton Underground, which includes the Bowmans Creek Diversion (BCD) completed November 2012 to allow the extraction of coal beneath sections of Bowmans Creek, and the CHPP.

ACOL also has approval for the South East Open Cut Project (SEOC) (MOD 5 of the DA), located to the south east of current surface infrastructure. This project was approved on the 4th October 2012, but was subsequently appealed. The approval was upheld by the Land and Environment Report in 2014, subject to further conditions. The revised Development Consent was issued in April 2015. The SEOC approval has not been taken up and is not within the scope of this IEA so the scope for the audit is to MOD 10 excluding MOD 5 (MOD 5 is the most recent MOD) because the ACP operated under MOD 10 over the audit period.

Ashton Underground, located to the south of the New England Highway, utilises the longwall method of coal extraction. ACO is approved to undertake underground mining, train loading and CHPP operation 24 hours a day, 7 days a week.

The BCD involved the diversion of two sections of Bowmans Creek to facilitate extraction beneath the excised sections and its alluvium. This area is currently subject to ongoing rehabilitation, weed management and revegetation.



Coarse reject material is currently placed in the NEOC void, as approved under Section 100 of the *Coal Mines Health & Safety Act 2002*. The current extent of the NEOC open cut area rehabilitation was completed in 2012. This rehabilitation is managed through an ongoing inspection and maintenance routine. Fines (tailings) are disposed of in the Ravensworth Final Void No4 East.

The independent audit requirements of the Development Application approvals are detailed in Table 1.

Table 1 - Requirements for this IEA

Condition	Requirement	Location in Report
ACOL DA 309-11-2001-i Schedule 8		
8.8	One year after commencement of construction and every three years thereafter until five years after completion of mining in the DA area, or as otherwise directed by the Director-General, the Applicant shall conduct an environmental audit of the mining and infrastructure areas of the development in accordance with ISO 14010 - Guidelines and General Principles for Environmental Auditing, and ISO 14011 - Procedures for Environmental Auditing (or the current versions), and in accordance with any specifications required by the Director-General. Copies of the report shall be submitted by the Applicant to the Director-General, SSC, OEH, ERS, NOW, DRE, RMS, MSB, and the CCC within two weeks of the report's completion for comment.	This Audit
8.9	The independent environmental audit shall:	n/a
	(a) assess compliance with the requirements of this consent, licenses, and approvals;	4
	(b) assess the development against the predictions made in the EIS and the predictions and commitments made in the documents listed in condition 1.2;	4
	(c) (Deleted);	n/a
	(d) review the effectiveness of the environmental management of the mine, including any mitigation works;	7
	(e) be carried out at the Applicant's expense; and	Engaged by ACOL
	(f) be conducted by a duly qualified independent person or team approved by the Director-General in consultation with SSC and other relevant agencies.	Appendix A
	<i>Note: This audit team should be led by a suitably qualified auditor, and include experts in any fields specified by the Secretary.</i>	Appendix A
8.10	The Director-General may, after considering any submission made by the relevant government agencies, SSC and the CCC on the report, notify the Applicant of any requirements with regard	Noted



	to any recommendations in the report. The Applicant shall comply with those reasonable requirements within such time as the Director- General may require.	
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1.3 AUDIT APPROACH

This IEA was undertaken generally in accordance with *AS/NZS ISO 19011:2014 – Guidelines for quality and/or environmental management systems auditing* and the *Independent Audit Guideline*, October 2015 Department of Planning and Environment (DP&E) by the following personnel:

- Peter Horn (Environmental Principal) – Lead Auditor;
- Peta Harris (Environmental Scientist) – Audit Assistant;

The audit team were approved by the DP&E (on 19th September 2016) prior to conducting the audit (appended as Appendix A).

This IEA consisted of a detailed desktop review of documents supporting compliance, interviews with ACOL staff and a site inspection of ACOL from 31st October to 4th November 2016. Interviewees included:

- Manager Environment and Community Relations;
- Environment and Community Coordinator;
- Environment Officer;
- Operations Manager;
- CHPP Manager
- Mechanical Engineer;
- Maintenance Planner; and
- Mine Surveyor

An audit opening meeting was held on Monday 31st October with the site environment team and a closing meeting was held on Friday 4th November with the environment team and the Operations Manager. The opening meeting discussed the approach and process of the audit while the closing meeting covered the findings to that point and the audit team's general impressions of the sites management.

The environmental conditions at the time of the site audit were mild to hot, with daytime maximum temperatures between 25.3°C and 31.0°C (degrees Celsius) and minimums between 7.4°C and 12.9°C (closest Bureau Of Meteorology weather station; Singleton, 2330). 3.6 mm of rain was recorded for Monday the 31st of October 2016.



1.4 REPORT STRUCTURE

This report is structured as follows:

Executive Summary

Section 1.0 provides an introduction, background and description of the ACP, describes the requirements for the IEA and provides a guide to the structure of the report.

Section 2.0 discusses consultation with the relevant departments.

Section 3.0 lists the planning approvals in place at the ACP, provides a description of each and confirms those which have been the subject of this IEA.

Section 4.0 provides a discussion of non-compliances against the project approval, licences, permits and supporting documents.

Section 5.0 discusses trends and statistics relating to Complaints and Reportable Incidents.

Section 6.0 provides a review of the adequacy of the environmental management at the site both documented and observed.

Section 7.0 provides recommendations for measures or actions to improve the environmental performance of the ACP.



2 CONSULTATION

The ACOL Environment and Community Manager notified the DP&E of the proposed scope for the audit. The DP&E confirmed that no expert assessment was required for this audit. DP&E also approved the audit team submitted by ACOL.

The audit team consulted the NSW Environment Protection Authority (EPA), Singleton Council (SC), Department of Trade and Industry – Division of Resources and Energy (DRE), NSW Department of Primary Industry - Water (DPI Water) and NSW Office of Environment and Heritage (OEH) and the ACOL Community Consultation Committee (CCC) requesting input into the audit scope and focus (responses are appended as Appendix B).

The **EPA** noted:

“there are no specific issues the EPA would like to raise in relation to the proposed Ashton audit”.

SSC did not respond

The **ACOL CCC** did not provide any input into the audit

The feedback from the consultation conducted with DRE, DPI-Water and OEH is addressed in Table 2, cross referencing locations in this report.

Table 2 - Consultation Responses

Feedback Item	Location in the Report
DRE	
<i>Audit Component - Desktop</i>	
Is there a current Mining Operations Plan (MOP) in place and has it been approved by DRE?	4.2, 4.3, 4.4, 4.5, 4.6 and 4.25
Has the MOP been prepared in consultation with the relevant agencies as outlined in the Project Approval?	4.2 and 4.25
Is the rehabilitation strategy as outlined in the MOP consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s)?	4.25 and 7.1
Has the rehabilitation objectives and completion criteria as outlined in the MOP been developed in accordance with the proposed final land(s) as outlined in the Project Approval?	4.25
Has a rehabilitation monitoring program been developed and implemented to assess performance against the nominated objectives and completion criteria? – verified by reviewing monitoring reports and rehabilitation inspection records.	4.25



Feedback Item	Location in the Report
Has a rehabilitation care and maintenance program been developed and implemented based on the outcomes of monitoring program? – verified by reviewing Annual Rehabilitation Programs or similar documentation.	4.25
<i>Audit Component - Site Inspection</i>	
Are mining operations being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary? – to be verified by site plans and site inspection.	4.25
Is rehabilitation progress consistent with the approved MOP as verified by site plans and a site inspection? This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in Project Approval.	4.25 and 7.1
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?	7.1
In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.	7.1
DPI Water	
Assessment as to whether the project holds the required water entitlements and licences under the Water Management Act 2000 or Water Act 1912 (as applicable).	4.2, 4.9, 4.10, 4.11, 4.12, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19 and 4.20
Compliance with the conditions of any water licences/approvals held.	4.2, 4.9, 4.10, 4.11, 4.12, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19 and 4.20
Identification of all water storages for the mine and identification of their licensing status being either exempt, subject to harvestable rights or regulated via a Water Access Licence.	4.2, 4.9, 4.10, 4.11, 4.12, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19 and 4.20
Quantification of both active and passive take by the project from each relevant water source and a comparison against previous predictions.	4.2, 4.41 and 7.5
Does the proponent have enough licensed water entitlement to cater for active and passive take of water?	This is detailed in the water balance in the Annual Review that is sent to DPI Water Annually.
Are adequate records kept to enable determination of the volume and source of surface and groundwater taken?	These records have not been audited fully



Feedback Item	Location in the Report
	as that is beyond the scope of this audit.
Do any exemptions under the Water Management (General) Regulation 2011 or Harvestable Rights Order (gazetted 31 March 2006) apply to the capture of water?	No evidence encountered to satisfy this in the audit.
OEH	
<i>Condition 3.9 Performance Measures – Natural and Heritage Features, etc</i>	
That more finely described performance indicators for allowable subsidence impacts on watercourses, biodiversity and Aboriginal cultural heritage features developed by the proponent are presented in the audit report.	These are detailed in the subsidence management documentation available on the ACOL website.
<i>Flora and Fauna Assessment, Management and Monitoring</i>	
That details in relation to Condition 3.41, of the extent of indigenous vrs more widely sourced seed and other propagation material used for revegetation of the site, are provided. That in relation to Condition 3.42 which threatened species, if any, have been identified on the coal mine during construction and operation and to provide details of any shut down of work to avoid adverse impacts to those species. And in relation to Condition 3.44 to what extent natural drainage patterns have been re-established on disturbed land and which factors, if any, may not have made this possible in any area.	See Sections 4.2 and 7.1 for Conditions 3.41 and 3.42. Information relating to Condition 3.44 is available in the Annual Reviews for the open cut emplacement, the return to natural drainage patterns above the underground will not be auditable until the final seam is mined or the site closes and subsidence rehabilitation is completed.



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3 DOCUMENTS AUDITED

The following tables list the documents reviewed for compliance in this IEA along with where each document is addressed in the report. There were other documents reviewed by the audit team as evidence or supporting information that are not listed here.

Table 3 lists the sites approval documents that were audited.

Table 3 - Approval Documents Audited

Approval Document	Section in Report
DA 309-11-2001-i MOD 10	4.2
Mining Lease 1529	4.3
Mining Lease 1533	4.4
Mining Lease 1623	4.5
Mining Lease 1696	4.6
Exploration Licence 5860	4.7
Exploration Licence 4918	4.8
Water Access Licence 1120	4.9
Water Access Licence 1121	4.10
Water Access Licence 1358	4.11
Water Access Licence 15538	4.12
Water Access Licence 19510	4.13
Water Access Licence 6346	4.14
Water Access Licence 8404	4.15
Water Access Licence 984	4.16
Water Access Licence 997	4.17
Water Licence 20BL169508	4.18
Water Licence 20BL173716	4.19
Water Licence 20BL173735	4.20
Water Supply Works and Water Use Approval 20CA201565	4.21
Water Supply Works and Water Use Approval 20CA201626	4.22
Water Supply Works and Water Use Approval 20WA203822	4.23
Environment Protection Licence 11879	4.24
Ashton Mining Operations Plan 2013-2017	4.25

Table 4 lists documents other than the approvals and licences that were audited.

Table 4 - Documents Audited

Document	Section in Report
Statement of Commitments, EA - Ashton Coal Bowmans Creek Diversion; Evans and Peck, Dec 2009 (MOD 6)	4.26



Document	Section in Report
Statement of Commitments, EA - Underground Mine Interim Gas Drainage Open Cut Hebden Seam Recovery, Wells Environmental Services, Feb 2011 (MOD 7)	4.27
Statement of Commitments, EA - Wells Environmental Services, Feb 2012 (MOD 9)	4.28
Statement of Commitments, EA - Wells Environmental Services, Aug 2012 (MOD 10)	4.29
Tailings Emplacement Operations Plan	4.30
Conservation Agreement Between Minister for National Parks and Wildlife Act (1974) and Ashton Coal Mines Limited, 2009	4.31
Environmental Management Strategy Phase 2 Underground Mining Operations, 19 August 2006	4.32
Archaeology and Cultural Heritage Management Plan, Version Date: 19/06/2015	4.33
Operations Air Quality Management PLAN - Version D, Effective: April 2014	4.34
Bushfire Management Plan, Version C, Effective: December 2013 – December 2018	4.35
Flora and Fauna (Biodiversity) Management Plan, Version Date: 01/08/2012	4.36
Lighting Management Plan, Version B, Effective: September 2015	4.37
Noise Management Plan	4.38
Spontaneous Combustion Management Plan	4.39
Waste Management Plan	4.40
Water Management Plan	4.41
Pollution Incident Response Management Plan	4.42
ULD-seam-LW-1-4-SMP-Approval, 31-07-12	4.43
Upper Liddell Seam Extraction Plan LW 105-107, December 2015	4.44
Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107	4.45
Upper Liddell Seam Longwalls 1 To 8 Built Features Management Plan, 1-08-12	4.46
Public Safety Management Plan Upper Liddell Seam Longwalls 1 - 8, 1-08-12	4.47



4 ENVIRONMENTAL COMPLIANCE

In the assessment of compliance, the status of each condition or commitment is described as:

- Compliant;
- Not Compliant;
- Not Compliant Administrative (the issue was caused by not submitting a document or keeping a document on file, not by the omission of an action or measurement, this non-compliance does not impact the sites environmental performance);
- Not able to be Verified (enough evidence to verify compliance was not found);
- Not Triggered (a timing trigger had not been reached);
- Observation; or
- Note (a fact or statement that does not require action for compliance)

A total of 1550 conditions and commitments were assessed as part of this audit. 25 issues resulted in 27 non-compliances. 14 of the non-compliances were administrative. Some of the non-compliances noted in this audit relate to the same issue which, due to the duplication of commitments between consent documents and management plans, raise the same non-compliance several times.

A basic risk assessment was conducted for all non-compliances with Low/Medium/High risk levels as results. For the non-compliances that were not administrative (there were 14 administrative non-compliances), there were 3 Low, and 11 Medium results. No High risks were identified in the audit.

4.1 ISSUES RESULTING IN NON-COMPLIANCE

Each non-compliance was caused by an action, omission or event. These constitute the issues that the site needs to address to achieve compliance. For this reason, the issues are extracted from the non-compliances so they will be more readily addressed by ACOL.

The issues identified in this audit and the consequential non-compliances are presented in Table 5.

Table 5 – Issues Resulting in Non-Compliance

Issue	Conditions and Commitments Found Not Compliant
Copy of the MOP was not forwarded to SSC within 14 days of its approval by DRE	DA Sch. 2 C. 2.4
Decommissioning of the mine was not included in the 2006 EMS.	DA Sch. 2 C. 3.4 c)
There was no evidence of consultation with the DRE or the EPA in the development of the WMP.	DA Sch. 2 C. 4.7 a)
2013 - three offsite gauges exceeded the 4g/m ² /month limit, D2, D6, D9	DA Sch. 2 C. 6.1



Issue	Conditions and Commitments Found Not Compliant
2013 - HVAS Camberwell Village North exceeded the 90µg/m ³ over the annual averaging period (96µg/m ³).	DA Sch. 2 C. 6.1 AQMP 3.1.1
No evidence was able to be provided of distribution of the NMP to SSC, EPA or DRE.	DA Sch. 2 C. 6.43
The plans for the CHPP modifications were not submitted to the MSB.	DA Sch. 2 C. 12.8
The renewal of ML 1529 took effect 13 October 2014. Evidence provided was a letter to Glendell notifying them of renewal (dated 12 Feb 2015) which was longer than 3 months from the renewal.	ML1529 C.1
Minor breach identified with drum of hydrocarbon material not fully banded at CHPP, rectified in the presence of the auditor.	EPL O1.1 MOP 3.15
2013 - TEOM data capture was not 100% at all monitoring points.	EPL M2.1
2015 - statutory TEOM returned 95% data.	EPL M2.1
No evidence was able to be provided that showed that pasture sampling had been conducted.	MOP 8.2.3.1
There was no evidence of the application of the Land Capability guideline at ACOL.	MOP 8.2.3.2
2013 AR does not include comparison with the EA predictions for noise or surface water monitoring results.	MOP 8.5.1
Internal audits are conducted, corrective actions from the internal audits are not recorded in the Annual Reviews.	EMS 12.5
Emergency Contacts in the AQMP were out of date and require changes to reflect personnel changes at the site.	AQMP 4.1
Some daily real time results that exceeded 50µg/m ³ in 2014 following the approval of the AQMP had not been reported.	AQMP 5.6 c)
The daily fire risk was not captured in Morning Meetings as these were no longer taking place, however, there were controls in place through Hot Works Permitting and Works Permits for people operating where there is a risk of fire.	Bushfire MP 3.2
Weed Monitoring surveys were conducted as part of the Weed Management Plan but were undertaken annually, not 6 monthly as outlined in the plan.	FFMP 1.11
2015 - Worst-case scenario monitoring was not carried out during winter as required by the NMP.	NMP 5.5 B
It was noted in the 2015 AEMR that replacement monitoring was not undertaken following unsuitable weather conditions in May 2015.	NMP 5.5 E
Tenants were not provided with the required information following the update of the NMP in April 2014.	NMP 5.8 C
The site inspection identified 2 waste tyres in cattle yards above the underground (near the Blue House).	Waste MP 5.5 A



Issue	Conditions and Commitments Found Not Compliant
The Surface Water TARP process was not followed completely by the site as it is not practicable (auditor agrees).	WMP 7.2
There was no evidence of the satisfaction of the DG with the distribution of copies of the End of Panel reports.	ULD LW1-4 SMP C.19

4.2 COMPLIANCE WITH DA 309-11-2001-i (AS MODIFIED)

The conditions that were not compliant within DA 309-11-2001-i (as modified) are shown in Table 6. An assessment of compliance for each condition in DA 309-11-2001-i (as modified) is provided in the audit protocol in Appendix C.

Table 6- Compliance with DA 309-11-2001-i (as modified)

Condition	Requirement	Audit Finding
Sch. 2 C. 2.4	A copy of the MOP, excluding commercial in confidence information, shall be forwarded to SSC and the Director-General within 14 days of acceptance by DRE.	MOP approved 10 May 2016, submission to DG sighted, evidence of submission of MOP to SSC was not provided. Not Compliant Administrative
Sch. 2 C. 3.4 c)	overall environmental management objectives and performance outcomes, for construction, mining and decommissioning of the mine, for each of the key environmental elements for which management plans are required under this consent;	Decommissioning of the mine was not included in the 2006 EMS - it covered Phase 2 Underground Mining Operations. Not Compliant Administrative
Sch. 2 C. 4.7 a)	The Water Management Plan must “be prepared in consultation with EPA, NOW, DRE and Council by suitably qualified and experienced persons whose appointment has been approved by the Director-General;”	There was no evidence of consultation with the DRE or the EPA in the revision of the WMP. Not Compliant Administrative
Sch. 2 C. 6.1 Table 4	Total Suspended Particulate Matter not to exceed 90µg/m ² averaged annually	2013 - HVAS Camberwell Village North exceeded the 90µg/m ³ over the annual averaging period (96µg/m ³). Not Compliant Medium Risk



Condition	Requirement	Audit Finding
Sch. 2 C. 6.1 Table 6	Maximum total Deposited Dust is not to exceed 4g/m ² /month averaged annually	2013 - three offsite gauges exceeded the 4g/m ² /month limit, D2, D6, D9. Not Compliant Medium Risk
Sch. 2 C. 6.43	The NMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of mining operations, or within such period otherwise agreed by the Director-General. Mining operations shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the NMP to Council, EPA, and DRE within 14 days. The Applicant shall make the NMP available for public inspection on request.	No evidence was able to be provided of distribution to SSC, EPA or DRE. Not Compliant Administrative
Sch. 2 C. 12.8	The Applicant shall seek the approval of the Mine Subsidence Board for the construction of any improvements, including those related to the mine buildings and associated works, any relocation or diversion of infrastructure or existing improvements, prior to undertaking the works. The Applicant shall submit a copy of the final plans to MSB prior to commencement of construction.	The plans for the CHPP modifications were not submitted to the MSB. Not Compliant Administrative

4.3 COMPLIANCE WITH CONDITIONS IN MINING LEASE 1529

The conditions that were not compliant within Mining Lease 1529 are shown in Table 7. An assessment of compliance for each condition in Environmental Mining Lease 1529 is provided in the audit protocol in Appendix C.

Table 7- Compliance with conditions in Mining Lease 1529

Condition	Requirement	Audit Finding
1	"1a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a	The renewal of ML 1529 took effect 13 October 2014. Evidence provided was a letter to Glendell notifying them of renewal (dated 12 Feb 2015) which was longer than 3 months from the renewal.



Condition	Requirement	Audit Finding
	description of the lease area must accompany the notice. b) If there are ten or more landholders, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this mining lease has been granted renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required."	Not Complaint Administrative

4.4 COMPLIANCE WITH CONDITIONS IN MINING LEASE 1533

The conditions of Mining Lease 1533 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions of Mining Lease 1533 is provided in the audit protocol in Appendix C.

4.5 COMPLIANCE WITH CONDITIONS IN MINING LEASE 1623

The conditions of Mining Lease 1623 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions of Mining Lease 1623 is provided in the audit protocol in Appendix C.

4.6 COMPLIANCE WITH CONDITIONS IN MINING LEASE 1696

The conditions of Mining Lease 1696 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions of Mining Lease 1696 is provided in the audit protocol in Appendix C.

4.7 COMPLIANCE WITH CONDITIONS IN EXPLORATION LICENCE 5860

The conditions of Exploration Licence 5860 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions of Exploration Licence 5860 is provided in the audit protocol in Appendix C.



4.8 COMPLIANCE WITH CONDITIONS IN EXPLORATION LICENCE 4918

The conditions of Exploration Licence 4918 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions of Exploration Licence 4918 is provided in the audit protocol in Appendix C.

4.9 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 1120

The conditions of Water Access Licence 1120 were assessed and all conditions were either “Compliant”, or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 1120 is provided in the audit protocol in Appendix C.

4.10 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 1121

The conditions of Water Access Licence 1121 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 1121 is provided in the audit protocol in Appendix C.

4.11 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 1358

The conditions of Water Access Licence 1358 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 1358 is provided in the audit protocol in Appendix C.

4.12 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 15538

The conditions of Water Access Licence 15538 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 15538 is provided in the audit protocol in Appendix C.

4.13 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 19510

The conditions of Water Access Licence 19510 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 19510 is provided in the audit protocol in Appendix C.

4.14 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 6346

The conditions of Water Access Licence 6346 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of



compliance for all conditions in Water Access Licence 6346 is provided in the audit protocol in Appendix C.

4.15 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 8404

The conditions of Water Access Licence 8404 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 8404 is provided in the audit protocol in Appendix C.

4.16 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 984

The conditions of Water Access Licence 984 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 984 is provided in the audit protocol in Appendix C.

4.17 COMPLIANCE WITH CONDITIONS IN WATER ACCESS LICENCE 997

The conditions of Water Access Licence 997 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Access Licence 997 is provided in the audit protocol in Appendix C.

4.18 COMPLIANCE WITH CONDITIONS IN WATER LICENCE 20BL169508

The conditions of Water Licence 20BL169508 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Licence 20BL169508 is provided in the audit protocol in Appendix C.

4.19 COMPLIANCE WITH CONDITIONS IN WATER LICENCE 20BL173716

The conditions of Water Licence 20BL173716 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Licence 20BL173716 is provided in the audit protocol in Appendix C.

4.20 COMPLIANCE WITH CONDITIONS IN WATER LICENCE 20BL173735

The conditions of Water Licence 20BL173735 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Licence 20BL173735 is provided in the audit protocol in Appendix C.



4.21 COMPLIANCE WITH CONDITIONS IN WATER SUPPLY WORKS APPROVAL 20CA201565

The conditions of Water Supply Works Approval 20CA201565 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Supply Works Approval 20CA201565 is provided in the audit protocol in Appendix C.

4.22 COMPLIANCE WITH CONDITIONS IN WATER SUPPLY WORKS APPROVAL 20CA201626

The conditions of Water Supply Works Approval 20CA201626 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Supply Works Approval 20CA201626 is provided in the audit protocol in Appendix C.

4.23 COMPLIANCE WITH CONDITIONS IN WATER SUPPLY WORKS APPROVAL 20WA203822

The conditions of Water Supply Works Approval 20WA2013822 were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Water Supply Works Approval 20WA2013822 is provided in the audit protocol in Appendix C.

4.24 COMPLIANCE WITH CONDITIONS IN ENVIRONMENTAL PROTECTION LICENCE 11879

The conditions that were not compliant within Environmental Protection Licence 11879 are shown in Table 8. An assessment of compliance for each condition in Environmental Protection Licence 11879 is provided in the audit protocol in Appendix C.

Table 8- Compliance with Environmental Protection Licence 11879

Condition	Requirement	Audit Finding
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."	Minor breach identified with drum of hydrocarbon material not fully banded at CHPP, rectified in the presence of the auditor. Not Compliant Low Risk
O4.1	Stormwater Management Scheme A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater	The SWMP was consistent with the Blue Book Guideline as was site management except for a small area adjacent to the rail line. This area was rehabilitated and the water exiting site would be free of



Condition	Requirement	Audit Finding
	runoff from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. If a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in Managing Urban Stormwater: Council Handbook (available from the EPA).	sediment. There was evidence of saline seepage in this area. Not Compliant Medium Risk
M2.2	Air Monitoring Location – Point 1 Requirement, capture PM ₁₀ levels daily	2013 - TEOM data capture was not 100% at all monitoring points. 2015 - statutory TEOM returned 95% data. Not Compliant Medium Risk

4.25 COMPLIANCE WITH CONDITIONS IN ASHTON MINING OPERATIONS PLAN 2013-2017

The conditions that were not compliant within the Ashton Mining Operations Plan 2013-2017 are shown in Table 9. An assessment of compliance for each condition in the Ashton Mining Operations Plan 2013-2017 is provided in the audit protocol in Appendix C.

Table 9- Compliance with the Mining Operations Plan

Condition	Requirement	Audit Finding
3.15	Oils, fuels, greases and chemicals are labelled and stored in designated, impermeable bunded areas or approved storage facilities and are only used on a prescribed basis. Appropriate barriers are in place to eliminate the potential for soil contamination. Bunded fuel and oil storage areas are located near the NEOC Workshop CHPP Store and on the workshop level of the Underground Pit Top Facility.	Minor breach identified with drum of hydrocarbon material not fully bunded at CHPP, rectified in the presence of the auditor. Not Compliant Low Risk
8.2.3.1	Pasture Productivity Assessment In areas with a post mining landuse aligned to pasture, pasture sampling is undertaken in accordance with the collection technique guidelines – Form Collect1-Version No.2-01/11/07 supplied	No evidence was able to be provided that showed that the pasture sampling had been conducted. Not Compliant Administrative



Condition	Requirement	Audit Finding
	<p>by the NSW Department of Primary Industries (DPI) (2007). Samples are to be sent to an accredited laboratory for analysis to determine the quality of feed available. Based on the testing results on the feed quality, pasture productivity will be calculated aligned to stocking rates and farm size assessment tools relevant for Beef cattle in the Hunter Valley, which in turn determine sustainable carrying capacities.</p>	
8.2.3.2	<p>Land Capability Assessment The land capability system is applied to the survey area in accordance with the guideline called Systems used to classify rural lands in New South Wales (Cunningham et al. 1986). Data will be collected on a range of factors and assessed to determine land capability. These will include climate, soils, geology, geomorphology, soil erosion, topography and the effects of past landuses.</p>	<p>There was no evidence of the application of the Land Capability guideline at ACOL.</p> <p>Not Compliant Medium Risk</p>
8.5.1	<p>Also as required under the Development Consent, ACOL will undertake an Annual Review of the environmental performance of the project. This review will:</p> <p>.....</p> <p>- include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against:</p> <p>...</p> <p>o relevant predictions in the EA;</p> <p>.....</p>	<p>2013 AR does not include comparison with the EA predictions for noise or surface water monitoring results.</p> <p>Not Compliant Administrative</p>

4.26 COMPLIANCE WITH COMMITMENTS IN STATEMENT OF COMMITMENTS IN ENVIRONMENTAL ASSESSMENT - 2009 (MOD 6)

The commitments in the BCD EA, (Evans and Peck, 2009) were assessed and all conditions were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An



assessment of compliance for all commitments in the Bowmans Creek Diversion EA, Evans and Peck, 2009) is provided in the audit protocol in Appendix C.

4.27 COMPLIANCE WITH COMMITMENTS IN STATEMENT OF COMMITMENTS IN ENVIRONMENTAL ASSESSMENT - 2011 (MOD 7)

The commitments in the EA - Underground Mine Interim Gas Drainage Open Cut Hebden Seam Recovery (Wells Environmental Services, 2011) were assessed and all commitments were “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all commitments in the EA - Underground Mine Interim Gas Drainage Open Cut Hebden Seam Recovery (Wells Environmental Services, 2011) is provided in the audit protocol in Appendix C.

4.28 COMPLIANCE WITH COMMITMENTS IN ENVIRONMENTAL ASSESSMENT - 2012 (MOD 9)

The commitments of the Environmental Assessment for Upcast Ventilation Shaft, Fans and Mine Service Infrastructure (Wells Environmental Services, 2012) were assessed and all commitments were either “Compliant”, “Noted” or “Not Triggered”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Environmental Assessment for Upcast Ventilation Shaft, Fans and Mine Service Infrastructure (Wells Environmental Services, 2012) is provided in the audit protocol in Appendix C.

4.29 COMPLIANCE WITH COMMITMENTS IN ENVIRONMENTAL ASSESSMENT - 2012 (MOD 10)

The commitments of the Environmental Assessment for Gas Drainage Plant, 2012 (MOD 10) were assessed and all commitments were either “Compliant”, “Noted” or “Not Triggered”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Environmental Assessment for Gas Drainage Plant, 2012 (MOD 10) is provided in the audit protocol in Appendix C.

4.30 COMPLIANCE WITH COMMITMENTS IN THE TAILINGS EMPLACEMENT OPERATIONS PLAN

The commitments of the Tailings Emplacement Operations Plan were assessed and all commitments were either “Compliant”, “Noted” or “Not Triggered”. No commitments were found to be “Not Compliant”. An assessment of compliance for all conditions in the Tailings Emplacement Operations Plan is provided in the audit protocol in Appendix C.

4.31 COMPLIANCE WITH COMMITMENTS IN THE OFFSET AREA CONSERVATION AGREEMENT

The commitments of the Offset Area Conservation Agreement were assessed and all commitments were either “Compliant”, “Noted” or “Not Triggered”. No commitments were found to be “Not Compliant”. An assessment of compliance for all conditions in the Offset Area Conservation Agreement is provided in the audit protocol in Appendix C.



4.32 COMPLIANCE WITH COMMITMENTS IN THE ENVIRONMENTAL MANAGEMENT STRATEGY 2006

The commitments that were not compliant within the Environmental Management Strategy 2006 are shown in Table 10. An assessment of compliance for each commitment in the Environmental Management Strategy 2006 is provided in the audit protocol in Appendix C.

Table 10 - Compliance with the Environmental Management Strategy

Commitment	Requirement	Audit Finding
12.5	Ashton will initiate internal environmental audits at least once per year, when no external audit is scheduled. The results of these audits will be reported in the AEMR, along with an approved list of corrective actions.	Internal audits are conducted, corrective actions from the internal audits are not recorded in the Annual Reviews. Not Compliant Administrative

4.33 COMPLIANCE WITH COMMITMENTS IN THE ARCHAEOLOGY AND CULTURAL HERITAGE MANAGEMENT PLAN, 2015

The commitments of the Archaeology and Cultural Heritage Management Plan 2015 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Cultural Heritage Management Plan 2015 is provided in the audit protocol in Appendix C.

4.34 COMPLIANCE WITH COMMITMENTS IN THE AIR QUALITY MANAGEMENT PLAN, 2014

The conditions that were not compliant within the Air Quality Management Plan 2014 are shown in Table 11. An assessment of compliance for each condition in the Air Quality Management Plan 2014 is provided in the audit protocol in Appendix C.

Table 11- Compliance with the Air Quality Management Plan 2014

Commitment	Requirement	Audit Finding
3.11	Compliance criteria from the DA Schedule 2 Condition 6.1	2013 - HVAS in Camberwell Village North exceeded the $90\mu\text{g}/\text{m}^3$ over the annual averaging period ($96\mu\text{g}/\text{m}^3$). Not Compliant Medium Risk
4.1	Emergency Contacts	Emergency Contacts were out of date and require changes to



Commitment	Requirement	Audit Finding
		reflect personnel changes at the site. Not Compliant Administrative
5.6 c)	Upon approval of this management plan, a trial will be commenced whereby ACOL will report all daily real time results exceeding 50µg/m ³ . The results of the trial will be reported in the next AEMR, and a review of this section of the management plan may be undertaken. Any exceedance of the 50µg/m ³ will be reported within three working days of the exceedance, and where possible an initial report within one working day of the result becoming available.	Some results that exceeded in 2014 following the approval of the AQMP had not been reported. Not Compliant Medium Risk

4.35 COMPLIANCE WITH COMMITMENTS IN THE BUSHFIRE MANAGEMENT PLAN, 2013

The conditions that were not compliant within the Bushfire Management Plan 2013 are shown in Table 12. An assessment of compliance for each condition in the Bushfire Management Plan 2013 is provided in the audit protocol in Appendix C.

Table 12 - Compliance with the Bushfire Management Plan

Commitment	Requirement	Audit Finding
3.2	The ACOL morning meetings determine the conditions and response, and this is communicated to the employees and contractors. To support the determination, ACOL should check the NSW RFS website for the NSW RFS classification for Total Fire Ban and Current Fire Danger map	This was not captured in Morning Meetings as these were no longer take place, however, there were controls in place through Hot Works Permitting and Works Permits for people operating where there is a risk of fire. Not Compliant Administrative

4.36 COMPLIANCE WITH COMMITMENTS IN THE FLORA AND FAUNA MANAGEMENT PLAN, 2012

The conditions that were not compliant within the Flora and Fauna Management Plan 2012 are shown in Table 13. An assessment of compliance for each condition in the Flora and Fauna Management Plan 2012 is provided in the audit protocol in Appendix C.



Table 13 - Compliance with the Flora and Fauna Management Plan

Commitment	Requirement	Audit Finding
1.11	Undertake bi-annual weed monitoring surveys within the Bowmans Creek riparian corridor immediately following the commencement of rehabilitation works.	Weed Monitoring surveys were conducted as part of the Weed Management Plan but were undertaken annually. Not Compliant Administrative

4.37 COMPLIANCE WITH THE LIGHTING MANAGEMENT PLAN, VERSION B

The conditions of the Lighting Management Plan, Version B were assessed and all conditions were either “Compliant”, “Noted”, “Not able to be Verified” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in the Lighting Management Plan, Version B is provided in the audit protocol in Appendix C.

4.38 COMPLIANCE WITH THE NOISE MANAGEMENT PLAN 2015

The commitments that were not compliant within the Noise Management Plan 2015 are shown in Table 14. An assessment of compliance for each commitment in the Noise Management Plan 2015 is provided in the audit protocol in Appendix C.

Table 14 - Compliance with the Noise Management Plan

Commitment	Requirement	Audit Finding
5.5 B	Confirmation of Noise Management Approach Undertake one targeted noise survey (in addition to monthly monitoring), during the winter months, targeting the night time period (10pm to 6am) with weather conditions conducive to noise generation and transmission, with all operational areas running (i.e. train loading and CHPP in operation). If the targeted survey, along with complaints data, demonstrates that the ACP operations are generating noise levels above impact criteria at private residences, then proactive measures detailed in the Management Plan will be reviewed and increased. Once during winter in noise conducive conditions with all aspects of ACP in operation.	2015 - Worst-case scenario monitoring was not carried out during winter as required by the NMP. Not Compliant Medium Risk



Commitment	Requirement	Audit Finding
5.5 E	<p>Replacement Monitoring</p> <p>In the event meteorological conditions are not suitable (as per the Compliance Evaluation), further attended monitoring will be undertaken when conditions are suitable.</p> <p>When meteorological conditions are not suitable.</p>	<p>It was noted in the 2015 AEMR that replacement monitoring was not undertaken following unsuitable weather conditions in May 2015.</p> <p>Not Compliant Medium Risk</p>
5.8 C	<p>Advice to Existing and Future Tenants</p> <p>Existing and future tenants are to be provided with the following:</p> <ul style="list-style-type: none"> • Direction to access the online ACOL noise monitoring data. • The Environmental Hotline number. • Contact details for the Ashton Community Consultative Committee members. <p>New tenants OR Following approval of an updated NMP, or changes to other listed details OR Where noise monitoring or modelling of existing or future development shows an increase in noise levels above the noise impact criteria (Table 4 of Noise Management Plan)</p>	<p>Tenants were not provided with the required information following the update of the NMP in April 2014.</p> <p>Not Compliant Medium Risk</p>

4.39 COMPLIANCE WITH THE SPONTANEOUS COMBUSTION MANAGEMENT PLAN

The conditions of the Spontaneous Combustion Management Plan were assessed and all conditions were either “Compliant”, “Noted” or “Not Triggered”. No conditions were found to be “Not Compliant”. An assessment of compliance for all conditions in Spontaneous Combustion Management Plan is provided in the audit protocol in Appendix C.

4.40 COMPLIANCE WITH THE WASTE MANAGEMENT PLAN 2014

The commitments that were not compliant within the Waste Management Plan 2015 are shown in Table 15. An assessment of compliance for each commitment in the Waste Management Plan 2015 is provided in the audit protocol in Appendix C.

Table 15 - Compliance with the Waste Management Plan

Commitment	Requirement	Audit Finding
5.5 A	<p>Waste Tyres</p> <p>Waste tyres will be:</p> <ul style="list-style-type: none"> • Used as road boundaries. 	<p>The site inspection identified 2 waste tyres in cattle yards</p>



Commitment	Requirement	Audit Finding
	<ul style="list-style-type: none"> Removed from site for offsite recycling. 	<p>above the underground (near the Blue House).</p> <p>Not Compliant Medium Risk</p>

4.41 COMPLIANCE WITH THE WATER MANAGEMENT PLAN

The commitments that were not compliant within the Water Management Plan are shown in Table 16. An assessment of compliance for each commitment in the Water Management Plan is provided in the audit protocol in Appendix C.

Table 16 - Compliance with the Waste Management Plan

Commitment	Requirement	Audit Finding
7.2	<p>In the event of a surface water assessment criterion (Table 15) being exceeded, the following protocol will be followed:</p> <ol style="list-style-type: none"> 1. Check and validate the data which indicates an exceedance of the criterion, including whether the exceedance is ongoing. 2. A preliminary investigation will be undertaken to establish the cause(s) and determine whether changes to the water management system or operations are required. This will involve the consideration of the monitoring results in conjunction with: <ol style="list-style-type: none"> a) site activities being undertaken at the time; b) baseline monitoring results; c) predictive modelling; d) surface water monitoring at nearby locations and upstream (including NOW stations); e) the prevailing and preceding meteorological and streamflow conditions; f) available data indicating releases from upstream regulating storages or other sites; g) changes to the land use/activities being undertaken in the contributing catchment area; and h) hydrological conditions. 3. If the preliminary investigation shows that the impact is linked to activities undertaken by ACOL, a report will be emailed to the DPE and any other relevant department. Causal factors will be 	<p>The audit team sighted the process that ACOL followed in the audit period for one exceedance.</p> <p>The preliminary investigation showed that impacts from the site were not responsible for the exceedance, however ACOL were not able to demonstrate that all the steps nominated in the TARP had been completed.</p> <p>Not Compliant Administrative</p>



Commitment	Requirement	Audit Finding
	<p>addressed and rectified if possible. Contingency measures will be developed in consultation with the DPE and any other relevant department and implemented in response to the outcomes of the investigation.</p> <p>4. Remedial/compensatory measures will be developed in consultation with DPE and any other relevant department and implemented in response to the outcomes of the investigations.</p> <p>5. Monitoring would be implemented as required to confirm the effectiveness of remedial measures.</p> <p>Any loss of baseflow in excess of predictions would be further offset against ACOL's WALs. ACOL could purchase additional WALs if required.</p> <p>Any exceedances and responses taken to ameliorate these exceedances will be reported in the AEMR.</p>	

4.42 COMPLIANCE WITH THE POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN 2016

The commitments of the Pollution Incident Response Plan 2016 were assessed and all conditions were either "Compliant", "Not Triggered", "Noted" or "Not able to be verified". No commitments were found to be "Not Compliant". An assessment of compliance for all commitments in the Pollution Incident Response Plan 2016 is provided in the audit protocol in Appendix C.

4.43 COMPLIANCE WITH THE ULD LW1-4 SMP APPROVAL, 31-07-12

The commitments that were not compliant within the ULD LW1-4 SMP Approval, 31-07-12 are shown in Table 17. An assessment of compliance for each commitment in the ULD LW1-4 SMP Approval, 31-07-12 is provided in the audit protocol in Appendix C.

Table 17 - Compliance with the ULD LW 1-4 SMP Approval

Commitment	Requirement	Audit Finding
19	<p>Access to Information</p> <p>Within 3 months of the submission of an End of Panel Report (as required by Condition 18) or the approval of a plan, programme or strategy required under this Approval or the SMP (or any subsequent revision of these documents), the</p>	<p>There was no evidence of the satisfaction of the DG with the distribution of copies of the End of Panel reports.</p> <p>Not Compliant Administrative</p>



Commitment	Requirement	Audit Finding
	Leaseholder must, to the satisfaction of the Director General: a) provide a copy of these document/s to all relevant agencies; b) ensure that a copy of the relevant documents is made publicly available at the Leaseholder's regional office; and c) put a copy of the relevant document/s on the Leaseholder's website. Note: Relevant agencies currently include MSB, EPA, NOW and DP&I.	

4.44 COMPLIANCE WITH THE UPPER LIDDELL SEAM EXTRACTION PLAN LW 105-107

The commitments of the Upper Liddell Seam Extraction Plan LW 105-107 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Upper Liddell Seam Extraction Plan LW 105-107 is provided in the audit protocol in Appendix C.

4.45 COMPLIANCE WITH THE SUBSIDENCE EFFECTS MONITORING PROGRAM UPPER LIDDELL SEAM LW 105-107

The commitments of the Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107 were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107 is provided in the audit protocol in Appendix C.

4.46 COMPLIANCE WITH THE BUILT FEATURES MANAGEMENT PLAN

The commitments of the Built Features Management Plan were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Built Features Management Plan is provided in the audit protocol in Appendix C.

4.47 COMPLIANCE WITH THE PUBLIC SAFETY MANAGEMENT PLAN

The commitments of the Public Safety Management Plan were assessed and all conditions were either “Compliant”, “Not Triggered”, “Noted” or “Not able to be verified”. No commitments were found to be “Not Compliant”. An assessment of compliance for all commitments in the Public Safety Management Plan is provided in the audit protocol in Appendix C.



5 PREVIOUS AUDIT ACTION STATUS

The previous independent environmental audits were undertaken on 10th October 2013. The IEA was conducted by Parsons Brinckerhoff Australia Pty Limited and is referred to as ACOL IEA (Parsons Brinckerhoff, 2014).

One minor issue remained outstanding:

- Figure 1 in the Aboriginal Cultural Heritage Management Plan does not show the VCA.

All other actions were completed.

Most actions were found compliant in this audit with the exception of:

- A copy of the MOP was not forwarded to SSC within 14 days of its approval by DRE (DA Schedule 2, Condition 2.4).

An assessment of compliance for all recommendations in the Independent Environmental Compliance Audit of Ashton Coal Development Consent 309-11-2001 (Parsons Brinckerhoff, 2013) is provided in Appendix D.



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6 COMPLAINTS AND REPORTABLE INCIDENTS

6.1 COMPLAINTS

There were two complaints in the audit period, both were regarding mine noise. On both occasions ACOL was able to demonstrate that the noise was not originating from their premises.

6.2 REPORTABLE INCIDENTS

There were no reportable incidents in the audit period.



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7 ENVIRONMENTAL MANAGEMENT

7.1 ECOLOGY AND REHABILITATION MANAGEMENT

Ecology has been managed through the Flora and Fauna Management Plan, the Mining Operations Plan, the Offset Area Conservation Agreement and to a lesser extent the Bushfire Management Plan. In the audit period there have been no incidents relating to ecological matters.

The site progression from open cut to underground has reduced the potential for impact to ecological values as has the completion of the Pikes Gully Seam. The completion of the Pikes Gully Seam means the undergrounds disturbance footprint is close to being completed and future impacts will be in areas that have been previously impacted.

Monitoring shows no reduction in values for the site, with the BCD increasing the aquatic biodiversity as the rehabilitation associated with the diversion progresses and the progression of vegetation on the eastern emplacement area added to the ecological values of the site.

If the ecological values at ACOL continue to be managed as they are currently, there should be gradual improvement as the mine progresses to closure.

The level of rehabilitation has dropped off through the audit period due to the finalisation of establishment works on the open cut (only maintenance works continuing through the audit period) and the completion of the BCD rehabilitation early in the audit period. There have been some crack repairs in subsided areas above the underground but these have been minor in nature and area. The eastern emplacement looks to be in good condition with good cover in pasture areas and good growth of the trees in treed areas. There is a need for some additional works in some areas to ensure the adequate establishment of an understory (see Figure 1 below).

The BCD rehabilitation has progressed very well and in accordance with the MOP. Some minor works have been required and there was some loss of canopy trees and in some areas where aspect and slope were problematic establishment rates have been low. Ongoing maintenance to address these issues continues. Overall, the BCD rehabilitation looks very good and is a credit to the sites efforts to ensure the diversion is sustainable.

7.1.1 Subsidence Impacts

Generally, vertical subsidence and tilts and strains have been below predictions across the area subsided through the audit period. In one location above LW 102, stacked goaf edge geometry, significantly offset chain pillars and other LW geometry complications led to an exceedance of the predicted levels of tilts and strains. The levels above predictions were thought to be the result of the complex LW geometry/alignment between the Pikes Gully Seam longwalls (mined previously) and the Upper Liddell Seam longwalls (seam mined in the audit period). The majority of LW 102 was well below predicted impact levels.



Figure 1 - Lack of Understory in Treed Areas of the Eastern Emplacement

7.2 ABORIGINAL HERITAGE MANAGEMENT

All known archaeological sites within the active project areas (i.e. areas where disturbance of the site is certain) had been salvaged prior to the audit period. There has been some work done around the areas where subsidence impacts have occurred through the audit period. That work consisted of the following with each task including the Registered Aboriginal Parties (RAPs):

- Pre-disturbance walkovers;
- Grader scrapes for boreholes;
- Inspection and surface collection for gas pipelines;
- Walking of subsidence cracks to determine disturbance levels;
- Inspection of proposed access tracks;
- Salvages works on a gas pipeline, LW cracking locations, borehole locations
- Salvage of the Oxbow Site; and
- Salvaged artefact analysis, this is a large task with 10,000 artefacts recovered in the 2015 Annual Review reporting period alone.



The Oxbow Site is of high archaeological value both to the aboriginal community and the regulators. Over 4,000 artefacts were recovered from the site. The archaeological excavation demonstrated long term occupancy of the site.

The RAPs are engaged for work on a roster system and there was no evidence of a lack of consultation or communication with the aboriginal community in the audit.

7.3 NOISE MANAGEMENT

Noise complaints have reduced significantly from the previous audit period. There have been no sustained significant exceedences of noise criteria for the site in the audit period. Some minor monitoring non-compliances were encountered though none of these impacted site performance.

7.4 AIR QUALITY MANAGEMENT

There were no air quality complaints in the audit period. Some exceedences of air quality criteria were identified in 2013 and some reporting issues in 2014, generally though, air quality has not been an issue at the ACOL site.

7.5 WATER MANAGEMENT

There were some issues relating to water management identified. The key issue was the lack of containment for potentially saline water leaving site from the eastern emplacement. There was a small catchment on the northern side of the emplacement that was not captured on site and there was evidence of a saline seep from the emplacement at that point. The catchment was well vegetated and there was no risk of suspended solids leaving site. Site personnel interviewed at the time indicated that the emplacement area was on course for the water management to be changed to a controlled release into the environment, though a strategy had not been developed at that point.

At the time of the audit, the Water Management Plan required ACOL to identify inflows to the underground workings through measurements taken at stream gauges on Bowmans Creek. Subsequently, analysis of the stream gauge data has shown inconsistencies with the measurements and the measured inflows to the underground (pump metering and water level recording). The site continues with the monitoring of the stream gauge data but now uses the underground water metering to estimate inflows in order to identify any requirement to trigger the groundwater TARP. The Water Management Plan requires revision and the groundwater TARP should also be revised as other issues were identified in its implementation in the audit period.

In 2014, ACOL received two infringement notices for installation of dewatering bores before the licence was issued. In 2012, ACOL submitted applications for two Bore Licences to the NSW Office of Water, the licences were subsequently issued to Ashton in 2013 and water extraction commenced after the date of issue. A site review, identified that the construction of the boreholes had occurred after the submission of applications but prior to licences being issued. Consequently, ACOL received two penalty infringement notices during the reporting period for 'construction of a water supply work without



approval' from the 2012 works. Note that the offence occurred outside the audit period but was not included in the previous audit period and so is reported here.

7.6 GENERAL MANAGEMENT OF THE ENVIRONMENT

Other areas of environmental management to be considered include:

- *Bushfire* – no incidents in the audit period. Slashed fire breaks on the edge of paddocks were observed in the site inspection and this should be maintained, particularly in the foreground area of Figure 2 where a cigarette butt would pose a risk for grass fire.
- *Community Relations* – the Community Consultative Committee is in place and is effective in the role of ensuring the community is kept abreast of the mines progress. The lack of complaints and incidents appear to have led to a level of acceptance on the communities' part of the operation of the site. ACOL continue to devote adequate resources to this area.
- *Flora and Fauna* – no risks identified and lack of major areas of disturbance and effective management ensures the risk remains low.
- *Hydrocarbon Management* – one minor issue resulting from delivery of a drum and incorrectly placing it on a bund wall instead of within the bunded area.
- *Laydown Areas* – There are significant areas used as laydown above the underground (approximately 4 hectares). At interview, site personnel indicated the equipment was purchased/assembled for the South East Open Cut project. A review of whether this is required and the condition of the equipment after several years in the paddock (satellite photography shows it present back to 2013) should be conducted. The cost of removing this equipment should be considered in the calculation of the site rehabilitation security bond.
- *Lighting* – no complaints or issues in the audit period, most lighting is fixed with the cessation of open cut operations.
- *Spontaneous Combustion* – no incidents in the audit period and no evidence of ineffective management.
- *Tailings Management* – no issues identified.
- *Visual Impact* – the sites underground surface facilities are well obscured in the box cut on the northern side of the New England Highway and by visual bunds and tree screens on the southern side of the New England Highway. It would be extremely difficult, if not impossible to completely screen the CHPP from the Highway, see Figure 2, due to the highway embankment across the floodplain. The site is clearly not effectively screened from this angle.



Figure 2 - View of Ashton Across the New England Highway from Lemington Road

- **Waste Management** – generally very good, the one issue of tyres identified above the underground to be actioned.



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8 RECOMMENDATIONS

Following are recommendations from the audit, note that they do not all relate to non-compliance some are observations and that not all non-compliances have recommendations.

1. ACOL should agree with the EPA the actual locations used for noise monitoring.
2. The small rehabilitated catchment on the Eastern Emplacement that flows offsite should be integrated into the surface water quality monitoring program.
3. The water management of the Eastern Emplacement area should be reviewed with a view to returning the water into the original receiving waters while minimising any impacts to those waters.
4. Complaints were followed though and complainants corresponded with. Each complaint should be signed off as completed (i.e. actions, correspondence and complaints related reporting/notification complete) to ensure complaints are not left open.
5. There was no tree screen along Lemington Road to provide visual screening of gas flares in that area. There were no gas flares. If gas flares will be required in that area in the future the tree screen should be put in place as a priority action due to the length of time required for a tree screen to be effective.
6. Revise the MOP to clarify the commitment at 8.4.2 regarding rehabilitation research.
7. Revise the wording in future Annual Reviews to include the context of the internal audits and the inclusion of a summary of site inspections to show compliance in "on ground" works.
8. 3 stream flow gauging stations are located in Bowmans Creek, however they are not currently operating satisfactorily to provide data that is able be reviewed. ACOL keep a measure on the losses from Bowmans Creek by review of inflows to the UG. This requirement should be removed from the next revision of the WMP and an alternative one inserted using the inflow data from the underground to assess potential impacts.
9. In association with recommendation #8 above, review the Groundwater TARP.
10. Review the requirement for and the condition of the equipment in the laydown area above the underground.

Note also that ACOL are required to respond to each of the non-compliances noted in Section 4 of this report in the response to the audit findings that must be presented to DP&E along with the final version of this report.



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9 CONCLUSION

Environmental management at the ACP has been very good through the audit period with a reduction in complaints to almost zero, excellent quality rehabilitation and a reduction in the number of issues and non-compliances since the previous IEA. The cessation of open cut operations has assisted with the lowering of impact on the community and environment.

There is some room for improvement in some areas, though these are considered generally minor and readily addressed.

No non-compliances were assessed as High Risk in this audit.



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APPENDIX A – AUDIT TEAM APPROVAL



Contact: Chris Knight
Phone: (02) 6575 3404
Fax: (02) 6575 3415
Email: christopher.knight@planning.nsw.gov.au

Our ref: DA 309-11-2001-i

Digby Short
Environmental and Community Manager
Ashton Coal Operations Pty Limited
PO Box 699
SINGLETON NSW 2330

Dear Digby,

RE: Ashton Coal 2016 Independent Environmental Audit.

I refer to your letter dated 15th September 2016 seeking approval for the upcoming Ashton Coal Independent Environmental Audit.

The Secretary has considered your request and approves that Mr. Peter Horn Environmental Principle and lead auditor be engaged for the upcoming Independent Environmental Audit as required by the Ashton Coal Development Consent (DA 309-11-2001-i).

Secondly the Secretary approves a revised temporal scope for the proposed audit from October 2013 to 19th June 2016 to align with the DA 309-11-2001-i Modification 10 Conditions.

Please note that the 2019 Independent Environmental Audit period for Ashton Coal will be required to have an increased temporal scope from 20th June 2016 till October 2019, and will be for a period of 3 years and 4 months.

The Department requests that the audit be conducted in accordance with the Independent Audit Guideline dated October 2015. A copy of this guideline can be located at <http://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report together with responses to any recommendations contained in the audit report should be submitted within 6 weeks of completion of the audit.

Should you have any enquiries in relation to this matter, please contact Chris Knight on telephone 6575 3404.

Yours sincerely

Wayne Jones
Investigations (lead) Compliance Northern Region
as the Secretary's Nominee



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APPENDIX B – CONSULTATION



Contact Hannah Grogan

Phone (02) 4904 2616

Email

Our ref V15/3875#16, OUT16/41540

Your ref Project 30, 2016 & DA 309-11-2001-i

Peter Horn
Environmental Consultant – Lead Auditor

By email:

Dear Mr Horn

Ashton Coal 2016 Independent Environmental Audit

Thank you for the opportunity to comment on the planned independent environmental audit of Ashton Coal Mine.

DPI Water understands that the scope of the assessment as outlined under the development consent extends at least to compliance with:

- the conditions of consent;
- the statements of commitments as appended to the consent;
- any reporting or requirements within any relevant management plans prepared under the consent.
- all trigger action response plans for surface and groundwater impacts.

DPI Water requests that the audit considers compliance with the relevant water licensing requirements for the mining operation, specifically:

- Assessment as to whether the project holds the required water entitlements and licences under the *Water Management Act 2000* or *Water Act 1912* (as applicable);
- Compliance with the conditions of any water licences/approvals held.
- Identification of all water storages for the mine and identification of their licensing status being either exempt, subject to harvestable rights or regulated via a Water Access Licence.
- Quantification of both active and passive take by the project from each relevant water source and a comparison against previous predictions.

The following questions may aid in assessing the water licensing requirements of the mine operation:

- Does the proponent have enough licensed water entitlement to cater for active and passive take of water?
- Are adequate records kept to enable determination of the volume and source of surface and groundwater taken?
- Do any exemptions under the *Water Management (General) Regulation 2011* or Harvestable Rights Order (gazetted 31 March 2006) apply to the capture of water?

I trust this information is of assistance. Please contact Hannah Grogan, Water Regulation Officer (Newcastle) on (02) 4904 2516 or if you have further enquiries regarding this matter.

Yours sincerely

Irene Zinger
A/Regional Manager Metro
DPI Water

04 November 2016

Peter Horn

From: Kate Walsh
Sent: Tuesday, 1 November 2016 3:51 PM
To: Peter Horn
Cc: digby.short
Subject: RE: Ashton Coal 2016 Independent Environmental Audit

Hi Peter,

The NSW Department of Industry - Division of Resources and Energy (DRE) received the "Ashton Coal 2016 Independent Environmental Audit – Request input letter" on 24 October 2016.

DRE suggests the audit address the following questions. Note further that this listing is not intended to be exhaustive and that the auditor should consider all matters he or she considers appropriate.

Audit Component - Desktop

Is there a current Mining Operations Plan (MOP) in place and has it been approved by DRE?

Has the MOP been prepared in consultation with the relevant agencies as outlined in the Project Approval?

Is the rehabilitation strategy as outlined in the MOP consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s)?

Has the rehabilitation objectives and completion criteria as outlined in the MOP been developed in accordance with the proposed final land(s) as outlined in the Project Approval?

Has a rehabilitation monitoring program been developed and implemented to assess performance against the nominated objectives and completion criteria? – verified by reviewing monitoring reports and rehabilitation inspection records.

Has a rehabilitation care and maintenance program been developed and implemented based on the outcomes of monitoring program? – verified by reviewing Annual Rehabilitation Programs or similar documentation.

Audit Component - Site Inspection

Are mining operations being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary? – to be verified by site plans and site inspection.

Is rehabilitation progress consistent with the approved MOP as verified by site plans and a site inspection? This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in Project Approval.

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?

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

Regards,

Kate

Kate Walsh | Inspector Environment
NSW Department of Industry | Resources & Energy
516 High Street | Maitland NSW 2320
GPO Box 344 | Hunter Region Mail Centre NSW 2310
T: . M: . | E: .
W: www.resourcesandenergy.nsw.gov.au
Twitter: [@nswre](https://twitter.com/nswre) | Facebook: [nswre](https://www.facebook.com/nswre)

From: Peter Horn
Sent: Monday, 24 October 2016 9:24 AM
To: 'Kate Walsh'
Subject: Ashton Coal 2016 Independent Environmental Audit

Hi Kate,

Find attached a letter requesting input into the audit process for Ashton, any concerns that the Department has regarding the environmental management of the site will be taken into consideration.

Kind Regards
Peter

Peter Horn (*BAppSci (Env), MAppSci (Mngt & Rest), MEIANZ, MCASANZ*)
Environmental Principal
Certified Lead Environmental Auditor (EXEMPLAR)



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Peter Horn

From: Robert Gibson
Sent: Thursday, 27 October 2016 1:37 PM
To: Peter Horn; Richard Bath
Subject: RE: Ashton Coal 2016 Independent Environmental Audit

Dear Peter,

Thank you for your e-mail. I note that the planned site work for the forthcoming audit on the Ashton Coal Mine land is scheduled for next week. OEH has reviewed the consent conditions and in addition to checking that all required actions and outcomes have been done when required OEH recommends the following matters are also considered in relation to some of the consent conditions:

Condition 3.9 Performance Measures – Natural and Heritage Features, etc

That more finely described performance indicators for allowable subsidence impacts on watercourses, biodiversity and Aboriginal cultural heritage features developed by the proponent are presented in the audit report.

Flora and Fauna Assessment, Management and Monitoring

That details in relation to Condition 3.41, of the extent of indigenous vrs more widely sourced seed and other propagation material used for revegetation of the site, are provided. That in relation to Condition 3.42 which threatened species, if any, have been identified on the coal mine during construction and operation and to provide details of any shut down of work to avoid adverse impacts to those species. And in relation to Condition 3.44 to what extent natural drainage patterns have been re-established on disturbed land and which factors, if any, may not have made this possible in any area.

If you have any questions about the above then please call me on 4927 3154.

Kind regards,

Robert

Robert Gibson
Regional Biodiversity Conservation Officer
Regional Operations Group
Office of Environment and Heritage
Locked Bag 1002 Dangar NSW 2309
(Level 4/26 Honeysuckle Drive Newcastle)
T:
W:

From: Peter Horn
Sent: Monday, 24 October 2016 9:28 AM
To: Richard Bath
Subject: Ashton Coal 2016 Independent Environmental Audit

Hi Richard,

Find attached a letter requesting input into the audit process for Ashton, any concerns that OEH has regarding the environmental management of the site will be taken into consideration.

Kind Regards
Peter

Peter Horn (*BAppSci (Env), MAppSci (Mngt & Rest), MEIANZ, MCASANZ*)
Environmental Principal

Certified Lead Environmental Auditor (EXEMPLAR)



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Mobile |

Address

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APPENDIX C – RISK ASSESSMENT CRITERIA AND AUDIT PROTOCOL

Consequences

Level Descriptor		Consequences
A	Catastrophic	Long term environmental damage (5 years or longer), requiring \$5million to correct or in penalties
B	Major	Medium-term (1-5 years) environmental damage, requiring \$1 to 5million to correct or in penalties
C	Moderate	Short-term (less than 1 year) environmental damage, requiring up to \$1million to correct or in penalties
D	Minor	Environmental damage, requiring up to \$200,000 to correct
E	Insignificant	Negligible environmental impact, managed within operating budgets

		Catastrophic	Major	Moderate	Minor	Insignificant
		A	B	C	D	E
Almost certain	1	High	High	High	Medium	Medium
Likely	2	High	High	High	Medium	Medium
Possible	3	High	High	Medium	Medium	Low
Unlikely	4	High	Medium	Medium	Low	Low
Rare	5	Medium	Medium	Low	Low	Low

Likelihood

Level Descriptor		Likelihood of the risk arising and leading to the assessed level of consequence	
1	Almost certain	Is expected to occur in most circumstances and has a history of occurrence	Once a year or more frequent
2	Likely	Will probably occur in most circumstances	Once in 1 to 3 years
3	Possible	Could occur at some time	Once in 3 to 10 years
4	Unlikely	Not likely to occur in normal circumstances	Once in 10 to 50 years
5	Rare	May occur only in exceptional circumstances	Once in 100 years or more

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Development Approval 309-11-2001-1							
MOD 10 - 12 December 2012 Modification							
SCHEDULE 2							
1. GENERAL CONDITIONS							
Scope of Development							
Obligation to Minimise Harm to the Environment	1	There is an obligation on the Applicant to prevent and minimise harm to the environment throughout the life of the project. This requires that all practicable measures are to be taken to prevent and minimise harm that may result from the construction, operation and, where relevant, decommissioning of the development.	There have been no notifiable incidents of environmental harm within the audit period.	Compliant			
Terms of Approval							
	1.2	The Applicant shall carry out the development generally in accordance with the:					
	a	development application No.309-11-2001-1 as amended by the document in sub clause v);	This section of the audit	Noted			
	b	EIS, 3 volumes, dated November 2001, prepared by HLA Enviro-sciences Pty Ltd and certified in accordance with Section 78A(8) of the Act;	Assessed elsewhere in the audit	Noted			
	c	Aboriginal Cultural Heritage Assessment dated July 2001, prepared by the Upper Hunter Wonnarua Council and forwarded in a letter from WML received 12 December 2001;	Assessed elsewhere in the audit	Noted			
	d	conceptual design for upgrade works to Glennies Creek Road provided to SSC and Planning NSW by WML dated 10 December 2001;	Assessed elsewhere in the audit	Noted			
	e	information provided to Planning NSW by WML on 4 February 2002, titled "Ashton Coal Project Meeting – Planning NSW";	Assessed elsewhere in the audit	Noted			
	f	additional information relating to flora and fauna surveys, the diversion of Bowmans Creek, water quality, groundwater, air quality and Aboriginal cultural heritage provided by HLA Enviro-sciences to Planning NSW	Assessed elsewhere in the audit	Noted			
	g	information relating to groundwater impacts provided by HLA-Enviro-sciences to Planning NSW dated 14 March 2002;	Assessed elsewhere in the audit	Noted			
	h	additional information relating to subsidence impacts, groundwater impacts, agricultural impacts, project justification and blasting impacts provided by HLA Enviro-sciences to Planning NSW dated 28 March 2002;	Assessed elsewhere in the audit	Noted			
	i	additional water management information provided to DEC and other NSW Government agencies prepared by HLA Enviro-sciences Pty Ltd, dated 5 April;	Assessed elsewhere in the audit	Noted			
	j	fax from WML to PlanningNSW dated 13 May 2002 relating to a meeting held on 7 May 2002;	Assessed elsewhere in the audit	Noted			
	k	letter from HLA Enviro-sciences to PlanningNSW dated 16 May 2002, relating to flora and fauna surveys and agricultural impacts;	Assessed elsewhere in the audit	Noted			
	l	description and proposed diversion option 2 provided by WML to PlanningNSW dated 17 May 2002; and	Assessed elsewhere in the audit	Noted			
	m	response to public submissions from HLA Enviro-sciences to PlanningNSW dated 31 May 2002;	Assessed elsewhere in the audit	Noted			
	n	additional information provided by WML regarding Northern Woodland Remnant dated 31 May 2002.	Assessed elsewhere in the audit	Noted			
	o	additional information and letter provided by WML to PlanningNSW regarding Salinity and Green Offsets for the Project dated 20 June 2002;	Assessed elsewhere in the audit	Noted			
	p	revised Aboriginal cultural heritage survey provided by HLA Enviro-sciences to PlanningNSW dated 24 June 2002;	Assessed elsewhere in the audit	Noted			
	q	letter from HLA-Enviro-sciences to PlanningNSW dated 2 July 2002 relating to Green Offsets report;	Assessed elsewhere in the audit	Noted			
	r	letter from HLA-Enviro-sciences to NPWS dated 3 July 2002 relating to Aboriginal cultural heritage;	Assessed elsewhere in the audit	Noted			
	s	additional information relating to Aboriginal cultural heritage from HLA Enviro-sciences to PlanningNSW dated 15 July 2002;	Assessed elsewhere in the audit	Noted			
	t	fax from WML to PlanningNSW dated 25 July 2002 relating to Aboriginal consultation;	Assessed elsewhere in the audit	Noted			
	u	letter from WML to PlanningNSW dated 12 August 2002 relating to a conservation area;	Assessed elsewhere in the audit	Noted			
	v	amendment to DA from WML to PlanningNSW titled "Description of Alternate Mine Layout for Underground Mine (Option 4) dated 6 September 2002; and	Assessed elsewhere in the audit	Noted			
	w	fax from WML to PlanningNSW dated 13 September 2002 relating to an internal coal haul road;	Assessed elsewhere in the audit	Noted			
	x	Submission Pursuant to Section 96(2) of the Environmental Planning and Assessment Act 1979, dated August 2004, prepared by Ashton Coal Operations Pty Limited;	Assessed elsewhere in the audit	Noted			
	y	Supplementary Air Quality Information, dated 9 November 2004, prepared by Holmes Air Sciences;	Assessed elsewhere in the audit	Noted			
	z	Documents titled Ashton Coal Tailings Pipeline – Application to Modify Development Consent and Statement of Environmental Effects, dated 2 November 2006 and prepared by Parsons Brinkerhoff;	Assessed elsewhere in the audit	Noted			
	aa	Document titled Development Consent Modification DA 309-11-2001-1 MOD 4 dated July 2009, prepared by Wells Environmental Services;	Assessed elsewhere in the audit	Noted			
	ab	Document titled Second Response to Submissions - Ashton Coal Operations Ltd. (ACOL) - Longwall/Miniwall Panel No. 9 dated 24 December 2009;	Assessed elsewhere in the audit	Noted			
	ac	Documents titled Ashton Coal Bowmans Creek Diversion Environmental Assessment dated 3 December 2009, prepared by Evans & Peck, Ashton Coal Bowmans Creek Diversion Response to Submissions, prepared by	Assessed elsewhere in the audit	Noted			
	ad	Documents titled Environmental Assessment for the Modification of DA 309-11-2001-1 (MOD 7) comprising underground mine interim gas drainage open cut Hebdon seam recovery Condition 3.14 (Schedule 2)	Assessed elsewhere in the audit	Noted			
	ae	documents titled Modification application to Ashton Coal Project DA 30-9-11-2001 MOD 8, dated 2 December 2011 prepared by Ashton Coal Operations Pty Limited, Aboriginal Archaeological Assessment, Development of	Assessed elsewhere in the audit	Noted			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	af	documents titled Environmental Assessment for the Modification of DA 309-11-2001-I (MOD 9) Comprising Upcast Ventilation Shaft, Fans and Mine Service Infrastructure, dated February 2012, prepared by Wells	Assessed elsewhere in the audit	Noted			
	ag	documents titled Environmental Assessment for the Modification of DA 309-11-2001-I (MOD 10) Comprising Central Gas Drainage Plant and Associated Surface Infrastructure, dated 2 August 2012 prepared by Wells	Assessed elsewhere in the audit	Noted			
	ah	conditions of this consent.	Assessed elsewhere in the audit	Noted			
	1.3	If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. However, the conditions of this consent shall prevail over all	This is noted, no finding is required to be made.	Noted			
Provision of Documents							
	1.4	Where practicable, the Applicant shall provide all draft documents and reports required to be submitted to the Director-General under this consent in an appropriate electronic format. Approved versions of documents are to be provided as a hard copy. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption. Note: at the date of this consent, an appropriate electronic format for submission to the Director-General is the "portable document format" (PDF) or another format that may be readily converted to portable document format.	Noted, no evidence of non-compliance but not assessed fully in this audit	Not able to be Verified			
	1.5	Nothing in this consent prevents the Applicant from combining reporting requirements under this consent with identical or similar reporting requirements for submission to another relevant party. Reporting requirements shall only be combined with the prior agreement of the Director-General of Planning and the Director-General (or equivalent) of the other relevant party, if reporting to that party is to be modified. Note: the purpose of conditions 1.4 and 1.5 is to provide for minimisation of resource utilisation (particularly paper) associated with administration of this consent.	The Annual Reviews are used to report to the Department of Resources and Energy, OEH and DP&E but no modification of reporting requirements have been noted so the consent of the Director General has not been required.	Not Triggered			
	1.6	The Applicant shall make the following documents available to the public upon request at the mine site and SSC, and shall post all documents on the internet, within 14 days of approval of the documents by the Director-General or relevant agency:	Outside of the audit period.	Not Triggered			
	a	this consent;	Found to be on the ACOL website.	Compliant			
	b	any licenses or approvals for the mine obtained from Government agencies;	Found to be on the ACOL website.	Compliant			
	c	the Mining Operations Plan; and,	Found to be on the ACOL website.	Compliant			
	d	all documents required under this consent, including the environmental management strategy, environmental management plans, AEMRs, SMPs, and Independent Audits.	Found to be on the ACOL website.	Compliant			
Statutory Requirements							
	1.7	The Applicant shall ensure that all licenses, permits and approvals for the development are obtained and kept up-to-date as required.	This was found to be as such.	Compliant			
Dispute Resolution							
	1.8	In the event that a dispute arises between the Applicant and Council or the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act. Note: Section 121 of the Environmental Planning and Assessment Act 1979 provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.	No such event has occurred during the audit period.	Not Triggered			
Compliance							
	1.9	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	As satisfied by the delivery of ACOL Environmental Awareness Training, role-specific training, etc.	Compliant			
	1.10	At least two weeks prior to each of the events listed from a) to b) below, an independent person(s) or organisation(s), approved by the Director-General, shall certify in writing to the satisfaction of the Director-General, that the Applicant has complied with all conditions of this consent applicable prior to that event. Where an event is to be undertaken in stages, the Applicant may, subject to the agreement of the Director-General, stage the submission of compliance certification consistent with the staging of activities relating to that event:	Outside of the audit period.	Not Triggered			
	a	commencement of construction; and	Outside of the audit period.	Not Triggered			
	b	commencement of mining operations.	Outside of the audit period.	Not Triggered			
	1.11	Notwithstanding condition 1.10 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.	This is noted, no finding is required to be made.	Noted			
	1.12	The Applicant shall meet the reasonable requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.	This is noted, no finding is required to be made.	Noted			
	1.13	Any compliance report or compliance update required under condition 1.10 or 1.11 of this consent shall be made available for public inspection on request.	No compliance reports required during the audit period.	Not Triggered			
	1.14	If at any time, the Director-General is made aware of the occurrence of any environmental impacts from the proposal that pose serious environmental and/or amenity concerns, due to the failure of environmental measures required by the Conditions of Consent to ameliorate the impacts, the Director-General may order the Applicant to cease the activities causing those impacts until those concerns have been addressed to the satisfaction of the Director-General.	No such event during the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Period of Approval/Project Commencement							
	1.15	This consent provides approval for mining for a period of 21 years from the date of granting of a mining lease pursuant to this consent. Note: Conditions of this consent may require activities to be carried out by the Applicant beyond the period of approval for mining.	Mining consent is valid until 2023.	Not Triggered			
	1.16	<i>Date of commencement of construction and Mining Operations is to be notified in writing to the Director-General, and SSC, at least two weeks prior to commencement of construction and Mining Operations respectively.</i>	Prior to the audit period.	Not Triggered			
Security Deposits and Bonds							
	1.17	Security deposits and bonds will be paid as required by DRE Minerals under mining lease approval conditions.	Security Deposit/Bank Gaurantees sighted during the audit visit.	Compliant			
Prohibition of Works							
	1.18	The Applicant shall design underground workings to ensure that longwall voids do not result closer than 40 metres from any point vertically beneath the high bank of Bowmans Creek (except those sections of channel made redundant by the diversion).	A review of plans during the audit visit found this to be as such.	Compliant			
	1.19	The Applicant shall not construct any private haul road from the site to the Macquarie Generation coal conveyor as proposed in the EIS.	This haul road has not been constructed, all coal is railed from site.	Compliant			
Management Plans/Monitoring Programs							
	1.21	Within 3 months of the submission of an:					
	a	audit under condition 8.8 of schedule 2;	This was found to be as such.	Compliant			
	b	annual environmental management report under condition 9.2 of schedule 2; and/or					
	c	a modification to this approval,					
		the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Director-General.					
		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 development.	This is noted, no finding is required to be made.	Noted			
Staged Submission of any Strategy, Plan or Program							
	1.22	With the approval of the Director-General, the applicant may submit any strategy, plan or program required by this consent of a progressive basis.	This is noted, as well as found to have occurred.	Compliant			
		<i>Note: While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on the development site are covered by suitable strategies, plans or programs at all times.</i>	This is noted, no finding is required to be made.	Noted			
	1.23	Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant shall continue to implement the existing strategies, plans or programs for development on the development site that have been approved under previous consents or approvals.	No evidence of activities being conducted without a valid strategy, plan or program as required by this consent.	Compliant			
2. MINE MANAGEMENT							
Mine Management Plan, Operations and Methods							
	2.1	No mining undertaken in accordance with this consent shall occur until the Applicant has submitted and had accepted by the DRE, a Mining Operations Plan (MOP) in accordance with current guidelines issued by DRE.	See the audit outcomes of the MOP.	Compliant			
	2.2	The MOP shall:					
	a	be prepared in accordance with DRE Guidelines for the Preparation of Mining Operations Plans (Document 08060002.GUJ or its most recent equivalent);	This was found to be as such.	Compliant			
	b	demonstrate consistency with the conditions of this consent and any other statutory approvals;	This was found to be as such.	Compliant			
	c	demonstrate consistency with the Environmental Management Strategy and Environmental Management Plans for the project site;	This was found to be as such.	Compliant			
	d	provide the basis for implementing mining operations, environmental management, and ongoing monitoring;	This was found to be as such.	Compliant			
	e	include a mine rehabilitation and Land Use Management Plan; and	Section 4.3 Rehabilitation Objectives, Section 5 Rehabilitation Planning and Management.	Compliant			
	f	identify a schedule of proposed mine development for the period covered by the plan and include:	Section 2.2.3 Mine Development and Sequence.	Compliant			
	f i	the area proposed to be impacted by mining activity and resource recovery mining methods and remediation measures;	This was found to be as such.	Compliant			
	f ii	areas of environmental, heritage or archaeological sensitivity and mechanisms for appropriately minimising impact;	This was found to be as such.	Compliant			
	f iii	water management, and	Sections 3.12 and 3.13.	Compliant			
	f iv	proposals to appropriately minimise surface impacts.	This was found to be as such.	Compliant			
	2.3	In preparing the MOP, the Applicant shall consult with affected service authorities and make arrangements satisfactory to those authorities for the protection or relocation of those services.	Initial preparation of MOP was outside of the audit period. Ongoing consultation continues for the preparation of Extraction Plans.	Compliant			
	2.4	A copy of the MOP, excluding commercial in confidence information, shall be forwarded to SSC and the Director-General within 14 days of acceptance by DRE.	MOP approved 10 May 2016, submission to DG sighted, email submission of MOP to SSC not provided as evidence	Not Compliant Administrative			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	2.5	At least two years prior to the cessation of mining operations the Applicant shall investigate, determine and report, taking account of the potential community benefits, on a final strategy for the future use of the mine site, weirs, dams and any other infrastructure in consultation with the Department, NoW and SSC and for approval of DRE and the Director-General.	Mining Operations approved until 2023.	Not Triggered			
	2.5A	The Applicant shall submit a detailed design and management plan to the DRE. The Applicant shall not place overburden on the eastern emplacement area above RL 125 metres until the DRE has approved the plan.	This has not been required during the audit period.	Not Triggered			
	2.5B	Prior to placing overburden on the eastern emplacement area above RL 125 metres, the Applicant shall revise the Mine Operations Plan (MOP) for the development to the satisfaction of the DRE. The revised MOP shall: a) demonstrate consistency with the commitments made in documents listed in condition 1.2 and compliance with conditions of this consent; and b) include a schedule for the rehabilitation of the eastern emplacement area.	This has not been required during the audit period.	Not Triggered			
	2.5C	Tailings Emplacement Operation Plan Prior to commissioning pipelines for offsite emplacement of tailings the Applicant shall: a) develop a Tailings Emplacement Operation Plan (TEOP) to the satisfaction of DRE The TEOP shall become an annexure to the Ashton Coal MOP and shall include details of the proposed stabilisation and revegetation of all soil disturbance areas and other detail as described in Ashton Coal Tailings Pipeline - Application to Modify Development Consent and Statement of Environmental Effects, dated 2 November 2006 and prepared by Parsons Brinkerhoff; and b) provide a revised security deposit calculation for rehabilitation to the DRE based on the amended MOP.	TEOP provided Sighted an email detailing TEOP to the satisfaction of DRE (put date of email). Note: Not yet required to be annexed to MOP as ML is not in place over the area. It is currently submitted, but not yet approved.	Not Triggered			
Spontaneous Combustion							
	2.6	The Applicant shall prepare, prior to the commencement of Mining Operations, a Spontaneous Combustion Management Plan to the satisfaction of DRE.	See the Spontaneous Combustion Management Plan reviewed elsewhere in this audit. Spon Com Approval letter (John Trotter, DRE 28/3/2014)	Compliant			
Limit on Production/Hours of Operation							
	2.7	Annual production of coal from the ACP shall not exceed 5.45 Mtpa of ROM coal.	This has not been exceeded in the audit period.	Compliant			
	2.8	Hours of operation at the development shall be as follows: OPERATION OPERATING HOURS Open cut mining 7am-10pm Monday to Saturday and 8am-10pm Sunday Underground Mining, Train Loading and CHPP operation 24hrs, 7 days Blasting 9am-5pm Monday to Saturday Bowmans Creek Diversion works 7am - 6pm Monday to Saturday 8am - 6pm sundays and Public Holidays Construction of gas wells 7am - 6pm Monday to Saturday 8am - 6pm sundays and Public Holidays	No Blasting in the audit period. No Opencut Mining in the audit period The Bowmans Creek Diversion was constructed prior to the audit period with rehabilitation activities such as tree planing carried over in the audit period. Underground mining, gas well installation and operation and coal loading of trains were conducted in the audit period. Contract for the construction of the Gas Wells sighted showing work hours are within approved times. At interview the Rehab works (Bowman Creek Diversion) were defined as using vehicles, hand held augers and as such did not amount to construction activities, and therefore these working hours do not apply.	Compliant			
3. LAND AND SITE ENVIRONMENTAL MANAGEMENT							
Appointment of Environment Officer							
	3.1	The Applicant shall employ a suitably experienced Environmental Officer(s) for the duration of activities undertaken under this consent whose appointment is to receive prior approval by the Director-General. The Officer(s) shall:					
	a	be responsible for the preparation of the environmental management plans;					
	b	be responsible for considering and advising on matters specified in the conditions of this consent and compliance with such matters;					
	c	be responsible for receiving and responding to complaints in accordance with condition 10.3;	Digby Short's letter of appointment sighted (Sept 2014), also its distribution list covering the nominated persons.	Compliant			
	d	facilitate an environmental induction and training program for all persons involved in any activities undertaken under this consent; and					
	e	have the authority to require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts and failing the effectiveness of such steps, to stop work immediately if an adverse impact on the environment is likely to occur.					
	3.2	The Applicant shall notify the Director-General, DRE, OEH, EPA, RMS, MSB, SSC, and the CCC of the name and contact details of the Environmental Officer(s) upon appointment and any changes to that appointment.	Current name and contact details of EO are provided in Annual Reviews which are circulated to these nominated parties	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Environmental Management Strategies and Plans							
	3.3	The Applicant shall prepare an Environmental Management Strategy providing a strategic context for the environmental management plans (refer condition 3.6). The Environmental Management Strategy shall be prepared following consultation with the OEH, EPA, DRE, SSC, RMS, MSB, and the Department, to the satisfaction of the Director-General. The strategy shall be provided to the Director-General no later than two weeks before the first environmental management plan under condition 3.6 is submitted.	Reviewed elsewhere in this audit, the provision of the EMS to the DG prior to the management plans occurred period to the audit period.	Compliant			
	3.4	The Environmental Management Strategy shall include, but not be limited to: a) statutory and other obligations which the Applicant is required to fulfill during construction and mining, including all approvals and consultations and agreements required from authorities and other stakeholders, and key legislative policies; b) definition of the role, responsibility, authority, accountability and reporting of personnel relevant to environmental management, including Environmental Officer(s); c) overall environmental management objectives and performance outcomes, for construction, mining and decommissioning of the mine, for each of the key environmental elements for which management plans are required under this consent; d) overall environmental and social objectives for the project, and a strategy for the restoration and management of the environmental and social values affected by mining operations within the context of those objectives; e) identification of cumulative environmental impacts and procedures for dealing with these at each stage of the development; f) overall objectives and strategies to promote economic productivity within the area affected by mining; g) procedures to ensure that all relevant approvals, management plans, and procedures are complied with by all staff and contractors; h) processes for conflict resolution in relation to environmental management of the project; i) a conceptual project schedule indicating when key activities would be undertaken and proposed timeframes and proposed timeframes for submissions and approval of EMPs; j) documentation of the results of consultations undertaken in the development of the EMS.	The 2006 Version of the ACOL EMS was reviewed. The 2015 revision had been approved at the time of the audit visit.	Compliant			
	a	statutory and other obligations which the Applicant is required to fulfill during construction and mining, including all approvals and consultations and agreements required from authorities and other stakeholders, and key legislative policies;	Appendix A	Compliant			
	b	definition of the role, responsibility, authority, accountability and reporting of personnel relevant to environmental management, including Environmental Officer(s);	Section 4	Compliant			
	c	overall environmental management objectives and performance outcomes, for construction, mining and decommissioning of the mine, for each of the key environmental elements for which management plans are required under this consent;	Decommissioning of the mine is not included in the 2006 EMS - it covers Phase 2 Underground Mining Operations.	Not Compliant Administrative			
	d	overall environmental and social objectives for the project, and a strategy for the restoration and management of the environmental and social values affected by mining operations within the context of those objectives;	Section 5	Compliant			
	e	identification of cumulative environmental impacts and procedures for dealing with these at each stage of the development;	Section 8	Compliant			
	f	overall objectives and strategies to promote economic productivity within the area affected by mining;	Section 9	Compliant			
	g	procedures to ensure that all relevant approvals, management plans, and procedures are complied with by all staff and contractors;	Sections 7.11 and 12.3	Compliant			
	h	processes for conflict resolution in relation to environmental management of the project;	Section 14	Compliant			
	i	a conceptual project schedule indicating when key activities would be undertaken and proposed timeframes and proposed timeframes for submissions and approval of EMPs;	Section 10	Compliant			
	j	documentation of the results of consultations undertaken in the development of the EMS.	Section 11	Compliant			
	3.5	The Applicant shall make copies of the Environmental Management Strategy available to NoW, OEH, EPA, DRE, SSC, RMS, MSB and the Department, and the CCC within fourteen days of approval by the Director-	Not within audit period.	Not Triggered			
	3.6	The Applicant shall prepare the following environmental management plans, which may also form part of the Mining Operations Plan: a) Spontaneous Combustion Management Plan (refer condition 2.6) b) Extraction Plan (refer condition 3.12) c) Archaeology and Cultural Heritage Management Plan (refer condition 3.36) d) Flora and Fauna Management Plan (refer condition 3.46) e) Rehabilitation Management Plan (refer condition 3.51) f) Landscape and Revegetation Management Plan (refer condition 3.55) g) Final Void Management Plan (refer to condition 3.56) h) Bushfire Management Plan (refer condition 3.57) i) Land Management Plan (refer condition 3.58) j) Water Management Plan (refer condition 4.7) k) Waste Management Plan (refer condition 5.3) l) Construction Air Quality Management Plan (refer condition 6.10) m) Operations Air Quality Management Plan (refer condition 6.10) n) Blasting/Vibration Management Plan (refer condition 6.26) o) Road and Rail Closure Management Plan (refer to condition 6.27) p) Construction Noise Management Plan (refer condition 6.42) q) Noise Management Plan (refer condition 6.43) r) Lighting Management Plan (refer condition 6.56) Note: In general terms, these environmental management plans apply throughout the DA area. However, where an Extraction Plan has been prepared and approved, the Director-General may agree to certain environmental management plans (e.g. the Flora and Fauna, Land and Water Management Plans) or parts of such plans applying only in those parts of the DA area outside of the underground mining area, to avoid duplication or overlap with the plans required under condition 3.12.	These plans have been found to be in place.	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	a	Spontaneous Combustion Management Plan (refer condition 2.6)	Spontaneous Combustion Management Plan is in place	Compliant			
	b	Extraction Plan (refer condition 3.12)	Extraction Plan is in place	Compliant			
	c	Archaeology and Cultural Heritage Management Plan (refer condition 3.36)	ACHMP in place	Compliant			
	d	Flora and Fauna Management Plan (refer condition 3.46)	Flora and Faun Management Plan - in place	Compliant			
	e	Rehabilitation Management Plan (refer condition 3.51)	Rehabilitation MP - incorporated in MOP - in place	Compliant			
	f	Landscape and Revegetation Management Plan (refer condition 3.55)	Landscape MP - incorporated in MOP - in place	Compliant			
	g	Final Void Management Plan (refer to condition 3.56)	Final Void MP - incorporated in MOP - in place	Compliant			
	h	Bushfire Management Plan (refer condition 3.57)	Bushfire MP - in place	Compliant			
	i	Land Management Plan (refer condition 3.58)	Land Management Plan - incorporated in MOP - in place	Compliant			
	j	Water Management Plan (refer condition 4.7)	Water MP - in place	Compliant			
	k	Waste Management Plan (refer condition 5.3)	Waste MP - in place	Compliant			
	l	Construction Air Quality Management Plan (refer condition 6.10)	Construction AQMP - outside audit period, now operation AQMP.	Compliant			
	m	Operations Air Quality Management Plan (refer condition 6.10)	Operations AQMP - AQMP was in place.	Compliant			
	n	Blasting/Vibration Management Plan (refer condition 6.26)	Blasting Vibration MP - no longer required and not required in the audit period.	Compliant			
	o	Road and Rail Closure Management Plan (refer to condition 6.27)	Road and Rail Closure MP - no longer required and not required in the audit period.	Compliant			
	p	Construction Noise Management Plan (refer condition 6.42)	Construction Noise MP - outside audit period, now operation NMP.	Compliant			
	q	Noise Management Plan (refer condition 6.43)	Noise MP - was in place.	Compliant			
	r	Lighting Management Plan (refer condition 6.56)	Lighting MP - was in place.	Compliant			
		Note: In general terms, these environmental management plans apply throughout the DA area. However, where an Extraction Plan has been prepared and approved, the Director-General may agree to certain environmental management plans (e.g. the Flora and Fauna, Land and Water Management Plans) or parts of such plans applying only in those parts of the DA area outside of the underground mining area, to avoid duplication or overlap with the plans required under condition 3.12.	This is noted, no finding is required to be made.	Noted			
	3.7	The Applicant may, subject to written approval of the Director-General, divide the preparation and submission of any environmental management plans required under this consent, listed in condition 3.6, between open cut and underground mining operations. Any intention to divide environmental management plans shall be declared and approved in the Environmental Management Strategy (condition 3.3).	None divided during the audit period - no open cut mining during Audit Period.	Not Triggered			
	3.8	The Applicant shall make copies of the environmental management plans in condition 3.6 above available to the relevant government agencies, SSC and the CCC, within 14 days of approval.	Management Plans are available on ACOL website.	Compliant			
Subsidence Management							
Performance Measures – Natural and Heritage Features, etc	3.9	The applicant shall ensure that underground mining does not cause any exceedances of the performance measures in Table 1, to the satisfaction of the Director-General. Table 1: Subsidence Impact Performance Measures Watercourses Bowmans Creek - No greater subsidence impact or environmental consequences than predicted in the documents referred to in condition 1.2 ac) Bowmans Creek Eastern and Western Diversions - Hydraulically and geomorphologically stable Bowmans Creek Alluvium - No greater subsidence impact or environmental consequences than predicted in the documents referred to in condition 1.2 ac) Biodiversity Threatened species, threatened populations, or endangered ecological communities - Negligible impact or environmental consequences Aboriginal heritage features Waterhole Site - Negligible impact or environmental consequence Other Aboriginal heritage sites - No greater subsidence impact or environmental consequences than approved under a permit issued under section 90 of the National Parks and Wildlife Act 1974 Notes: 1) The Applicant will be required to define more detailed performance indicators for each of these performance measures in the various management plans that are required under this consent (see condition 3.12 below). 2) The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of approval of modification 6.	Fortnightly subsidence management reports - impacts against relevant parts of the current management plan, observed and reported impacts. These performance measures are also reported against in the AR's. No impacts have occurred during the audit period.	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	3.10	<p>The Applicant shall ensure that underground mining does not cause any exceedances of the performance measures in Table 2, to the satisfaction of the Director-General of DRE.</p> <p>Table 2: Subsidence Impact Performance Measures</p> <p>Built features New England Highway, including the bridge over Bowmans Creek - Always safe and serviceable. Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired. Brunkers Lane - In accordance with recommendations of the report prepared under condition 7.14 Other built features, including other public infrastructure - Always safe. Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repaired or replaced, or else fully compensated.</p> <p>Public safety Public safety - No additional risk</p> <p>Notes: 1) The Applicant will be required to define more detailed performance indicators for each of these performance measures in Built Features Management Plans (see condition 3.12 below). 2) The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of modification 6. 3) Requirements regarding "safe" or "serviceable" do not prevent preventative or mitigatory actions being taken prior to or during mining in order to achieve or maintain these outcomes. 4) Compensation required under this condition includes any compensation payable under the Mine Subsidence Compensation Act 1961 and/or the Mining Act 1992.</p>	<p>Fortnightly subsidence management reports - impacts against relevant parts of the current management plan, observed and reported impacts.</p> <p>These performance measures are also reported against in the AR's.</p> <p>No Impacts have occurred during the audit period.</p>	Compliant			
	3.11	Any dispute between the Applicant and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 2 is to be settled by the Director-General of DRE. The	No such disputes within the audit period.	Not Triggered			
Extraction Plans	3.12	The Applicant shall prepare and implement an Extraction Plan for the second workings within each seam to be mined to the satisfaction of the Director-General. Each Extraction Plan must:	ASHTON COAL PROJECT UPPER LIDDELL SEAM EXTRACTION PLAN LW 105 - 107 (Dec 2015) reviewed.				
	a	be prepared by a team of suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;	Endorsement provided by the DP&E on 12 June 2014.	Compliant			
	b	be approved by the Director-General before the Applicant carries out any of the second workings covered by the plan;	EP approved 22-01-16, secondary extraction occurred after that date according to the EOP Reports.	Compliant			
	c	include detailed plans of existing and proposed first and second workings and any associated surface development;	As contained in the EP and its Appendices.	Compliant			
	d	include detailed performance indicators for each of the performance measures in Tables 1 and 2;	As contained in the specific management plans attached to the EP.	Compliant			
	e	provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this	Volume 2 of the EP (Technical Specialist Reports)	Compliant			
	f	describe the measures that would be implemented to ensure compliance with the performance measures in Tables 1 and 2, and remediate any impacts and/or environmental consequences;	As contained in Site Environmental Management Plans	Compliant			
	g	include the following to the satisfaction of DRE: • a coal resource recovery plan that demonstrates effective recovery of the available resource;	Extraction Plan approved by DRE 22/1/16.	Compliant			
	h	<p>include a:</p> <ul style="list-style-type: none"> • Water Management Plan, which has been prepared in consultation with EPA and NoW, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on surface water resources, groundwater resources and flooding, and which includes: <ul style="list-style-type: none"> - surface and groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; - a program to monitor and report groundwater inflows to underground workings; and - a program to manage and monitor impacts on groundwater bores on privately-owned land; • Biodiversity Management Plan, which has been prepared in consultation with OEH and DRE, which: <ul style="list-style-type: none"> - includes a program of works to ensure that overall terrestrial and aquatic biodiversity values are the same or better than existed in Bowmans Creek prior to longwall mining; - provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna; • Land Management Plan, which has been prepared in consultation with any affected public authorities, to manage the potential impacts and/or environmental consequences of the proposed second workings on land in general; • Heritage Management Plan, which has been prepared in consultation with OEH and relevant stakeholders for Aboriginal heritage, to manage the potential environmental consequences of the proposed second workings on Aboriginal heritage sites or values; and <p>(i) include a program to collect sufficient baseline data for future Extraction Plans . Note: An SMP approved by DRE prior to 30 June 2011 is taken to satisfy the requirements of this condition.</p>	<p>Water Management Plan; Appendix E. Biodiversity Management Plan; Appendix F - Flora and Fauna (Biodiversity) Management Plan Land Management Plan Covered under the approved Flora and Fauna (Biodiversity) Management Plan and MOP Heritage Management Plan; Appendix G – Archaeological and Cultural Heritage Management Plan Program to collect sufficient baseline data for future Extraction Plans; Appendix B – Subsidence Effects Monitoring Program</p>	Compliant			
	3.13	The Applicant shall ensure that the management plans required under condition 3.12(h) above include:					
	a	an assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this consent;	Volume 2 of the EP (Technical Specialist Reports)	Compliant			
	b	a detailed description of the measures that would be implemented to remediate predicted impacts; and	Volume 2 of the EP (Technical Specialist Reports)	Compliant			
	c	a contingency plan that expressly provides for adaptive management.	Section 6.1	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
First Workings	3.14	The Applicant may carry out first workings within the underground mining area, other than in accordance with an approved extraction plan, provided that DRE is satisfied that the first workings are designed to remain long-term stable and non-subsiding, except insofar as they may be impacted by second workings. Note: The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with zero resulting subsidence impacts.	Sighted first workings approvals (DRE, LW 105 to 108 First Workings Approval, 16/12/2013) and (DRE, First Workings 105 to 108, 13/2/15 - modified layout)	Compliant			
Payment of Reasonable Costs	3.15	The Applicant shall pay all reasonable costs incurred by the Department to engage independent experts to review the adequacy of any aspect of an Extraction Plan.	This has not been required during the audit period.	Not Triggered			
Heritage Assessment, Management and Monitoring							
General	3.30	The Applicant shall provide for permanent conservation of the land shown on the indicative plan in Schedule 3 (the "conservation area") through establishment of a Conservation Agreement with the Minister for the Environment under Part 4, Division 7 of the National Parks and Wildlife Act 1974. The purpose of the Conservation Agreement shall be to protect and conserve Aboriginal cultural heritage, and biodiversity, within the conservation area and any other purpose agreed to by the Applicant and the Minister for the Environment. The agreement shall include provision for the developing of a Plan of Management for the conservation area, developed in consultation with the local Aboriginal community, which reflects the purpose of the Conservation Agreement. The content of the Plan of Management shall be as agreed by the relevant parties and generally in accordance with the following principles:	VCA sighted during the audit visit.	Compliant			
	a	the area shall be conserved in perpetuity;	As contained in the VCA.	Compliant			
	b	agriculture and grazing shall be allowed in areas where such activities would not compromise or conflict with:	As contained in the VCA.	Compliant			
	b i	conservation of Aboriginal cultural heritage sites;	As contained in the VCA.	Compliant			
	b ii	conservation of biodiversity; or,	As contained in the VCA.	Compliant			
	b iii	commitments regarding revegetation and management of native habitat areas, particularly the southern woodland remnant, made in documents referred to in condition 1.2;	As contained in the VCA.	Compliant			
	c	weed control and bushfire protection measures shall be permitted as necessary;	As contained in the VCA.	Compliant			
	d	underground mining of the conservation area shall be permitted, in accordance with this consent;	As contained in the VCA.	Compliant			
	e	specific measures shall be developed to ensure conservation of Aboriginal heritage and threatened species;	As contained in the VCA.	Compliant			
	f	rehabilitation and revegetation works shall be permitted where they do not conflict with conservation of Aboriginal cultural heritage;	As contained in the VCA.	Compliant			
	g	a permanent access road across the area shall be permitted; and	As contained in the VCA.	Compliant			
	h	access to the area by the local Aboriginal community shall be permitted.	As contained in the VCA.	Compliant			
		The Applicant shall commence negotiations with the Minister for the Environment within six months of the granting of the mining lease. The Applicant shall provide a copy of the agreement to the Director General and SSC within 14 days of the agreement being signed.	Outside of Audit Period	Not Triggered			
	3.31	The Applicant shall report on results of cultural heritage surveys and monitoring of the site before, during, and after mining operations annually in the AEMR. The purpose of the reporting shall be to identify new areas or increases to the area identified in condition 3.30 for the establishment of Conservation Agreements as defined in condition 3.30. The Applicant shall submit AEMRs to EPA and the Director-General for consideration. Following evaluation of the reporting in the AEMRs, the Director-General may, in consultation with EPA, request the Applicant to establish a Conservation Agreement following the procedure in condition 3.30.	2013 AR; Section 3.12.2/Table 26 2014 AR; Section 3.12.2/Table 27 2015 AR; Table 9	Compliant			
	3.32	Within six months of the commencement of mining operations, the Applicant shall make a contribution of \$50,000 towards a trust fund set up by the Department and the Public Trustee for the purposes of a regional study into Aboriginal cultural heritage as defined by the Trust Deed.	Not in audit period.	Not Triggered			
	3.33	The Applicant shall provide the local Aboriginal community with the opportunity to recover artifacts as approved by the s90 permits, and arrange access to Aboriginal heritage on the site upon receipt of a request.	Members of Aboriginal community involved in collection of artefacts. No requests received during the audit period.	Compliant			
	3.34	If, during the course of any activities conducted under this consent, the Applicant becomes aware of any heritage or archaeological sites not previously identified, all work likely to affect the site shall cease immediately. The Applicant shall then consult with relevant authorities and decide on an appropriate course of action prior to recommencement of work. The relevant authorities may include OEH, the NSW Heritage Office, and the relevant local Aboriginal community. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work.	None found during the audit period.	Not Triggered			
	3.35	The Applicant shall consult regularly with the local Aboriginal community using consultation principles and strategies consistent with those outlined in the "Guidelines for best practice community consultation in the NSW Mining and Extractive Industries" or relevant OEH guidelines when available. The results of these consultations shall be documented in the AEMR.	Documented in ARs, 2013 3.12.2, 2014 3.12.2 (and following sections) and Section 6 - Table 9, 2015. ACCF conducted 6 monthly - minutes for June 2016 sighted	Compliant			
Archaeology and Cultural Heritage Management Plan	3.36	The Applicant shall prepare an Archaeology and Cultural Heritage Management Plan (ACHMP) to address Aboriginal and European cultural heritage issues. The Plan shall be prepared in consultation with the local Aboriginal community, and OEH, and to the satisfaction of the Director-General. The Plan shall include but not be limited to:	ACHMP is in place	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	All management measures are generally consistent with the commitments made in the various documents (refer to Table 5, ACHMP)	Compliant			
	b	identification of all areas of conservation within the DA area;	The conservation areas have been excluded from the AHIP boundaries and these areas will be managed to prevent impacts.	Compliant			
	c	provision of management strategies including procedures and protocols for conservation and protection of Aboriginal heritage sites for all parts of the DA area;	Table 3 and Appendix B of the ACHMP.	Compliant			
	d	identification of any salvage, excavation and monitoring programs for any cultural heritage/archaeological sites within the DA area;	Table 3 and AHIP #1130967 and #1131017 (Appendices F-G)	Compliant			
	e	details of any Section 90 applications to be lodged, or consents obtained from OEH;	Approved AHIPs #1130967 and #1131017(Appendices F-G)	Compliant			
	f	details of consultation undertaken with the local Aboriginal community in the preparation of this Plan;	Section 5, and Appendix D	Compliant			
	g	details of procedures and programs to implement monitoring requirements in condition 3.37.	Section 5 and Appendix C	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	h	details of the measures to fully document, in accordance with the NSW Heritage Office guidelines, any non-indigenous heritage sites that will be required to be removed as a result of the development; and	Section 4.3	Compliant			
	i	details of proposed monitoring that will be undertaken in the areas adjacent to the non-indigenous heritage sites identified within the EIS	Not in ACHMP as there was no monitoring proposed in these areas	Not Triggered			
	3.36	The ACHMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of construction of the development, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the ACHMP to Council, OEH, and local Aboriginal community groups within 14 days. The Applicant shall make the ACHMP available for public inspection on request.	Outside of Audit Period	Not Triggered			
Monitoring	3.37	The Applicant shall monitor the effectiveness of the measures outlined in the Archaeology and Cultural Management Plan (Condition 3.36). A summary of monitoring results shall be included in the AEMR.	2013 AR; Section 3.12.2/Table 26 2014 AR; Section 3.12.2/Table 27 2015 AR; Table 9	Compliant			
		No Aboriginal archaeological sites shall be disturbed in any way without the prior approval of the Director-General of OEH, under section 90 of the National Parks and Wildlife Act 1974.	Only disturbance has been undertaken in accordance with the two AHIPs in place at ACOL.	Compliant			
Flora and Fauna Assessment, Management and Monitoring							
General	3.38	The revegetation of the DA area shall include, as a minimum, vegetation as shown on the Conceptual Final Landform and Vegetation Patterns plan attached as Figure A to information submitted to the Department on 28 March 2002 where this activity does not impact on Aboriginal heritage values.	Superseded by Bowmans Creek EA Rehab Plan - this is consistent with plans in current MOP.	Compliant			
	3.39	Domestic stock and, where necessary, native fauna shall be excluded from all bushland revegetation areas.	No domestic stock access reveg areas, tree guards used to protect from native fauna. Also see Section 5 of the FFMP.	Compliant			
	3.40	Revegetation of areas not to be disturbed by open-cut mining, surface infrastructure, or overburden emplacement shall be completed within 6 years of the granting of a mining lease.	Outside the audit period	Not Triggered			
	3.41	The Applicant shall use, to the greatest extent possible, indigenous seed and propagation materials in revegetation of the site. This shall be based on an environmentally sensitive program of seed collection on the site and from surrounding vegetation remnants, subject to landholders consent.	The small amounts of revegetation carried out in the audit period have not been done with indigenous seed stock, however considerable efforts were made to gear up the contractor to be able to collect local seed, these were abandoned and due to the low levels of seed used this is thought to be compliant "to the greatest extent possible".	Compliant	E	3	Low
	3.42	If threatened species are identified on the site during construction or operation of the coal mine, the Applicant shall cease any work immediately which could adversely impact on the species pending investigation and consultation with relevant government agencies. The Applicant shall engage a suitably qualified ecologist to investigate, and identify appropriate amelioration measures.	Due diligence prior to construction undertaken (only minor construction during the audit period) to account for potential impacts to threatened species. Table 1 of the FFMP. 6 monthly ecological monitoring to monitor potential impacts of mining impacts.	Compliant			
	3.43	Those areas proposed to be mined and those areas proposed to be revegetated both by natural means and by direct seeding/planting shall be mapped so that the spatial and temporal relationship between the sequence of vegetation clearing, mining and habitat rehabilitation is clearly demonstrated.	This was found to be detailed in the MOP.	Compliant			
	3.44	Natural drainage patterns shall be re-established as far as practical.	Drainage patterns above the UG mine have not significantly altered except where approved (BCDs) Appendix F of MOP - all run off from NEOC rehab contained on site until water quality is suitable for return to natural watercourses.	Compliant			
	3.45	During the life of the mine and until the revegetated areas are established to the satisfaction of the DRE, the Applicant shall maintain the revegetated areas. Maintenance shall include, where necessary, but not be limited to:					
	a	replanting failed or unsatisfactory areas					
	b	repairing erosion problems					
	c	fire management, fire suppression or fire encouragement					
	d	pest and weed control					
	e	control of feral animal populations					
	f	maintain and repair fencing					
	g	fertiliser application					
	h	application of lime or gypsum to control pH and improve soil structure.					
Flora and Fauna Management Plan	3.46	The Applicant shall prepare and implement a Flora and Fauna Management Plan (FFMP) for the DA area. The Plan is specifically required to outline procedures for clearing or disturbing vegetation and other habitat types, along with measures for habitat reinstatement and management. The Plan shall be prepared in consultation with OEH and SSC, and to the satisfaction of the Director-General. The Plan shall be prepared by an appropriately qualified and experienced ecologist. The ecologist shall be responsible for providing advice to minimise potential impacts upon threatened and protected fauna species that may utilise the site and to provide expert advice on the regeneration and reconstruction of flora and fauna habitat on mined areas. The Plan shall include but not be limited to:	FFMP, 2012 Version was reviewed by the auditors.				
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Table 5	Compliant			
	b	details of strategic vegetation management, outlining timeframes for clearing and re-vegetation activities and a map illustrating the Plan. The Plan should aim to maximise scope for new vegetation to establish and restore ecological integrity;	Appendix C and Figure 2	Compliant			
	c	details of the creation, landscaping and management of on-site vegetation to provide habitat for the Grey-crowned Babbler and other threatened species likely to occur on the site;	Section 5	Compliant			
	d	details of the creation, landscaping and management of ponds along Bowmans Creek, where practical, to provide for Green and Golden Bell Frog habitat; the creation of new habitat must be based on current findings related to nearby populations and must be integrated with existing habitat for this species on the site at Bowmans Creek and Bettys Creek, and with habitat which is proposed to be created on Bettys Creek by Glendell Mine;	Section 4	Compliant			
	e	details of the schedule for clearing activities incorporating seasonal habitat requirements for species such as bats and other mammals, with the objective of avoiding incidents during sensitive hibernation and breeding periods.	Appendix C	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	f	details of pre-clearance inspections, including the identification and inspection of trees containing tree hollows, including stags, prior to clearing of any vegetation;	Appendix C	Compliant			
	g	details of how micro habitats including dead trees, stags, stumps and hollow branches will, where practical, be salvaged and relocated to areas depauperate of tree hollow habitat and in the recreation of habitat areas;	Appendix C	Compliant			
	h	details of the establishment of roost and denning boxes appropriate for bat and avifauna species and methods for their regular maintenance. The details on the specific height, aspect, design, location and timing for the placement of the roosts and nest boxes shall consider any publicly available results and recommendations following the ongoing fauna habitat monitoring program occurring at the Mt Owen mine;	Appendix C	Compliant			
	i	details of the methods for strategically placing felled trees between cleared and remnant bushland to provide runways of ground cover for dispersion of animals;	Appendix C	Compliant			
	j	details of measures to care for any animals injured or found during clearing activities, including the use of WIRES to attend to fauna as necessary, and the methods for their relocation if appropriate. This shall include measures for harbouring and releasing nocturnal animals at night;	Appendix C	Compliant			
	k	strategies for the establishment of long-term post-mining land use objectives over the site;	As included in the Rehabilitation Management Plan.	Compliant			
	l	measures to re-instate vegetation communities and to use local endemic species for revegetation as soon as possible;	As included in the Rehabilitation Management Plan.	Compliant			
	m	methods to actively manage existing areas of remnant vegetation (habitat management zones) through fencing (using animal friendly materials) to exclude grazing animals and control of feral animals where practical, revegetate where appropriate, and maintain weed and fire controls;	Section 5	Compliant			
	n	strategies for the establishment of wildlife corridor links to adjoining habitat areas and integration of rehabilitation works with nearby mines;	Section 5	Compliant			
	o	details of strategies for the exclusion of grazing stock on areas of native bushland reconstruction;	Section 5	Compliant			
	p	measures to monitor the success of revegetated areas and plant additional species where necessary;	Section 4	Compliant			
	q	methods of revegetation;	As included in the Rehabilitation Management Plan.	Compliant			
	r	consideration of Aboriginal heritage management to ensure that activities under the Plan do not impact on Aboriginal heritage values;	Table 1	Compliant			
	s	development of a protocol for identifying and managing significant impacts on any threatened flora and fauna species not identified in the EIS, during construction or operation of the mine; and	Section 5	Compliant			
	t	details of habitat monitoring required under this consent.	Section 4	Compliant			
	3.46	The FFMP shall be submitted for the approval of the Director-General, in consultation with OEH, no later than one month prior to the commencement of construction of the development, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the FFMP to Council, NoW, DRE, and OEH, within 14 days. The Applicant shall make the FFMP available for public inspection on request.	The construction period was prior to the audit period. FFMP is on the ACOPL website.	Compliant			
Monitoring	3.47	The regeneration works shall be monitored by an appropriately qualified and experienced ecologist. The results of the monitoring and the effectiveness of the revegetation and the FFMP shall be reported annually as part of the Annual Environmental Management Report in accordance with the Department of Mineral Resource's Guidelines to the Mining, Rehabilitation and Environmental Management Process (March 1998) or its latest version.	2013 AR; Section 5.3 2014 AR; Section 5.3 2015 AR; Section 9 Kleinfelder and Umwelt undertake this monitoring.	Compliant			
	3.48	The Applicant shall prepare a detailed monitoring program of habitat areas on the site, including any wetlands and aquatic habitats, during the development and for a period after the completion of the development to be determined by the Director-General in consultation with OEH. The monitoring program shall be included in the FFMP and a summary of the results shall be provided in the AEMR. The program shall:					
	a	monitor impacts attributable to the development and include monitoring of the success of any restoration or reconstruction works. The Applicant shall carry out any further works required by the Director-General and DRE as a result of the monitoring;	Rehabilitation Management Plan contains detail on monitoring of revegetation.	Compliant			
	b	establish an ongoing monitoring program of the existing and proposed revegetated areas to assess their floristics and structure and to propose contingency measures for improvements to revegetation if required; and					
	c	establish an ongoing monitoring program of fauna species diversity and abundance and the effectiveness of reconstructed ecosystems in providing fauna habitat and contingency measures should impacts be identified as occurring.					
	Note:	Emphasis should be given to the need for monitoring of the effectiveness of rehabilitation to learn from the process. It should be noted that both positive and negative outcomes need to be reported, to maximise the opportunity to incorporate best practice principles into future mining proposals. The information obtained from the monitoring shall be used to guide future revegetation efforts on the mine site.	This is noted, no finding is required to be made.	Noted			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Rehabilitation							
Rehabilitation Objectives	3.49	<p>The Applicant shall rehabilitate the DA area to the satisfaction of the Director-General or DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA and comply with the objectives in Table 3.</p> <p>Table 3: Rehabilitation Objectives</p> <p>Feature - DA Area Objective - Safe, stable & non-polluting</p> <p>Feature - Surface infrastructure Objective - To be decommissioned and removed, unless the Director-General of DRE agrees otherwise</p> <p>Feature - Sections of Bowmans Creek within the underground mining area (except those section of channel made redundant by diversion) Objective - Restore pre-mining surface flow and pool holding capacity as soon as reasonably practicable Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than existed prior to mining</p> <p>Feature - Bowmans Creek – Eastern and Western Diversions Objective - Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than existing in the adjacent channel prior to mining</p> <p>Feature - Land to be restored or maintained for agricultural purposes Objective - Restored and maintained to the same or higher land capability and agricultural suitability than prior to mining</p> <p>Feature - Other land affected by the development Objective - Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of:</p> <ul style="list-style-type: none"> • local native plant species (unless the Director- General of DRE agrees otherwise); and • a landform consistent with the surrounding environment. <p>Feature - Built features affected by subsidence Objective - Repair to pre-mining condition or equivalent unless:</p> <ul style="list-style-type: none"> • the owner agrees otherwise; or • the damage is fully restored, repaired or compensated under the Mine Subsidence Compensation Act 1961. <p>Feature - Community Objective - Ensure public safety. Minimise the adverse socio-economic effects associated with mine closure</p> <p>Notes:</p>	The ACOL MOP (Approved 2016) has been prepared to detail these rehabilitation objectives as well as the applicabel timings.	Compliant			
Progressive Rehabilitation	3.50	The Applicant shall carry out the rehabilitation of the DA area progressively, that is, as soon as reasonably practicable following disturbance.	Scrapes, subsidence cracks and erosion repaired during the audit period	Compliant			
Rehabilitation Management Plan	3.51	<p>The Applicant shall prepare and implement a Rehabilitation Management Plan for the development, to the satisfaction of the Director-General of DRE. This plan must:</p> <p>(a) be prepared in consultation with the Department, OEH, NoW, Council and the CCC;</p> <p>(b) be prepared in accordance with any relevant DRE guideline;</p> <p>(c) build, to the maximum extent practicable, on the other management plans required under this consent; and</p> <p>(d) be submitted to the Director-General of DRE for approval by the end of December 2011.</p> <p>Note: The Rehabilitation Management Plan should address all land impacted by the development, whether prior to or following the date of this consent.</p>	As included in the MOP. a) letters from DRE, DP&E, included in consultation appendix. Details of original consultation in the development of the original MOP are listed in S.1.5 of the MOP. b) MOP approved by DRE (including revisions), the MOP does not specifically refer to the DRE Guideline (ESG3 Mining Operations Plan MOP Guidelines, September 2013) however the MOP appeared to be in general compliance with this guideline. c) The MOP refers to the other rmanagement plans and addresses some of the management plans internally rather than creating other plans outside the MOP. d) Outside the audit period.	Compliant			
Visual Amenity							
General	3.53	The Applicant shall design buildings and structures associated with the development with a colour scheme which aims to minimise the visual impact of the development on surrounding land uses and maximise the ability of the development to "blend into" local vegetation and other visual components.	This was found to be as such during the auditor's site inspection.	Compliant			
	3.54	The Applicant shall ensure that visual bunding is installed at strategic locations around the site, generally in accordance with the EIS, to minimise impacts on visual amenity.	Visual bunding is in place - verified during the site inspection	Compliant			
Landscape and Revegetation Management Plan	3.55	The Applicant shall prepare a Landscape and Revegetation Management Plan (LRMP) for approval by the Director-General. The Plan shall be prepared in consultation with the SSC and DRE. The plan shall have regard to DRE's Synoptic Plan – Integrated Landscapes for Minesite Rehabilitation (1999) for the Upper Hunter, or its latest version. The Plan shall include, but not be limited to, the following:	As included in the ACOL MOP (Approved May 2016)	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	As included in the ACOL MOP (Approved May 2016)	Compliant			
	b	an on-site landscaping strategy detailing design and proposed planting of trees and shrubs and the construction of mounding or bunding along Glennies Creek Road and the New England Highway;	This has been completed and is therefore not included in the MOP	Not Triggered			
	c	appropriate erosion control and sediment control practices for earthworks associated with the landscaping;	This has been completed and is therefore not included in the MOP	Not Triggered			
	d	details of visual appearance of all buildings, structures, facilities or works (including paint colours and specifications);	As included in the ACOL MOP (Approved May 2016)	Compliant			
	e	details, specifications, and staged work programs to be undertaken, maintenance of all landscape works and maintenance of building materials and cladding;	As included in the ACOL MOP (Approved May 2016)	Compliant			
	f	details of how vegetation screening and fauna protection corridors will be incorporated into the proposed visual and landscaping works; and	As included in the ACOL MOP (Approved May 2016)	Compliant			
	g	use of indigenous species and fauna habitat reconstruction in revegetation areas ;	As included in the ACOL MOP (Approved May 2016)	Compliant			
	3.55	The LRMP shall be submitted for the approval of the Director General, no later than one month prior to the commencement of construction of the development, or within such period otherwise agreed by the Director General. Construction shall not commence until written approval has been received from the Director General. Upon receipt of approval, the Applicant shall supply a copy of the LRMP to Council, and DRE within 14 days. The Applicant shall make the LRMP available for public inspection on request.	Outside of Audit Period Note: MOP on website	Not Triggered			
	3.55A	Within 1 month of placing overburden on the eastern emplacement area above RL 125 metres, the Applicant shall:	Outside of Audit Period	Not Triggered			
	a	commence implementation of an on-site and off-site landscaping strategy to minimise the visual impacts of the eastern emplacement area which includes tree planting along Glennies Creek Road, the slopes of the ridge south of Glennies Creek Road and adjacent to the New England Highway; and	Outside of Audit Period	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	b	revise the Landscape and Revegetation Management Plan for the development to demonstrate consistency with the commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent, to the satisfaction of the Director-General.	Outside of Audit Period	Not Triggered			
Final Void Management							
	3.56	The Applicant shall prepare a Final Void Management Plan (FVMP) to the satisfaction of the Director-General, in consultation with DRE, NoW, and SSC. The Plan shall include, but not be limited to, the following:	The FVMP is part of the approved MOP. No final void is proposed.	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Found throughout the Acol MOP (Approved May 2016)	Compliant			
	b	an investigation of options for future use of the final void;	No final void is proposed	Not Triggered			
	c	a re-examination and validation of groundwater modeling of the potential effects on the local and regional groundwater;	No final void is proposed	Not Triggered			
	d	details of a strategy for the long term management of the final void;	As per the MOP - no final void proposed	Not Triggered			
	e	details of strategies to minimise any adverse impacts where the assessment indicates the potential for degradation to surrounding water resources; and	No adverse impacts to surrounding water resources have been identified.	Not Triggered			
	f	details of programs for catchment management, including the types of fertilisers used in the rehabilitation programs to ensure that there is little residual risk of nutrient enrichment of final void water.	See MOP, fertiliser management discussed in Sections 3.7.3 and 3.17.7 of the MOP.	Compliant			
		The FVMP shall be submitted for the approval of the Director General, no later than the end of year 5 of the development or within such period otherwise agreed by the Director General. Upon receipt of approval, the Applicant shall supply a copy of the FVMP to Council, Now, and DRE within 14 days. The Applicant shall make the FVMP available for public inspection on request. The FVMP shall be reviewed and updated every five years, or as otherwise agreed by the Director General.	Submission and Circulation outside of audit period. Sighted 2007 - 2012 MOP including Final Void Management Plan. MOPs updated within this timeframe.	Compliant			
Bushfire and other Fire Controls							
	3.57	The Applicant shall:					
	a	provide adequate fire protection works on site, including the availability of trained personnel, water tankers and fire fighting equipment and annual hazard reduction measures with particular attention to boundaries of adjoining landholdings;	As included in Acol's Bushfire Management Plan 2013 - 2018.	Compliant			
	b	make available to the Rural Fire Service and emergency services when required, water carts and trucks in cases of bushfire incidents on the mine site;	As included in Acol's Bushfire Management Plan 2013 - 2018.	Compliant			
	c	submit an annual report on fire management activities to the Singleton Fire Control Officer; and	Satisfied by AR's which is circulated to Singleton Fire Control (see distribution list)	Compliant			
	d	prior to commencement of mining operations prepare a Bushfire Management Plan for all its holdings contained in the DA area, to the satisfaction of SSC and the Rural Fire Service.	Outside of Audit Period	Not Triggered			
Land Management							
	3.58	The Applicant shall, prepare a Land Management Plan (LMP) for the areas of the proposed surface facilities, and its holdings in the DA area, to provide for proper land management in consultation with NoW, DRE, OEH, and SSC, and to the satisfaction of the Director-General. The plan shall include, but not be limited to:	LMP objectives included in Acol MOP.	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Table 38, Acol MOP.	Compliant			
	b	a strategy for sustainable land management, including rehabilitation, revegetation, and habitat reconstruction works, for the land proposed to be swapped for the existing Camberwell Common and Travelling Stock Reserve. The strategy is to be funded and implemented by the Applicant and developed in consultation with the Camberwell Common Trust, the Rural Lands Protection Board, NoW, Singleton Landcare, and the Hunter Catchment Management Trust. The strategy must have the approval of the Camberwell Common Trust and the Rural Lands Protection Board before submission to the Director-General. In the event that the land swap is not finalised when the LRMP is submitted, the Applicant shall provide an indicative timetable for implementation of the strategy and completion of the land swap;	As included in the Acol MOP (Approved May 2016)	Compliant			
	c	a strategy for sustainable land management and enhancement of agricultural values and production across the entire site, taking into account biodiversity and Aboriginal heritage values as appropriate;	As included in the Acol MOP (Approved May 2016)	Compliant			
	d	pastures and vegetation management;	As included in the Acol MOP (Approved May 2016)	Compliant			
	e	prevention and rehabilitation of land degradation;	As included in the Acol MOP (Approved May 2016)	Compliant			
	f	control of weed infestation on topsoil stockpile material;	As included in the Acol MOP (Approved May 2016)	Compliant			
	g	assessment of the potential for recycling of standing timber removed from the site;	As included in the Acol MOP (Approved May 2016)	Compliant			
	h	eradication of vermin and noxious weeds as required by the Rural Lands Protection Board, the Upper Hunter Weeds Authority, the Prickly Pear Authority and other relevant authorities; and,	As included in the Acol MOP (Approved May 2016)	Compliant			
	i	feral animal control.	As included in the Acol MOP (Approved May 2016)	Compliant			
		The LMP shall be submitted for the approval of the Director General, no later than one month prior to the commencement of mining operations, or within such period otherwise agreed by the Director General. Mining operations shall not commence until written approval has been received from the Director General. Upon receipt of approval, the Applicant shall supply a copy of the LMP to Council, NoW, OEH, and DRE within 14 days. The Applicant shall make the LMP available for public inspection on request.	Outside of Audit Period MOP available on website	Compliant			
	3.59	The Applicant shall minimise the removal of trees and other vegetation from the proposed surface facilities area, and restrict any clearance to the areas occupied by mine activity, buildings and paved surfaces, and those areas necessary for fire control in accordance with SSC requirements.	Prior to the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Pipelines for offsite tailings emplacement and water sharing							
	3.60	The Applicant shall ensure that all pipelines for offsite tailings emplacement and water sharing are designed to remain safe, serviceable and repairable taking into account proposed and future mining by Newpac Underground Mine. The Applicant shall submit final working drawings for construction of pipelines in areas overlying the Newpac Underground Mine workings to the MSB for approval prior to	inspection regime by CHPP personnel (sighted daily inspection report 7/6/16) Leak detection and alarm on CITEC.	Compliant			
	3.61	The Applicant shall ensure that design and construction of the pipeline crossing under the New England Highway shall be undertaken in accordance with paragraphs (a) – (k) or otherwise to the satisfaction of the RMS:	Not in audit period.	Not Triggered			
	a	the design shall be in accordance with information provided by Parsons Brinkerhoff (Drawing reference 2118508A-CIV-Figure 4) in the letter to the RTA dated 19 September 2006;	Not in audit period.	Not Triggered			
	b	a detailed survey with reference to bridge deck levels, the adjacent bridge piers and the proposed excavation levels shall be provided to the RMS's satisfaction;	Not in audit period.	Not Triggered			
	c	the difference between the bed level of the pipeline and the ground level at any pier shall not exceed 1.5m. If the level difference exceeds 1.5m a structural engineering report assessing the impact on the bridge structure shall be provided to the RMS;	Not in audit period.	Not Triggered			
	d	the proposed works shall not impact on the existing bridge structure, approaches or road pavements. All works shall be clear of the bridge including any proposed widening of the bridge structure;	Not in audit period.	Not Triggered			
	e	permanent markers are to be provided at the entry and exit points of the pipelines to the road reserve and the pipelines are to cross the road reserve in a straight line and as close to perpendicular as possible;	Not in audit period.	Not Triggered			
	f	any access points and valves shall be located outside of the highway reserve;	Not in audit period.	Not Triggered			
	g	all construction access shall be via existing access points, such as Brunkers Lane and the existing Ashton Coal access road. No new access to the New England Highway is permitted;	Not in audit period.	Not Triggered			
	h	the Applicant shall identify and avoid damaging any existing services, subsurface structures or above ground structures during construction works;	Not in audit period.	Not Triggered			
	i	any damage or impacts to the existing bridge structure or services within the road reserve caused during construction shall be repaired or remediated to the satisfaction of the RMS;	Not in audit period.	Not Triggered			
	j	all areas within the road reserve that are disturbed shall be restored to their original condition upon completion of the works and all restoration work shall be carried out to the satisfaction of the RMS; and	Not in audit period.	Not Triggered			
	k	works-as-executed drawings shall be provided to the RMS following completion of works within the road reserve.	Not in audit period.	Not Triggered			
	3.62	Prior to commissioning pipelines for offsite emplacement of tailings and water sharing the Applicant shall:					
	a	ensure that an activated alarm system and emergency response procedures are established, as described in Ashton Coal Tailings Pipeline - Application to Modify Development Consent and Statement of Environmental Effects, dated 2 November 2006 and prepared by Parsons Brinkerhoff; and	CITEC sighted during site inspection.	Compliant			
	b	amend the Ashton Coal Emergency Management Plan to incorporate the pipelines and emergency response procedures, to the satisfaction of the DRE.	Approval of CHPP Emergency Management System is outside of audit period. Ashton Coal Emergency Management Plan was revised during the audit period, with no requirement for further approval by DRE as this is required only prior to commissioning of the pipeline.	Compliant			
	3.63	The Applicant shall ensure that the alarm system and emergency response procedures established under condition 3.62 are effectively maintained and operational at all times during the operation of the	Confirmed at interview with CHPP Manager and in overview of Citech system	Compliant			
4. WATER MANAGEMENT AND MONITORING							
Water Supply							
	4.1	The Applicant shall ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of mining operations to match its water supply. Note: The Applicant is required to obtain all necessary water licences for the development under the Water Act 1912 and/or Water Management Act 2000.	Water Balances included in the AR's prepared for the audit period. Note: no PINs or prosecutions received by ACOL during the audit period.	Compliant			
Baseflow Offsets							
	4.2	The Applicant shall offset the loss of any baseflow to the surrounding watercourses and/or associated creeks caused by the development to the satisfaction of the Director-General. Notes: 1) This condition does not apply in the case of losses of baseflow which are negligible. 2) Offsets for long-term baseflow losses should be provided via the retirement of adequate water entitlements to account for the loss attributable to the development.	See AR 2015 for Water Take (Table 16) and Groundwater Report. Impact on Bowman's alluvial has not reached predicted levels.	Compliant			
Compensatory Water Supply							
	4.3	The Applicant shall provide compensatory water supply to any landowner of privately-owned land whose water entitlements are impacted (other than an impact that is negligible) as a result of the development, in consultation with NoW, and to the satisfaction of the Director-General. The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the development. Equivalent water supply must be provided (at least on an interim basis) within 24 hours of the loss being identified. If the Applicant and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution. If the Applicant is unable to provide an alternative long-term supply of water, then the Applicant shall provide alternative compensation to the satisfaction of the Director-General.	This has not been required during the audit period.	Not Triggered			
Surface Water Discharges							
	4.4	The Applicant shall ensure that all surface water discharges from the DA area comply with the: (a) discharge limits (both volume and quality) set for the development in any EPL; or (b) relevant provisions of the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.	No discharges (not licenced under HRSTS)	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Bowmans Creek – Eastern and Western Diversions							
	4.5	The Applicant shall construct, manage and maintain the eastern and western diversions of Bowmans Creek in the underground mining area to the satisfaction of the Director-General.	Bowmans Creek Rehab Strategy referenced in WMP (approved).	Compliant			
	4.6	Within 6 months of completing the construction of the diversions, the Applicant shall submit an as-executed report, certified by a practising engineer, to the Director-General and to NoW. Note: The objective of the report is to confirm that the diversions are and will remain sufficiently hydraulically and geomorphologically stable.	Prior to the audit period	Not Triggered			
Water Management Plan							
	4.7	The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Director-General. This plan must:					
	a	be prepared in consultation with EPA, NoW, DRE and Council by suitably qualified and experienced persons whose appointment has been approved by the Director-General;	Sighted consultation with NOW, no evidence of consultation with DRE or EPA provided.	Not Compliant Administrative			
	b	be submitted to the Director-General for approval by the end of June 2011; and include:	Prior to the audit period	Not Triggered			
	c	a Site Water Balance, which must: <ul style="list-style-type: none"> • include details of: <ul style="list-style-type: none"> - sources and security of water supply; - water use on site; - water management on site; and - any off-site water transfers; and • describe what measures would be implemented to minimise clean water use on site; 	Sections 1.1, 1.2 and 2	Compliant			
	d	a Bowmans Creek Diversion Management Plan for the proposed creek diversions in the underground mining area, which must: <ul style="list-style-type: none"> • be consistent with any related requirements in future Extraction Plan(s); and • include: <ul style="list-style-type: none"> - a vision statement for the creek relocations; - an assessment of the surface water and groundwater quality, ecological, hydrological and geomorphic baseline conditions within the creek; - the detailed design specifications for the creek relocations; - a construction program for the creek relocations, describing how the work would be staged, and integrated with mining operations; - a revegetation program for the relocated creeks using a range of suitable native species; - water quality, ecological, hydrological and geomorphic performance and completion criteria for the creek relocations based on the assessment of baseline conditions; and - a program to monitor and maintain surface water and groundwater quality, ecological, hydrological and geomorphic stability of the creek diversions; 	Section 3	Compliant			
	e	an Erosion and Sediment Control Plan which must: <ul style="list-style-type: none"> • be consistent with the requirements of the Managing Urban Stormwater: Soils and Construction Manual (Landcom 2004, or its latest version); • identify activities that could cause soil erosion and generate sediment; • describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters; • describe the location, function, and capacity of erosion and sediment control structures; and • describe what measures would be implemented to maintain the structures over time. 	Section 4	Compliant			
	f	a Surface Water Management Plan, which must include: <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the development; • surface water impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts from the development; • a program to monitor and assess surface water flows and quality, impacts on water users and stream health; 	Section 5	Compliant			
	g	a Groundwater Management Plan, which must include: <ul style="list-style-type: none"> • detailed baseline data of groundwater levels, yield and quality in the area, and privately-owned groundwater bores, which could be affected by the development; • groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts from the development; and • a program to monitor and assess: <ul style="list-style-type: none"> - groundwater inflows to the open cut and underground mining operations; and - impacts of the development on the region's aquifers, any groundwater bores and surrounding watercourses, in particular Bowmans Creek, Glennies Creek and the Hunter River and adjacent alluvium; and 	Section 6	Compliant			
	h	a Surface and Groundwater Response Plan, which must include: <ul style="list-style-type: none"> • a response protocol for any exceedances of the surface water and groundwater assessment criteria; • measures to offset the loss of any baseflow to watercourses caused by the development; • measures to compensate landowners of privately-owned land whose water supply is adversely affected by the development; and • measures to mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation. 	Section 7	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
5. HAZARDOUS MATERIALS AND OVERBURDEN MANAGEMENT							
Overburden Emplacement and Management							
	5.1	The Applicant shall construct and manage the overburden emplacements as set out in the EIS, and to the satisfaction of the DRE; and	Rehab (management) in AR (approved by DRE) No emplacement of overburden during the audit period.	Compliant			
	5.2	The Applicant shall undertake measures, as far as practical, to prevent spontaneous combustion from occurring on the site.	Spon Com Plan in place.	Compliant			
Waste							
	5.3	One month prior to the commencement of construction works, the Applicant shall prepare and implement a Waste Management Plan (WMP) for the DA area in consultation with SSC and EPA and to the satisfaction of the Director-General. The Plan shall include, but not be limited to:	The Waste Management Plan was reviewed and submitted for approval in June 2016. Audit will be undertaken against previous version (2014).				
	a	details of measures to facilitate waste management on site;	Section 5	Compliant			
	b	details of compliance with the Applicant's obligations under the Protection of the Environment Operations Act (1997);	Section 3.2 and the Waste MP in its entirety.	Compliant			
	c	identification of all types and quantities of waste materials produced at the mine site during construction, commissioning and operation;	Monthly Waste Reports (JR Richards), also summaries included in Annual Reviews.	Compliant			
	d	programs aimed at minimising the production of waste at the mine site through the implementation of operational and management measures;	Section 5.1	Compliant			
	e	details of the potential reuse and recycling avenues for waste materials produced at the mine site, including collection and handling procedures;	Section 5.7	Compliant			
	f	details of appropriate disposal routes in the event that reuse and recycling avenues are not available or are not practicable; and	Section 5.4	Compliant			
	g	programs for involving and encouraging employees and contractors to minimise waste production at the mine site and reuse / recycling where appropriate.	Sections 5.1B, 5.1C, 5.10	Compliant			
	5.4	The Applicant 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 a license under the Protection of the Environment Operations Act 1997. This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection license under the Protection of the Environment Operations Act 1997.	No instances of non-compliance with this condition within the audit period.	Compliant			
	5.5	The Applicant shall dispose of all solid waste and putrescible matter from the site to the satisfaction of SSC or EPA, as relevant.	Waste Reported in AR which is provided to these authorities.	Compliant			
6. AIR QUALITY, BLAST, NOISE AND LIGHT MANAGEMENT							
Air Quality Management and Monitoring							
Air Quality Criteria	6.1	The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria listed in Tables 4, 5 or 6 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.	As covered by Section 3.1 and Section 5 of the AQMP.	Compliant			
		Table 4: Long term criteria for particulate matter Pollutant: Total Suspended Particulate (TSP) Matter Averaging Period: Annual d Criterion: a 90 µg/m ³	2013 - HVAS Camberwell Village North exceeded the 90µg/m ³ over the annual averaging period (96µg/m ³).	Not Compliant	E	2	Medium
		Particulate matter < 10 µm (PM ₁₀) Averaging Period: Annual d Criterion: a 30 µg/m ³					
		Table 5: Short term criterion for particulate matter Pollutant: Particulate matter < 10 µm (PM10) Averaging Period: 24 hour d Criterion: a 50 µg/m ³	No exceedences in the audit period.	Compliant			
		Table 6: Long term criteria for deposited dust Pollutant: c Deposited dust Averaging Period: Annual Maximum Increase in Deposit Dust Level: b 2 g/m ² /month Maximum Total Deposited Dust Level: a 4 g/m ² /month	2013 - three offsite gauges exceeded the 4g/m ² /month limit, D2, D6, D9	Not Compliant	E	2	Medium
		Notes to Tables 4-6: 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/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method. d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with EPA.	This is noted, no finding is required to be made.	Noted			
	6.2	The Applicant shall ensure the prompt and effective rehabilitation of all disturbed areas of the DA area following the completion of mining and associated activities in that area to minimise the generation of wind	All areas available for rehab have been rehabilitated (as per MOP and AR).	Compliant			
	6.3	Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.	Activities carried out in accordance with AQMP.	Compliant			
	6.4	Raw coal dump hoppers must be fitted with:					
	a	an automatically activated dust suppression water spray system; and	Verified during staff interviews and site inspection.	Compliant			
	b	windshields. The windshields must be full walls on three sides with a height of not less than two metres above the dump grate.	Verified during staff interviews and site inspection.	Compliant			
	6.5	Belt conveyors, other than those whose functions preclude it, must be enclosed on the top and at least one side. Belt scrapers must be installed to effectively remove material from the underside of each belt.	Verified during staff interviews and site inspection.	Compliant			
	6.6	Air pollution control equipment must be fitted to all drilling rigs to prevent fines generated during drilling being discharged to the atmosphere.	Site inspection was not able to verify compliance as there was no drilling at the time of the audit	Not Able to be Verified			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	6.7	An effective water spray system must be installed at open coal stockpiles and operated at sufficient frequency to maintain the entire surface of the stockpile and related coal handling areas in a condition that will minimise the emission of wind blown or traffic generated dust.	Verified during staff interviews and site inspection.	Compliant			
	6.8	Mobile tankers equipped with a pump and sprays must be provided to suppress dust from unsealed roads when in use.	Verified during staff interviews and site inspection.	Compliant			
	6.9	Roads for coal or overburden haulage must be surfaced in selected hard, nonfriable material. Soft mudstone, clay stone and shale must not be used.	Verified during staff interviews and site inspection.	Compliant			
Air Quality Management Plans	6.10	The Applicant shall prepare a Construction Air Quality Management Plan (CAQMP), and an Operations Air Quality Management Plan (OAQMP), detailing air quality safeguards and procedures for dealing with dust and other air emissions from the ACP mine to the satisfaction of the Director-General. The CAQMP shall be prepared in consultation with SSC. The OAQMP shall be prepared following consultation with SSC and other nearby mines with the aim of achieving a consistent approach in the preparation of the ACP OAQMP. The Plans shall include, but not be limited to:	CAQMP is not applicable, mining operations are undertaken in accordance with the AQMP (Operations). Consultation is detailed Section 1 of the AQMP.	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Appendix A	Compliant			
	b	the identification of adversely impacted properties in accordance with the criteria detailed in Tables 1, 2, and 3 of condition 6.1;	Section 2.5	Compliant			
	c	specifications of procedures that will be used for monitoring dust deposition, PM10, and TSP for the purpose of undertaking independent investigations, including any joint investigations with nearby mines;	Section 5.4, Section 5.5, Section 5.7, Section 5 and Section 6.	Compliant			
	d	a mine operating plan that will allow dust emissions from the mine to be progressively reduced should real-time ambient measurements of PM10 concentrations and/or meteorological observations or forecasts indicate that emissions from ACP are likely to exceed the 24-hour average PM10 standards in Table 2 of condition 6.1. The plan is to be updated as the mine develops and at least on an annual basis and should indicate specific measures that will be used to reduce dust emissions and the threshold conditions under which each control measure will be triggered;	No open-cut mining operations during the audit period.	Compliant			
	e	an outline of the procedure used to notify property owners and occupiers as identified in the EIS or by monitoring that are likely to be adversely impacted by emissions from the mine in excess of criteria detailed in Tables 1, 2, and 3 of condition 6.1;	Section 5.8 and Section 5.11	Compliant			
	f	a procedure to address potential dust impacts on residential tenants at mine-owned residences and at residences where an agreement has been made between a mining company and the landholder relating to exceedences of dust criteria, which is to be prepared in consultation with DEC, NSW Health, landowners of any residences potentially affected by dust levels exceeding the criteria in condition 6.1 as a result of the development, and the operators of other mining/industrial operations contributing to the impacts. This procedure shall:					
	f i	ensure that all existing tenants of identified properties are advised in writing of the increase to fine particulate levels likely to occur at those locations during the operational life of the mine and that these increases are likely to result in exceedences of the criteria in condition 6.1. Information shall also be provided to the residents on the available research relating to the health effects of fine particulate matter;	Section 5.8	Compliant			
	f ii	ensure that all potential tenants are advised in writing of the increase to the fine particulate matter likely to occur at that location during the operational life of the mine prior to signing a residential tenancy agreement to occupy the residence. This advice must ensure that such tenants are aware that increases in emissions are likely to result in exceedences of the criteria in condition 6.1. Information shall also be provided to the residents on the available research relating to the health effects of fine particulate matter;					
	f iii	ensure that the advice provided to current and future tenants is based on current knowledge of ambient air quality monitoring, dispersion modelling results and air quality criteria; and,					
	f iv	provide a mechanism for providing current ambient air quality monitoring data, dispersion modelling results and air quality criteria to the residents of these affected residences.					
	g	measures to reduce the potential for wind erosion from exposed surfaces, particularly the use of techniques that increase the surface roughness and reduce the potential for dust entrainment;	Section 5.3	Compliant			
	h	methods and frequency of making dust monitoring data publicly available, such as the placement of monitoring details and results on the internet;	Section 5.11	Compliant			
	i	details of an investigation program aimed at improving short-term modeling techniques, by better characterising dust source variations and focusing on the feasibility of developing shorter-term amenity indicators;	Section 5.6	Compliant			
	j	details of an investigation program aimed at improving modelling of realtime dust control strategies such as that employed at ACP;	Note: Open cut no longer operating, as such controls required are limited.				
	k	the establishment of a protocol for handling dust complaints that include recording, reporting and acting on complaints;					
	l	appropriate mechanisms for community consultation;	Section 5.11	Compliant			
	m	outline of response and/or management measures to be undertaken in the event of complaints from a landowner where dust levels are demonstrated to be below the criteria in condition 6.1;					
	n	outlining proactive/predictive and reactive mitigation measures to be employed to minimize dust emissions including visible dust emanating from the site;	Section 5.2, Section 5.3 and Section 5.5	Compliant			
	o	equipment to be available and used to control dust generation;	Section 5.3	Compliant			
	p	methods to determine when and how the mine operation is to be modified to minimise the potential for dust emissions, particularly from surface activities;	Section 5.5	Compliant			
	q	identification of longer term strategies directed towards mitigating dust levels;	Section 5.3 and 5.12	Compliant			
	r	details of locations and frequency of ambient TSP and PM10 monitors and dust deposition gauges at the residential areas as agreed by the Director-General; and					
	s	a program to continue baseline monitoring undertaken prior to development consent.	Section 5.4 and Section 5	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	6.10	The CAQMP and OAQMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of construction and operation of the development, respectively, or within such period otherwise agreed by the Director-General. Construction or operation, as appropriate, shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply copies of the CAQMP and OAQMP to Council, EPA, and DRE, within 14 days. The Applicant shall make the CAQMP and OAQMP available for public inspection on request.	Approval in Appendix of AQMP	Compliant			
Greenhouse Gas Emissions	6.10A	The Applicant shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Director-General. Note: This condition does not extend to Scope 3 emissions, as defined in the National Greenhouse Energy Reporting Guidelines.	In AQMP (approved) and reported in AR's (except 2013). Gas drainage constructed during the audit period to contribute to minimisation of GHG emissions.	Compliant			
	6.10B	The Applicant shall prepare and implement a Greenhouse Gas Abatement Investigation Report to the satisfaction of the Director-General. The report must: a) be submitted to the Director-General for approval by 31 December 2011; and b) examine opportunities to flare or reuse methane drained from the mine, including goaf gas drainage, to the satisfaction of the Director-General.	Prior to the audit period	Not Applicable			
Air Quality and Dust Monitoring	6.11	The Applicant shall submit to the EPA with a licence application a draft air monitoring program for long term PM10, TSP and deposited matter emissions. The program must specify the data to be collected at regular intervals, continuously and during episodic periods relevant to specific operational and/or ambient conditions such that a representative picture of PM10, TSP and deposited matter impacts at all receivers can be established. The monitoring must be conducted at a sufficient number of points to represent the wider area and account for possible weather (such as seasonal wind direction) and operational effects. The EPA will use the submitted draft monitoring program to include detailed licence conditions covering air monitoring locations, frequencies and methods. Monitoring locations for the mine operations, including sites for monitoring impacts of dust at the nearest non-mine owned residences and locations as may be determined to be necessary by the Director-General are to be decided in consultation with DEPA.	initial application is outside of audit period. AQ monitoring program in AQMP - monitoring locations are included in the EPL.	Not Applicable			
Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.	6.12	The Applicant shall:	Sampling methods in Section 5.4 and Section 5 of the AQMP. Examples of Contractor's (C Based) Field Sheets, Lab Reports (monthly) etc sighted and copy provided.	Compliant			
	a	establish real-time ambient monitoring stations to provide continuous measurements of PM10 concentrations at the closest residences for which no agreements have been negotiated.	Section 5.11 of the AQMP.	Compliant			
	b	provide quarterly reporting during operation and rehabilitation of the open cut mine on the performance of the control measures and results of the ambient air quality monitoring system, unless otherwise agreed by the Director-General. The reports shall be provided to the Director-General, CCC and SSC within seven days of completion of the report; and	No longer conduct quarterly reporting due to cessation of open cut mining.	Not Triggered			
	c	provide all results and analysis of air quality monitoring in the AEMR.	Section 5 of the AQMP. Summary in AR - full reports available on website.	Compliant			
	6.13	31The following points (to be each of or representative of a defined group of all potentially affected properties) referred to in the table below are identified for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point. Refer to Table - Air Monitoring in 6.13	This is noted, no finding is required to be made.	Noted			
	6.14	32For each monitoring point determined by the EPA at the licence application stage the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 of the following table. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns: Refer to Table - Air Monitoring in 6.14	This is noted, no finding is required to be made.	Noted			
	6.15	Monitoring for the concentration of a pollutant emitted to the air required to be conducted under this consent, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with a relevant local calculation protocol must be done in accordance with: • any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or • if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or • if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place. In the event that:	Section 3.2 of the ACOL AQMP.	Compliant			
Exceedence of Dust Criteria/Goals	6.16	a) a landowner or occupier considers that dust from the project at his/her dwelling is in excess of the criteria detailed in Tables 1, 2, and 3 of condition 6.1 above; or b) a landowner, having selected a suitable site for a dwelling on his/her vacant land, considers that dust from the project at his/her future dwelling would be in excess of the criteria detailed in Tables 1, 2, and 3 of condition 6.1 above.	No such concerns raised during the audit period - Not Applicable	Not Triggered			
	a	and the Director-General is satisfied that an investigation is required, the Applicant shall, upon the receipt of a written request: consult with the landowner or occupant affected to determine his/her concerns;	No such concerns raised during the audit period - Not Applicable	Not Triggered			
	b	make arrangements for, and bear the costs of, following consultation with other nearby mines, appropriate independent dust investigations in accordance with the OAQMP, and to the satisfaction of the Director-General, to quantify the impact and determine the source of the effect and contribution of the ACP mine;	No such concerns raised during the audit period - Not Applicable	Not Triggered			
	c	modify the mining activity or take other steps in accordance with the OAQMP if exceedences are demonstrated to result from ACP related	No such concerns raised during the audit period - Not Applicable	Not Triggered			
	c i	introduction of additional dust controls, on individual sources or on all sources on the site, or modify operations to ensure that the dust criteria are achieved; and/or;	No such concerns raised during the audit period - Not Applicable	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	c ii	enter into an agreement with the landowner or provide such forms of benefit or amelioration of the impact of dust as may be agreed between the parties as providing acceptable compensation for the dust levels experienced. The agreement may also be made following consultation with other nearby mines.	No such concerns raised during the audit period - Not Applicable	Not Triggered			
	d	conduct follow up investigation(s) to the satisfaction of the Director-General, where necessary. Note: Vacant land in this condition means the whole of the lot in a current plan registered at the Land Titles Office as at the date of this consent that does not have a dwelling situated on the lot and is permitted to have a dwelling on that lot.	No such concerns raised during the audit period - Not Applicable This is noted, no finding is required to be made.	Not Triggered Noted			
	6.17	If the independent dust investigations in condition 6.16 above confirm that ambient dust levels at the residence or proposed residence are in excess of the relevant criteria detailed in Tables 1 and 3 of condition 6.1 above, and if the measures in condition 6.16 c) (i) above do not reduce the dust levels below the criteria in Tables 1 and 3 of condition 6.1, or if agreement in accordance with condition 6.16 (c)(ii) above cannot be reached, the Applicant shall, at the written request of the owner, acquire the relevant property. Acquisition shall be in accordance with the procedures set out in conditions 11.5-11.11. In the case of cumulative dust levels in excess of the criteria in Table 1 and 3 of condition 6.1, should the Applicant form an agreement with the relevant contributing parties under a Joint Acquisition Management Plan pursuant to Condition 11.12, the Applicant shall purchase an affected property in accordance with this Plan. Should a Joint Acquisition Management Plan not be prepared between the relevant contributing parties, the Applicant shall acquire the	No such concerns raised during the audit period - Not Applicable	Not Triggered			
	6.18	If the independent dust investigations in condition 6.16 above confirm that ambient dust levels at the residence or proposed residence are in excess of the relevant criteria detailed in Table 2 of condition 6.1 above, and if the measures in condition 6.16 c) (i) above do not reduce the dust levels below the criteria in Table 2 of condition 6.1, or if agreement in accordance with condition 6.16 (c)(ii) above cannot be reached, the Applicant shall, assess ambient dust levels and the incremental contribution of ACP to ambient dust levels as set out in Tables 7, 8 or 9 below:	No such investigation during the audit period - Not Applicable	Not Triggered			
		Table 7: Long term acquisition criteria for particulate matter 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	This is noted, no finding is required to be made. No Acquisitions during the audit period.	Noted			
		Table 8: Short term acquisition criteria for particulate matter Pollutant Averaging Period d 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	This is noted, no finding is required to be made. No Acquisitions during the audit period.	Noted			
		Table 9: Long term acquisition criteria for deposited dust Pollutant Averaging Period Maximum Increase in Deposit Dust Level Maximum Total Deposited Dust Level c Deposited dust Annual b 2 g/m ² /month a 4 g/m ² /month	This is noted, no finding is required to be made. No Acquisitions during the audit period.	Noted			
		Notes to Tables 7-9: 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/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method. d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with OEH. If the independent dust investigations in condition 6.16 above confirm that ambient dust levels at the residence or proposed residence are in excess of either of the relevant criteria detailed in Tables 7, 8 or 9 above the Applicant shall, at the written request of the owner, acquire the relevant property. Acquisition shall be in accordance with the procedures set out in conditions 11-5-11.11. In the case of cumulative dust levels in excess of the criteria in Tables 7 to 9 should the Applicant form an agreement with the relevant contributing parties under a Joint Acquisition Management Plan pursuant to Condition 11.12, the Applicant shall purchase an affected property in accordance with this Plan. Should a Joint Acquisition Management Plan not be prepared between the relevant contributing parties, the Applicant shall acquire the property in accordance with conditions 11-5-11.11.	This is noted, no finding is required to be made. No Acquisitions during the audit period.	Noted			
	6.19	If continued complaints and dust investigations confirm that ambient air quality criteria in Table 2 of condition 6.1 are being exceeded, but are less than the ambient dust levels in Table 4 of condition 6.18, the Applicant shall continue to negotiate with the landowner, and other nearby mines where relevant, until a resolution to the satisfaction of the Director General is reached.	No Acquisitions during the audit period.	Not Triggered			
	6.20	If a landowner disputes any dust mitigation or other measures proposed by the Applicant in accordance with condition 6.16 above, the matter shall be referred by either the Applicant or landowner to the Director-General in consultation with SSC. If the matter cannot be resolved within 21 days, the matter shall be referred to the Independent Dispute Resolution Process.	No Acquisitions during the audit period.	Not Triggered			
	6.21	Further independent investigation(s) shall cease if the Director-General is satisfied that the relevant criteria in Tables 1, 2, and 3 of condition 6.1 are not being exceeded and are unlikely to be exceeded in the future.	No Acquisitions during the audit period.	Not Triggered			
		Blast Management and Monitoring					
		Airblast Overpressure Criteria					
	6.22	The Airblast overpressure level from blasting operations carried out in or on the premises must not exceed: (i) 115 dB (Linear Peak) for more than 5% of the total number of blasts over a period of 12 months; and (ii) Exceed 120dB (linear Peak) at any time, at any residence or other noise sensitive receiver such as the St Clements Church and Camberwell Community Hall.	No Blasting in the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
		Ground vibration (ppv) Criteria					
	6.23	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: (i) 2mm/s for more than 5% of the total number of blasts over a period of 12 months; and (ii) Exceed 10mm/s at any time, at any residence or other noise sensitive receiver such as the St Clements Church and Camberwell Community	No Blasting in the audit period.	Not Triggered			
Time of blasting	6.24	Blasting operations on the premises may only take place between 9.00am and 5.00pm Monday to Saturday inclusive.	No Blasting in the audit period.	Not Triggered			
	6.25	The Applicant shall, as a minimum, advise residents of Camberwell village and occupiers of buildings within two (2) kilometres of blasting locations of future blasting events on at least a monthly basis, and of any changes to the proposed blast schedules. Such program shall also be available on	No Blasting in the audit period.	Not Triggered			
Blasting/Vibration Management Plans	6.26	The Applicant shall prepare and implement a Blasting/Vibration Management Plan (BVMP) in consultation with SSC, and to the satisfaction of the Director-General. The Plan shall include, but not be limited to, the	No Blasting in the audit period.	Not Triggered			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	No Blasting in the audit period.	Not Triggered			
	b	demonstration of compliance blasting criteria;	No Blasting in the audit period.	Not Triggered			
	c	proposed mitigation measures;	No Blasting in the audit period.	Not Triggered			
	d	remedial action;	No Blasting in the audit period.	Not Triggered			
	e	monitoring methods and program in accordance with blast monitoring and inspection conditions;	No Blasting in the audit period.	Not Triggered			
	f	monitoring program for fly rock distribution;	No Blasting in the audit period.	Not Triggered			
	h	measures to protect underground utilities (e.g.: subsurface telecommunication and electric cables, irrigation lines) and livestock on non-mine owned land;	No Blasting in the audit period.	Not Triggered			
	i	measures to consider the blasting activities from other neighbouring mines. This shall include details of the proposed measures to ensure that cumulative blast related impacts are managed, such as through consultation with the other mines to coordinate blasting activities;	No Blasting in the audit period.	Not Triggered			
	j	measures to monitor and mitigate impacts of blasting on rail and road infrastructure;	No Blasting in the audit period.	Not Triggered			
	k	measures to manage and mitigate dust generation from blasting;	No Blasting in the audit period.	Not Triggered			
	l	procedures for the investigation of blast related complaints from ACP, in consultation with other mines in the event of cumulative related impacts	No Blasting in the audit period.	Not Triggered			
	m	procedures for the notification of occupiers of buildings and residents prior to detonation of each blast; and	No Blasting in the audit period.	Not Triggered			
	n	measures to ensure no damage by fly rock to people, property, livestock and powerlines.	No Blasting in the audit period.	Not Triggered			
		The BVMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of blasting, or within such period otherwise agreed by the Director-General. Blasting shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the BVMP to Council, EPA, and DRE within 14 days. The Applicant shall make the BVMP available for public inspection on request.	No Blasting in the audit period.	Not Triggered			
	6.27	The Applicant shall, in consultation with SSC, RMS and RIC, prepare and implement a Road and Rail Closure Management Plan (RRCMP) to the satisfaction of the Director-General. The Plan shall include, but not be limited to, the following matters:	No Blasting in the audit period.	Not Triggered			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	No Blasting in the audit period.	Not Triggered			
	b	details of the proposed safety management measures during the period of the road closure and blast;	No Blasting in the audit period.	Not Triggered			
	c	details of the procedures for closing Glennies Creek Road the railway and the New England Highway, and the period which they will be closed during blasting activities;	No Blasting in the audit period.	Not Triggered			
	d	methods for ensuring the safety of road and rail users and the general public during the blast period;	No Blasting in the audit period.	Not Triggered			
	e	strategies for informing road and rail users and the local community of the proposed closures;	No Blasting in the audit period.	Not Triggered			
	f	details of the procedures for permitting the passage of emergency vehicles during the road closure. This shall also include details of the proposed methods for sufficiently notifying emergency service providers of the proposed times and period of the road closures;	No Blasting in the audit period.	Not Triggered			
	g	methods for clearing any debris resulting from a blast; and	No Blasting in the audit period.	Not Triggered			
	h	details of the disruptions that are likely to occur during the closure period.	No Blasting in the audit period.	Not Triggered			
		The RRCMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of blasting, or within such period otherwise agreed by the Director-General. Blasting shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the RRCMP to Council, RIC, RMS, EPA, and DRE within 14 days. The Applicant shall make the RRCMP available for public inspection on request.	No Blasting in the audit period.	Not Triggered			
Blast Monitoring and Inspection	6.28	To determine compliance with airblast overpressure and ground vibration criteria:	No Blasting in the audit period.	Not Triggered			
	a	Airblast overpressure and ground vibration levels must be measured at the most potentially affected residence or other noise sensitive receiver for all blasts carried out at the development;	No Blasting in the audit period.	Not Triggered			
	b	Instrumentation used to monitor compliance must meet the requirements of Australian Standard 2187.2 of 1993.	No Blasting in the audit period.	Not Triggered			
		The results of the blast monitoring must be submitted to EPA at the end of each reporting period and be summarised and interpreted in the AEMR.	No Blasting in the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	6.29	The Applicant shall investigate any vibration problem(s) associated with above ground floor level of residential buildings which occur as a result of blasting at the mine in relation to the criteria in Conditions 6.22 and 6.23 above. Should such an investigation be necessary the Applicant shall advise the Director-General the result of such investigation and any proposed preventive/remedial measures.	No Blasting in the audit period.	Not Triggered			
	6.30	Upon written request of the owner of any dwellings located in Camberwell Village or within two (2) kilometres of the blasting locations, the Applicant shall arrange at its own costs, for the inspection by a technically qualified person agreed to by both parties, to record the material condition of any structure on such property within 14 days of receipt of the request. The Applicant shall supply a copy of any inspection report, certified by the person who undertook the inspection, to the relevant property owner within fourteen	No Blasting in the audit period.	Not Triggered			
	6.31	The Applicant shall arrange at its own costs, for the inspection by a technically qualified person agreed to by the Director-General, to record the material condition of the St Clements Anglican Church and Camberwell Community Hall prior to the commencement of blasting. The Applicant shall supply a copy of any inspection report, certified by the person who undertook the inspection, to the relevant property owner and the Director-General within fourteen (14) days of receipt of the report.	No Blasting in the audit period.	Not Triggered			
	6.32	Upon receipt of a written request from the relevant property owner or manager, the Applicant shall investigate any blasting impacts or exceedences of blast criteria associated with the development at the St	No Blasting in the audit period.	Not Triggered			
	6.33	The Applicant shall incur the costs for any damage to Glennies Creek Road, the Railway, and the New England Highway resulting from any blast related activities. The repairs shall be undertaken to a standard acceptable to SSC, RMS and RIC.	No Blasting in the audit period.	Not Triggered			
Noise Control							
Noise Criteria	6.34	Except as may be expressly provided by a EPA license, noise generated by the development must not exceed the limits specified in Table 10 below	No noise exceedances reported in the ACOLEPA Annual Returns reviewed for the audit period (2013 - 2015).	Compliant			
		Refer to Table 10 Noise Limits (dB(A))					
	6.35	The Applicant shall ensure that the design, construction and operation of the ACP shall not create amenity problem(s) associated with low frequency vibration. In the event of a problem arising the Applicant shall, in consultation with the DEC, investigate the cause of any low frequency vibration associated with the ACP and report to the Director-General the result of any such investigation and practical mitigation measures that can be adopted to eliminate such problem.	No such problems have occurred during the audit period.	Not Triggered			
Noise Acquisition Criteria	6.36	The acquisition zone for noise is defined by predicted or demonstrated exceedence of the noise levels shown in Table 11 below:	No exceedance	Not Triggered			
		Refer to Table 11 Acquisition Noise Limits (dB(A)).					
Interpretation of Noise Levels	6.37	For the purpose of Conditions 6.34 and 6.36: • Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays. • Evening is defined as the period from 6pm to 10pm • Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.	This is noted, no finding is required to be made.	Noted			
	6.38	Noise from the premises is to be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling where the dwelling is more than 30m from boundary to determine compliance with the LAeq(15 minute) noise limits in condition 6.34. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the	See NMP for monitoring locations Not in locations as defined by this condition, however compliance is deemed through EPL specifications of computed/modelled to these specs (see noise reports for further explanation)	Compliant			
	6.39	Noise from the premises is to be measured at 1m from the dwelling facade to determine compliance with the LA1(1 minute) noise limits in condition 6.34.	Modelled/Computed as satisfactory to the EPL.	Compliant			
	6.40	The noise emission limits identified in condition 6.34 apply under the following meteorological conditions;	No exceedance of noise limits within the audit period.	Compliant			
	a	wind speeds up to 3m/s at 10 metres above ground level; and					
	b	temperature inversion conditions of up to 3°C/100m.					
Hours of Operation	6.41	Open cut mining activities must only be conducted between 7am to 10pm Monday to Saturday and 8am to 10pm Sundays and Public Holidays.	No open cut mining activities	Not Triggered			
Noise Management Plans	6.42	The Applicant shall prepare and implement, a Construction Noise Management Plan (CNMP) in consultation with SSC, to the satisfaction of the Director-General. The Plan shall include, but not be limited to the	Prior to audit period.	Not Triggered			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Prior to audit period.	Not Triggered			
	b	compliance standards;	Prior to audit period.	Not Triggered			
	c	community consultation;	Prior to audit period.	Not Triggered			
	d	complaints handling monitoring/system;	Prior to audit period.	Not Triggered			
	e	site contact person to follow up complaints;	Prior to audit period.	Not Triggered			
	f	methods for the management of construction related traffic noise impacts;	Prior to audit period.	Not Triggered			
	g	mitigation measures;	Prior to audit period.	Not Triggered			
	h	the design/orientation of the proposed mitigation methods demonstrating best practice;	Prior to audit period.	Not Triggered			
	i	construction times;	Prior to audit period.	Not Triggered			
	j	contingency measures where noise complaints are received; and	Prior to audit period.	Not Triggered			
	k	monitoring methods and program to comply with requirements of conditions 6.44-6.48.	Prior to audit period.	Not Triggered			
		6.42	The CNMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of construction, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the CNMP to Council, EPA, and DRE within 14 days. The Applicant shall make the CNMP available for public inspection on request.	Prior to audit period.	Not Triggered		

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	6.43	The Applicant shall prepare and implement a Noise Management Plan (NMP) for the ACP mine, to the satisfaction of the Director-General. The EPA SSC, and nearby mines shall be consulted prior to the finalisation of the Noise Management Plan. The Plan shall include:	The NMP (2014) was prepared in consultation with New South Wales Department of Planning and Environment (DP&E), the Environmental Protection Authority (EPA), Singleton Shire Council (SSC) and nearby mines. It was approved by DP&E April 2014.	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Appendix A and Appendix B	Compliant			
	b	details of the methods to comply with requirements of conditions 6.44-6.48;	Section 6	Compliant			
	c	details regarding operating configuration; determining survey intervals; weather conditions and seasonal variations; selecting variations, locations, periods and times of measurements;	Section 5.2	Compliant			
	d	detail management measures where the target criteria in condition 6.34 of this consent are predicted to be exceeded, or are exceeded during mining operations;	Sections 5.2, 5.3, 5.4, 5.5 and 6	Compliant			
	e	redefine both the acquisition and management zones on a yearly basis in the AEMR, unless otherwise agreed by the Director-General. This review shall draw upon the noise monitoring results obtained during the previous year and incorporate noise modelling to provide a forward plan of predicted noise levels for the year ahead;	Section 5.2	Compliant			
	f	specify the procedures for a noise monitoring program for the purpose of undertaking independent noise investigations;	Section 5.9 and 6.2	Compliant			
	g	outline the procedure to notify property owners and occupiers likely to be affected by noise from the operations;	Section 5.8	Compliant			
	h	establish a protocol for handling noise complaints that include recording, reporting and acting on complaints, particularly where complaints are received and it is demonstrated noise levels are in excess of the criteria contained in this consent;	Section 5.11	Compliant			
	i	record appropriate mechanisms for community consultation;	Section 5.11	Compliant			
	j	outline proactive/predictive and reactive mitigation measures to be employed on the site to limit noise emissions;	Sections 5.2, 5.3, 5.4 and 5.5	Compliant			
	k	identify longer term strategies directed towards mitigating noise levels that exceed the noise target levels in condition 6.34;	Sections 5.2, 5.6, 5.7, 5.12	Compliant			
	l	outline measures to reduce the impact of intermittent, low frequency and tonal noise (including truck reversing alarms);	Section 5.3	Compliant			
	m	survey and investigate noise reduction measures from plant and equipment annually, subject to noise monitoring results and/or complaints received, and report in the AEMR at the conclusion of the first 12 months of operations and set targets for noise reduction taking into consideration valid noise complaints in the previous year; and	Prior to audit period.	Not Triggered			
	n	include details of the inter-relationship of this plan with Noise Management Plans of other mines in the area.	Sections 2.1 and 5.7	Compliant			
		The NMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of mining operations, or within such period otherwise agreed by the Director-General. Mining operations shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the NMP to Council, EPA, and DRE within 14 days. The Applicant shall make the NMP available for public inspection on request.	Approval letters in Appendix C of NMP NMP available on ACOL website. No evidence of circulation to Council, EPA or DRE	Not Compliant Administrative			
	6.43A	Within 1 month of placing overburden on the eastern emplacement area above RL 125 metres, the Applicant shall revise the Noise Management Plan to include a dumping strategy for the eastern emplacement area to minimise noise impacts and ensure compliance with the noise criteria in the consent, to the satisfaction of the Director-General.	Has not occurred in audit period.	Not Triggered			
Noise Monitoring	6.44	The Applicant shall conduct detailed noise monitoring surveys at potentially affected residences (including potentially affected residences to the east of the mine prior to the cessation of overburden emplacement activities on the eastern emplacement area), on a 3-monthly basis	Has not occurred in audit period.	Not Triggered			
	6.45	A noise compliance assessment report shall be submitted to EPA and the Director-General within three months of commencement of normal operations at the premises and on an annual basis thereafter. The report shall be prepared by an accredited acoustical consultant and shall determine compliance with the noise limits in condition 6.34. Annual noise compliance reports may be incorporated into the AEMR.	Noise compliance report in AR's	Compliant			
	6.46	Noise from the premises is to be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling where the dwelling is more than 30m from boundary to determine compliance with the LAeq(15 minute) noise limits in condition 6.34. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable.	See Noise Monitoring Reports - direct measurement is impracticable and so alternative means of compliance are approved.	Compliant			
	6.47	Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1(1 minute) noise limits in condition 6.34.	See Noise Monitoring Reports - direct measurement is impracticable and so alternative means of compliance are approved.	Compliant			
	6.48	Noise monitoring results shall be of sufficient detail to assess whether ACP noise contains low-frequency, tonal or impulsive components as defined in Section 4 of the INP.	This was verified through a review of Noise Monitoring Reports (Spectrum Acoustics).	Compliant			
	6.49	Exceedence of Noise Criteria In the event that:					
	a	a landowner or occupier considers that noise from the project at his/her dwelling is in excess of the criteria detailed in Table 5 of condition 6.34 above; or,	This has not occurred in the audit period - no investigations have been required during the audit period	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	6.49	a landowner, having selected a suitable site for a dwelling on his/her vacant land, considers that noise from the project at his/her future dwelling would be excess of the criteria detailed in Table 5 of condition 6.34 and the Director-General is satisfied that an investigation is required, the Applicant shall, upon the receipt of a written request:	This has not occurred in the audit period	Not Triggered			
	a	consult with the landowner or occupant affected to determine his/her concerns;	This has not occurred in the audit period	Not Triggered			
	b	make arrangements for, and bear the costs of, following consultation with other mine operations in the vicinity where necessary, appropriate independent noise investigations in accordance with the Noise Management Plan, and to the satisfaction of the Director-General, to quantify the impact and determine the source of the effect and the contribution of ACP to the effect;	This has not occurred in the audit period	Not Triggered			
	c	take steps in accordance with a noise reduction plan prepared as part of the Noise Management Plan, if exceedances are demonstrated to result from ACP. This shall include:	This has not occurred in the audit period	Not Triggered			
	c i	introduction of additional controls, either on noise emission from individual sources on the site or on site operations or modify operations, to ensure that the criteria in the Table 5 of condition 6.34 above are achieved, as far as possible; or	This has not occurred in the audit period	Not Triggered			
	c ii	with the agreement of the landowner, and in the case of cumulative impacts the other relevant mining operations, undertaking of noise control at the dwelling to achieve internal noise levels due to ACP alone or due to all mining activities, as relevant, which are at least 10dBA below the relevant external noise criterion in Table 5 of condition 6.34. Internal noise levels should be measured at the centre of any habitable room; or	This has not occurred in the audit period	Not Triggered			
	c iii	entering into an agreement with the landowner, and in the case of cumulative impacts the other relevant mining operations in the area and the landowner, to provide such other forms of benefit or amelioration of	This has not occurred in the audit period	Not Triggered			
	d	conduct follow up investigation(s) to the satisfaction of the Director-General, where necessary.	This has not occurred in the audit period	Not Triggered			
		Note: Vacant land in this condition means the whole of the lot in a current plan registered at the Land Titles Office as at the date of this consent that does not have a dwelling situated on the lot and is permitted to have a dwelling on that lot.		Noted			
	6.50	If the independent noise investigation(s) in condition 6.49 above confirms that noise criteria in condition 6.36 are being exceeded, and the measures in condition 6.49(c) do not reduce the noise levels below the criteria in Table 5 of condition 6.34, or establish an agreement acceptable to the relevant parties, the Applicant shall, at the written request of the landowner, acquire the relevant property. Acquisition shall be in accordance with the procedures set out in conditions 11.5-11.11.	This has not occurred in the audit period - no investigations have been required during the audit period	Not Triggered			
		In the case of cumulative levels in excess of the criteria in Table 6 of condition 6.36, should the Applicant form an agreement with the relevant contributing parties under a Joint Acquisition Management Plan pursuant to Condition 11.12, the Applicant shall purchase an affected property in accordance with this Plan. Should a Joint Acquisition Management Plan not be prepared between the relevant contributing parties, the Applicant shall acquire the property in accordance with conditions 11.5-11.11.	This has not occurred in the audit period - no investigations have been required during the audit period	Not Triggered			
	6.51	If continued complaints and noise investigations confirm that noise criteria in Table 5 of condition 6.34 are being exceeded, but are less than the noise levels in condition 6.36, the Applicant shall continue to negotiate with the landowner, and other mines in the vicinity where relevant, until a resolution to the satisfaction of the Director-General is reached.	This has not occurred in the audit period - no investigations have been required during the audit period	Not Triggered			
	6.52	If a landowner disputes any noise mitigation or other measures proposed by the Applicant in accordance with condition 6.49 above, the matter shall be referred by either the Applicant or landowner to the Director-General in consultation with SSC. If the matter cannot be resolved within 21 days, the matter shall be referred	This has not occurred in the audit period - no investigations have been required during the audit period	Not Triggered			
	6.53	Further independent investigations shall cease if the Director-General is satisfied that the relevant criteria in Table 5 of condition 6.34 are not being exceeded and are unlikely to be exceeded in the future.	This has not occurred in the audit period - no investigations have been required during the audit period	Not Triggered			
Lighting Emissions							
	6.54	All external lighting associated with the development shall comply with Australian Standard AS4282(INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting. Prior to the commencement of mining operations, the Applicant shall certify in writing, to the satisfaction of the Director-General, that all relevant lighting associated with the development will meet the requirements of this condition, and has generally been designed and installed to minimise lighting impacts outside the site.	The site operates as per the Lighting Management Plan (included in this audit)	Compliant			
	6.55	The Applicant shall design and construct all roads and areas where mobile equipment and vehicles move on the site to minimise off-site lighting impacts from equipment lighting and headlights. Lighting from equipment and vehicles shall not shine directly on residences or vehicles moving along public roads at any	No design or construction of roads within audit period.	Not Triggered			
	6.56	The Applicant shall prepare a Lighting Management Plan (LMP) in consultation with SSC, and to the satisfaction of the Director-General. The Plan shall include, but not be limited to:	Lighting Management Plan (approved)	Compliant			
	a	demonstration of consistency with commitments made in documents listed in condition 1.2 and compliance with the conditions of this consent;	Section 1.3 and Appendix B.	Compliant			
	b	details of the implementation of visual controls to screen, direct or manage all on-site lighting from mine related activities in respect of residences and roadways;	Section 5, Figure 1	Compliant			
	c	details of the planting of vegetation screens along the mine boundary and around surface facilities and infrastructure;	Section 5, Figure 1 Also refer to the MOP.	Compliant			
	d	details of technical measures and work practices necessary to minimise the spillage of light from areas to be illuminated, and to minimise the total night time glow from the mine;	Section 5	Compliant			
	e	details of the construction of mine facilities roads, and work areas, or placement of visual screens and/or overburden emplacements to screen lighting impacts;	Section 5, Figure 1	Compliant			
	f	details of the proposed process and measures to address complaints that may be received from residents or road users impacted by lighting from the mine site; and,	Section 5, Section 6	Compliant			
	g	details of any other effective operating practices to manage potential lighting impacts.	Section 5	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
		The LMP shall be submitted for the approval of the Director-General, no later than one month prior to the commencement of mining operations, or within such period otherwise agreed by the Director-General. Mining operations shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the LMP to Council, EPA, and DRE within 14 days. The Applicant shall make the LMP available for public inspection on request.	One month prior to the commencement of mining operations is outside of the audit period. LMP is available on ACOL's website.	Compliant			
	6.57	The Applicant shall report on the effectiveness of the lighting emission controls in the AEMR.	AR 2013; Section 3.11 AR 2014; Section 3.11 AR 2015; Table 9	Compliant			
7. TRANSPORT AND UTILITIES							
Road Construction							
Road Transport	7.1	No coal shall be hauled from the mine site on public roads, except under emergency circumstances and with the prior written approval of the Director-General and SSC.	No coal hauled on public roads.	Compliant			
	7.2	The Applicant shall ensure that all employees and contractors travelling to and from the mine site utilise the designated mine access road off Glennies Creek Road.	Operations continue as per this continue condition.	Compliant			
	7.3	Any damage caused to the New England Highway pavement and shoulder caused by the movement of heavy vehicles for oversize equipment deliveries to the site shall be repaired at the Applicant's expense.	No repairs have been required during the audit period.	Not Triggered			
	7.4	No coal shall be transported via any internal haul road to the Macquarie Generation conveyor as indicated in Note: Condition 1.19 prohibits the construction of the private coal haul road.	Operations continue as per this continue condition. This was noted, however no finding is required for this condition/commitment.	Compliant Noted			
Local Roads	7.5	The Applicant shall design and construct the following works in accordance with Council's Development Design and Construction Specifications:	Prior to audit period.	Not Triggered			
	a	widen the radius of Glennies Creek Road at the New England Highway intersection to overcome the acute intersection angle;	Prior to audit period.	Not Triggered			
	b	re-seal the Glennies Creek Road surface from the New England Highway to the proposed mine entry road;	Prior to audit period.	Not Triggered			
	c	construct an AUSTRROADS type B intersection incorporating a left turn speed reducing lane to the new entry, and widen the eastern side of Glennies Creek Road to allow a right turn ingress lane from the intersection and an external slip lane for Glennies Creek Road; and,	Prior to audit period.	Not Triggered			
	d	build a new realigned section of road to accommodate the new open cut mine.	Prior to audit period.	Not Triggered			
		Plans for all works shall be submitted and approved by Council prior to commencement of works.	Prior to audit period.	Not Triggered			
	7.6	The Applicant will construct upgrade works on Glennies Creek Road in accordance with the conceptual design provided in supplementary information referred to in condition 1.2, with the exception that the design standard is to be upgraded to 80kph. All works to be to the satisfaction of SSC.	Prior to audit period.	Not Triggered			
		State Roads	Prior to audit period.	Not Triggered			
	7.7	The Applicant shall obtain approval from the RMS for the upgrade of the intersection at Glennies Creek Road and the New England Highway, which shall be generally in accordance with the conceptual design provided in supplementary information referred to in condition 1.2.	Prior to audit period.	Not Triggered			
	7.8	The Applicant shall obtain RMS approval under Section 138 of the Roads Act for all works within the New England Highway road reserve.	Prior to audit period.	Not Triggered			
	7.9	48The Applicant shall execute a Works Authorisation Deed with the RMS for the proposed road works on State Highway No. 9 New England Highway and proposed activities relating to the construction, operation and maintenance of a private haul road crossing of the Highway. The Works Authorisation Deed must be executed prior to commencement of any activity within the Highway road reserve.	Prior to audit period.	Not Triggered			
	7.1	49The Applicant shall bear all costs associated with the design, survey, approval, construction, maintenance, monitoring, rehabilitation and removal of all mine related infrastructure and works affecting the New England Highway road reserve.	Prior to audit period.	Not Triggered			
	7.11	50The Applicant shall pay to the RMS the cost incurred by the RMS of making good any damage to the New England Highway, and its associated structures, caused by activities associated with this consent. Provided however that the amount to be paid by the Applicant as aforesaid shall be reduced by such sum of money, if any, as may be paid to the RMS from the Mine Subsidence Compensation Fund constituted under the Mine Subsidence Compensation Act, 1961, in the form of a claim for compensation for the same damage.	Prior to audit period.	Not Triggered			
	7.12	51Activities associated with this consent shall not restrict in any way the ability of the RMS and its contractors to access and/or undertake works to Bowmans Creek Bridge and its underside.	Prior to audit period.	Not Triggered			
	7.13	52Any adjustments or alterations to activities associated with this consent resulting from improvements/upgrade of the New England Highway shall be the responsibility of the Applicant and at no Lemington Road Alignment	Prior to audit period.	Not Triggered			
	7.14	The Applicant shall, together with the owner of the Ravensworth Operations Project, commission and implement a detailed report on a final alignment for Lemington Road, to the satisfaction of the Director-General. The report shall be prepared by an independent person/s whose appointment has been approved by	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	a	be commissioned by 30 June 2011 and be finalised by 31 March 2012;	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	b	be prepared in consultation with Council, the RMS, MSB and Macquarie Generation;	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	c	consider predicted subsidence impacts associated with the proposed extraction by the Applicant of each seam that it is permitted to extract within the underground mining area (including as to whether a stacked or offset panel alignment is employed), and proposed management of these subsidence impacts (including the safety of the public and other road users);	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	d	assess any need for the final realignment to vary from the interim realignment, including consideration of the most appropriate status for the final alignment (ie public or private road) and most appropriate timing of construction;	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	e	identify a preferred option for the final alignment of Lemington Road;	Report submitted 16/8/13 - outside of audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
	f	assess the environmental, social and economic impacts associated with the realignment options, particularly the preferred option;	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	g	determine the most appropriate responsibility for funding ongoing maintenance of the realigned roadway, including costs associated with repair of any future subsidence-related impacts on the roadway; and	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
	h	include an action plan for implementation of its recommendations, including any variation to the interim alignment and the funding of monitoring and management costs.	Report submitted 16/8/13 - outside of audit period.	Not Triggered			
		If so directed by the Director-General, the Applicant shall, together with the owner of the Ravensworth Operations Project, commission and implement additional reports following extraction of each seam that the Applicant is permitted to extract. Each such additional report shall review the impacts of previous subsidence on Lemington Road/Brunkers Lane, review existing measures to monitor and manage subsidence impacts, and recommend appropriate monitoring and management measures to address future subsidence impacts (including any continuing need to realign Lemington Road), to the satisfaction of the Director-General. The Applicant shall fund 50% of the costs of reports prepared under this condition and shall implement the recommendations of such reports, to the satisfaction of the Director-General. Any dispute over the interpretation or implementation of reports prepared under this condition shall be determined by the Director-General, whose decision shall be final. Notes: 1) The interim realignment of Lemington Road is intended to be constructed by the owner of the Ravensworth Operations Project, partly on the current alignment of Brunkers Lane, prior to full extraction of the Pikes Gully Seam by the Applicant. 2) The owner of the Ravensworth Operations Project will be expected to fund the other 50 percent of report costs and to have similar responsibilities regarding implementation. 3) Stacked or offset panel alignments for the Upper Liddell, Upper Lower Liddell and Lower Barrett seams are shown in the plans in Schedule B.	No mining undertaken in this area during the audit period.	Not Triggered			
	7.15	The Applicant shall be responsible for implementing controls to ensure road traffic safety (including monitoring, maintenance and repairs of subsidence impacts) during any longwall extraction which may cause subsidence impacts to Brunkers Lane/Lemington Road. Note: This responsibility for implementing controls exists notwithstanding that funding of these controls may come from other parties, such as the owner of the Ravensworth Operations Project or the MSB.	This has not been required during the audit period.	Not Applicable			
	7.16	(Deleted)					
	7.17	(Deleted)					
	7.18	(Deleted)					
	7.19	(Deleted)					
	7.2	(Deleted)					
	7.21	(Deleted)					
Road Closures	7.22	The Applicant shall maintain signs on Glennies Creek Road and in Camberwell Village to provide at least 24 hours notice of temporary road closures. The location and wording of the signs are to be approved by SSC. Timetables for road closures are also to be available on the internet. A protocol is to be established in consultation with the emergency services during road closures. Notification shall also be provided to relevant emergency services via fax or other written means seven (7) days prior to the road closure.	No blasting has occurred during the audit period.	Not Triggered			
Relocation of Electrical Transmission Lines	7.23	The Applicant shall, to the satisfaction of Energy Australia and at its own cost, undertake the relocation and/or construction of any electrical transmission lines which may be required as a result of the development. The Applicant shall also bear any costs associated with relocation of Registered Easements for relocated or new transmission lines required as a result of the development. Such work shall be completed prior to any existing line being affected by mining activity from ACP.	No relocations during the audit period	Not Triggered			
Utility Services	7.24	The Applicant shall, to the satisfaction of telecommunications providers and at its own cost, or by agreement with relevant parties, undertake the relocation of any telecommunications cables which may be required as a result of the development.	No relocations during the audit period	Not Triggered			
Rail Construction	7.25	The Applicant shall construct the proposed railway siding to the satisfaction of RIC and at its own costs.	No relocations during the audit period	Not Triggered			
8. MONITORING / AUDITING							
	8.1	In addition to the requirements contained elsewhere in this consent, the Director-General may, at any time in consultation with the relevant government authorities and Applicant, require the monitoring programs under this consent to be revised or updated to reflect changing environmental circumstances or changes in technology/operational practices. Changes shall be made and approved in the same manner as the initial monitoring programs.	No such directives during the audit period.	Not Triggered			
	8.1	All monitoring programs shall also be made publicly available at SSC and on the internet within two weeks of approval by the relevant government authority.	Distributed to SSC with the directive to make available - letter sighted	Compliant			
	8.2	All sampling strategies and protocols undertaken as part of any monitoring program shall include a quality assurance/quality control plan and shall be included in the relevant environmental management plan. Only accredited laboratories shall be used for laboratory analysis.	AQMP Section 3.2, Monitoring Standards and Guidelines WMP Section 5.3, Monitoring Program	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk																																																			
					Consequence	Likelihood	Risk																																																	
Third Party Monitoring / Auditing																																																								
Independent Expert Review	8.3	The Director-General may, in consultation with OEH, EPA, DRE, SSC, and other relevant agencies, direct the Applicant to, at the Applicant's own costs, provide ongoing funding for Independent Expert Review of documents, plans, and monitoring programs required by this consent. Independent expert(s) may be required provide independent advice to the Director-General, and through the Director-General to other regulatory authorities. The payments shall be paid according to a schedule specified by the Director-General, should Independent Expert Review be required.	This has not been required during the audit period.	Not Triggered																																																				
	8.4	Independent Expert Review shall be carried out by one or more independent experts in relevant disciplines and may include experts in subsidence, water quality / quantity, ecology, groundwater, air quality, noise, or cultural heritage. The Director- General shall select the relevant discipline(s) and appoint the expert(s) in consultation with relevant Government agencies and the Applicant.	This has not been required during the audit period.	Not Triggered																																																				
	8.5	The functions of any Independent Expert Review may include, but not be limited to, assessing and evaluating the following documents required under this consent:	This has not been required during the audit period.	Not Triggered																																																				
	a	Environmental Management Plans;	This has not been required during the audit period.	Not Triggered																																																				
	b	Monitoring programs and compliance reports;	This has not been required during the audit period.	Not Triggered																																																				
	c	End of Panel Reports; and	This has not been required during the audit period.	Not Triggered																																																				
	d	Annual Environmental Management Reports.	This has not been required during the audit period.	Not Triggered																																																				
8.6	<i>The results of any review, including any specific recommendations, shall be submitted to the Director-General, OEH, EPA, DRE, and other relevant agencies to be determined by the Director-General. Reports produced by a review shall be made public.</i>	This has not been required during the audit period.	Not Triggered																																																					
8.7	The Director-General may, after considering any submission made as a result of an independent Expert Review, notify the Applicant of any requirements with regard to any recommendations made in the submission. The Applicant shall comply with those requirements within such time as the Director-General	This has not been required during the audit period.	Not Triggered																																																					
Independent Environmental Auditing	8.8	One year after commencement of construction and every three years thereafter until five years after completion of mining in the DA area, or as otherwise directed by the Director-General, the Applicant shall conduct an environmental audit of the mining and infrastructure areas of the development in accordance with ISO 14010 - Guidelines and General Principles for Environmental Auditing, and ISO 14011 - Procedures for Environmental Auditing (or the current versions), and in accordance with any specifications required by the Director-General. Copies of the report shall be submitted by the Applicant to the Director-General, SSC, OEH, ERS, NoW, DRE, RMS, MSB, and the CCC within two weeks of the report's completion for comment.	This audit - and previous audits. Lodged with DPE 2/1/14 following receipt of final report 20/12/13	Compliant																																																				
	8.9	The independent environmental audit shall:	This audit and previous audits satisfy this condition	Compliant																																																				
	a	assess compliance with the requirements of this consent, licenses, and approvals;	This audit and previous audits satisfy this condition	Compliant																																																				
	b	assess the development against the predictions made in the EIS and the predictions and commitments made in the documents listed in condition 1.2;	This audit and previous audits satisfy this condition	Compliant																																																				
	c	(Deleted);																																																						
	d	review the effectiveness of the environmental management of the mine, including any mitigation works;	This audit and previous audits satisfy this condition	Compliant																																																				
	e	be carried out at the Applicant's expense; and	This audit and previous audits satisfy this condition	Compliant																																																				
f	be conducted by a duly qualified independent person or team approved by the Director-General in consultation with SSC and other relevant agencies.	This audit and previous audits satisfy this condition	Compliant																																																					
8.10	The Director-General may, after considering any submission made by the relevant government agencies, SSC and the CCC on the report, notify the Applicant of any requirements with regard to any recommendations in the report. The Applicant shall comply with those reasonable requirements within such time as the Director-	This audit and previous audits satisfy this condition	Compliant																																																					
Meteorological Station(s)	8.11	The Applicant shall establish a meteorological station(s) at a relevant location(s) in accordance with the requirements of AS 2922 1987 "Ambient Air Guide for Siting of Sampling Units" or its updated version or as directed by the EPA. The Meteorological station(s) must be capable of recording wind direction and speed, temperature and sigma theta and be operated in accordance with the requirements of AS 2923-1987 "Ambient Air Guide Horizontal Wind for Air Quality Application", or subsequent relevant standards.	These AS are no longer applicable. Met Station is operated under current AS 3580. 14-2011. Sighted Calibration Report dated 12/2/16	Compliant																																																				
		<table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of measure</th> <th>Averaging Period</th> <th>Frequency</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Rainfall</td> <td>mm/hr</td> <td>1-hour</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Sigma Theta @ 10 m</td> <td>-</td> <td>1-hour</td> <td>Continuous</td> <td>AM-2</td> </tr> <tr> <td>Siting</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1</td> </tr> <tr> <td>Temperature @ 10 m</td> <td>K</td> <td>1-hour</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Temperature @ 2 m</td> <td>K</td> <td>1-hour</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Atmospheric Inversion</td> <td>0C/100m</td> <td></td> <td>Continuous</td> <td>See note</td> </tr> <tr> <td>Total Solar Radiation @ 10 m</td> <td>W/m²</td> <td>1-hour</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Wind Direction @ 10 m</td> <td>-</td> <td>1-hour</td> <td>Continuous</td> <td>AM-2</td> </tr> <tr> <td>Wind Speed @ 10 m</td> <td>m/s</td> <td>1-hour</td> <td>Continuous</td> <td>AM-2</td> </tr> </tbody> </table> <p>Note: The Applicant shall calculate temperature inversion from measurements at 2 and 10m.</p>	Parameter	Units of measure	Averaging Period	Frequency	Method	Rainfall	mm/hr	1-hour	Continuous	AM-4	Sigma Theta @ 10 m	-	1-hour	Continuous	AM-2	Siting	-	-	-	AM-1	Temperature @ 10 m	K	1-hour	Continuous	AM-4	Temperature @ 2 m	K	1-hour	Continuous	AM-4	Atmospheric Inversion	0C/100m		Continuous	See note	Total Solar Radiation @ 10 m	W/m ²	1-hour	Continuous	AM-4	Wind Direction @ 10 m	-	1-hour	Continuous	AM-2	Wind Speed @ 10 m	m/s	1-hour	Continuous	AM-2	Met Data provided is for rainfall, temperature (min and max, temperature at different heights calculated between the two monitoring stations), wind speed and wind direction parameters.	Compliant		
Parameter	Units of measure	Averaging Period	Frequency	Method																																																				
Rainfall	mm/hr	1-hour	Continuous	AM-4																																																				
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8.12	The Applicant must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The applicant must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns: Refer to table in condition 8.12	The sampling method, units of measure, averaging period and sample at the frequency specified in the table were also sighted in the raw met data sighted.	Compliant																																																					

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
9. REPORTING							
Reports on Operations							
	9.1	The Applicant shall report on mine operations in accordance with the mine operations plan (refer to Condition 2.1).	MOP specifies AR be completed.	Compliant			
Annual Environmental Management Report (AEMR)							
	9.2	The Applicant shall, throughout the life of the mine and for five years after completion of mining in the DA area, prepare and submit an Annual Environmental Management Report (AEMR) to the satisfaction of the Director-General and DPI Minerals. The AEMR shall review the performance of the mine against the Environmental Management Strategy and the relevant Mining Operations Plans, the conditions of this consent, and other licenses and approvals relating to the mine. To enable ready comparison with the predictions made in the EIS, diagrams and tables, the report shall include, but not be limited to, the following matters: a) an annual compliance audit of the performance of the project against conditions of this consent and statutory approvals; b) assess the development against the predictions made in the EIS and the terms and commitments made in the documents listed in condition 1.2; c) (Deleted); d) 34a Groundwater Management Report prepared by an independent expert to the satisfaction of NoW, addressing: (i) work done under and the level of compliance with, the groundwater management measures defined in the Groundwater Management Plan; and (ii) identification of trends in groundwater monitoring data and comparison with predictions, in documents referred to in condition 1.2 and any previous SMPs, over the life of mining operations. e) a review of the effectiveness of the environmental management of the mine in terms of OEH, EPA, NoW, DRE, and SSC requirements; f) results of all environmental monitoring required under this consent or other approvals, including interpretations and discussion by a suitably qualified person; g) reporting requirements under condition 3.31; h) identify trends in monitoring results over the life of the mine; i) an assessment of any changes to agricultural land suitability resulting from the mining operations, including cumulative changes; j) a listing of any variations obtained to approvals applicable to the DA area during the previous year; k) the outcome of the mine water balance for the year; l) status of rehabilitation and revegetation works; and m) environmental management targets and strategies for the next year, taking into account identified trends in monitoring results. In preparing the AEMR, the Applicant shall: a) consult with the Director-General during preparation of each report; b) comply with any reasonable requirements of the Director-General or other relevant government agency; and c) ensure that the first report is completed and submitted within twelve months of this consent, or at a date determined by the Director-General in consultation with the DRE and the EPA.	Available AR's reviewed for the audit period.	Compliant			
	9.3	a) consult with the Director-General during preparation of each report; b) comply with any reasonable requirements of the Director-General or other relevant government agency; and c) ensure that the first report is completed and submitted within twelve months of this consent, or at a date determined by the Director-General in consultation with the DRE and the EPA.	Available AR's reviewed for the audit period.	Compliant			
	9.4	The Applicant shall ensure that copies of each AEMR are submitted at the same time to the Director-General, DRE, OEH, EPA, NoW, SSC and the CCC, and made available for public information at SSC within fourteen days of submission to these authorities.	Sighted Distribution List during audit visit. Distributed to SSC with the directive to make available - confirmation of this was viewed in the form of an email from SSC Director Planning and Infrastructure.	Compliant			
Recording and Reporting Requirements							
Monitoring Records							
	9.5	The results of any monitoring required to be conducted by the EPAs general terms of approval, or a license under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with any load calculation protocol must be recorded and retained as set out in conditions 9.6 and 9.7	This was noted, however no finding is required for this condition/commitment.	Noted			
	9.6	All records required to be kept by the license must be: .in a legible form, or in a form that can readily be produced to a legible form; .kept for at least 4 years after the monitoring or event to which they relate took place; and .produced in a legible form to any authorised officer of the EPA who asks to see them.	Auditors reviewed monitoring database which included EPA monitoring results.	Compliant			
	9.7	The following records must be kept in respect of any samples required to be collected: ☐the date(s) on which the sample was taken; ☐the time(s) at which the sample was collected; ☐the point at which the sample was taken; and ☐the name of the person who collected the sample.	Sighted on field sheets viewed during audit visit.	Compliant			
	9.8	The Applicant must provide an annual return to the EPA in relation to the development as required by any license under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the Applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with license conditions and provide a calculation of license fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return. This may form part of the AEMR.	Annual Returns submitted and reviewed by auditors.	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
10. COMMUNITY CONSULTATION / OBLIGATIONS							
Community Consultative Committee							
	10.1	The Applicant shall:					
	a	establish a Community Consultative Committee (CCC) and aim to hold the first meeting prior to submission of the Environmental Management Strategy. Should the CCC not be formed at the preparation of the Environmental Management Strategy or environmental management plans, the Applicant shall consult the CCC, once formed, on the Strategy and any management plans. The Applicant shall provide a report to the Director-General on the issues raised as a result of these consultations and the Director-General may require the Environmental Management Strategy or environmental management plans be revised in light of this report. Selection of representatives shall be to the satisfaction of the Director-General in consultation with the Applicant and SSC. The CCC shall comprise two (2) representatives of the Applicant (including the Environmental Officer), one (1) representative of SSC, and four (4) community representatives. The CCC shall be chaired by SSC.	Establishment of CCC outside of audit period.	Not Triggered			
	b	representatives from relevant government agencies, the local community, the local Aboriginal community, or other individuals may be invited to attend meetings as required by the Chairperson. The CCC may make comments and recommendations about the preparation and implementation of environmental management plans, monitor compliance with conditions of this consent relevant to the operation of the mine during the term of the consent. The Applicant shall ensure that the CCC has reasonable access to the necessary plans for such purposes. The Applicant shall consider the recommendations and comments of the CCC and provide a response to the CCC and Director-General.	ACOL's CCC continues to operate as per this condition.	Compliant			
	10.2	The Applicant shall, at its own expense:					
	i	nominate two (2) representatives (including the Environmental Officer) to attend all meetings of the CCC;	This was verified through review of CCC meeting minutes.	Compliant			
	ii	provide to the CCC regular information on the progress of work and monitoring results;	This was verified through review of CCC meeting minutes.	Compliant			
	iii	promptly provide to the CCC such other information as the Chair of the CCC may reasonably request concerning the environmental performance of the development;	This was verified through review of CCC meeting minutes.	Compliant			
	iv	provide access for site inspections by the CCC; and	This was verified through review of CCC meeting minutes.	Compliant			
	v	provide meeting facilities for the CCC, and take minutes of CCC meetings. These minutes shall be available for public inspection at SSC within 14 days of the meeting, or as agreed by the CCC.	Sighted email directing that minutes be made available at SSC	Compliant			
Complaint Handling Procedures							
	10.3	The Environmental Officer(s) employed by the mine (refer condition 3.1) shall be responsible for:					
	a	establishing and maintaining a system for recording complaints with respect to construction works and mine operations on a dedicated and publicly advertised telephone line, 24 hours per day 7 days per week, entering complaints or comments in an up to date log book, or other suitable data base, and ensuring that an initial response is provided to the complainant within 24 hours;	Viewed Complaints Handling Procedure during audit visit.	Compliant			
	b	for providing a report of complaints received with respect to the construction and operation of the mine, every six months throughout the life of the project to the Director-General, SSC, OEH, EPA, DRE and the CCC, or as otherwise agreed by the Director-General. A summary of this report shall be included in the AEMR (conditions 9.2-9.4);	Sighted letter from DPE with respect to agreement that quarterly reporting for Air Qual and Complaints is no longer required (26/9/13). AR 2013; Section 4.1 AR 2014; Section 4.1 AR 2015; Section 10.1	Compliant			
	c	maintaining access to documents on the ACP internet site, as required by this consent, and publicizing the address to the site to the public and regulatory authorities;	Availability of information on website has been reviewed and found to be satisfactory.	Compliant			
	d	consult with the environmental officer(s) employed by other mines in the vicinity to seek to co-ordinate a response to any complaints received regarding the operations of ACP and other mines.	Phone calls generally on as needs basis as verified during staff interviews at the time of the audit.	Compliant			
	10.4	The Applicant must nominate at least two persons (and their telephone numbers) who will be available to the EPA on a 24 hours basis, and who have authority to provide information and to implement such measures as may be necessary from time to time to address a pollution incident or to prevent pollution from continuing as directed by an authorised officer of the EPA.	PIRMP outlines contact details.	Compliant			
11. APPLICANT'S OBLIGATIONS							
Cumulative Impact Management							
	11.1	In the event that the cumulative impact of noise or dust contributed to by the operation of the ACP mine and other nearby mining activities and any future mining/industrial operations, at dwellings, or proposed dwellings on vacant land (as described in Condition 6), in the vicinity of the operation, exceeds the noise or dust criteria contained in condition 6, the Applicant shall negotiate with the other mines and landowner(s) to determine appropriate arrangements to reasonably contribute to the management of the identified cumulative impacts or acquisition of the property to the satisfaction of the Director-General in proportion to	This has not occurred during the audit period. In the audit period there has been no exceedance of noise or dust criteria directly attributable to ACOL.	Not Triggered			
	11.2	If it is identified that total industrial noise levels at any point exceed the criteria set out in Condition 6.34, and that an industrial source from within the mine contributes significantly to this total, the Applicant shall prepare a report to the Director-General outlining the contribution from sources within the mine to the total measured noise level.	This has not occurred during the audit period. In the audit period there has been no exceedance of noise or dust criteria directly attributable to ACOL.	Not Triggered			
	11.3	If agreement on appropriate contributions towards mitigation measures/acquisition cannot be reached from negotiations undertaken in accordance with condition 11.1, then the matter shall be referred to the Director-General in consultation with SSC by either the Applicant or landowner. If the matter is not resolved within 21 days of the referral, the matter will be referred to an Independent Dispute Resolution Process as determined by the Director-General, and resolved as agreed by the Director-General. The Independent Dispute Resolution Process shall determine the responsibilities of each of the mining companies in accordance with condition 11.1 above and actions to be undertaken. The decision of the Independent Dispute Resolution Process shall be final and binding on all parties, as agreed by the Director-General.	This has not occurred during the audit period.	Not Triggered			
	11.4	Prior to referral to the Independent Dispute Resolution Process, the Applicant shall provide the Director-General a report detailing the Applicant's reasons for being unable to reach agreement with the other parties, and the reasons for the criteria exceedances with demonstration that ACP's activities are not the sole cause of the exceedances.	This has not occurred during the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Area of Affection – Land Acquisition							
		Note: In Conditions 11.5-11.11 "land" means the whole of a lot in a current plan registered at the Land Titles Office as at the date of this consent.	This was noted, however no finding is required for this condition/commitment.	Noted			
	11.5	The Applicant shall negotiate and purchase property No. 115 as identified within the EIS (Volume 3 Figure 3.13), within six (6) months of a written request from the affected land owner. The owner of any dwelling, or vacant land where a dwelling is proposed (as described in Condition 6), located in areas that exceed noise and/or air quality criteria established in accordance with conditions 6.17, 6.18, and 6.50 of this consent, and at any time after the granting of development consent, may request the Applicant in writing to purchase the	No land acquisitions have occurred during the audit period.	Not Triggered			
	11.6	In respect of a request to purchase land arising under condition 11.5, the Applicant shall pay the owner the acquisition price which shall take into account and provide payment for:	No land acquisitions have occurred during the audit period.	Not Triggered			
	a	a sum not less than the current market value of the owner's interest in the land at the date of this consent, as if the land was unaffected by the ACP the subject of this DA, having regard to:	No land acquisitions have occurred during the audit period.	Not Triggered			
	a i	the existing use and permissible use of the land in accordance with the applicable planning instruments at the date of the written request; and	No land acquisitions have occurred during the audit period.	Not Triggered			
	a ii	the presence of improvements on the land and/or any Council approved building or structure which although substantially commenced at the date of request is completed subsequent to that date.	No land acquisitions have occurred during the audit period.	Not Triggered			
	b	the owner's reasonable compensation for disturbance allowance and relocation costs within the Singleton or Muswellbrook Local Government Area, or within such other location as may be determined by the Director-General in exceptional circumstances; and	No land acquisitions have occurred during the audit period.	Not Triggered			
	c	the owner's reasonable costs for obtaining legal advice and expert witnesses for the purposes of determining the acquisition price of the land and the terms upon which it is to be acquired.	No land acquisitions have occurred during the audit period.	Not Triggered			
		Notwithstanding any other condition of this consent, the Applicant may, upon request of the landowner, acquire any property affected by the project during the course of this consent on terms agreed to between the Applicant and the landowner.	No land acquisitions have occurred during the audit period.	Not Triggered			
	11.7	In the event that the Applicant and any owner referred to in this condition cannot agree within the time limit upon the acquisition price of the land and/or the terms upon which it is to be acquired, then:	No land acquisitions have occurred during the audit period.	Not Triggered			
	a	either party may refer the matter to the Director-General, who shall request the President of the Australian Institute of Valuers and Land Economists to appoint a qualified independent valuer or Fellow of the Institute, who shall determine, after consideration of any submissions from the owners, a fair and reasonable acquisition price for the land as described in condition 11.6 and/or terms upon which it is to be acquired;	No land acquisitions have occurred during the audit period.	Not Triggered			
	b	In the event of a dispute regarding outstanding matters that cannot be resolved, the independent valuer shall refer the matter to the Director-General, recommending the appointment of a qualified panel. The Director-General, if satisfied that there is need for a qualified panel, shall arrange for the constitution of the panel. The panel shall consist of:	No land acquisitions have occurred during the audit period.	Not Triggered			
	b i	the appointed independent valuer,	No land acquisitions have occurred during the audit period.	Not Triggered			
	b ii	the Director-General or nominee, and	No land acquisitions have occurred during the audit period.	Not Triggered			
	b iii	the President of the Law Society of NSW or nominee.	No land acquisitions have occurred during the audit period.	Not Triggered			
		The qualified panel shall determine a fair and reasonable acquisition price as described in condition 11.6 above and/or the terms upon which the property is to be acquired.	No land acquisitions have occurred during the audit period.	Not Triggered			
	11.8	The Applicant shall bear the costs of any valuation or survey assessment requested by the independent valuer, panel, or the Director-General and the costs of determination referred to in conditions 11.6 and 11.7.	No land acquisitions have occurred during the audit period.	Not Triggered			
	11.9	Upon receipt of a determination pursuant to conditions 11.6 and 11.7, the Applicant shall, within 14 days, offer in writing to acquire the relevant land at a price not less than the determination. Should the Applicant's offer to acquire not be accepted by the owner within six (6) months of the date of such offer, the Applicant's obligations to purchase the property shall cease, unless otherwise agreed by the Director-General.	No land acquisitions have occurred during the audit period.	Not Triggered			
	11.10	In the event that the Applicant and the land owner agree that only part of the land is to be transferred to the Applicant, the Applicant shall pay all reasonable costs associated with obtaining Council approval to any plan of subdivision and registration of the plan at the Office of the Registrar-General.	No land acquisitions have occurred during the audit period.	Not Triggered			
	11.11	The provisions of conditions 11.5-11.10 do not apply to a land owner who is the holder of an authority under the Mining Act, 1992.	No land acquisitions have occurred during the audit period.	Not Triggered			
Joint Acquisition Management Plan							
	11.12	The Applicant shall, prior to commencement of mining operations of the ACP or as agreed in writing by the Director General, prepare a Joint Acquisition Management Plan as far as practical, with the agreement of surrounding existing and approved mines, to the satisfaction of the Director-General. The plan shall:	No land acquisitions have occurred during the audit period.	Not Triggered			
	a	provide details of a joint approach to be adopted by the Applicant, and surrounding existing and approved mines in regard to meeting the acquisition procedure requirements outlined in conditions 11.5-11.11 of this consent relating to the cumulative impacts of the ACP mine, and the surrounding existing and approved mines, should acquisition be required.	No land acquisitions have occurred during the audit period.	Not Triggered			
Contributions to Council							
	11.13	Prior to the commencement of construction, the Applicant shall enter into a legally binding agreement with SSC for financial and/or in kind contribution to SSC for the purpose of community enhancement to address the social, amenity and associated community infrastructure requirements arising from the operation of the development. The financial and/or in kind contribution shall be generally in accordance with the SSC Section 94 Contribution Plan No 1 (1993) and as agreed between the applicant and SSC. A copy of the agreement is to be forwarded to the Director-General.	Prior to audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Responsibility for the Costs of Remediation							
	11.14	The Applicant shall be responsible for the costs of all impact management measures (including measures to minimise, mitigate, offset or remediate impacts of the development which are not recoverable by a third party through the Mine Subsidence Compensation Act 1961 or the Mining Act 1992) including but not limited to remediation of natural features, rehabilitation of ecological systems, monitoring of the effectiveness of the works and provision of supplementary water flows, as determined by the Director-General. Note: The Applicant is not responsible under this condition for costs of impact management measures associated with impacts of the development on built features which are constructed or upgraded following approval of a Subsidence Management Plan which manages subsidence impacts at the affected location.	Evident in the EP management plans and verified in the auditing of those documents.	Compliant			
12. FURTHER APPROVALS AND AGREEMENTS							
Statutory Requirements							
	12.1	The Applicant shall ensure that all statutory requirements including but not restricted to those set down by the Environmental Planning and Assessment Act 1979, Local Government Act 1993, Protection of the Environment Administration Act 1991, Protection of the Environment Operations Act 1997, Rivers and Foreshores Improvement Act 1948, Water Act 1912, National Parks and Wildlife Act 1974, and all other relevant legislation, Regulations, Australian Standards, Codes, Guidelines and Notices, Conditions, Directions, Notices and Requirements issued pursuant to statutory powers by the SSC, OEH, EPA, DRE, NoW, RMA, and	Sighted ENVIRONMENT & PLANNING WEEKLY LEGAL UPDATES, emails circulated to staff.	Compliant			
Structural Adequacy							
	12.2	Detailed plans and specifications relating to the design and construction of each structural element associated with the proposed development are to be submitted to the Principal Certifying Authority prior to the construction of each particular building or structure. Such plans and specifications must be accompanied by certification provided by a practicing professional structural engineer or an accredited certifier certifying the structural adequacy of the proposed building design and compliance with the Building Code of Australia.	Fines Plant only new construction within audit period. Sighted Occupation Certificate for Fines Plant; CC No.2014-1024, Issued 17/10/2014	Compliant			
Verification of Construction							
	12.3	All new buildings and structures, and alterations or additions to buildings and structures, shall be carried out in accordance with the relevant requirements of the BCA.	Sighted Occupation Certificate for Fines Plant; CC No.2014-1024, Issued 17/10/2014	Compliant			
	12.4	The Applicant shall provide to the Director-General and Council with copies of all Construction Certificates issued for buildings or structures and copies of all Occupation Certificates issued for the development. Note: Part 4A of the Environmental Planning and Assessment Act 1979 provides specific certification	Evidence provided in the form of cover letters from the PCA	Compliant			
	12.5	The applicant shall ensure that arrangements are made for the Principal Certifying Authority to carry out INSPECTIONS of the building at the following stages of construction, as applicable:	This was noted, however no finding is required for this condition/commitment.	Noted			
	a	The PIER HOLES before they are filled with concrete.	As covered by PCA as verified by Occupation Certificate.	Compliant			
	b	The FOOTING TRENCHES with reinforcing steel in position before concrete is placed.	As covered by PCA as verified by Occupation Certificate.	Compliant			
	c	The REINFORCING STEEL when in position prior to placing concrete for slab/s, swimming pools or walls.	As covered by PCA as verified by Occupation Certificate.	Compliant			
	d	The FRAMEWORK including roof members, wall ties, vermin wire, flashings and cavities where applicable, prior to fixing of any internal sheets. Note: All plumbing and electrical work shall be completed.	As covered by PCA as verified by Occupation Certificate.	Compliant			
	e	The WET AREAS damp-proofing and flashing before lining or covering.	As covered by PCA as verified by Occupation Certificate.	Compliant			
	f	The building or structure when COMPLETED, prior to occupation/use.	As covered by PCA as verified by Occupation Certificate.	Compliant			
	12.6	The applicant shall ensure that arrangements are made for Council to carry out INSPECTIONS at the following stages as applicable:	This was noted, however no finding is required for this condition/commitment.	Noted			
	a	INTERNAL DRAINAGE LINES before the floor is laid, or concrete placed.	This was noted, however no finding is required for this condition/commitment.	Noted			
	b	EXTERNAL DRAINAGE LINES before backfilling of the trenches.	This was noted, however no finding is required for this condition/commitment.	Noted			
		Information on booking inspections with Council may be obtained either by telephone on (02) 65 787 290 or in person at the CUSTOMER SERVICE Counter	This was noted, however no finding is required for this condition/commitment.	Noted			
	12.6i	Applicants are required to nominate the relevant development application number and location prior to the inspection request being granted.	This was noted, however no finding is required for this condition/commitment.	Noted			
	12.6ii	Clerical staff only will receive all requests for inspections.	This was noted, however no finding is required for this condition/commitment.	Noted			
	12.6iii	Where building work is not prepared, ready for inspection, applicants will be required to re-book inspections through the Customer Service Centre for the next available day and a reinspection fee may be charged.	This was noted, however no finding is required for this condition/commitment.	Noted			
	12.6iv	Requests for inspections must be received prior to 9.30am on the working day the inspection is required.	This was noted, however no finding is required for this condition/commitment.	Noted			
	12.6v	Inspections within the township of Singleton will be conducted as AM inspections (10.00am to 1.00pm) and PM inspections (2.00pm to 4.00pm). Inspections for all other areas will be carried out at some stage during the day nominated.	This was noted, however no finding is required for this condition/commitment.	Noted			
	12.7	All demolition work shall be carried out in accordance with AS2601-1991 The Demolition of Structures.	No Demolition in Audit Period	Not Triggered			
Approvals within a Mine Subsidence District							
	12.8	The Applicant shall seek the approval of the Mine Subsidence Board for the construction of any improvements, including those related to the mine buildings and associated works, any relocation or diversion of infrastructure or existing improvements, prior to undertaking the works. The Applicant shall submit a copy of the final plans to MSB prior to commencement of construction.	Sites Opinion - Since it was a minor update to the existing plant within the existing footprint it should have been covered under any approvals sought for the CHPP in relation to subsidence. Requirement is clear though as any improvement requires submissions to the MSB..	Not Compliant Administrative			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1529 - Open Cut Mining Area						
1	<p>1)a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.</p> <p>b) If there are ten or more landholders, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this mining lease has been granted renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.</p>	<p>ML 1529 renewal took effect 13 October 2014.</p> <p>Sighted letter to Glendell notifying them of renewal (dated 12 Feb 2015)</p>	Not Compliant Administrative			
2	<p>2. Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.</p>	<p>Rehab as per MOP - annual inspection indicates satisfaction.</p> <p>Rehab currently in maintenance period - not yet at the stage of sign off.</p>	Compliant			
3	<p>3. Mining Operations Plan and Annual Rehabilitation Report</p> <p>a) The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, mining purposes and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, mining purposes and prospecting.</p> <p>b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <ul style="list-style-type: none"> (i) identifies areas that will be disturbed; (ii) details the staging of specific mining operations, mining purposes and prospecting; (iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use; (iv) identifies how mining operations, mining purposes and prospecting will be carried out in order to prevent and or minimise harm to the environment; and (v) reflects the conditions of approval under: <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979; the Protection of the Environment Operations Act 1997; and any other approvals relevant to the development including the conditions of this mining lease. <p>c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Departments website at www.resources.nsw.gov.au/environment.</p> <p>d) The lease holder may apply to the Minister to amend an approved MOP at any time.</p> <p>e) It is not a breach of this condition if:</p> <ul style="list-style-type: none"> (i) the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the 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 or the Work Health and Safety Act 2011; and (ii) the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. <p>f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <ul style="list-style-type: none"> (i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP; (ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and (iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resources.nsw.gov.au/environment. <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>	<p>Operations continue in accordance with the MOP 2013 - 2017 (approved May 2016)</p> <p>Note: Annual Rehabilitation Reports are equivalent to the Annual Reviews produced by ACOL.</p> <p>Sighted letter from DRE (27th August 2015) approving Consolidation of Annual Reporting Requirement - Compliance and Rehabilitation Report Requirements may be incorporated into AEMR's.</p>	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1529 - Open Cut Mining Area						
4	<p>4. Compliance Report</p> <p>a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.</p> <p>b) The Compliance Report must include:</p> <p>(i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;</p> <p>(ii) particulars of any non-compliance with any such conditions or provisions,</p> <p>(iii) the reasons for any such non-compliance;</p> <p>(iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.</p> <p>c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.</p> <p>d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:</p> <p>(i) must accompany any application to renew this mining lease under the Act;</p> <p>(ii) must accompany any application to transfer this mining lease under the Act; and</p> <p>(iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.</p> <p>e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.</p> <p>f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining lease.</p>					
5	<p>5. Environmental Incident Report</p> <p>a) The lease holder must notify the Department of all:</p> <p>(i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p> <p>(ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Operations Act 1997), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <p>(i) the details of the mining lease;</p> <p>(ii) contact details for the lease holder;</p> <p>(iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental incident Report. Refer to www.resources.nsw.gov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations</p>	No notifiable Environmental Incidents within the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1529 - Open Cut Mining Area						
6	<p>6. Extraction Plan</p> <p>a) In this condition:</p> <p>(i) approved Extraction Plan means a plan, being:</p> <p>A. an extraction plan or subsidence management plan approved in accordance with the conditions of a relevant development consent and provided to the Secretary; or</p> <p>B. a subsidence management plan relating to the mining operations subject to this lease:</p> <p>I. submitted to the Secretary on or before 31 December 2014; and</p> <p>II. approved by the Secretary.</p> <p>(ii) relevant development consent means a development consent or project approval issued under the Environmental Planning & Assessment Act 1979 relating to the mining operations subject to this lease.</p> <p>(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.</p> <p>(c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under this lease.</p> <p>(d) The lease holder must notify the Secretary within 48 hours of any:</p> <p>(i) incident caused by subsidence which has a potential to expose any person to health and safety risks;</p> <p>(ii) significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person; or</p> <p>(iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing:</p> <p>A. built features;</p> <p>B. public safety; or</p> <p>C. subsidence monitoring.</p>	<p>No evidence of non-compliance with these requirements. At the end of the audit period, Operations continued as per the LW 105 - 107 Extraction Pan (approved 22/1/16).</p> <p>Note: this EP submitted to the Department Dec 2015.</p>	Compliant			
7	<p>7. Resource Recovery</p> <p>The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.</p>	Mining operations continue in this manner.	Compliant			
8	<p>8. Group Security</p> <p>The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining lease, including obligations of all or any kind under the mining lease that may arise in the future. The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$6,720,000. The leases covered by the group security include: Mining Lease No's 1529, 1533 & 1623 (Act 1992)</p>	Deed of Security Deposit Bond for this amount sighted during the audit visit.	Compliant			
9	<p>The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues. 	No overlapping titles.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1529 - Open Cut Mining Area						
10	<p>10. Barrier</p> <p>The lease holder unless with the consent of the Minister and subject to such conditions as the Minister may impose shall not work or cause to be worked any seam of coal by underground methods within the subject area within the barrier defined as follows:</p> <p>The land within the zone beneath and adjacent to the Great Northern Railway enclosed by an angle of draw of 35° from the vertical plane of the boundary parallel to thirty (30) metres horizontally distant from either side of the railways land, such angle of draw being measured outwards from the point on the vertical plane of the said boundary at the surface or at the level of the horizontal plane of the railway track, whichever may be the higher to the floor of the coal seam in which mining operations are being carried out.</p>	<p>No open cut mining activities during the audit period.</p> <p>Note: This Mining Lease is for open-cut mining areas.</p>	Noted			
11	<p>Exploration Reporting</p> <p>Note: Exploration Reports (Geological and Geophysical The lease holder must lodge reports to the satisfaction of the Minister in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010. Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales (Department of Trade and investment; Regional Infrastructure and Services 2010).</p>	<p>Mining Lease Nos. ML 1529, ML 1533, ML 1623 and ML 1696 (1992) Indexed Group Exploration Annual Report sighted.</p> <p>Messages indicating "to the satisfaction of the Minister" provided as evidence.</p>	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1533 - Underground						
1	<p>1. Notice to Landholders</p> <p>(a) Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	ML 1533 not granted/renewed during the audit period.	Not Triggered			
2	<p>2. Environmental Harm</p> <p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</p> <p>(A) land, air and water, and</p> <p>(B) any layer of the atmosphere, and</p> <p>(C) any organic or inorganic matter and any living organism, and</p> <p>(D) human-made or modified structures and areas, and includes interacting natural ecosystems that include components referred to in paragraphs (A)–(C).</p> <p>(ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	<p>Operations as per various management plans reviewed elsewhere in this audit.</p> <p>No reportable Environmental Incidents have occurred during the audit period.</p>	Compliant			
3	<p>3. Mining Operations Plan</p> <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 Environmental Planning and Assessment Act 1979</p> <p>- the Protection of the Environment Operations Act 1997</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 a lawful order or direction given under the Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997, 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 or the Occupational Health and Safety Act 2000; 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>	Operations continue in accordance with the MOP 2013 - 2017 (approved May 2016)	Compliant			
4	<p>4. Environment Management Report</p> <p>(a) The lease holder must lodge Environmental Management Reports (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>	<p>2013 AR; Table 2 (Compliance) and Section 5 (Rehabilitation)</p> <p>2014 AR; Table 2 (Compliance) and Section 5 (Rehabilitation)</p> <p>2015 AR; Tables 24 and 25 (for rehab) as well as more general compliance statements</p> <p>Note: Annual Rehabilitation Reports are equivalent to the Annual Reviews produced by ACOL.</p>	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1533 - Underground						
5	<p>5. Environmental Incident Report</p> <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 incident 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 to 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 or 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 expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.</p>	No reportable Environmental Incidents have occurred during the audit period.	Compliant			
6	<p>6. Additional Environmental Reports</p> <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>	This has not been required.	Not Triggered			
7	<p>7. Rehabilitation</p> <p>Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.</p>	<p>Rehab as per MOP - annual inspections indicates satisfaction.</p> <p>Rehab currently in maintenance period - not yet at the stage of sign off.</p>	Compliant			
8	<p>***MODIFIED CONDITION, REPLACED WITH EXTRACTION PLAN ENVOBL-ACOL0000406***</p> <p>8. Subsidence Management</p> <p>a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the Applications for Subsidence Management Approvals guidelines (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 Coal Mine Health & Safety Act 2002, 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>	Noted	Noted			
9	<p>9. Working Requirement</p> <p>The lease holder must:</p> <p>a) ensure that at least 36 competent people are efficiently employed in relation to the mining process or mining operations on the lease area</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 \$630,000 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>	Operations continue as per this condition.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1533 - Underground						
10	<p>10. Blasting</p> <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>	No blasting has occurred during the audit period.	Not Triggered			
11	<p>11. Safety Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.</p>	This was noted, however no finding is required for this condition/commitment.	Noted			
12	<p>12. Prevention of soil erosion and pollution Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.</p>	<p>No prospecting operations have been carried out during the audit period.</p> <p>SWMP includes Erosion and Sed controls.</p> <p>Also see MOP.</p>	Not Triggered			
13	<p>13. Transmission lines, Communication lines and Pipelines 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.</p>	<p>DG approves extraction plans which include asset management plans.</p> <p>No impacts within the audit period, however there has been some approved modifications to ensure stability. This is then covered within EOP reports which are submitted to DRE and the infrastructure owners.</p>	Compliant			
14	<p>14. Roads and Tracks</p> <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 roads authority in making good any damage to roads or tracks caused by operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund.</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>	<p>Roads and Tracks managed as per EP/Asset Management Plans</p> <p>(a) Lemington Rd only applicable road impacted by mining operations - see AR 2014 (no damage). Agreement with SSC/Rav Ops to contribute to maintenance costs.</p> <p>Asset Management plan for New England Highway.</p> <p>(b) Yancoal Regional Induction contains information such as "All workers driving on site must do so in a safe manner and according to speed limits, rules and prevailing conditions. All vehicles must keep to existing access tracks."</p> <p>(c) no new tracks constructed during the audit period</p> <p>(d) this has not been required during the audit period</p> <p>GDP for EL drilling confirms the wet weather rules.</p>	Compliant			
15	<p>15. Trees and Vegetation</p> <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>Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking of timber on Crown land is subject to the requirements of the Forestry Act 1916.</p>	No such activity during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1533 - Underground						
17	<p>17. Resource Recovery</p> <p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, 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>	No such notice received during the audit period.	Not Triggered			
18	<p>18. Indemnity</p> <p>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.</p>	This was noted, however no finding is required for this condition/commitment.	Noted			
21	<p>21. Single Security</p> <p>The single security in the sum of \$6,045,000 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 Mining Lease 1529, Mining Lease 1533 and Mining Lease 1623 (Act 1992).</p>	Superceded by the below condition.	Not Applicable			
22	<p>22. Prescribed Dam</p> <p>(a) Notwithstanding any Mining Operations Plan, the lease holder must not mine within any part of the lease area which is within the notification area of the Ravensworth Inpit Storage Dam and the Ravensworth Void 5 Ash Dam without the prior written approval of the Minister and subject to any conditions stipulated.</p> <p>(b) Where the lease holder desires to mine within the notification area he or she must:</p> <p>(i) at least twelve (12) months before mining is to commence or such lesser time as the Minister may permit, notify the Minister of the desire to do so. A plan of the mining system to be implemented must accompany the notice; and</p> <p>(ii) provide such information as the Minister may direct.</p> <p>(c) The Minister must not, except in the circumstances set out in sub-paragraph (ii), grant approval unless sub-paragraph (i) of this paragraph has been complied with. This sub-paragraph is complied with if:</p> <p>(i) the Dams Safety Committee as constituted by Section 7 of the Dams Safety Act 1978 and the owner of the dam have been notified in writing of the desire to mine referred to in paragraph (b).</p> <p>(ii) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.</p> <p>(iii) the Director-General has complied with any reasonable request made by the Dams Safety Committee or the owner of the dam for further information in connection with the mining proposal.</p> <p>(iv) the Dams Safety Committee has made its recommendations concerning the mining proposal or has informed the Minister in writing that it does not propose to make any such recommendations; and</p>	This has not occurred during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1533 - Underground						
	<p>(v) where the Dams Safety Committee has made recommendations the approval is in terms that are: - in accordance with those recommendations; or- where the Minister does not accept those recommendations or any of them - in accordance with a determination under subparagraph (ii) of this paragraph. (vi) Where the Minister does not accept the recommendations of the Dams Safety Committee or where the Dams Safety Committee has failed to make any recommendations and has not informed the Minister in writing that it does not propose to make any recommendations, the approval shall be in terms that are, in relation to matters dealing with the safety of the dam: - as determined by agreement between the Minister and the Minister administering the Dams Safety Act 1978; or - in the event of failure to reach such agreement - as determined by the Premier. (d) The Minister, on notice from the Dams Safety Committee, may at any time or times: (i) cancel any approval given where a notice pursuant to Section 18 of the Dams Safety Act 1978 is given. (ii) suspend for a period of time, alter, omit from or add to any approval given or conditions imposed.</p>					
23	<p>23. Suspension of Mining Operations 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.</p>	No suspension of mining operations during the audit period.	Not Triggered			
24	<p>24. Cooperation Agreement 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: • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts and • rehabilitation issues.</p>	No overlapping titles.	Not Triggered			
25	<p>25. Travelling Stock Reserves The lease holder must permit the free and uninterrupted passage of stock through that part of the lease area covered by Travelling Stock Reserve No 66768 and must conduct operations in a manner that does not cause danger to travelling stock.</p>	Staff interview during audit visit clarified that there is a corner of the TSR in ML1533. Mining does not inhibit access or passage. No access enquiries/requests during the audit period.	Compliant			
26	<p>26. Barrier — Great Northern Railway The lease holder unless with the consent of the Minister and subject to such conditions as the Minister may impose shall not work or cause to be worked any seam of coal by underground methods within the subject area within the barrier defined as follows: The land within the zone beneath and adjacent to the Great Northern Railway enclosed by an angle of draw of 35° from the vertical plane of the boundary parallel to thirty (30) metres horizontally distant from either side of the railway lands, such angle of draw being measured outwards from the point on the vertical plane of the said boundary at the surface or at the level of the horizontal plane of the railway track, whichever may be the higher, to the floor of the coal seam in which mining operations are being carried out. Note: Exploration Reports (Geological and Geophysical) 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. Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales (Department of Trade and Investment; Regional Infrastructure and Services 2010).</p>	This was clarified through an inspection of CAD plans during the audit visit.	Compliant			
	<p>ENDORSEMENT SCHEDULE In accordance with the provisions of 261 B (3) & (4) of the Mining Act 1992, the decision maker varied the conditions of those leases listed in the attached Schedule "A" so as to require a single security in the amount of \$6,720,000 to be given and maintained. The amendment takes effect on and from 16 May 2013.</p>	Deed of Security Deposit Bond for this amount sighted during the audit visit.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1533 - Underground						
	<p>Extraction Plan Condition</p> <p>(a) in this condition:</p> <p>(i) approved Extraction Plan means a plan, being:</p> <p>A. an extraction plan or subsidence management plan approved in accordance with the conditions of a relevant development consent and provided to the Secretary; or</p> <p>B. a subsidence management plan relating to the mining operations subject to this lease: ‘</p> <p>I. submitted to the Secretary on or before 31 December 2014; and</p> <p>II. approved by the Secretary.</p> <p>(ii) relevant development consent means a development consent or project approval issued under the Environmental Planning 8 Assessment Act 1979 relating to the mining operations subject to this lease. j</p> <p>(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.</p> <p>(c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under this lease.</p>	Operations continue as per the LW 105 - 107 Extraction Pan (approved 22/1/16).	Compliant			
	<p>(d) The lease holder must notify the Secretary within 48 hours of any:</p> <p>(i) incident caused by subsidence which has a potential to expose any person to health and safety risks;</p> <p>(ii) significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person; or</p> <p>(iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing:</p> <p>A. built features;</p> <p>B. public safety; or</p> <p>C. subsidence monitoring.</p>	No such incident during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1623						
1	<p>1. Notice to Landholders</p> <p>(a) Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	ML 1623 issued 2008. not renewed during audit period.	Not Triggered			
2	<p>2. Environmental Harm</p> <p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</p> <p>(A) land, air and water, and</p> <p>(B) any layer of the atmosphere, and</p> <p>(C) any organic or inorganic matter and any living organism, and</p> <p>(D) human-made or modified structures and areas, and includes interacting natural ecosystems that include components referred to in paragraphs (A)–(C).</p> <p>(ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	<p>Operations as per various management plans reviewed elsewhere in this audit.</p> <p>No reportable Environmental Incidents have occurred during the audit period.</p>	Compliant			
3	<p>3. Mining Operations Plan</p> <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 Environmental Planning and Assessment Act 1979</p> <p>- the Protection of the Environment Operations Act 1997</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 a lawful order or direction given under the Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997, 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 or the Occupational Health and Safety Act 2000; 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>	Operations continue in accordance with the MOP 2013 - 2017 (approved May 2016)	Compliant			
4	<p>4. Environment Management Report</p> <p>(a) The lease holder must lodge Environmental Management Reports (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>	<p>2013 AR; Table 2 (Compliance) and Section 5 (Rehabilitation)</p> <p>2014 AR; Table 2 (Compliance) and Section 5 (Rehabilitation)</p> <p>2015 AR; Tables 24 and 25 (for rehab) as well as more general compliance statements</p> <p>Note: Annual Rehabilitation Reports are equivalent to the Annual Reviews produced by ACOL.</p>	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1623						
5	<p>5. Environmental Incident Report</p> <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 incident 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 to 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 or 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 expenses that would be incurred in taking all reasonable</p>	No reportable Environmental Incidents have occurred during the audit period.	Compliant			
6	<p>6. Additional Environmental Reports</p> <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>	This has not been required.	Not Triggered			
7	<p>7. Rehabilitation</p> <p>Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.</p>	<p>Rehab as per MOP - annual inspections indicate satisfaction.</p> <p>Rehab currently in maintenance period - not yet at the stage of sign off.</p>	Compliant			
8	<p>***MODIFIED CONDITION, REPLACED WITH EXTRACTION PLAN ENVOBL-ACOL0000427***</p> <p>8. Subsidence Management</p> <p>a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the Applications for Subsidence Management Approvals guidelines (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 Coal Mine Health & Safety Act 2002, 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>	This was noted, however no finding is required for this condition/commitment.	Noted			
9	<p>9. Working Requirement</p> <p>The lease holder must:</p> <p>a) ensure that at least two (2) competent people are efficiently employed in relation to the mining process or mining operations on the lease area</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 \$35,000 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>	Operations continue as per this condition.	Compliant			
11	<p>11. Safety</p> <p>Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.</p>	This was noted, however no finding is required for this condition/commitment.	Noted			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1623						
12	12. Prevention of soil erosion and pollution 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.	No prospecting operations have been carried out during the audit period. SWMP includes Erosion and Sed controls. Also see MOP.	Not Triggered			
13	13. Transmission lines, Communication lines and Pipelines 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.	DG approves extraction plans which include built features/asset management plans. No impacts within the audit period, however there has been some approved modifications to ensure stability. This is then covered within EOP reports which are submitted to DRE and the infrastructure owners.	Compliant			
14	14. Roads and Tracks a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the roads authority in making good any damage to roads or tracks caused by operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund. 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.	Roads and Tracks managed as per EP/Asset Management Plans (a) Lemington Rd only applicable road impacted by mining operations - see AR 2014 (no damage). Agreement with SSC/Rav Ops to contribute to maintenance costs. Asset Management plan for New England Highway. (b) E&S Control Plan (c) no new tracks constructed during the audit period (d) this has not been required during the audit period	Compliant			
17	17. Resource Recovery (a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, notice in writing to the lease holder may be given requiring the holder to recover such minerals. (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. (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.	No such notice received during the audit period.	Not Triggered			
18	18. Indemnity 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.	This was noted, however no finding is required for this condition/commitment.	Noted			
21	21. Single Security The single security in the sum of \$6,045,000 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 Mining Lease 1529, Mining Lease 1533 and Mining Lease 1623 (Act 1992).	Superseded by the below condition.	Not Applicable			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1623						
22	<p>22. Prescribed Dam</p> <p>(a) Notwithstanding any Mining Operations Plan, the lease holder must not mine within any part of the lease area which is within the notification area of the Ravensworth Inpit Storage Dam and the Ravensworth Void 5 Ash Dam without the prior written approval of the Minister and subject to any conditions stipulated.</p> <p>(b) Where the lease holder desires to mine within the notification area he or she must:</p> <p>(i) at least twelve (12) months before mining is to commence or such lesser time as the Minister may permit, notify the Minister of the desire to do so. A plan of the mining system to be implemented must accompany the notice; and</p> <p>(ii) provide such information as the Minister may direct.</p> <p>(c) The Minister must not, except in the circumstances set out in sub-paragraph (ii), grant approval unless sub-paragraph (i) of this paragraph has been complied with. This sub-paragraph is complied with if:</p> <p>(i) the Dams Safety Committee as constituted by Section 7 of the Dams Safety Act 1978 and the owner of the dam have been notified in writing of the desire to mine referred to in paragraph (b).</p> <p>(ii) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.</p> <p>(iii) the Director-General has complied with any reasonable request made by the Dams Safety Committee or the owner of the dam for further information in connection with the mining proposal.</p> <p>(iv) the Dams Safety Committee has made its recommendations concerning the mining proposal or has informed the Minister in writing that it does not propose to make any such recommendations; and</p> <p>(v) where the Dams Safety Committee has made recommendations the approval is in terms that are:</p> <p>- in accordance with those recommendations; or - where the Minister does not accept those recommendations or any of them - in accordance with a determination under subparagraph (ii) of this paragraph.</p> <p>(vi) Where the Minister does not accept the recommendations of the Dams Safety Committee or where the Dams Safety Committee has failed to make any recommendations and has not informed the Minister in writing that it does not propose to make any recommendations, the approval shall be in terms that are, in relation to matters dealing with the safety of the dam:</p> <p>- as determined by agreement between the Minister and the Minister administering the Dams Safety Act 1978; or</p> <p>- in the event of failure to reach such agreement - as determined by the Premier.</p> <p>(d) The Minister, on notice from the Dams Safety Committee, may at any time or times:</p> <p>(i) cancel any approval given where a notice pursuant to Section 18 of the Dams Safety Act 1978 is given.</p> <p>(ii) suspend for a period of time, alter, omit from or add to any approval given or conditions imposed.</p>	Not applicable.	Not Triggered			
23	<p>23. Suspension of Mining Operations</p> <p>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.</p>	No suspension of mining operations during the audit period.	Not Triggered			
24	<p>24. Cooperation Agreement</p> <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. 	No overlapping titles.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1623						
	<p>ENDORSEMENT SCHEDULE</p> <p>In accordance with the provisions of 261 B (3) & (4) of the Mining Act 1992, the decision maker varied the conditions of those leases listed in the attached Schedule "A" so as to require a single security in the amount of \$6,720,000 to be given and maintained. The amendment takes effect on and from 16 May 2013.</p> <p>SCHEDULE 'A'</p> <p>Mining Lease 1529 (Act 1992)</p> <p>Mining Lease 1533 (Act 1992)</p> <p>Mining Lease 1623 (Act 1992)</p>	Deed of Security Deposit Bond for this amount sighted during the audit visit.	Compliant			
	<p>Extraction Plan Condition</p> <p>(a) in this condition:</p> <p>(i) approved Extraction Plan means a plan, being:</p> <p>A. an extraction plan or subsidence management plan approved in accordance with the conditions of a relevant development consent and provided to the Secretary; or</p> <p>B. a subsidence management plan relating to the mining operations subject to this lease: '</p> <p>I. submitted to the Secretary on or before 31 December 2014; and</p> <p>II. approved by the Secretary.</p> <p>(ii) relevant development consent means a development consent or project approval issued under the Environmental Planning & Assessment Act 1979 relating to the mining operations subject to this lease. j</p> <p>(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.</p> <p>(c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under this lease.</p>	Operations continue as per the LW 105 - 107 Extraction Pan (approved 22/1/16).	Compliant			
	<p>(d) The lease holder must notify the Secretary within 48 hours of any:</p> <p>(i) incident caused by subsidence which has a potential to expose any person to health and safety risks;</p> <p>(ii) significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person; or</p> <p>(iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing:</p> <p>A. built features;</p> <p>B. public safety; or</p> <p>C. subsidence monitoring.</p>	No such incident during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1696						
1	<p>1. Notice to Landholders</p> <p>a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.</p> <p>b) If there are ten or more landholders, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
2	<p>2. Rehabilitation</p> <p>Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
3	<p>3. Mining Operations Plan and Annual Rehabilitation Report</p> <p>a) The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, mining purposes and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, mining purposes and prospecting.</p> <p>b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <ol style="list-style-type: none"> identifies areas that will be disturbed; details the staging of specific mining operations, mining purposes and prospecting; identifies how the mine will be managed and rehabilitated to achieve the post mining land use; identifies how mining operations, mining purposes and prospecting will be carried out in order to prevent and or minimise harm to the environment; and (v) reflects the conditions of approval under: <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979; the Protection of the Environment Operations Act 1997; and any other approvals relevant to the development including the conditions of this mining lease <p>c) The MOP must be prepared in accordance with the ESG3 Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at www.resources.nsw.gov.au/environment</p> <p>d) The lease holder may apply to the Minister to amend an approved MOP at any time.</p> <p>e) It is not a breach of this condition if:</p> <ol style="list-style-type: none"> the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the 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 or the Work Health and Safety Act 2011; and the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. <p>f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister.</p> <p>The report must:</p> <ol style="list-style-type: none"> provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP; be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resources.nsw.gov.au/environment. <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1696						
4	<p>4. Compliance Report</p> <p>(a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.</p> <p>(b) The Compliance Report must include:</p> <p>i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;</p> <p>ii) particulars of any non-compliance with any such conditions or provisions,</p> <p>iii) the reasons for any such non-compliance;</p> <p>iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.</p> <p>(c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.</p> <p>(d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:</p> <p>(i) must accompany any application to renew this mining lease under the Act;</p> <p>(ii) must accompany any application to transfer this mining lease under the Act; and</p> <p>(iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.</p> <p>(e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.</p> <p>(f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining lease.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
5	<p>5. Environmental Incident Report</p> <p>(a) The lease holder must notify the Department of all:</p> <p>i. breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p> <p>ii. breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Administration Act 1991), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>Note. Refer to www.resources.nsw.gov.au/environment for notification contact details.</p> <p>The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <p>(i) the details of the mining lease;</p> <p>(ii) contact details for the lease holder;</p> <p>(iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental incident Report. Refer to www.resourc.es.nsw.gov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations Act 1997 arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Mining Lease 1696						
6	<p>6. Subsidence Management</p> <p>The lease holder must not commence or undertake underground mining operations that may cause subsidence of the surface other than in accordance with an Eligible Subsidence Management Plan approved by the Director-General.</p> <p>For the purposes of this condition, an 'Eligible Subsidence Management Plan' means:</p> <p>(i) A Subsidence Management Plan prepared in accordance with current government guidelines for the preparation of Subsidence Management Plans; or</p> <p>(ii) Those parts of an Extraction Plan or another type of plan:</p> <ul style="list-style-type: none"> • prepared, either in whole or in part, with reference to current government guidelines for the preparation of a Subsidence Management Plan; and • approved for the purposes of the Environmental Planning and Assessment Act 1979 (or any planning legislation which replaces that Act) by the Minister or Director-General of the Department of Planning & Infrastructure, or another officer of that Department authorised to approve such a plan, which relate to issues of subsidence. 	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
7	<p>7. Resource Recovery</p> <p>The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
8	<p>8. Group Security</p> <p>The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining lease, including obligations of all or any kind under the mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$6,720,000.</p> <p>The leases covered by the group security include: Mining Lease No's 1529, 1533 and 1623 (Act 1992)</p> <p>This group security is extended to apply to this lease.</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
9	<p>9. Cooperation Agreement</p> <p>The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues. 	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			
11	<p>Exploration Reporting</p> <p>Note: Exploration Reports (Geological and Geophysical)</p> <p>The lease holder must lodge reports to the satisfaction of the Minister in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</p> <p>Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales (Department of Trade and Investment; Regional Infrastructure and Services 2010).</p>	MI 1696 relates to SEOC which is outside of the scope of this audit.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration Licence 4918 - no prospecting occurred, a piezometer installed						
1	<p>1. The licence holder may conduct Category 1 prospecting operations on the exploration licence area subject to the conditions of this licence.</p> <p>Note:</p> <p>a) The licence holder must comply with the requirements of the Act and other relevant legislation.</p> <p>b) Category 1 prospecting operations:</p> <p>i) must be of minimal environmental impact;</p> <p>ii) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994); and</p> <p>iii) can not be carried out in a wilderness area (identified under the Wilderness Act 1987).</p>	One piezometer installed during the audit period.	Noted			
2	<p>2. The licence holder must obtain the Minister's written approval prior to carrying out any of the following prospecting operations on the exploration licence area:</p> <p>a) Category 2 prospecting operations; and</p> <p>b) Category 3 prospecting operations.</p> <p>Note: The information required to be submitted as part of the licence holder's request for written approval under this condition is set out in the "Note" following condition 3 below.</p>	No prospecting operations carried out under this EL in the audit period.	Not Triggered			
3	<p>3. The licence holder must comply with the conditions of an approval under condition 2 when carrying out those prospecting operations.</p> <p>Note: In the case of prospecting operations identified in condition 2 as requiring approval by the Minister, the application for approval must be accompanied by a Surface Disturbance Notice (SDN). A Review of Environmental Factors and Agricultural Impact Statement may be required for Category 2 prospecting operations if the Minister is of the opinion that the prospecting operations may result in more than minimal environmental impact.</p> <p>A Surface Disturbance Notice, Review of Environmental Factors and Agricultural Impact Statement are required for all Category 3 prospecting operations.</p> <p>If the impact of prospecting operations on the environment is determined as likely to significantly affect the environment (including critical habitat) or threatened species, populations or ecological communities, or their habitats, in terms of Part 5 of the EP&A Act, then the licence holder will be required to submit an Environmental impact Statement (EIS).</p> <p>Applications may also require a Groundwater Monitoring and Modelling Plan (see condition 12).</p>	No prospecting operations carried out in the audit period.	Not Triggered			
4	4. Not used					
5	5. The licence holder must engage with the community in relation to the planning for and conduct of prospecting operations authorised under this exploration licence.	CCC informed of exploration activities (if any during the meeting period).	Compliant			
6	6. The consultation must be undertaken in accordance with the Guideline for community consultation requirements for the exploration of coal and petroleum, including coal seam gas (NSW Trade & Investment, 2012) as amended from time to time.	CCC informed of exploration activities (if any during the meeting period).	Compliant			
7	<p>7. An annual report on Community Consultation must be submitted to the Department within 28 days of the anniversary of this licence being granted, together with evidence that the consultation has been undertaken in accordance with the Guideline.</p> <p>Note: Copies of the Guideline are available from www.resources.nsw.gov.au</p>	<p>To check with James whether this is approved to be included in the AR only.</p> <p>Sighted Community Consultation Reports for 2013, 2014 and 2015.</p>	Compliant			
8	<p>8. The licence holder must ensure that a copy of this exploration licence and any relevant documentation relating to the conduct of prospecting operations is:</p> <p>a) accessible on the site of active prospecting operations authorised by this exploration licence; and</p> <p>b) made available to all supervisors or other persons concerned in the day to day management of prospecting operations authorised by this exploration licence.</p> <p>Note: For the purposes of this condition, relevant documentation includes, but is not limited to:</p> <p>a) access arrangements required under Part 8 of the Act;</p> <p>b) exempted area consents required under section 30 of the Act;</p> <p>c) approvals under condition 2 of this exploration licence, and any document specified as forming part of that approval, such as a Review of Environmental Factors; and</p> <p>d) the approved Groundwater Monitoring and Modelling Plan under condition 12 of this exploration licence.</p>	<p>(a) can't assess, exploration not current at time of the audit.</p> <p>(b) can't assess, exploration not current at time of the audit.</p>	Not Able to be Verified			
9	9. The licence holder must implement all reasonably practicable measures to prevent and/or minimise harm to the environment that may result from the conduct of any prospecting operations under this exploration licence.	No prospecting operations carried out under this EL in the audit period. GDP Process and Driller's Check List/Log sighted during the audit visit.	Not Triggered			
10	10. The licence holder must prevent erosion and pollution of watercourses resulting from the conduct of prospecting operations by implementing effective erosion and sediment control measures.	No prospecting operations carried out under this EL in the audit period. GDP Process and Driller's Check List/Log sighted during the audit visit.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 4918 - no prospecting occurred, a piezometer installed						
11	11. The planning, design and construction of erosion and sediment control measures must be conducted generally in accordance with Managing Urban Stormwater: Soils and Construction (DECC 2007), as amended or replaced from time to time.	No prospecting operations carried out under this EL in the audit period. GDP Process and Driller's Check List/Log sighted during the audit visit.	Not Triggered			
12	12. Prior to conducting prospecting operations involving the construction and use of boreholes, the licence holder must: a) Prepare a Groundwater Monitoring and Modelling Plan in consultation with the NSW Office of Water; b) Ensure that the Groundwater Monitoring and Modelling Plan: i) describes methods for identifying aquifers, their depths, behaviour, containing layers and connectivity with surrounding aquifers or surface water systems; ii) describes methods for collection of data relevant to the type, quantity and quality of water contained within aquifer systems likely to be encountered during prospecting operations; iii) provides for the future development of a conceptual model of regional groundwater behaviour; iv) provides for the future development of a calibrated computer model of regional groundwater behaviour, to enable the impacts of any proposed mining operations to be assessed; v) describes how records of all data collected will be maintained; vi) describes the staging process for implementation of the plan; and vii) is prepared in accordance with any additional requirements prescribed by the Director-General. c) The Groundwater Monitoring and Modelling Plan must address the requirements identified in b)i) to b)vii) in a level of detail commensurate with the scale, timing and potential impact of proposed operations; d) Have the Groundwater Monitoring and Modelling Plan approved by the Minister; and e) Implement and comply with the approved Groundwater Monitoring and Modelling Plan. Note. The Groundwater Monitoring and Modelling Plan is required to ensure: (a) there is sufficient groundwater data available to assess future operations against the Aquifer Interference Policy (NSW Office of Water, 2012), as amended or replaced from time to time; and (b) 2 years of baseline data is available prior to submitting an application for any future production operations. An application may be made to the Department at any time to vary an approved Groundwater Monitoring and Modelling Plan.	No prospecting operations carried out under this EL in the audit period. Groundwater Modelling and Monitoring Plan approved by DPI Water generally satisfies this commitment.	Not Triggered			
13	13. The licence holder must ensure that all chemicals, fuels and oils, excluding those contained within plant and equipment and those for personal use, are: a) stored and handled in accordance with the relevant Material Safety Data Sheet and Australian Standards for the material; b) stored in appropriate containers that are in good condition and labelled to clearly identify the stored product; and c) kept in a facility or area which is capable of containing at least 100% of the largest container capacity stored within that area; unless otherwise approved by the Minister.	No drilling operations being undertaken during the audit visit.	Not Able to be Verified			
14	14. The licence holder must ensure that adequate spill prevention and oil absorbent materials required to manage spills and leaks for all chemicals, fuels and oils on site are readily available at all times where prospecting operations are being carried out. Equipment and/or materials to capture drips and spills must be used during transfer of chemicals, fuels and oils, and when maintaining oil or fuel filled components.	No drilling operations being undertaken during the audit visit.	Not Able to be Verified			
15	15. The licence holder must carry out operations in accordance with the requirements of the interim Construction Noise Guidelines (DECC, 2009), as amended or replaced from time to time. Unless otherwise approved by the Minister, the licence holder must ensure that: a) noise levels during standard working hours do not exceed the Rating Background Level (RBL) +10dB at any residence or other sensitive receiver (as defined in the Interim Construction Noise Guidelines). b) noise levels outside of standard working hours do not exceed the RBL +5dB.	There is a Noise Management Plan in place. Noise Monitoring is conducted on a regular basis - no noise exceedances during the audit period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration Licence 4918 - no prospecting occurred, a piezometer installed						
16	16. The noise limits identified in condition 15 will not apply where the licence holder has negotiated a written agreement with: a) the relevant landholder; or b) in the case of a prospecting operation that will result in an exceedance of the criteria at a dwelling or other sensitive receiver, the resident of that dwelling or occupier of the sensitive receiver; c) to allow different limits and the licence holder complies with those limits.		Noted			
17	17. Vegetation clearing and vegetation disturbance must be limited to the minimum extent necessary to facilitate the conduct of prospecting operations authorised by this exploration licence. Note: Any clearing of native vegetation which is not authorised under the Mining Act 1992 is subject to the Native Vegetation Act 2003. Additional approvals may also be required before using timber from Crown land.	As covered by the DA and associated documentation.	Compliant			
18	18. The licence holder must take all reasonably practicable precautions against causing an outbreak of fire.	Managed in accordance to the Bushfire Management Plan	Compliant			
19	19. The licence holder must not burn off any grass, foliage or herbage without the consent of the landholder and the local fire authority.	Managed in accordance to the Bushfire Management Plan	Compliant			
20	20. The licence holder must ensure that prospecting operations do not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility without the prior written approval of the infrastructure owner and subject to any conditions that may be stipulated by the infrastructure owner.	No utilities impacted by exploration activities in the audit period.	Not Triggered			
21	21. The licence holder must permit the passage of stock through the exploration licence area and must conduct operations in a manner so as not to cause danger to travelling stock.	No stock in the area covered by this EL.	Not Triggered			
22	22. The licence holder must not interfere with or prevent the access of stock to any watering places or approaches to such watering places without the approval of the landholder.	No stock in the area covered by this EL.	Not Triggered			
23	23. Except where otherwise approved under condition 2, the licence holder must ensure that: a) Existing roads and tracks are used in preference to constructing new roads and tracks; b) The planning, design, construction and maintenance of unsealed roads and tracks is constructed generally in accordance with Managing Urban Stormwater: Soils and Construction, Volume 2C, Unsealed Roads (DECC 2007) as amended or replaced from time to time; and c) All water land and wetland crossing works are constructed in accordance with the requirements of the Policy and Guidelines for Fish Friendly Waterway Crossings (NSW DPI 2003) and Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003) as amended or replaced from time to time.	No new roads/tracks created for drilling operations.	Not Triggered			
24	24 The licence holder must restrict the use of any unsealed road or track during wet weather to prevent damage to that road or track unless the road or track has been designed and constructed for use in wet weather.	No drilling operations being undertaken during the audit visit.	Not Able to be Verified			
25	25 The licence holder must ensure that all topsoil removed in the course of prospecting operations is stockpiled for later use in rehabilitating those operations.	No drilling operations being undertaken during the audit visit.	Not Able to be Verified			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 4918 - no prospecting occurred, a piezometer installed						
26	<p>26 The licence holder must:</p> <p>a) Construct, maintain and decommission all boreholes and petroleum wells in accordance with standards equivalent to or exceeding the Minimum Construction Requirements for Water Bores in Australia (NUDLC 2012), as amended or replaced from time to time. Where this condition is inconsistent with other conditions set out in this exploration licence, those conditions prevail to the extent of that inconsistency.</p> <p>b) Ensure that the construction, operation, maintenance and decommissioning of boreholes does not cause or enhance:</p> <p>i) hydraulic connection between aquifers;</p> <p>ii) contamination or cross-contamination of aquifers;</p> <p>iii) the escape of natural or noxious gases;</p> <p>iv) the uncontrolled surface discharge of ground waters;</p> <p>v) collapse of the surrounding surface; or</p> <p>vi) hazards to persons, stock and wildlife;</p> <p>c) Before commencing any drilling within the exploration licence area, carry out an assessment of the risk of blowouts. Details of the assessment must be notified to the Department at least 7 days prior to the proposed commencement of drilling. If this assessment indicates that there is potential for a blowout to occur, blowout prevention equipment must be installed, in accordance with the Schedule of Onshore Petroleum Exploration and Production Safety Requirements (DMR 1992), as amended or replaced from time to time;</p> <p>d) Implement appropriate controls to manage any risks associated with natural or noxious gases, both during and after drilling;</p> <p>e) Contain all drill cuttings, fluids and groundwater returned to the surface as part of the drilling process in above-ground tanks or in-ground sumps pending recirculation or disposal. In-ground sumps must be lined with an impermeable barrier where there is a potential risk of contamination from drill cuttings or fluids;</p> <p>f) Survey boreholes to a minimum of 0.5 metre accuracy at collar, with the survey to be carried out by a surveyor registered with the Board of Surveying and Spatial Information under the Surveying and Spatial information Act 2002;</p> <p>g) Remove equipment and logging tools from the borehole prior to plugging and abandonment of the borehole, unless otherwise approved by the Minister; and</p> <p>h) Once a borehole ceases to be used, the borehole must be completely filled with cement grout during drill rod withdrawal and plugged, unless otherwise approved by the Minister.</p>	<p>Note: hole drilled through alluvium to a metre below the alluvium in order to assess impacts to groundwater. No impacts to aquifers.</p>	Not Triggerged			
27	<p>27. The licence holder must report any blowout associated with prospecting operations to the Department:</p> <p>a) immediately; and</p> <p>b) provide a written report within 24 hours.</p> <p>Note. The licence holder should have regard to any Director-General's guidelines related to the drilling, operation and abandonment of boreholes.</p>	<p>No prospecting operations carried out under this EL in the audit period.</p>	Not Triggerged			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration Licence 4918 - no prospecting occurred, a piezometer installed						
28	28 The licence holder must ensure that: a) the sites of prospecting operations are maintained in a clean and tidy condition at all times; b) all waste, including contaminated residues, must be collected, segregated and securely deposited in properly constructed containers and disposed lawfully; c) drilling by-products contaminated by chemicals, oils or fuels must be collected and remediated or disposed lawfully; and d) all drill cuttings and drilling fluids not being reused in drilling operations are disposed lawfully. Note. Alternative reuse of drill cuttings and treated fluids may be approved by the Minister under condition 2 of this exploration licence.	The drillers where not on site during the audit visit.	Not Able to be Verified			
29	29 The licence holder must maintain records of: a) all waste generated as a result of prospecting operations under this exploration licence; and b) the means of disposal of all waste. Note. Waste is regulated under the Protection of the Environment Operations Act 1997 and the NSW Waste Regulations. Contact the Local Council or the Environment Protection Authority for details of those requirements.	Part of general site wate, unable to be seperated out. All waste returned to pit-top for disposal.	Complaint			
30	30. The licence holder must notify the Department at least 7 days prior to the proposed commencement of any prospecting operation involving any drilling, blasting or other potentially hazardous operation. This notification must be made in the form approved by the Director-General.	No exploration drilling in the audit period	Compliant			
31	31. The licence holder must carry out operations in a manner that ensures the safety of members of the public, stock and wildlife in the vicinity of the operations.	GDP Process, Site Induction process, regular inspections by geology team and Driller's Check List/Log sighted during the audit visit.	Compliant			
32	32. The licence holder must put in place measures to control safety hazards. These measures include, but are not limited to, the development of a Safety Management Plan prepared in accordance with relevant Departmental guidelines. Note." Mining activities in NSW, including exploration, are subject to the Work Health and Safety Act 2011 which is the main Act dealing with the health, safety and welfare of persons at work. The Work Health and Safety Act 2011 is to be read in conjunction with the Coal Mine Health and Safety Act 2002 which deals with health, safety and welfare of people at work at coal operations or related places and puts in place special provisions necessary for the control of particular risks arising from the exploration for coal.	ACOL HSECMS	Compliant			
33	33. The licence holder must ensure that prospecting operations are conducted, or directly supervised, by a Technical Manager, being: a) a person with tertiary qualifications in geoscience, petroleum or mining engineering; or b) a person having other qualifications or exploration experience approved by the Minister.	No prospecting operations carried out under this EL in the audit period. Works supervised by Graham Noon, a tertiary qualified geologist.	Not Triggered			
34	34. The licence holder must advise the Minister of the name and contact details of the Technical Manager(s) within ten (10) working days of any changes to the nominated Technical Manager of their contact details.	Sighted Appointment Letter of Technical Manager - Exploration sent to DRE 12/8/13.	Compliant			
35	35. The licence 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 authorisations under the Mining Act 1992 or petroleum title under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to: a) access arrangements; b) operational interaction arrangements; c) dispute resolution; d) information exchange; e) location of prospecting operations; f) timing of drilling; g) potential resource extraction conflicts; and h) integrated rehabilitation activities.	No overlapping authorisations	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 4918 - no prospecting occurred, a piezometer installed						
36	<p>36. The Minister's prior written approval is required prior to:</p> <p>a) any change in the effective control of the licence holder; or,</p> <p>b) any foreign acquisition of substantial control in the licence holder.</p> <p>37. For the purposes of condition 36:</p> <p>a) There is a "change in effective control" where, after the imposition of this condition, any person:</p> <p>i) acquires the capacity to appoint or control at least 50% of the number of directors of the licence holder's board;</p> <p>ii) becomes entitled to exercise (directly or indirectly) greater than 50% of the votes entitled to be cast at any general meeting of the licence holder; or,</p> <p>iii) holds more than 50% of the issued share capital (other than shares issued with no rights other than to receive a specified amount in distribution) of the licence holder.</p> <p>b) There is a "foreign acquisition of substantial control" where, after the imposition of this condition, a person:</p> <p>i) acquires the capacity to appoint or control at least 15% of the number of directors of the licence holder's board;</p> <p>ii) becomes entitled to exercise (directly or indirectly) greater than 15% of the votes entitled to be cast at any general meeting of the licence holder;</p> <p>iii) holds more than 15% of the issued share capital (other than shares issued with no rights other than to receive a specified amount in distribution) of the licence holder;</p> <p>AND the person is:</p> <p>i) a natural person not ordinarily resident in Australia;</p> <p>ii) a corporation in which a natural person not ordinarily resident in Australia or a "foreign corporation" (meaning one that is incorporated outside Australia) holds a total interest of 15% or more;</p> <p>iii) a corporation in which 2 or more persons, each of whom is either a natural person not ordinarily resident in Australia or a foreign corporation, hold a total interest of 40% or more;</p> <p>iv) the trustee of a trust estate, in which a natural person not ordinarily resident in Australia or a foreign corporation, holds a total interest of 15% or more; or,</p> <p>v) the trustee of a trust estate in which 2 or more persons, each of whom is either a natural person not</p>		Not Triggered			
38	<p>38. All disturbance resulting from prospecting operations carried out under this exploration licence must be rehabilitated by the licence holder to the satisfaction of the Minister.</p>	As reported in the AR's reviewed for the audit period.	Compliant			
39	<p>39. In rehabilitating the disturbance resulting from prospecting operations, the licence holder must ensure that:</p> <p>a) all machinery, buildings and other infrastructure is removed from the area;</p> <p>b) the area is left in a clean, tidy and stable condition</p> <p>c) there is no adverse environmental effect outside the disturbed area;</p> <p>d) the land is properly drained and protected from soil erosion;</p> <p>e) the land is not a potential source of pollution;</p> <p>f) the land is compatible with the surrounding land and land use requirements;</p> <p>g) the landforms, soils, hydrology and flora require no greater maintenance than that in, or on, the surrounding land;</p> <p>h) the land does not pose a threat to public safety; and</p> <p>i) in cases where vegetation has been removed or damaged:</p> <p>i) where the previous vegetation was native, species used for revegetation are endemic to the area; or</p> <p>ii) where the previous vegetation was not native, species used for revegetation are appropriate to the area; and</p> <p>iii) any revegetation is of an appropriate density and diversity.</p>	Sample drill sites viewed during site inspection	Compliant			
40	<p>40. The licence holder must ensure that all water land and wetland crossings that are disturbed during prospecting operations are rehabilitated such that the natural flow of water is unimpeded and bank stability is maintained to prevent erosion.</p>	No wetland crossings disturbed.	Not Triggered			
41	<p>41. The licence holder must comply with any relevant guidelines issued by the Director- General in the rehabilitation of disturbance resulting from prospecting operations under this exploration licence.</p>	Not closed during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 4918 - no prospecting occurred, a piezometer installed						
42	42. All rehabilitation of disturbance resulting from prospecting operations under this exploration licence must be completed before the expiry of this exploration licence or as soon as practicable following cancellation of this exploration licence, unless otherwise approved by the Minister.	The exploration has not expired during the audit period.	Not Triggered			
43	43. Boreholes that have been abandoned as a result of previous mining or prospecting operations, and which have been opened up or used by the licence holder are subject to the conditions of this exploration licence as if the boreholes were constructed by the holder of this exploration licence.	Not abandoned/closed during the audit period.	Not Triggered			
44	44. The licence holder must submit an Environmental Management Report to the Department in the following circumstances: a) where the licence holder is seeking to renew this exploration licence, an Environmental Management Report must accompany an exploration licence renewal application; or b) where the licence holder is seeking to cancel or part cancel this exploration licence, an Environmental Management Report must accompany an exploration licence cancellation application; c) where the licence holder is not seeking to renew or cancel this exploration licence, an Environmental Management Report must be submitted prior to the expiry of this exploration licence.	EL 4918 Renewal and Environmental Management Report sighted. (11 December 2015)	Compliant			
45	45. The report must be prepared in accordance with any Director-General's requirements for environmental and rehabilitation reporting on exploration licences and include information on all disturbance resulting from prospecting operations and rehabilitation carried out within the exploration licence area. The report must be prepared to the satisfaction of the Director-General.					
46	46. The licence holder must, in addition to the requirements under section 148 of the Protection of the Environment Operations Act 1997: a) Notify the Department of all: i) pollution incidents causing or threatening material harm to the environment; ii) breaches of the conditions of this exploration licence; and iii) breaches of environment protection legislation (as defined in the Protection of the Environment Administration Act 1991), arising in connection with prospecting operations under this exploration licence. b) The notification must be given immediately, i.e. promptly and without delay, after the licence holder becomes aware of the incident, breach or complaint. Note. Refer to www.resources.nsw.gov.au/environment for notification contact details. c) Submit an Environmental Incident and Complaints Report to the Department within seven (7) days of all: i) pollution incidents causing or threatening material harm to the environment; ii) breaches of the conditions of this exploration licence; iii) breaches of environment protection legislation (as defined in the Protection of the Environment Administration Act 1991); and iv) complaints from landholders or the public alleging environmental harm or a breach of conditions of this exploration licence or of environment protection legislation, arising in connection with prospecting operations under this exploration licence. d) The Environmental Incident and Complaints Report must include: i) the details of the exploration licence; ii) contact details for the licence holder, complainant and landholder; iii) a map showing the area of concern; iv) a description of the nature of the incident or complaint, likely causes and consequences; v) a timetable showing actions taken or planned to address the incident or complaint; and vi) a summary of all previous incidents or complaints relating to prospecting operations under this exploration licence. Note. The licence holder should have regard to any relevant Director-General's guidelines in the preparation of an Environmental incident and Complaints Report. Refer to www.resources.nsw.gov.au/environment for further details.	No pollution incidents	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 4918 - no prospecting occurred, a piezometer installed						
47	47. This authorisation is subject to a condition that the holder of the authorisation is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the authorisation, including obligations of all or any kind under the authorisation that may arise in the future.	Assessed elsewhere.	Compliant			
48	48. The amount of the security deposit to be provided has been assessed by the Director-General at \$20,000.	Bank Guarantee sighted/provided along with breakdown from Finance Dept on what documents the money is held in Guarantee of.	Compliant			
49	49. Not used					
50	50. Not used					
51	51 The licence holder must: a) if using non-core drilling methods, retain representative cuttings every one (1) metre drilled. Such samples must be at least 200 grams in dry weight, dried, stored appropriately, and securely labelled with depth limits; and b) if using core drilling methods, retain the cores (other than material required from the cores for the purpose of assay) and samples in standard modular durable core boxes and label the cores and samples after the completion of the borehole.	The exploration licence has not expired during the audit period.	Not Triggered			
52	52. Cores and samples must be made available for examination and or sampling by officers of the Department for the purpose of analysis or other testing upon request.	The exploration licence has not expired during the audit period.	Not Triggered			
53	53. The licence holder must not dispose of the cores or samples referred to in Condition 51 without approval of the Minister and without first offering them to the Department for archival storage. If so directed, the licence holder must lodge selected core and samples with one of the Department's Core Libraries. Selected core must be lodged with the Department in standard modular core boxes. Information on the borehole and drilling depths must be clearly and permanently indicated on both the inside and outside of each box. Note: Conditions 51 and 53 do not apply to boreholes or sections of boreholes sunk in surface gravel or alluvial ground. Specifications for standard modular core boxes can be obtained by contacting the Department.	The exploration licence has not expired during the audit period.	Not Triggered			
54	54 The licence holder must undertake analyses and tests on any or all coal seams intersected in boreholes if directed to do so by the Minister.	The exploration licence has not expired during the audit period.	Not Triggered			
55	55 Unless otherwise approved by the Minister, the licence holder must implement and complete the work program specified in the renewal application for this exploration licence.	EL not part of the works process	Not Triggered			
56	56. Not used					

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 5860						
1	<p>1. The licence holder may conduct Category 1 prospecting operations on the exploration licence area subject to the conditions of this licence.</p> <p>Note.</p> <p>a) The licence holder must comply with the requirements of the Act and other relevant legislation.</p> <p>b) Category 1 prospecting operations:</p> <p>i) must be of minimal environmental impact;</p> <p>ii) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994); and</p> <p>iii) can not be carried out in a wilderness area (identified under the Wilderness Act 1987).</p>	<p>No drilling activities occurred in the project area under this EL during the audit period.</p> <p>Note: EL covers an area within the project area as well as an area within the SEOC which is outside of the scope of the audit.</p> <p>2015 application has not yet been renewed by DRE.</p>	Not Triggered			
2	<p>2. The licence holder must obtain the Minister's written approval prior to carrying out any of the following prospecting operations on the exploration licence area:</p> <p>a) Category 2 prospecting operations; and</p> <p>b) Category 3 prospecting operations.</p> <p>Note: The information required to be submitted as part of the licence holder's request for written approval under this condition is set out in the "Note" following condition 3 below.</p>		Not Triggered			
3	<p>3. The licence holder must comply with the conditions of an approval under condition 2 when carrying out those prospecting operations.</p> <p>Note: In the case of prospecting operations identified in condition 2 as requiring approval by the Minister, the application for approval must be accompanied by a Surface Disturbance Notice (SDN). A Review of Environmental Factors and Agricultural Impact Statement may be required for Category 2 prospecting operations if the Minister is of the opinion that the prospecting operations may result in more than minimal environmental impact.</p> <p>A Surface Disturbance Notice, Review of Environmental Factors and Agricultural Impact Statement are required for all Category 3 prospecting operations.</p> <p>If the impact of prospecting operations on the environment is determined as likely to significantly affect the environment (including critical habitat) or threatened species, populations or ecological communities, or their habitats, in terms of Part 5 of the EP&A Act, then the licence holder will be required to submit an Environmental Impact Statement (EIS).</p> <p>Applications may also require a Groundwater Monitoring and Modelling Plan (see condition 12).</p>		Not Triggered			
4	<p>4. The licence holder must not prospect on any land or waters on which native title exists without the prior written consent of the Minister.</p>		Not Triggered			
5	<p>5. The licence holder must engage with the community in relation to the planning for and conduct of prospecting operations authorised under this exploration licence.</p>		Not Triggered			
6	<p>6. The consultation must be undertaken in accordance with the Guideline for community consultation requirements for the exploration of coal and petroleum, including coal seam gas (NSW Trade & Investment, 2012) as amended from time to time.</p>		Not Triggered			
7	<p>7. An annual report on Community Consultation must be submitted to the Department within 28 days of the anniversary of this licence being granted, together with evidence that the consultation has been undertaken in accordance with the Guideline.</p> <p>Note: Copies of the Guideline are available from www.resources.nsw.gov.au</p>		Not Triggered			
8	<p>8. The licence holder must ensure that a copy of this exploration licence and any relevant documentation relating to the conduct of prospecting operations is:</p> <p>a) accessible on the site of active prospecting operations authorised by this exploration licence; and</p> <p>b) made available to all supervisors or other persons concerned in the day to day management of prospecting operations authorised by this exploration licence.</p> <p>Note: For the purposes of this condition, relevant documentation includes, but is not limited to:</p> <p>a) access arrangements required under Part 8 of the Act;</p> <p>b) exempted area consents required under section 30 of the Act;</p> <p>c) approvals under condition 2 of this exploration licence, and any document specified as forming part of that approval, such as a Review of Environmental Factors; and</p> <p>d) the approved Groundwater Monitoring and Modelling Plan under condition 12 of this exploration licence.</p>		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 5860						
9	9. The licence holder must implement all reasonably practicable measures to prevent and/or minimise harm to the environment that may result from the conduct of any prospecting operations under this exploration licence.		Not Triggered			
10	10. The licence holder must prevent erosion and pollution of watercourses resulting from the conduct of prospecting operations by implementing effective erosion and sediment control measures.		Not Triggered			
11	11. The planning, design and construction of erosion and sediment control measures must be conducted generally in accordance with Managing Urban Stormwater: Soils and Construction (DECC 2007), as amended or replaced from time to time.		Not Triggered			
12	<p>12. Prior to conducting prospecting operations involving the construction and use of boreholes, the licence holder must:</p> <p>a) Prepare a Groundwater Monitoring and Modelling Plan in consultation with the NSW Office of Water;</p> <p>b) Ensure that the Groundwater Monitoring and Modelling Plan:</p> <p>i) describes methods for identifying aquifers, their depths, behaviour, containing layers and connectivity with surrounding aquifers or surface water systems;</p> <p>ii) describes methods for collection of data relevant to the type, quantity and quality of water contained within aquifer systems likely to be encountered during prospecting operations;</p> <p>iii) provides for the future development of a conceptual model of regional groundwater behaviour;</p> <p>iv) provides for the future development of a calibrated computer model of regional groundwater behaviour, to enable the impacts of any proposed mining operations to be assessed;</p> <p>v) describes how records of all data collected will be maintained;</p> <p>vi) describes the staging process for implementation of the plan; and</p> <p>vii) is prepared in accordance with any additional requirements prescribed by the Director-General.</p> <p>c) The Groundwater Monitoring and Modelling Plan must address the requirements identified in b) i) to b)vii) in a level of detail commensurate with the scale, timing and potential impact of proposed operations;</p> <p>d) Have the Groundwater Monitoring and Modelling Plan approved by the Minister; and</p> <p>e) Implement and comply with the approved Groundwater Monitoring and Modelling Plan.</p> <p>Note. The Groundwater Monitoring and Modelling Plan is required to ensure:</p> <p>(a) there is sufficient groundwater data available to assess future operations against the Aquifer Interference Policy (NSW Office of Water, 2012), as amended or replaced from time to time; and</p> <p>(b) 2 years of baseline data is available prior to submitting an application for any future production operations. An application may be made to the Department at any time to vary an approved Groundwater Monitoring and Modelling Plan.</p>		Not Triggered			
13	<p>13. The licence holder must ensure that all chemicals, fuels and oils, excluding those contained within plant and equipment and those for personal use, are:</p> <p>a) stored and handled in accordance with the relevant Material Safety Data Sheet and Australian Standards for the material;</p> <p>b) stored in appropriate containers that are in good condition and labelled to clearly identify the stored product; and</p> <p>c) kept in a facility or area which is capable of containing at least 100% of the largest container capacity stored within that area;</p> <p>unless otherwise approved by the Minister.</p>		Not Triggered			
14	14. The licence holder must ensure that adequate spill prevention and oil absorbent materials required to manage spills and leaks for all chemicals, fuels and oils on site are readily available at all times where prospecting operations are being carried out. Equipment and/or materials to capture drips and spills must be used during transfer of chemicals, fuels and oils, and when maintaining oil or fuel filled components.		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration Licence 5860						
15	15. The licence holder must carry out operations in accordance with the requirements of the interim Construction Noise Guidelines (DECC, 2009), as amended or replaced from time to time. Unless otherwise approved by the Minister, the licence holder must ensure that: a) noise levels during standard working hours do not exceed the Rating Background Level (RBL) +10dB at any residence or other sensitive receiver (as defined in the Interim Construction Noise Guidelines). b) noise levels outside of standard working hours do not exceed the RBL +5dB.		Not Triggered			
16	16. The noise limits identified in condition 15 will not apply where the licence holder has negotiated a written agreement with: a) the relevant landholder; or b) in the case of a prospecting operation that will result in an exceedance of the criteria at a dwelling or other sensitive receiver, the resident of that dwelling or occupier of the sensitive receiver; c) to allow different limits and the licence holder complies with those limits.		Not Triggered			
17	17. Vegetation clearing and vegetation disturbance must be limited to the minimum extent necessary to facilitate the conduct of prospecting operations authorised by this exploration licence. Note: Any clearing of native vegetation which is not authorised under the Mining Act 1992 is subject to the Native Vegetation Act 2003. Additional approvals may also be required before using timber from Crown land.		Not Triggered			
18	18. The licence holder must take all reasonably practicable precautions against causing an outbreak of fire.		Not Triggered			
19	19. The licence holder must not burn off any grass, foliage or herbage without the consent of the landholder and the local fire authority.		Not Triggered			
20	20. The licence holder must ensure that prospecting operations do not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility without the prior written approval of the infrastructure owner and subject to any conditions that may be stipulated by the infrastructure owner.		Not Triggered			
21	21. The licence holder must permit the passage of stock through the exploration licence area and must conduct operations in a manner so as not to cause danger to travelling stock.		Not Triggered			
22	22. The licence holder must not interfere with or prevent the access of stock to any watering places or approaches to such watering places without the approval of the landholder.		Not Triggered			
23	23. Except where otherwise approved under condition 2, the licence holder must ensure that: a) Existing roads and tracks are used in preference to constructing new roads and tracks; b) The planning, design, construction and maintenance of unsealed roads and tracks is constructed generally in accordance with Managing Urban Stormwater: Soils and Construction, Volume 2C, Unsealed Roads (DECC 2007) as amended or replaced from time to time; and c) All water land and wetland crossing works are constructed in accordance with the requirements of the Policy and Guidelines for Fish Friendly Waterway Crossings (NSW DPI 2003) and Why do Fish Need to Cross the		Not Triggered			
24	24 The licence holder must restrict the use of any unsealed road or track during wet weather to prevent damage to that road or track unless the road or track has been designed and constructed for use in wet		Not Triggered			
25	25 The licence holder must ensure that all topsoil removed in the course of prospecting operations is stockpiled for later use in rehabilitating those operations.		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 5860						
26	<p>26 The licence holder must:</p> <p>a) Construct, maintain and decommission all boreholes and petroleum wells in accordance with standards equivalent to or exceeding the Minimum Construction Requirements for Water Bores in Australia (NUDLC 2012), as amended or replaced from time to time. Where this condition is inconsistent with other conditions set out in this exploration licence, those conditions prevail to the extent of that inconsistency.</p> <p>b) Ensure that the construction, operation, maintenance and decommissioning of boreholes does not cause or enhance:</p> <p>i) hydraulic connection between aquifers;</p> <p>ii) contamination or cross-contamination of aquifers;</p> <p>iii) the escape of natural or noxious gases;</p> <p>iv) the uncontrolled surface discharge of ground waters;</p> <p>v) collapse of the surrounding surface; or</p> <p>vi) hazards to persons, stock and wildlife;</p> <p>c) Before commencing any drilling within the exploration licence area, carry out an assessment of the risk of blowouts. Details of the assessment must be notified to the Department at least 7 days prior to the proposed commencement of drilling. If this assessment indicates that there is potential for a blowout to occur, blowout prevention equipment must be installed, in accordance with the Schedule of Onshore Petroleum Exploration and Production Safety Requirements (DMR 1992), as amended or replaced from time to time;</p> <p>d) Implement appropriate controls to manage any risks associated with natural or noxious gases, both during and after drilling;</p> <p>e) Contain all drill cuttings, fluids and groundwater returned to the surface as part of the drilling process in above-ground tanks or in-ground sumps pending recirculation or disposal. In-ground sumps must be lined with an impermeable barrier where there is a potential risk of contamination from drill cuttings or fluids;</p> <p>f) Survey boreholes to a minimum of 0.5 metre accuracy at collar, with the survey to be carried out by a surveyor registered with the Board of Surveying and Spatial Information under the Surveying and Spatial Information Act 2002;</p> <p>g) Remove equipment and logging tools from the borehole prior to plugging and abandonment of the borehole, unless otherwise approved by the Minister; and</p> <p>h) Once a borehole ceases to be used, the borehole must be completely filled with cement grout during drill rod withdrawal and plugged, unless otherwise approved by the Minister.</p>		Not Triggered			
27	<p>27. The licence holder must report any blowout associated with prospecting operations to the Department:</p> <p>a) immediately; and</p> <p>b) provide a written report within 24 hours.</p> <p>Note. The licence holder should have regard to any Director-General's guidelines related to the drilling, operation and abandonment of boreholes.</p>		Not Triggered			
28	<p>28 The licence holder must ensure that:</p> <p>a) the sites of prospecting operations are maintained in a clean and tidy condition at all times;</p> <p>b) all waste, including contaminated residues, must be collected, segregated and securely deposited in properly constructed containers and disposed lawfully;</p> <p>c) drilling by-products contaminated by chemicals, oils or fuels must be collected and remediated or disposed lawfully; and</p> <p>d) all drill cuttings and drilling fluids not being reused in drilling operations are disposed lawfully.</p> <p>Note. Alternative reuse of drill cuttings and treated fluids may be approved by the Minister under condition 2 of this exploration licence.</p>		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 5860						
29	<p>29 The licence holder must maintain records of:</p> <p>a) all waste generated as a result of prospecting operations under this exploration licence; and</p> <p>b) the means of disposal of all waste.</p> <p>Note. Waste is regulated under the Protection of the Environment Operations Act 1997 and the NSW Waste Regulations. Contact the Local Council or the Environment Protection Authority for details of those requirements.</p>		Not Triggered			
30	<p>30. The licence holder must notify the Department at least 7 days prior to the proposed commencement of any prospecting operation involving any drilling, blasting or other potentially hazardous operation. This notification must be made in the form approved by the Director-General.</p>		Not Triggered			
31	<p>31. The licence holder must carry out operations in a manner that ensures the safety of members of the public, stock and wildlife in the vicinity of the operations.</p>		Not Triggered			
32	<p>32. The licence holder must put in place measures to control safety hazards. These measures include, but are not limited to, the development of a Safety Management Plan prepared in accordance with relevant Departmental guidelines.</p> <p>Note." Mining activities in NSW, including exploration, are subject to the Work Health and Safety Act 2011 which is the main Act dealing with the health, safety and welfare of persons at work. The Work Health and Safety Act 2011 is to be read in conjunction with the Coal Mine Health and Safety Act 2002 which deals with health, safety and welfare of people at work at coal operations or related places and puts in place special provisions necessary for the control of particular risks arising from the exploration for coal.</p>		Not Triggered			
33	<p>33. The licence holder must ensure that prospecting operations are conducted, or directly supervised, by a Technical Manager, being:</p> <p>a) a person with tertiary qualifications in geoscience, petroleum or mining engineering; or</p> <p>b) a person having other qualifications or exploration experience approved by the Minister.</p>		Not Triggered			
34	<p>34. The licence holder must advise the Minister of the name and contact details of the Technical Manager(s) within ten (10) working days of any changes to the nominated Technical Manager or their contact details.</p>		Not Triggered			
35	<p>35. The licence 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 authorisations under the Mining Act 1992 or petroleum title under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to:</p> <p>a) access arrangements;</p> <p>b) operational interaction arrangements;</p> <p>c) dispute resolution;</p> <p>d) information exchange;</p> <p>e) location of prospecting operations;</p> <p>f) timing of drilling;</p> <p>g) potential resource extraction conflicts; and</p> <p>h) integrated rehabilitation activities.</p>		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration Licence 5860						
36	<p>36. The Minister's prior written approval is required prior to:</p> <p>a) any change in the effective control of the licence holder; or,</p> <p>b) any foreign acquisition of substantial control in the licence holder.</p> <p>37. For the purposes of condition 36:</p> <p>a) There is a "change in effective control" where, after the imposition of this condition, any person:</p> <p>i) acquires the capacity to appoint or control at least 50% of the number of directors of the licence holder's board;</p> <p>ii) becomes entitled to exercise (directly or indirectly) greater than 50% of the votes entitled to be cast at any general meeting of the licence holder; or,</p> <p>iii) holds more than 50% of the issued share capital (other than shares issued with no rights other than to receive a specified amount in distribution) of the licence holder.</p> <p>b) There is a "foreign acquisition of substantial control" where, after the imposition of this condition, a person:</p> <p>i) acquires the capacity to appoint or control at least 15% of the number of directors of the licence holder's board;</p> <p>ii) becomes entitled to exercise (directly or indirectly) greater than 15% of the votes entitled to be cast at any general meeting of the licence holder;</p> <p>iii) holds more than 15% of the issued share capital (other than shares issued with no rights other than to receive a specified amount in distribution) of the licence holder;</p> <p>AND the person is:</p> <p>i) a natural person not ordinarily resident in Australia;</p> <p>ii) a corporation in which a natural person not ordinarily resident in Australia or a "foreign corporation" (meaning one that is incorporated outside Australia) holds a total interest of 15% or more;</p> <p>iii) a corporation in which 2 or more persons, each of whom is either a natural person not ordinarily resident in Australia or a foreign corporation, hold a total interest of 40% or more;</p> <p>iv) the trustee of a trust estate, in which a natural person not ordinarily resident in Australia or a foreign corporation, holds a total interest of 15% or more; or,</p> <p>v) the trustee of a trust estate in which 2 or more persons, each of whom is either a natural person not ordinarily resident in Australia or a foreign corporation, holds a total interest of 40% or more.</p>		Not Triggered			
37	38. All disturbance resulting from prospecting operations carried out under this exploration licence must be rehabilitated by the licence holder to the satisfaction of the Minister.		Not Triggered			
38	<p>39. In rehabilitating the disturbance resulting from prospecting operations, the licence holder must ensure that:</p> <p>a) all machinery, buildings and other infrastructure is removed from the area;</p> <p>b) the area is left in a clean, tidy and stable condition</p> <p>c) there is no adverse environmental effect outside the disturbed area;</p> <p>d) the land is properly drained and protected from soil erosion;</p> <p>e) the land is not a potential source of pollution;</p> <p>f) the land is compatible with the surrounding land and land use requirements;</p> <p>g) the landforms, soils, hydrology and flora require no greater maintenance than that in, or on, the surrounding land;</p> <p>h) the land does not pose a threat to public safety; and</p> <p>i) in cases where vegetation has been removed or damaged:</p> <p>ii) where the previous vegetation was native, species used for revegetation are endemic to the area; or</p> <p>iii) where the previous vegetation was not native, species used for revegetation are appropriate to the area; and</p>		Not Triggered			
39	40. The licence holder must ensure that all water, land and wetland crossings that are disturbed during prospecting operations are rehabilitated such that the natural flow of water is unimpeded and bank stability is maintained to prevent erosion.		Not Triggered			
40	41. The licence holder must comply with any relevant guidelines issued by the Director- General in the rehabilitation of disturbance resulting from prospecting operations under this exploration licence.		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 5860						
41	42. All rehabilitation of disturbance resulting from prospecting operations under this exploration licence must be completed before the expiry of this exploration licence or as soon as practicable following cancellation of this exploration licence, unless otherwise approved by the Minister.		Not Triggered			
42	43. Boreholes that have been abandoned as a result of previous mining or prospecting operations, and which have been opened up or used by the licence holder are subject to the conditions of this exploration licence as if the boreholes were constructed by the holder of this exploration licence.		Not Triggered			
43	44. The licence holder must submit an Environmental Management Report to the Department in the following circumstances: a) where the licence holder is seeking to renew this exploration licence, an Environmental Management Report must accompany an exploration licence renewal application; or b) where the licence holder is seeking to cancel or part cancel this exploration licence, an Environmental Management Report must accompany an exploration licence cancellation application; c) where the licence holder is not seeking to renew or cancel this exploration licence, an Environmental Management Report must be submitted prior to the expiry of this exploration licence.		Not Triggered			
44	45. The report must be prepared in accordance with any Director-General's requirements for environmental and rehabilitation reporting on exploration licences and include information on all disturbance resulting from prospecting operations and rehabilitation carried out within the exploration licence area. The report must be prepared to the satisfaction of the Director-General.		Not Triggered			
45	46. The licence holder must, in addition to the requirements under section 148 of the Protection of the Environment Operations Act 1997: a) Notify the Department of all: i) pollution incidents causing or threatening material harm to the environment; ii) breaches of the conditions of this exploration licence; and iii) breaches of environment protection legislation (as defined in the Protection of the Environment Administration Act 1991), arising in connection with prospecting operations under this exploration licence. b) The notification must be given immediately, i.e. promptly and without delay, after the licence holder becomes aware of the incident, breach or complaint. Note. Refer to www.resources.nsw.gov.au/environment for notification contact details. c) Submit an Environmental Incident and Complaints Report to the Department within seven (7) days of all: i) pollution incidents causing or threatening material harm to the environment; ii) breaches of the conditions of this exploration licence; iii) breaches of environment protection legislation (as defined in the Protection of the Environment Administration Act 1991); and iv) complaints from landholders or the public alleging environmental harm or a breach of conditions of this exploration licence or of environment protection legislation, arising in connection with prospecting operations under this exploration licence. d) The Environmental Incident and Complaints Report must include: i) the details of the exploration licence; ii) contact details for the licence holder, complainant and landholder; iii) a map showing the area of concern; iv) a description of the nature of the incident or complaint, likely causes and consequences; v) a timetable showing actions taken or planned to address the incident or complaint; and vi) a summary of all previous incidents or complaints relating to prospecting operations under this exploration licence.		Not Triggered			
46	47. This authorisation is subject to a condition that the holder of the authorisation is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the authorisation, including obligations of all or any kind under the authorisation that may arise in the future.		Not Triggered			
47	48. The amount of the security deposit to be provided has been assessed by the Director-General at \$40,000.		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Exploration License 5860						
48	51 The licence holder must: a) if using non-core drilling methods, retain representative cuttings every one (1) metre drilled. Such samples must be at least 200 grams in dry weight, dried, stored appropriately, and securely labelled with depth limits; and b) if using core drilling methods, retain the cores (other than material required from the cores for the purpose of assay) and samples in standard modular durable core boxes and label the cores and samples after the completion of the borehole.		Not Triggered			
49	52. Cores and samples must be made available for examination and or sampling by officers of the Department for the purpose of analysis or other testing upon request.		Not Triggered			
50	53. The licence holder must not dispose of the cores or samples referred to in Condition 51 without approval of the Minister and without first offering them to the Department for archival storage. If so directed, the licence holder must lodge selected core and samples with one of the Department's Core Libraries. Selected core must be lodged with the Department in standard modular core boxes. Information on the borehole and drilling depths must be clearly and permanently indicated on both the inside and outside of each box. Note: Conditions 51 and 53 do not apply to boreholes or sections of boreholes sunk in surface gravel or alluvial ground. Specifications for standard modular core boxes can be obtained by contacting the Department.		Not Triggered			
51	54 The licence holder must undertake analyses and tests on any or all coal seams intersected in boreholes if directed to do so by the Minister.		Not Triggered			
52	55 Unless otherwise approved by the Minister, the licence holder must implement and complete the work program specified in the renewal application for this exploration licence.	Prio to the audit period	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 1120						
1	1. THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2. THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3. THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4	4. THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Requirement	Evidence	Audit Finding	Risk		
			Consequence	Likelihood	Risk
License 1121 - Hunter Water High Security License					
1. THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2. THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3. THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4. THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 1358 - Supplementary Surface Water Licence Glennies Creek						
1	1. The licence holder must provide the minister with figures recording the quantity of water taken via the nominated water supply works approval, when required to do so, and in the form specified by the minister.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2. The licence holder must not take any water using the nominated water supply work approval if the water allocation account of this licence is, or will go into debit.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3. The extraction component of this access licence may be amended by the minister in accordance with the water sharing plan for the water source specified on this licence.	Not altered within audit period.	Not Triggered			
4	4. The licence holder must not take water under this access licence unless state water has been notified in the form prescribed by the minister as to: (i) the intent to take water; (ii) the maximum volume that will be taken, (iii) the rate at which the water will be taken, (iv) the period of time in which the water will be taken; and (v) the volume of water already taken under this access licence during the year commencing 1 July.	No water was taken from this access licence within the audit period.	Not Triggered			
5	5. The licence-holder must, within 24 hours of cessation of pumping, or as otherwise directed, notify state water of the volume of water taken	No water was taken from this access licence within the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 6346						
1	1. The licence holder must provide the minister with figures recording the quantity of water taken via the nominated water supply works approval, when required to do so, and in the form specified by the minister.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2. The licence holder must not take any water using the nominated water supply work approval if the water allocation account of this licence is, or will go into debit.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3. The extraction component of this access licence may be amended by the minister in accordance with the water sharing plan for the water source specified on this licence.	Not altered within audit period.	Not Triggered			
4	4. The licence holder must not take water under this access licence unless state water has been notified in the form prescribed by the minister as to: (i) the intent to take water; (ii) the maximum volume that will be taken, (iii) the rate at which the water will be taken, (iv) the period of time in which the water will be taken; and (v) the volume of water already taken under this access licence during the year commencing 1 july.	No water was taken from this access licence within the audit period.	Not Triggered			
5	5. The licence-holder must, within 24 hours of cessation of pumping, or as otherwise directed, notify state water of the volume of water taken.	No water was taken from this access licence within the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 15583						
1	1.THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2.THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3.THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4	4.THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 19510						
1	1.THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2.THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3.THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4	4.THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 984						
1	1.THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2.THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3.THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4	4.THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 997						
1	1.THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2.THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3.THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4	4.THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Access License 8404						
1	1.THE LICENCE HOLDER MUST PROVIDE THE MINISTER WITH FIGURES RECORDING THE QUANTITY OF WATER TAKEN VIA THE NOMINATED WATER SUPPLY WORKS APPROVAL, WHEN REQUIRED TO DO SO, AND IN THE FORM SPECIFIED BY THE MINISTER.	Flow meter readings are provided to State Water on a monthly basis for each pump approved under the relevant works approval- sighted email notification sent to State Water.	Compliant			
2	2.THE LICENCE HOLDER MUST NOT TAKE ANY WATER USING THE NOMINATED WATER SUPPLY WORK APPROVAL IF THE WATER ALLOCATION ACCOUNT OF THIS LICENCE IS, OR WILL GO INTO DEBIT.	As verified through Annual Water Balance as reported in AR's.	Compliant			
3	3.THE EXTRACTION COMPONENT OF THIS ACCESS LICENCE MAY BE AMENDED BY THE MINISTER IN ACCORDANCE WITH THE WATER SHARING PLAN FOR THE WATER SOURCE SPECIFIED ON THIS LICENCE.	Not altered within audit period.	Not Triggered			
4	4.THE LICENCE HOLDER MUST NOT TAKE WATER UNDER THIS LICENCE UNLESS IN ACCORDANCE WITH: (A) A NOMINATED WATER SUPPLY WORK APPROVAL, AND (B) A WATER SUPPLY ORDER APPROVED AND ACCEPTED BY STATE WATER. NOTWITHSTANDING (B), THE LICENCE HOLDER MAY TAKE WATER IN ACCORDANCE WITH AN ANNOUNCEMENT MADE BY THE MINISTER DECLARING AN UNCONTROLLED WATER ALLOCATION ACCOUNTING PERIOD.	(a) Sighted Groundwater Database showing Licence and Work Approvals. (b) sighted email confirmation/approval of water ordering for 15/16 period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Borehole License 20BL169508; NEOC De-Watering Bore						
1	<p>(1) DEFINITIONS: THE FOLLOWING DEFINITIONS APPLY TO THIS LICENCE: "ALLUVIAL WATER INFLOW" MEANS WATER CONTAINED WITHIN AN ALLUVIAL WATER SOURCE DEFINED UNDER THE WATER SHARING PLAN FOR THE HUNTER UNREGULATED AND ALLUVIAL WATER SOURCES 2009 WHICH, IF INTERCEPTED BY MINING ACTIVITY, WILL GIVE RISE TO AN INFLOW OF WATER INTO A MINE WORK. "DEVELOPMENT CONSENT" MEANS THE APPROVAL GRANTED FOR DEVELOPMENT APPLICATION DA NO 309-1 I-2001-I AS MODIFIED FROM TIME TO TIME OR ANY EQUIVALENT PLANNING APPROVAL THAT REPLACES THE DEVELOPMENT CONSENT. NOTE: THE LICENCE HOLDER MUST NOTIFY THE OFFICE OF WATER WHEN THERE IS ANY MODIFICATION WHICH MUST BE APPROVED BY THE OFFICE OF WATER. "MINE WORK" MEANS ANY EXCAVATION RELATING TO THE CONSTRUCTION AND/OR OPERATION OF UNDERGROUND AND/OR OPEN-CUT MINING AT ASHTON COAL MINE. "REGULATED RIVER WATER INFLOW" MEANS WATER MANAGED UNDER THE WATER SHARING PLAN FOR THE HUNTER REGULATED RIVER WATER SOURCE 2003 THE DEFINITION OF "BORE" IN S105 OF THE WATER ACT 1912 APPLIES: "BORE MEANS ANY BORE OR WELL OR ANY EXCAVATION OR OTHER WORK CONNECTED OR PROPOSED TO BE CONNECTED WITH THE SOURCES OF SUB-SURFACE WATER AND USED OR PROPOSED TO BE USED OR CAPABLE OF BEING USED TO OBTAIN SUPPLIES OF SUCH WATER WHETHER THE WATER FLOWS NATURALLY AT ALL TIMES OR HAS TO BE RAISED EITHER WHOLLY OR AT TIMES BY PUMPING OR OTHER ARTIFICIAL MEANS."</p>	This was noted, however no finding is required for this condition/commitment.	Noted			
2	(2) ALL MONITORING DATA MUST BE SUBMITTED TO NSW OFFICE OF WATER IN A REPORT WHICH, INCLUDES DATA, INTERPRETATION OF RESULTS, AND A DISCUSSION OF MONITORING RESULTS COMPARED TO GROUNDWATER AND SALINITY IMPACT PREDICTIONS STATED IN THE EIS.	Groundwater Report attached to AR which is circulated to NOW	Compliant			
3	(3) ON COMPLETION OF OPERATIONS LICENCE HOLDER MUST ENGAGE AN INDEPENDENT EXPERT, APPROVED BY NSW OFFICE OF WATER, TO UNDERTAKE AN AUDIT OF THE GROUNDWATER CONDITIONS.	Operations continue as per this condition.	Not Triggered			
4	(4) THE VOLUME OF GROUNDWATER EXTRACTED FROM THE BORE AUTHORISED BY THIS LICENCE SHALL NOT EXCEED 100 MEGALITRES IN ANY 12-MONTH PERIOD COMMENCING THE 1ST JULY.	Water take reported for Calendar year in AR's - weekly water movement reports sighted.	Compliant			
5	(5) THE LICENCE HOLDER MUST CONTINUE TO IMPLEMENT A METHODOLOGY TO ESTIMATE THE ANNUAL VOLUME OF WATER THAT WILL BE INTERCEPTED AND / OR TAKEN FROM ANY ALLUVIAL OR REGULATED RIVER WATER SOURCE AS DEFINED IN THE RELEVANT WATER SHARING PLAN (CALLED A "WATER BUDGET").THIS METHODOLOGY MUST BE INCORPORATED INTO ANNUAL REPORTS REQUIRED BY THE DEVELOPMENT CONSENT.	Section 6.3.2 of ACOL SWMP contains methodology. Site Water Balances are included in the AR's reviewed for the audit period.	Compliant			
6	(6) THE LICENCE HOLDER MUST INCLUDE IN THE GROUNDWATER MANAGEMENT REPORT REQUIRED TO BE PREPARED ON AN ANNUAL BASIS UNDER THE DEVELOPMENT CONSENT: (I) THE TOTAL VOLUME OF GROUNDWATER EXTRACTED FROM THE BORE DURING THE RELEVANT PERIOD OF REPORTING; (II) AN ESTIMATE OF THE TOTAL VOLUME OF GROUNDWATER TAKEN FROM THE ALLUVIAL WATER SOURCE(S); AND (III) AN ESTIMATE OF THE TOTAL VOLUME OF WATER TAKEN FROM THE REGULATED RIVER WATER SOURCE. NOTE: ANY ESTIMATE OR REPORT OF WATER EXTRACTED CAN BE AMENDED BY NOTICE TO THE DEPARTMENT	As included in the AR's reviewed for the audit period.	Compliant			
7	(7) THE LICENCE HOLDER MUST REVIEW AND, IF NECESSARY, REVISE THE GROUNDWATER MANAGEMENT PLAN AND THE SURFACE AND GROUNDWATER RESPONSE PLAN REQUIRED UNDER THE DEVELOPMENT CONSENT TO CONSIDER THE WORKS AUTHORISED BY THIS LICENCE IN CONSULTATION WITH THE OFFICE OF WATER WITHIN SIX MONTHS OF THE DATE OF ISSUE OF THIS LICENCE.	As per Review Schedule in the SWMP	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Borehole License 20BL169508; NEOC De-Watering Bore						
8	(8) AS PART OF THE ANNUAL REPORTING REQUIRED UNDER THE DEVELOPMENT CONSENT, THE LICENCE HOLDER MUST: (I) ASSESS COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE LICENCE; (II) PROVIDE A SUMMARY OF NEW BORES OR PITS CONSTRUCTED DURING THAT YEAR; (III) PROVIDE KEY STATISTICS FOR THE MONITORING DATA COLLATED FOR EACH BORE FOR THE PREVIOUS WATER YEAR; (IV) SUMMARISE EVENTS THAT IMPACTED ON GROUNDWATER DURING THE PREVIOUS WATER YEAR, INCLUDING ACTIONS TAKEN TO REMEDY THE SITUATION AND RELEVANT EXTRA MONITORING RESULTS; AND (V) INCLUDE ANY RECOMMENDATIONS OR MEASURES TO BE TAKEN FOR IMPROVEMENTS FOR THE NEW WATER YEAR.	As generally included in Groundwater Monitoring Reports prepared by ACOL.	Compliant			
9	(9) AS PART OF THE INDEPENDENT ENVIRONMENTAL AUDITING REQUIRED UNDER THE DEVELOPMENT CONSENT, THE LICENCE HOLDER MUST ENSURE THAT THE AUDIT: (I) SEEKS INPUT FROM THE OFFICE OF WATER; (II) ASSESS COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS LICENCE; (III) ASSESS COMPLIANCE WITH THE WATER MANAGEMENT PLAN AND ANY SUB-PLANS UNDER THE DEVELOPMENT CONSENT; (IV) REVIEW REPORTED IMPACTS OF THE EXTRACTIONS ON ANY AQUIFERS, GROUNDWATER DEPENDENT ECO-SYSTEMS AND ANY STREAMS IN THE AREA; (V) ASSESS THE METHODOLOGY USED TO REPORT THE IMPACTS IN CONDITION 8 (IV); (VI) MAKE COMPARISONS BETWEEN REPORTED AND PREDICTED IMPACTS (MODELLED RESULTS); AND (VII) PROVIDE RECOMMENDATIONS REGARDING ANY WORKS THAT SHOULD BE PERFORMED OR ADDITIONAL OBLIGATIONS THAT SHOULD BE IMPOSED IN ORDER TO RECTIFY ANY IMPACTS ON GROUNDWATER OR ANY CONNECTED WATER DEPENDENT ASSETS.	This audit satisfies this condition.	Compliant			
10	(10) THE LICENCE HOLDER MUST INSTALL TO THE SATISFACTION OF NSW OFFICE OF WATER IN RESPECT OF LOCATION, TYPE AND CONSTRUCTION AN APPLIANCE(S) TO MEASURE THE QUANTITY OF WATER EXTRACTED FROM THE WORKS. THE APPLIANCE(S) TO CONSIST OF EITHER A MEASURING WEIR OR WEIRS WITH AUTOMATIC RECORDER, OR METER OR METERS OF THE DETHRIDGE TYPE, OR SUCH OTHER CLASS OF METER OR MEANS OF MEASUREMENT AS MAY BE APPROVED BY NSW OFFICE OF WATER. THE APPLIANCE(S) MUST BE MAINTAINED IN GOOD WORKING ORDER AND CONDITION. A RECORD OF ALL WATER EXTRACTED FROM THE WORKS MUST BE KEPT AND SUPPLIED TO THE DEPARTMENT UPON REQUEST. THE LICENSEE WHEN REQUESTED MUST SUPPLY A TEST CERTIFICATE AS TO THE ACCURACY OF THE APPLIANCE(S) FURNISHED EITHER BY THE MANUFACTURER OR BY SOME PERSON DULY QUALIFIED.	WMP developed in consultation with NoW (DPI Water) and reported on in the ARs. Manufacturers certification that measuring devices meet NoW Requirements sighted Records of water extracted sighted (ARs) No request for test certificates in the audit period.	Compliant			
11	(11) NSW OFFICE OF WATER SHALL HAVE THE RIGHT DURING THE CURRENCY OF THIS LICENCE TO VARY AT ANY TIME THE VOLUMETRIC ALLOCATION, OR THE RATE AT WHICH THIS ALLOCATION IS TAKEN.	Not occurred during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Borehole License 20BL173716 - Underground dewatering						
1	(1) BORES THAT PASS THROUGH THE ALLUVIAL SEDIMENTS MUST BE CONSTRUCTED WITH SUFFICIENT CASING TO PREVENT DIRECT ENTRY OF ALLUVIAL GROUNDWATER DIRECTLY INTO THE BORE FROM THE ALLUVIAL WATER SOURCE. THIS DOES NOT APPLY TO BORES USED SOLELY FOR MONITORING PURPOSES.	Form A's submitted have been submitted to NSW Office of Water for all bores drilled during the audit period - sighted example during audit visit.	Compliant			
2	(2) THE LICENCE HOLDER MUST PROVIDE THE OFFICE OF WATER WITH A MAP OF THE LICENSED SITE SHOWING AREAS OF ALLUVIAL SEDIMENTS LIKELY TO BE IMPACTED BY THE OPERATION OF EACH BORE. THE LICENCE HOLDER MUST PROVIDE THE OFFICE OF WATER WITH AN UPDATED VERSION OF THIS MAP WHEN THERE IS A MATERIAL CHANGE TO THE AREAS OF ALLUVIAL SEDIMENTS LIKELY TO BE IMPACTED BY THE OPERATION OF EACH BORE.	No likely impact on alluvial sediments.	Not Triggered			
3	(3) THE LICENCE HOLDER MUST DEVELOP AND IMPLEMENT A METHODOLOGY TO ESTIMATE THE ANNUAL VOLUME OF WATER THAT WILL BE INTERCEPTED AND / OR TAKEN FROM ANY ALLUVIAL OR REGULATED RIVER WATER SOURCE AS DEFINED IN THE RELEVANT WATER SHARING PLAN (CALLED A "WATER BUDGET"). THE METHODOLOGY MUST BE INCORPORATED WITHIN THE WATER MANAGEMENT PLAN REQUIRED UNDER THE DEVELOPMENT CONSENT WITHIN SIX MONTHS OF THE DATE OF ISSUE OF THIS LICENCE.	As per SWMP (water balance).	Compliant			
4	(4) A FINALISED WATER BUDGET MUST BE SUBMITTED TO THE OFFICE OF WATER AS PART OF THE GROUNDWATER MANAGEMENT REPORT REQUIRED TO BE PREPARED ON AN ANNUAL BASIS UNDER THE DEVELOPMENT CONSENT, OR IN ACCORDANCE WITH ANY OTHER SIMILAR REPORTING REQUIREMENT UNDER THE DEVELOPMENT CONSENT SHOULD THE AEMR CEASE TO BE REQUIRED UNDER THE DEVELOPMENT CONSENT. BREAKDOWN OF WATER BUDGET SHOULD BE IN SIX MONTHLY PERIODS TO COINCIDE WITH THE WATER YEAR.	As per annual Water Balance reported in AR's.	Compliant			
5	(6) THE LICENCE HOLDER MUST INCLUDE IN THE GROUNDWATER MANAGEMENT REPORT REQUIRED TO BE PREPARED ON AN ANNUAL BASIS UNDER THE DEVELOPMENT CONSENT: (I) THE TOTAL VOLUME OF GROUNDWATER EXTRACTED FROM THE BORE DURING THE RELEVANT PERIOD OF REPORTING; (II) AN ESTIMATE OF THE TOTAL VOLUME OF GROUNDWATER TAKEN FROM THE ALLUVIAL WATER SOURCE(S); AND (III) AN ESTIMATE OF THE TOTAL VOLUME OF WATER TAKEN FROM THE REGULATED RIVER WATER SOURCE. NOTE: ANY ESTIMATE OR REPORT OF WATER EXTRACTED CAN BE AMENDED BY NOTICE TO THE DEPARTMENT IF AT ANY TIME THE LICENCE HOLDER BELIEVES PREVIOUS ESTIMATES OR REPORTS ARE NOT CORRECT.	AR 2015; Annual Monitoring Review 2015, Table 6.1	Compliant			
6	(6) THE LICENCE HOLDER MUST REVIEW AND, IF NECESSARY, REVISE THE GROUNDWATER MANAGEMENT PLAN AND THE SURFACE AND GROUNDWATER RESPONSE PLAN REQUIRED UNDER THE DEVELOPMENT CONSENT TO CONSIDER THE WORKS AUTHORISED BY THIS LICENCE IN CONSULTATION WITH THE OFFICE OF WATER WITHIN SIX MONTHS OF THE DATE OF ISSUE OF THIS LICENCE.	As per Review Schedule in the SWMP	Compliant			
7	(7) BORES MUST ONLY BE CONSTRUCTED BY A LICENSED DRILLER (OR DRILLERS) WHO HOLDS THE APPROPRIATE CLASS OF LICENCE AND MUST BE RESPONSIBLE FOR THE SUPERVISION OF THE CONSTRUCTION.	BH 5 and BH 4 Form A shows drillers licence number.	Compliant			
8	(8) ALL BORES MUST BE CONSTRUCTED IN ACCORDANCE WITH THE MINIMUM CONSTRUCTION REQUIREMENTS FOR WATER BORES IN AUSTRALIA 2012 OR ANY ALTERNATIVE DRILLING STANDARDS AS PUBLISHED OR NOTIFIED BY THE OFFICE OF WATER.	Copy of tender/contract provided	Compliant			
9	(9) IF THE BORE HAS BEEN CONSTRUCTED, THE LICENCE HOLDER MUST WITHIN 2 MONTHS OF ISSUE OF THE LICENCE PROVIDE THE OFFICE OF WATER WITH: (I) DETAILS OF THE BORE ON THE PRESCRIBED FORM; (II) A PLAN SHOWING ACCURATELY THE LOCATION OF THE BORE IN RELATION TO PORTION AND PROPERTY BOUNDARIES; AND (III) DETAILS OF ANY WATER ANALYSES AND/OR PUMPING TESTS.	Both bores originally constructed under a different license, this requirement was not able to be verified for that license. BH4 Form A has completion date of 27/2/2015 - but is signed by the driller and the licensee on 11/5/2015 and 29/6/2015, respectively. BH5 Form A has completion date of 27/8/2014 - but is signed by the driller and the licensee on 26/11/2014 and 29/6/2015, respectively.	Not Able to be Verified			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Borehole License 20BL173716 - Underground dewatering						
10	(10) WHEN A BORE IS ABANDONED, THE LICENCE HOLDER MUST: (I) WITHIN 6 WEEKS NOTIFY THE OFFICE OF WATER THAT THE BORE HAS BEEN ABANDONED; AND (II) SEAL OFF THE AQUIFER BY BACKFILLING THE BORE TO GROUND LEVEL AFTER WITHDRAWING THE CASING (LINING), AS SPECIFIED BY THE OFFICE OF WATER; AND (III) FOLLOW DECOMMISSIONING PROCEDURES THAT COMPLY WITH MINIMUM CONSTRUCTION REQUIREMENTS FOR WATER BORES IN AUSTRALIA OR ANY ALTERNATIVE STANDARDS SPECIFIED BY THE OFFICE OF WATER. ANY MODIFICATION MUST BE NOTIFIED TO THE DEPARTMENT UNDER SECTION 1 12 OF THE WATER ACT 1912 AND THE RELEVANT CHANGE/S MUST BE MADE ON THE LICENCE.	Bore is not abandoned.	Not Triggered			
11	(11) AN EXTRACTION MEASUREMENT DEVICE MUST BE INSTALLED AND MAINTAINED ON EACH BORE USED FOR EXTRACTION OF WATER UNDER THIS LICENCE. EACH EXTRACTION MEASUREMENT DEVICE MUST MEET A TYPE AND STANDARD, AND MUST BE MAINTAINED IN A MANNER THAT IS CONSISTENT WITH ANY METERING GUIDELINES THAT HAVE BEEN PUBLISHED OR NOTIFIED BY THE OFFICE OF WATER.	WMP developed in consultation with NoW (DPI Water) and reported on in the ARs. Manufacturers certification that measuring devices meet NoW Requirements sighted Records of water extracted sighted (ARs)	Compliant			
12	(12) AS PART OF THE ANNUAL REPORTING REQUIRED UNDER THE DEVELOPMENT CONSENT, THE LICENCE HOLDER MUST: (I) ASSESS COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE LICENCE; (II) PROVIDE A SUMMARY OF NEW BORES OR PITS CONSTRUCTED DURING THAT YEAR; (III) PROVIDE KEY STATISTICS FOR THE MONITORING DATA COLLATED FOR EACH BORE FOR THE PREVIOUS WATER YEAR; (IV) SUMMARISE EVENTS THAT IMPACTED ON GROUNDWATER DURING THE PREVIOUS WATER YEAR, INCLUDING ACTIONS TAKEN TO REMEDY THE SITUATION AND RELEVANT EXTRA MONITORING RESULTS; AND (V) INCLUDE ANY RECOMMENDATIONS OR MEASURES TO BE TAKEN FOR IMPROVEMENTS FOR THE NEW WATER YEAR.	As generally included in Groundwater Monitoring Reports prepared by ACOL.	Compliant			
13	(13) AS PART OF THE INDEPENDENT ENVIRONMENTAL AUDITING REQUIRED UNDER THE DEVELOPMENT CONSENT, THE LICENCE HOLDER MUST ENSURE THAT THE AUDIT: (I) SEEKS INPUT FROM THE OFFICE OF WATER; (II) ASSESS COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS LICENCE; (III) ASSESS COMPLIANCE WITH THE WATER MANAGEMENT PLAN AND ANY SUB-PLANS UNDER THE DEVELOPMENT CONSENT; (IV) REVIEW REPORTED IMPACTS OF THE EXTRACTIONS ON ANY AQUIFERS, GROUNDWATER DEPENDENT ECOSYSTEMS AND ANY STREAMS IN THE AREA; (V) ASSESS THE METHODOLOGY USED TO REPORT THE IMPACTS IN CONDITION 13; (VI) MAKE COMPARISONS BETWEEN REPORTED AND PREDICTED IMPACTS (MODELLED RESULTS); AND (VII) PROVIDE RECOMMENDATIONS REGARDING ANY WORKS THAT SHOULD BE PERFORMED OR ADDITIONAL OBLIGATIONS THAT SHOULD BE IMPOSED IN ORDER TO RECTIFY ANY IMPACTS ON GROUNDWATER OR ANY CONNECTED WATER DEPENDENT ASSETS.	This audit satisfies this condition.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Borehole License 20BL173716 - Underground dewatering						
14	<p>(14) DEFINITIONS: THE FOLLOWING DEFINITIONS APPLY TO THIS LICENCE: "ALLUVIAL WATER INFLOW" MEANS WATER CONTAINED WITHIN AN ALLUVIAL WATER SOURCE I DEFINED UNDER THE WATER SHARING PLAN FOR THE HUNTER UNREGULATED AND ALLUVIAL WATER SOURCES 2009 WHICH, IF INTERCEPTED BY MINING ACTIVITY, WILL GIVE RISE TO AN INFLOW OF WATER INTO A MINE WORK. "DEVELOPMENT CONSENT" MEANS THE APPROVAL GRANTED FOR DEVELOPMENT APPLICATION DA NO 309-1 1-2001-1 AS MODIFIED FROM TIME TO TIME OR ANY EQUIVALENT PLANNING APPROVAL THAT REPLACES THE DEVELOPMENT CONSENT. NOTE: THE LICENCE HOLDER MUST NOTIFY THE OFFICE OF WATER WHEN THERE IS ANY MODIFICATION WHICH MUST BE APPROVED BY THE OFFICE OF WATER. "MINE WORK" MEANS ANY EXCAVATION RELATING TO THE CONSTRUCTION AND/OR OPERATION OF UNDERGROUND AND/OR OPEN-CUT MINING AT ASHTON COAL MINE. "REGULATED RIVER WATER INFLOW" MEANS WATER MANAGED UNDER THE WATER SHARING PLAN FOR THE HUNTER REGULATED RIVER WATER SOURCE 2003 THE DEFINITION OF "BORE" IN S105 OF THE WATER ACT 1912 APPLIES: "BORE MEANS ANY BORE OR WELL OR ANY EXCAVATION OR OTHER WORK CONNECTED OR PROPOSED TO BE CONNECTED WITH THE SOURCES OF SUB-SURFACE WATER AND USED OR PROPOSED TO BE USED OR CAPABLE OF BEING USED TO OBTAIN SUPPLIES OF SUCH WATER WHETHER THE WATER FLOWS NATURALLY AT ALL TIMES OR HAS TO BE RAISED EITHER WHOLLY OR AT TIMES BY PUMPING OR OTHER ARTIFICIAL MEANS."</p>	This was noted, however no finding is required for this condition/commitment.	Noted			
15	(15) THE VOLUME OF GROUNDWATER EXTRACTED FROM THE WORKS AUTHORISED BY THIS LICENCE SHALL NOT EXCEED 511 MEGALITRES IN ANY 12 MONTH PERIOD COMMENCING 1ST JULY.	Water take reported for Calendar year in AR's	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Borehole License 20BL173735 - Monitoring Licence (Issued April 2014)						
1	(1) THE LICENCE SHALL LAPSE IF THE WORK IS NOT COMMENCED AND COMPLETED WITHIN ONE YEAR OF THE DATE OF ISSUE OF THE LICENCE.	Condition has been removed	Not Applicable			
2	(2) THE LICENSEE SHALL WITHIN TWO (2) MONTHS OF COMPLETION OR AFTER THE ISSUE OF THE LICENCE IF THE WORK IS EXISTING, FURNISH TO NSW OFFICE OF WATER: (A) DETAILS OF THE WORK AS SET OUT IN THE FORM "A" (MUST BE COMPLETED BY A DRILLER, DULY LICENSED IN NEW SOUTH WALES). (B) A PLAN SHOWING ACCURATELY THE LOCATION OF THE WORK IN RELATION TO PORTION AND PROPERTY BOUNDARIES, (C) DETAILS OF ANY PUMPING TESTS CARRIED OUT, (D) DETAILS OF ANY WATER ANALYSIS.	Verified through a review of email submission of relevant Form A's.	Compliant			
3	(3) THE LICENSEE SHALL ALLOW NSW OFFICE OF WATER OR ANY PERSON AUTHORISED BY IT, FULL AND FREE ACCESS TO THE WORKS, EITHER DURING OR AFTER CONSTRUCTION, FOR THE PURPOSE OF CARRYING OUT INSPECTION OR TEST OF THE WORKS AND ITS FITTINGS AND SHALL CARRY OUT ANY WORK OR ALTERATIONS DEEMED NECESSARY BY THE DEPARTMENT FOR THE PROTECTION AND PROPER MAINTENANCE OF THE WORKS, OR THE CONTROL OF THE WATER EXTRACTED AND FOR THE PROTECTION OF THE QUALITY AND THE PREVENTION FROM POLLUTION OR CONTAMINATION OF SUB-SURFACE WATER.	Request received and furnished for an inspection of boreholes, but not for the Monitoring Licence.	Not Triggered			
4	(4) IF DURING THE CONSTRUCTION OF THE WORK, SALINE OR POLLUTED WATER IS ENCOUNTERED ABOVE THE PRODUCING AQUIFER, SUCH WATER SHALL BE SEALED OFF BY: (A) INSERTING THE APPROPRIATE LENGTH(S) OF CASING TO A DEPTH SUFFICIENT TO EXCLUDE THE SALINE OR POLLUTED WATER FROM THE WORK. (B) CEMENTING BETWEEN THE CASING(S) AND THE WALLS OF THE BORE HOLE FROM THE BOTTOM OF THE CASING TO GROUND LEVEL. ANY DEPARTURE FROM THESE PROCEDURES MUST BE APPROVED BY THE DEPARTMENT BEFORE UNDERTAKING THE WORK.	As verified by Form A Bore-Logs showing aquifers are separated.	Compliant			
5	(5) (A) THE LICENSEE SHALL NOTIFY NSW OFFICE OF WATER IF A FLOWING SUPPLY OF WATER IS OBTAINED. THE BORE SHALL THEN BE LINED WITH CASING AND CEMENTED AND A SUITABLE CLOSING GEAR SHALL BE ATTACHED TO THE BOREHEAD AS SPECIFIED BY NSW OFFICE OF WATER. (B) IF A FLOWING SUPPLY OF WATER IS OBTAINED FROM THE WORK, THE LICENSEE SHALL ONLY DISTRIBUTE WATER FROM THE BORE HEAD BY A SYSTEM OF PIPE LINES AND SHALL NOT DISTRIBUTE IT IN DRAINS, NATURAL OR ARTIFICIAL CHANNELS OR DEPRESSIONS.	This has not been obtained.	Not Triggered			
6	(6) IF A WORK IS ABANDONED AT ANY TIME THE LICENSEE SHALL NOTIFY NSW OFFICE OF WATER THAT THE WORK HAS BEEN ABANDONED AND SEAL OFF THE AQUIFER BY: (A) BACKFILLING THE WORK TO GROUND LEVEL WITH CLAY OR CEMENT AFTER WITHDRAWING THE CASING (LIN ING); OR (B) SUCH METHODS AS AGREED TO OR DIRECTED BY NSW OFFICE OF WATER.	Work not abandoned during the audit period.	Not Triggered			
7	(7) THE LICENSEE SHALL NOT ALLOW ANY TAILWATER/DRAINAGE TO DISCHARGE INTO OR ONTO: - ANY ADJOINING PUBLIC OR CROWN ROAD; - ANY OTHER PERSONS LAND; - ANY CROWN LAND; - ANY RIVER, CREEK OR WATERCOURSE; - ANY NATIVE VEGETATION AS DESCRIBED UNDER THE NATIVE VEGETATION CONSERVATION ACT 1997; - ANY WETLANDS OF ENVIRONMENTAL SIGNIFICANCE.	No tailwater drainage from boreholes.	Compliant			
8	(8) WATER SHALL NOT BE PUMPED FROM THE BORE AUTHORISED BY THIS LICENSE FOR ANY PURPOSE OTHER THAN GROUNDWATER INVESTIGATION.	Operations continue as per this condition.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Supply Works and Water Use Approval 20CA201565						
1	1. The approval holder must not take water using any work specified on this approval unless in compliance with the conditions of the access licence under which water is being taken.	WAL8404, 997, 1358 and 15583 have been audited during this IEA - they apply these works.	Compliant			
2	2. The approval holder must not take any water using any work on this approval if the water allocation account of the access licence from which the water is to be taken, is or will go into debit.	WAL8404, 997, 1358 and 15583 have been audited during this IEA - they apply these works.	Compliant			
3	3. The approval holder must install, maintain and operate any device or devices for measuring the volume of water extracted by the approved works in accordance with any manufacturer's specifications, when required in accordance with any written direction from the minister.	WMP developed in consultation with NoW (DPI Water) and reported on in the ARs. Manufacturers certification that measuring devices meet NoW Requirements sighted Records of water extracted sighted (ARs) No request for test certificates in the audit period.	Compliant			
4	4. The approval holder must provide a certificate issued by the manufacturer or other such competent, qualified person certifying the accuracy of device or devices used for measuring the volume of water extracted by the approved works, in accordance with any written direction from the minister.	No direction from the Minister during the audit period.	Compliant			
5	5. The approval holder must inform NSW office of water within seven (7) days if the device or devices used for measuring the volume of water taken from the approved work ceases to record water usage accurately. In such cases the approval holder must notify the department of: (i) the duration of the failure of the measuring device(s), and (ii) the total hours that the work was operated while the measuring device was not functioning, and (iii) where irrigation is undertaken, the area of land in hectares that has been irrigated during the period where the measuring device was not functioning.	Interview with EO indicated no failure to measure occurred during the audit period. Also reviewed letter from flow-meter manufacturer verifying calibration frequency/requirements.	Compliant			
6	6. The approval holder must within two (2) months of completing construction of any work permitted by this approval and in a form approved by the minister, provide nsw office of water with the following: i) the location of the authorised work on the lot and deposited plan preferably using gps references, and ii) details of the work (including the size, dimensions and capacity of the work).	Construction prior to the audit period.	Not Triggered			
7	7. The approval holder must not take water using works on this approval under a: (a) domestic and stock access licence, or (b) local water utility access licence or (c) major utility access licence, unless it is in accordance with a water supply order lodged with and approved by the nominated state water customer service officer not less than 4 days prior to when the water is to be taken.	Only take under WAL's in place.	Compliant			
8	8. The approval holder must not take water using works on this approval under a: (a) regulated river (high security) access licence or (b) regulated river (general security) access licence, unless it is in accordance with a water supply order lodged with and approved by the nominated state water customer service officer not less than 4 days prior to when the water is to be taken, except when taking water that is accounted as uncontrolled (known as 'uncontrolled water allocations').	Sighted Water Supply Order lodged for the 15/16 year during the audit period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Supply Works and Water Use Approval 20CA201565						
9	9. The approval holder must provide the minister, in the approved form, with the following information when requested: (a) a report detailing the quantity of water taken through the authorised work(s) and recorded by the approved measuring device, or where the work does not have a measuring device fitted to it, advise the minister of the duration of any pumping, and, (b) where the water is used for irrigation, the area of land irrigated, the planting date, area and yield of all crops grown on the property for each season. These details must include: (i) the volume of water taken from the water source and applied directly to crops and/or pasture, (ii) the volume of water taken from the water source and held in on-farm storages, (iii) the volume of water taken from on-farm storages and applied to crops (including pasture); (iv) the type and area of each crop (including pasture) irrigated; (v) the method of irrigation for each class of crop and/or pasture; and (vi) the volume of water applied to each individual class of crop and/ or pasture.	Sighted Monthly Water Quality report submitted State Water during audit visit. Note: (b) does not apply as water is not used for irrigation.	Compliant			
1	1. Water taken by means of the approved work must not be used for the purpose of irrigating rice.	No rice is grown on-site.	Compliant			
2	2. The approval holder must not allow any tailwater or drainage water to discharge, by any means including surface or sub-surface drains or pipes, from the approval holders property, into or onto:- - Any adjoining public or crown road - Any other persons land - Any crown land - Any river, creek or watercourse - Any groundwater aquifer - Any area of native vegetation as described in the native vegetation conservation act 1997 or the native vegetation act 2003. - Any wetlands of environmental significance - Any identified site of aboriginal significance - Any identified site of cultural significance	Operations continue as per this condition.	Compliant			
3	3. The holder of the approval must not construct or install works used for conveying, distributing or storing water taken by means of the approved work that obstruct the reasonable passage of floodwaters into or from a river.	Operations continue as per this condition -verified through site inspection.	Compliant			
4	4. A vegetated buffer zone of not less than 20 metres must be maintained between the high bank of the watercourse and the irrigated area authorised under this approval.	No irrigated areas.	Not Triggered			
5	5. The authorised work shall not be used unless nsw office of water' officer-in-charge, glennies creek dam has given 3 days notice in advance of the intention to commence pumping. The said notice shall be in writing and shall be accompanied by particulars of the period during which pumping is to be carried out and the volume of water to be diverted.	Done through IWAS Ordering System.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Supply Works and Water Use Approval 20CA201626						
1	1. The approval holder must not take water using any work specified on this approval unless in compliance with the conditions of the access licence under which water is being taken.	WAL1120, 1121, 6346, 19510 linked to these works	Compliant			
2	2. The approval holder must not take any water using any work on this approval if the water allocation account of the access licence from which the water is to be taken, is or will go into debit.	This has not occurred during the audit period.	Compliant			
3	3. The approval holder must install, maintain and operate any device or devices for measuring the volume of water extracted by the approved works in accordance with any manufacturer's specifications, when required in accordance with any written direction from the minister.	WMP developed in consultation with NoW (DPI Water) and reported on in the ARs. Manufacturers certification that measuring devices meet NoW Requirements sighted Records of water extracted sighted (ARs) No request for test certificates in the audit period.	Compliant			
4	4. The approval holder must provide a certificate issued by the manufacturer or other such competent, qualified person certifying the accuracy of device or devices used for measuring the volume of water extracted by the approved works, in accordance with any written direction from the minister.	No direction from the Minister during the audit period.	Compliant			
5	5. The approval holder must inform nsw office of water within seven (7) days if the device or devices used for measuring the volume of water taken from the approved work ceases to record water usage accurately. In such cases the approval holder must notify the department of: (i) the duration of the failure of the measuring device(s), and (ii) the total hours that the work was operated while the measuring device was not functioning, and (iii) where irrigation is undertaken, the area of land in hectares that has been irrigated during the period where the measuring device was not functioning.	Interview with EO indicated no failure to measure occurred during the audit period. Also reviewed letter from flow-meter manufacturer verifying calibration frequency/requirements	Compliant			
6	6. The approval holder must within two (2) months of completing construction of any work permitted by this approval and in a form approved by the minister, provide nsw office of water with the following: i) the location of the authorised work on the lot and deposited plan preferably using gps references, and ii) details of the work (including the size, dimensions and capacity of the work).	Construction prior to the audit period.	Not Triggered			
7	7. The approval holder must not take water using works on this approval under a: (a) domestic and stock access licence, or (b) local water utility access licence or (c) major utility access licence, unless it is in accordance with a water supply order lodged with and approved by the nominated state water customer service officer not less than 6 days prior to when the water is to be taken.	Only take under WAL's in place.	Compliant			
8	8. The approval holder must not take water using works on this approval under a: (a) regulated river (high security) access licence or (b) regulated river (general security) access licence, unless it is in accordance with a water supply order lodged with and approved by the nominated state water customer service officer not less than 6 days prior to when the water is to be taken, except when taking water that is accounted as uncontrolled (known as 'uncontrolled water allocations').	Sighted Water Supply Order lodged for the 15/16 year during the audit period.	Compliant			
9	9. The approval holder must provide the minister, in the approved form, with the following information when requested: (a) a report detailing the quantity of water taken through the authorised work(s) and recorded by the approved measuring device, or where the work does not have a measuring device fitted to it, advise the minister of the duration of any pumping, and, (b) where the water is used for irrigation, the area of land irrigated, the planting date, area and yield of all crops grown on the property for each season. These details must include: (i) the volume of water taken from the water source and applied directly to crops and/or pasture, (ii) the volume of water taken from the water source and held in on-farm storages, (iii) the volume of water taken from on-farm storages and applied to crops (including pasture); (iv) the type and area of each crop (including pasture) irrigated; (v) the method of irrigation for each class of crop and/or pasture; and (vi) the volume of water applied to each individual class of crop and/or pasture.	Sighted Monthly Water Quality report submitted State Water during audit visit. Note: (b) does not apply as water is not used for irrigation.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Supply Works and Water Use Approval 20CA201626						
1	1. Water taken by means of the approved work must not be used for the purpose of irrigating rice.	No rice is grown on-site.	Compliant			
2	2. The approval holder must not allow any tailwater or drainage water to discharge, by any means including surface or sub-surface drains or pipes, from the approval holders property, into or onto:- - any adjoining public or crown road - any other persons land - any crown land - any river, creek or watercourse - any groundwater aquifer - any area of native vegetation as described in the native vegetation conservation act 1997 or the native vegetation act 2003. - any wetlands of environmental significance - any identified site of aboriginal significance - any identified site of cultural significance	Operations continue as per this condition.	Compliant			
3	3. The holder of the approval must not construct or install works used for conveying, distributing or storing water taken by means of the approved work that obstruct the reasonable passage of floodwaters into or from a river.	Operations continue as per this condition -verified through site inspection.	Compliant			
4	4. A vegetated buffer zone of not less than 20 metres must be maintained between the high bank of the watercourse and the irrigated area authorised under this approval.	No irrigated areas.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Water Supply Works and Water Use Approval 20WA203822						
1	The approval holder must not take water using any work specified on this approval unless in compliance with the conditions of the access licence under which water is being taken.	WAL15583 have been audited during this IEA - they apply these works.	Compliant			
2	The approval holder must not take water using works on this approval under a: (A) regulated river (high security) access licence or (B) regulated river (general security) access licence, unless it is in accordance with a water supply order lodged with and approved by the nominated State Water customer service officer not less than 4 days prior to when the water is to be taken, except when taking water that is accounted as uncontrolled (known as 'uncontrolled water allocations').	Sighted Water Supply Order lodged for the 15/16 year during the audit period.	Compliant			
3	The approval holder must not take water using works on this approval under a: (A) domestic and stock access licence, or (B) local water utility access licence or (C) major utility access licence, unless it is in accordance with a water supply order lodged with and approved by the nominated State Water customer service officer not less than 4 days prior to when the water is to be taken.	Only take under WAL's in place.	Compliant			
4	The approval holder must not take any water using any work on this approval if the water allocation account of the access licence from which the water is to be taken, is or will go into debit.	WAL15583 have been audited during this IEA - they apply these works.	Compliant			
5	The approval holder must provide a certificate issued by the manufacturer or other such competent, qualified person certifying the accuracy of device or devices used for measuring the volume of water extracted by the approved works, in accordance with any written direction from the Minister.	No direction from the Minister during the audit period.	Compliant			
6	The approval holder must install, maintain and operate any device or devices for measuring the volume of water extracted by the approved works in accordance with any manufacturer's specifications, when required in accordance with any written direction from the Minister.	WMP developed in consultation with NoW (DPI Water) and reported on in the ARs. Manufacturers certification that measuring devices meet NoW Requirements sighted Records of water extracted sighted (ARs) No request for test certificates in the audit period.	Compliant			
7	The approval holder must inform NSW Office of Water within seven (7) days if the device or devices used for measuring the volume of water taken from the approved work ceases to record water usage accurately. In such cases the approval holder must notify the Department of: (i) the duration of the failure of the measuring device(s), and (ii) the total hours that the work was operated while the measuring device was not functioning, and (iii) where irrigation is undertaken, the area of land in hectares that has been irrigated during the period where the measuring device was not functioning.	Interview with EO indicated no failure to measure occurred during the audit period. Also reviewed letter from flow-meter manufacturer verifying calibration frequency/requirements	Compliant			
8	The approval holder must provide the Minister, in the approved form, with the following information when requested: (A) a report detailing the quantity of water taken through the authorised work(s) and recorded by the approved measuring device, or where the work does not have a measuring device fitted to it, advise the Minister of the duration of any pumping, and, (B) where the water is used for irrigation, the area of land irrigated, the planting date, area and yield of all crops grown on the property for each season. These details must include: (i) the volume of water taken from the water source and applied directly to crops and/or pasture, (ii) the volume of water taken from the water source and held in on-farm storages, (iii) the volume of water taken from on-farm storages and applied to crops (including pasture); (iv) the type and area of each crop (including pasture) irrigated; (v) the method of irrigation for each class of crop and/or pasture; and (vi) the volume of water applied to each individual class of crop and/or pasture.	Sighted Monthly Water Quality report submitted State Water during audit visit. Note: (b) does not apply as water is not used for irrigation.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
9	The approval holder must within two (2) months of completing construction of any work permitted by this approval and in a form approved by the Minister, provide NSW Office of Water with the following: i) the location of the authorised work on the Lot and Deposited Plan preferably using GPS references, and ii) details of the work (including the size, dimensions and capacity of the work).	Construction prior to the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk																																		
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Environmental Protection Licence 11879																																							
Anniversary Date 1-January																																							
1 - ADMINISTRATIVE CONDITIONS																																							
	A.1.1	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.	No exceedance of below scale of activities.	Compliant																																			
		>5 000 000 Tonne produced and handled	2013 AR; 2.8 million tonnes 2014 AR; 2.8 million tonnes 2015 AR; 2.98 million tonnes	Compliant																																			
		For each licence fee period you must pay: - an administrative fee; Note: Usually the licence fee period is the same as the reporting period. Licence anniversary is 01-January	As per Annual Returns.	Compliant																																			
		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.	This was noted, however no finding is required for this condition/commitment.	Noted																																			
2 - DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND																																							
Location of monitoring/discharge points and areas																																							
	P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point. Air EPA identification no. Type of Monitoring Point Type of Discharge Point Location Description 1 Dust monitoring Quality dated 19/10/06.	These monitoring locations remain current.	Compliant																																			
	P1.2	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.																																					
	P1.3	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area. <table border="1"> <thead> <tr> <th colspan="4">Water and land</th> </tr> <tr> <th>EPA Identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>Ambient surface water monitoring</td> <td></td> <td>In Bowmans Creek upstream of the mine shown as point SM3 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".</td> </tr> <tr> <td>3</td> <td>Ambient surface water monitoring</td> <td></td> <td>In Bowmans Creek near the New England Highway shown as point SM4 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".</td> </tr> <tr> <td>4</td> <td>Ambient surface water monitoring</td> <td></td> <td>In Bowmans Creek near the proposed longwall panels shown as point SM5 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".</td> </tr> <tr> <td>5</td> <td>Ambient surface water monitoring</td> <td></td> <td>In Bowmans Creek at the Hunter River confluence shown as point SM6 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".</td> </tr> <tr> <td>6</td> <td>Ambient surface water monitoring</td> <td></td> <td>In the Hunter River upstream of Bowmans Creek shown as point SM9 on Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".</td> </tr> <tr> <td>7</td> <td>Ambient surface water monitoring</td> <td></td> <td>In the Hunter River downstream of Bowmans Creek confluence shown as point SM10 on Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".</td> </tr> </tbody> </table>	Water and land				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	2	Ambient surface water monitoring		In Bowmans Creek upstream of the mine shown as point SM3 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".	3	Ambient surface water monitoring		In Bowmans Creek near the New England Highway shown as point SM4 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".	4	Ambient surface water monitoring		In Bowmans Creek near the proposed longwall panels shown as point SM5 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".	5	Ambient surface water monitoring		In Bowmans Creek at the Hunter River confluence shown as point SM6 in Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".	6	Ambient surface water monitoring		In the Hunter River upstream of Bowmans Creek shown as point SM9 on Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".	7	Ambient surface water monitoring		In the Hunter River downstream of Bowmans Creek confluence shown as point SM10 on Figure 4 dated 8/8/03 titled "EPA Surface Water Monitoring Sites".	These monitoring locations remain current.	Compliant			
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Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Environmental Protection Licence 11879							
		8 Groundwater monitoring Locations shown on Figure 1A titled "Groundwater Monitoring Piezometer Locations for EPL" dated 26/10/06.	These monitoring locations remain current.	Compliant			
3 Limit Conditions							
	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. <i>Protection of the Environment Operations Act 1997 No 156, 120 Prohibition of pollution of waters</i> (1) A person who pollutes any waters is guilty of an offence. Note. An offence against subsection (1) committed by a corporation is an offence attracting special executive liability for a director or other person involved in the management of the corporation—see section 169. (2) In this section: pollute waters includes cause or permit any waters to be polluted.	No outright evidence of any breaches of the POEO Act 1997. See O4.1 findings for potential "risk of breach".	Compliant			
Noise Limits	L2						
	L2.1	Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable. For the purpose of Condition L2.1: a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays, b) Evening is defined as the period from 6pm to 10pm, and c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays	Noise report summary includes the locations used for monitoring. Modeling shows that the locations chosen were equivalent to the section of the property occupied by residents. Time intervals noted.	Compliant			
	L2.2	For the purpose of Condition L2.1: a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays, b) Evening is defined as the period from 6pm to 10pm, and c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays	This was noted, however no finding is required for this condition/commitment.	Noted			
	L2.3	Noise from the premises must be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling where the dwelling is more than 30m from boundary to determine compliance with the LAeq(15 minute) noise limits in condition. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable.	As detailed in the Noise Management Plan (as submitted to EPA) and the Noise Monitoring Plan the auditors accept that the Monitoring Points satisfy requirements. It is recommended that ACOL liaise with EPA to accept alternative Monitoring Points (not adjacent to the facade of the building). Recommendation - ACOL advised to have Noise Monitoring Locations accepted by EPA.	Compliant			
	L2.4	Noise from the premises is to be measured or computed at 1m from the dwelling facade to determine compliance with condition L2.1 (LA1 (1 minute) noise limit).	As detailed in the Noise Management Plan (as submitted to EPA) and the Noise Monitoring Plan the auditors accept that the Monitoring Points satisfy requirements.	Compliant			
	L2.5	The noise emission limits identified in condition L2.1 apply under the following meteorological conditions: a) wind speeds up to 3m/s at 10m above ground level; and b) temperature inversion conditions up to 30C/100m. Noise from the premises must not exceed the limits specified in the table below: Location - Any residence not owned by the licensee or not subject to an agreement between the licensee and the residence owner as to an alternative noise limit. Day LAeq(15minute) = 38 Evening LAeq(15minute) = 38 Night LAeq(15minute) = 36 Night LAeq(1minute) = 46	No Exceedances during the audit period.	Compliant			
Blasting	L3						
	L3.1	Blasting in or on the premises must only be carried out between 0900 hours and 1700 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.	No blasting has occurred during the audit period.	Not Triggered			
	L3.2	The overpressure level from blasting operations carried out in or on the premises must not: a) exceed 115 dB(L) for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and b) exceed 120 dB(L) at any time at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject to a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.	No blasting has occurred during the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
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Environmental Protection Licence 11879							
	L3.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not: a) exceed 2mm/second for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and b) exceed 10mm/second at any time at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative ground vibration level.	No blasting has occurred during the audit period.	Not Triggered			
4 Operating Conditions							
Activities must be carried out in a competent manner	O1						
	O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Site inspection, staff interviews, etc. and the rest of this audit. Minor breach identified with drum of hydrocarbon material not fully banded at CHPP, rectified in the presence of the auditor.	Not Compliant	E	4	Low
Maintenance of plant and equipment	O2						
	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.	Maintenance planner interview and review of maintenance planning system (SAP)	Compliant			
Dust	O3						
	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.	Compliance verified through site inspection	Compliant			
	O3.2	All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Compliance verified through site inspection	Compliant			
Processes and management	O4						
	O4.1	Stormwater Management Scheme A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater runoff from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. If a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in Managing Urban Stormwater: Council Handbook (available from the EPA).	SWMP was consistent with the Blue Book Guideline as was site management except for a small area adjacent to the rail line. This area was rehabilitated and the water exiting site would be free of sediment. There was evidence of saline seepage in this area. Recommendation - water at this point should be sampled in storm events to show that no pollution of local streams is occurring. ACOL will seek to divert the clean water catchment of the NEOC to natural watercourses and ensure that the impacts are acceptable.	Not Compliant	D	1	Medium
	O4.2	Banks, channels and similar works must be constructed and maintained to divert stormwater away from disturbed or contaminated land surfaces such as mine workings, haul roads, overburden disposal areas, coal handling areas and wastewater treatment facilities. All diversion banks, channels and points of discharge must be constructed or stabilised so as to minimise erosion and scouring.	SWMP is consistent with the Blue Book Guideline	Compliant			
Waste management	O5						
	O5.1	A water management system must be constructed and utilised to manage the collection, storage, treatment, use and disposal of minewater, sewage effluent and other wastewater.	SWMP fills this purpose	Compliant			
	O5.2	A wastewater treatment facility with oil separator and sediment trap must be installed to treat drainage from the hardstand, vehicle servicing and general workshop areas.	Reviewed in site inspection and found compliant.	Compliant			
	O5.3	Bund(s) must be installed around areas in which fuels, oils and chemicals are stored. Bunds must: a) have walls and floors constructed of impervious materials; b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed); c) have walls not be less than 250 millimetres high; d) have floors graded to a collection sump; and e) not have a drain valve incorporated in the bund structure.	Assessed through site inspection.	Compliant			
	O5.4	An area must be provided for the use of effluent from the sewage treatment plant. The design of the system must be in accordance with the EPA's draft guideline "Utilisation of Treated Effluent by Irrigation".	Effluent area located near Prep Plant, monthly inspections conducted to inform management actions.	Compliant			
	O5.5	Wastewater utilisation areas must effectively utilise the wastewater applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of wastewater application may be required by the EPA.	Effluent area located near Prep Plant, monthly inspections conducted to inform management actions. No excess run-off, loss of vegetation has been identified during the audit period.	Compliant			
Other operating conditions	O6						
	O6.1	There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.	This does not occur.	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk																														
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Environmental Protection Licence 11879																																			
5 Monitoring and Recording Conditions																																			
Monitoring records	M1																																		
	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.	Verified through review of relevant monitoring databases.	Compliant																															
	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.	Verified through review of relevant monitoring databases.	Compliant																															
	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.	Viewed as included on field sheets for monitoring.	Compliant																															
Requirement to monitor concentration of pollutants discharged	M2																																		
	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:																																	
	M2.2	Air Monitoring Requirements																																	
		<p>POINT 1</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>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Once a month (min. of 4 weeks)</td> <td>AM-19</td> </tr> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Daily</td> <td>Australian Standard 3580.9.8 - 2001</td> </tr> <tr> <td>Total suspended particles</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>24 hour composite sample</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Particulates - Deposited Matter	grams per square metre per month	Once a month (min. of 4 weeks)	AM-19	PM10	micrograms per cubic metre	Daily	Australian Standard 3580.9.8 - 2001	Total suspended particles	micrograms per cubic metre	Every 6 days	24 hour composite sample	2013 - TEOM data capture not 100% at all monitoring points. 2015 - statutory TEOM returned 95% data.	Not Compliant	E	2	Medium												
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Total suspended particles	micrograms per cubic metre	Every 6 days	24 hour composite sample																																
	M2.3	Water and/ or Land Monitoring Requirements																																	
		<p>POINT 2,3,4,5,6,7</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>Conductivity</td> <td>microsiemens per centimetre</td> <td>Once a month (min. of 4 weeks)</td> <td>A probe designed to measure the range 0 to 10,000 uS/cm</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Once a month (min. of 4 weeks)</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Once a month (min. of 4 weeks)</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 8</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>Conductivity</td> <td>microsiemens per centimetre</td> <td>Every 6 months</td> <td>Grab sample</td> </tr> <tr> <td>Standing Water Level</td> <td>metres</td> <td>Every 6 months</td> <td>In line instrumentation</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	A probe designed to measure the range 0 to 10,000 uS/cm	pH	pH	Once a month (min. of 4 weeks)	Grab sample	Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Every 6 months	Grab sample	Standing Water Level	metres	Every 6 months	In line instrumentation	A review of ACOL's EPL Annual Returns showed compliance with these monitoring requirements. Note: decommissioned monitoring sites remain in EPL	Compliant			
Pollutant	Units of measure	Frequency	Sampling Method																																
Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	A probe designed to measure the range 0 to 10,000 uS/cm																																
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Standing Water Level	metres	Every 6 months	In line instrumentation																																
Testing methods - concentration limits	M3																																		
	M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place. 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".	Methodologies contained in AQMP and SWMP. No methodology included in CBE Reporting - email from CBE confirming compliance provided post audit.	Compliant																															
	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.	Methodologies contained in AQMP and SWMP. No methodology included in CBE Reporting - email from CBE confirming compliance provided post audit.	Compliant																															

Reference	Condition	Requirement	Evidence	Audit Finding	Risk																																
					Consequence	Likelihood	Risk																														
Environmental Protection Licence 11879																																					
Weather monitoring	M4																																				
	M4.1	The licensee must collect and analyse meteorological data at an on-site monitoring station for the parameters, at a frequency, averaging period and using a method as specified in the table below.																																			
		<p style="text-align: center;"><i>Meteorological Monitoring</i></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>Atmospheric inversion</td> <td>0C/100m</td> <td>Continuous</td> <td></td> <td>Instrumental</td> </tr> <tr> <td>Temperature @ 1.2m</td> <td>C</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Rainfall</td> <td>mm</td> <td></td> <td>24 hours</td> <td>Standard rain gauge</td> </tr> <tr> <td>Wind direction @ 10m</td> <td></td> <td>Continuous</td> <td>10 minutes</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Wind speed @ 10m</td> <td>m/sec</td> <td>Continuous</td> <td>10 minutes</td> <td>AM-2 & AM-4</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Atmospheric inversion	0C/100m	Continuous		Instrumental	Temperature @ 1.2m	C	Continuous	1 hour	AM-4	Rainfall	mm		24 hours	Standard rain gauge	Wind direction @ 10m		Continuous	10 minutes	AM-2 & AM-4	Wind speed @ 10m	m/sec	Continuous	10 minutes	AM-2 & AM-4	All except atmospheric inversion included in met data provided (note inversion levels calculated from this data and a further temperature reading from a different altitude.	Compliant			
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																	
Atmospheric inversion	0C/100m	Continuous		Instrumental																																	
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		Note: All methods are specified in the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> and all monitoring must be conducted strictly in accordance with the requirements outlined in this document.	This was noted, however no finding is required for this condition/commitment.	Noted																																	
Recording of pollution complaints	M5																																				
	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.	Records were found to be adequate. Recommendation - ensure adequate sign-off takes place in order to finalise the complaint.	Compliant																																	
	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.	Records were found to be adequate.	Compliant																																	
	M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	This was viewed to be as such.	Compliant																																	
	M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	No request has been made during the audit period.	Not Triggered																																	
Telephone complaints line	M6																																				
	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.	This was found to be as such.	Compliant																																	
	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.	On website and on front gate signage.	Compliant																																	
	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 <i>Protection of the Environment Operations (Savings and Transitional) Regulation 1998</i> , the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.	Prior to audit period.	Compliant																																	
Blasting	M7																																				
	M7.1	In order to determine compliance with condition L3.2 and L3.3: (a) Airblast overpressure and ground vibration levels must be measured at, or near, the nearest residence, or noise sensitive location, that is likely to be the most affected by the blast and that is not owned by the licensee, or is the subject of a private agreement between the owner of the residence, or noise sensitive location, and the licensee, as to an alternative overpressure or ground vibration level for all blasts carried out in, on, or on, the premises; and (b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 1993.	No blasting has occurred during the audit period.	Not Triggered																																	

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Environmental Protection Licence 11879							
6 Reporting Conditions							
Annual return documents	R1						
	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. 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.	This was found to be as such.	Compliant			
	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. 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.	This was found to be as such.	Compliant			
	R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	No transfer of licence during the audit period.	Not Triggered			
	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 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').	This was found to be as such.	Compliant			
	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.	This was viewed to be as such.	Compliant			
	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.	This was found to be as such.	Compliant			
Notification of environmental harm	R2						
	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	No notifiable incidents of environmental harm have occurred during the audit period.	Not Triggered			
	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	No notifiable incidents of environmental harm have occurred during the audit period.	Not Triggered			
Written report	R3						
	R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	No notifiable incidents of environmental harm have occurred during the audit period.	Not Triggered			
	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.	No notifiable incidents of environmental harm have occurred during the audit period.	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.	No notifiable incidents of environmental harm have occurred during the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Environmental Protection Licence 11879							
	R3.4	<i>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.</i>	No notifiable incidents of environmental harm have occurred during the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Environmental Protection Licence 11879							
Other reporting conditions							
	R4						
	R4.1	Noise Compliance Assessment Report A noise compliance assessment report must be submitted to the EPA on an annual basis with the Annual Return as set out in Condition R1. The report must be prepared by an accredited acoustical consultant and determine compliance with noise limits in Condition L2.1.	This was viewed to be as such.	Compliant			
	R4.2	Reporting of blasting limit exceedance 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.	No blasting has occurred during the audit period.	Not Triggered			
	R4.3	Blast monitoring report The licensee must supply annually a Blast Monitoring Report with the Annual Return, which must include the following information relating to each of the blasts carried out within the premises during the respective reporting period: a) the date and time of the blast; b) the location of the blast; c) the blast monitoring results at each blast monitoring station; and d) an explanation for any missing blast monitoring readings	No blasting has occurred during the audit period.	Not Triggered			
7 General Conditions							
Copy of licence kept at the premises or plant							
	G1						
	G1.1	A copy of this licence must be kept at the premises to which the licence applies.	This was viewed to be as such.	Compliant			
	G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	No such request during the audit period.	Not Triggered			
	G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	On website, intranet and contained in CMO.	Compliant			
Contact number for incidents and responsible employees							
	G2						
	G2.1	The licensee must operate one 24-hour telephone contact line for the purpose of enabling the EPA: a) to contact the licensee or a representative of the licensee who can respond at all times to incidents relating to individual premises, and b) to contact the licensee's senior employees or agents authorised at all times to: i) speak on behalf of the licensee, and ii) provide any information or document required under licence.	This was found to be as such in the PIRMP.	Compliant			
8 Pollution Studies and Reduction Programs							
Coal Mine Particulate Matter Control Best Practice							
	U1						
	U1.1	The Licensee must conduct a site specific Best Management Practice (BMP) determination to identify the most practicable means to reduce particle emissions.	Completed prior to audit period.	Compliant			
	U1.2	The Licensee must prepare a report which includes, but is not necessarily limited to, the following: - identification, quantification and justification of existing measures that are being used to minimise particle emissions; - identification, quantification and justification of best practice measures that could be used to minimise particle emissions; - evaluation of the practicability of implementing these best practice measures; and - a proposed timeframe for implementing these best practice measures. In preparing the report, the Licensee must utilise the document entitled Coal Mine Particulate Matter Control Best Practice – Site Specific Determination Guideline – November 2011.	Completed prior to audit period.	Compliant			
	U1.3	All cost related information is to be included as Appendix 1 of the Report required by condition U1.2 above.	Completed prior to audit period.	Compliant			
	U1.4	The Report required by condition U1.2 must be submitted by the Licensee to the Office of Environment and Heritage's Regional Manager Hunter, at PO Box 488G, NEWCASTLE WEST 2302 by 29 June 2012.	Completed prior to audit period.	Compliant			
	U1.5	The report required by condition U1.2 above, except for cost related information contained in Appendix 1 of the Report, must be made publicly available by the Licensee on the Licensee's website by 6 July 2012.	Completed prior to audit period.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk																																																						
					Consequence	Likelihood	Risk																																																				
Ashton Mining Operations Plan 2013-2017																																																											
7th April 2016																																																											
2.0 Proposed Mining Activities																																																											
Tailings Management	2.1.3																																																										
		Currently, tailings are disposed of in the Ravensworth Void 4 tailings dam and coarse rejects are disposed of in the NEOC void. Once the Ravensworth Void 4 tailings dam reaches capacity, tailings will be disposed of in the NEOC void.	This was noted, however no finding is required for this condition/commitment.	Noted																																																							
Waste Management	2.1.4																																																										
		Waste segregation and recycling is encouraged through providing appropriate recycling facilities. Materials that are available for recycling are collected and recycled off-site.	Recycling facilities observed during audit visit.	Compliant																																																							
		Materials that cannot be recycled are disposed of to a licensed landfill. Licenced contractors remove waste offsite to licensed landfills that may accept the category of waste.	JR Richards are Waste Contractors for ACOL.	Compliant																																																							
		Three on-site sewage management systems are used to service the underground mine bathhouse and administration facilities, the CHPP facilities, the NEOC bathhouse and the NEOC mine workshop.	This was noted, however no finding is required for this condition/commitment.	Noted																																																							
Construction	2.2																																																										
Bowmans Creek Diversion – Block Banks		Construction of full height block banks to divert up to five year average recurrence interval (ARI) creek flows into the constructed diversion channels. The timing of these construction activities will be dependent on the impacts of mining under the excised sections of Bowmans Creek.	Construction of the block banks will be undertaken in accordance with Bowmans Creek Diversion Rehabilitation Strategy, Section 4.3 (2010) The progress of this work is reported in the ARs.	Compliant																																																							
Mine Development and Sequence	2.2.3																																																										
		Underground mining during the MOP term intends to recover coal reserves from the PG Seam (the uppermost viable coal seam) within LW 6B (now complete) and continue longwall extraction within LW 102-108 in the ULD Seam.	This was noted, however no finding is required for this condition/commitment.	Noted																																																							
		<p>Table 13 Actual and Proposed Mining Schedule</p> <table border="1"> <thead> <tr> <th>Panel</th> <th>Start Date</th> <th>Duration</th> <th>Completion Date</th> </tr> </thead> <tbody> <tr> <td>ULD LW 101</td> <td>August 2012</td> <td>11 months</td> <td>June 2013</td> </tr> <tr> <td>PG LW 6B</td> <td>July 2013</td> <td>3 months</td> <td>October 2013</td> </tr> <tr> <td>ULD LW 102</td> <td>November 2013</td> <td>9 months</td> <td>July 2014</td> </tr> <tr> <td>ULD LW 103</td> <td>August 2014</td> <td>10 months</td> <td>June 2015</td> </tr> <tr> <td>ULD LW 104A</td> <td>July 2015</td> <td>6 months</td> <td>January 2016</td> </tr> <tr> <td>ULD LW 104B</td> <td>February 2016</td> <td>2 months</td> <td>April 2016</td> </tr> <tr> <td>ULD LW 105</td> <td>May 2016</td> <td>4 months</td> <td>August 2016</td> </tr> <tr> <td>ULD LW 106A</td> <td>September 2016</td> <td>5 months</td> <td>February 2017</td> </tr> <tr> <td>ULD LW 106B</td> <td>April 2021</td> <td>4 months</td> <td>August 2021</td> </tr> <tr> <td>ULD LW 107A</td> <td>September 2021</td> <td>3 months</td> <td>December 2021</td> </tr> <tr> <td>ULD LW 107B</td> <td>January 2022</td> <td>4 months</td> <td>May 2022</td> </tr> <tr> <td>ULD LW 108</td> <td>November 2017</td> <td>3 months</td> <td>February 2018</td> </tr> </tbody> </table>	Panel	Start Date	Duration	Completion Date	ULD LW 101	August 2012	11 months	June 2013	PG LW 6B	July 2013	3 months	October 2013	ULD LW 102	November 2013	9 months	July 2014	ULD LW 103	August 2014	10 months	June 2015	ULD LW 104A	July 2015	6 months	January 2016	ULD LW 104B	February 2016	2 months	April 2016	ULD LW 105	May 2016	4 months	August 2016	ULD LW 106A	September 2016	5 months	February 2017	ULD LW 106B	April 2021	4 months	August 2021	ULD LW 107A	September 2021	3 months	December 2021	ULD LW 107B	January 2022	4 months	May 2022	ULD LW 108	November 2017	3 months	February 2018	This was noted, however no finding is required for this condition/commitment.	Noted			
Panel	Start Date	Duration	Completion Date																																																								
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	2.2.8	Coarse rejects have a bulk density of approximately 2.0, therefore requiring a disposal volume of 17 million cubic metres over the life of the mine. Coarse rejects are currently used to fill available void space in the NEOC. Coarse rejects may also be used for the construction of tailings pond walls within the NEOC void to act as a filter medium to enhance the recovery of process water from the tailings for use in the CHPP. Rejects trucks servicing the CHPP operate 24 hours per day, seven days per week in accordance with condition 2.8 of DA 309-11-2001-I.	This was noted, however no finding is required for this condition/commitment.	Noted																																																							
		Tailings are processed through a thickener and are pumped to the old Ravensworth Void 4 East, where they are treated with coagulants and allowed to settle. Water is decanted from the tailings dam and pumped back to the process water dam for reuse on site. The management and rehabilitation of the Ravensworth Void 4 Tailings dam is dealt with separately to this MOP and detailed in an approved Tailings Emplacement Operations Management Plan (TEOP) (ACOL I).	Operations continue in accordance with this commitment.	Compliant																																																							
3.0 Environmental Issues Management																																																											
Environmental Risk Management	3.2																																																										
		Key risks associated with the proposed mining activities at the ACP during the term of this MOP have been identified and assessed in accordance with ACOL's risk management processes, which follows the general principles outlined in ISO 31000:2009 Risk Management – Principles and Guidelines (Standards Australia). The method used for the risk assessment encompassed the following key steps: 1. Establish the context for the risk assessment process; 2. Identify risks and potential impact; 3. Analyse risks; and 4. Evaluate risks to determine the necessary controls for mitigation.	Operations continue in accordance with this commitment. Note: Broad Brush RA updated Annually	Compliant																																																							

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk								
					Consequence	Likelihood	Risk						
Ashton Mining Operations Plan 2013-2017													
Environmental Management System	3.2												
		In order to appropriately manage environmental issues and ensure that site operations conform to all relevant statutory requirements, ACOL established an Environmental Management System (EMS). The EMS (ACOL, f) is based on an environmental policy and a series of procedures, protocols and management plans that address specific management actions for each aspect of mining operations at the ACP. The EMS has been formulated to provide for the effective management of all environmental issues related to the ACP operations and provide a mechanism for their assessment and mitigation.	Compliance as per audit of EMS.	Compliant									
Environmental Management Plans	3.3												
		ACOL manages its day to day activities at the ACP through a series of management plans required under DA 309-11-2001-i and internal procedures. All EMS documents are readily available across the organisation and made available on the ACOL website.	Compliance as per audit of EMS.	Compliant									
Air Quality	3.4												
		Air quality at the ACP is managed by the approved Air Quality Management Plan (AQMP)	Compliance as per audit of the AQMP.	Compliant									
Topsoil Management	3.7												
		The activities of stripping and stockpiling of soil resources prior to any mine-related disturbance will be undertaken in accordance with the soil resource management activities described in (Table 20).	No open-cut activities have occurred during the audit period.	Not Triggered									
		<p>Table 20 Soil Resource Management Activities</p> <table border="1"> <thead> <tr> <th>Prior to Commencement of Stripping Activities</th> <th>During Stripping and Stockpiling Activities</th> <th>Prior to and During Rehabilitation Activities</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Quantify the soil resource. Characterise the suitability of material for rehabilitation purposes. Formulate stripping and stockpiling guidelines specific to each activity. Guidelines are to include: <ul style="list-style-type: none"> Nomination of appropriate depths. Scheduling to minimise the total area disturbed or stockpiled at any one time. Location of areas to be stripped and stockpile locations. </td> <td> <ul style="list-style-type: none"> Minimise over-clearing. Keep vehicular traffic to a minimum on the soils to be stripped. Exclude all traffic from soils that are sensitive to structural degradation. Utilise double stripping techniques, where practical. Preferential use of loaders and trucks rather than scrapers to minimise structural degradation. Selective stockpiling of soil according to type (i.e. topsoil, subsoil) and salinity. Storage of soil in a manner that does not compromise the long term viability of the resource. </td> <td> <ul style="list-style-type: none"> Implement amelioration measures to ensure the long term viability of the soil resource and manage salinity. Progressive rehabilitation of final landforms as soon as practicable after completion of mine-related disturbance activities. </td> </tr> </tbody> </table>	Prior to Commencement of Stripping Activities	During Stripping and Stockpiling Activities	Prior to and During Rehabilitation Activities	<ul style="list-style-type: none"> Quantify the soil resource. Characterise the suitability of material for rehabilitation purposes. Formulate stripping and stockpiling guidelines specific to each activity. Guidelines are to include: <ul style="list-style-type: none"> Nomination of appropriate depths. Scheduling to minimise the total area disturbed or stockpiled at any one time. Location of areas to be stripped and stockpile locations. 	<ul style="list-style-type: none"> Minimise over-clearing. Keep vehicular traffic to a minimum on the soils to be stripped. Exclude all traffic from soils that are sensitive to structural degradation. Utilise double stripping techniques, where practical. Preferential use of loaders and trucks rather than scrapers to minimise structural degradation. Selective stockpiling of soil according to type (i.e. topsoil, subsoil) and salinity. Storage of soil in a manner that does not compromise the long term viability of the resource. 	<ul style="list-style-type: none"> Implement amelioration measures to ensure the long term viability of the soil resource and manage salinity. Progressive rehabilitation of final landforms as soon as practicable after completion of mine-related disturbance activities. 	No open-cut activities have occurred during the audit period.	Not Triggered			
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	3.7.1	<p>Soil Stockpile Management</p> <p>The following soil stockpile management practices will be used to increase the long term viability of the soil resources in stockpiles:</p> <ul style="list-style-type: none"> Topsoil stockpiles are to be located outside of proposed mining areas and away from slopes and drainage lines; Stockpiles will be constructed with a "rough" surface condition to reduce the risk of erosion, improve drainage and promote revegetation; Fertilise and seed stockpiles to maintain soil structure, organic matter and microbial activity, whilst areas which are to be inactive for extended periods may be seeded with the final species mix; Where appropriate installation of silt fences around stockpiles to control potential loss of stockpiled soil through erosion prior to vegetative stabilisation; The appropriate soil ameliorant be applied at an appropriate rate to dispersive soil stockpiles where necessary; and Implement appropriate weed control strategies particularly for any noxious weeds. Immediate revegetation will provide vegetative competition to assist with control of undesirable plant species. 	No long term stockpiles sighted in the site inspection that did not meet these requirements.	Compliant									
	3.7.2	Topsoil will be sourced from temporary stockpiles of alluvial spoil (remaining stockpiles associated with the previous BCD construction works only) or other acceptable source of Virgin Excavated Natural Material (VENM). Topsoil will only be re-spread on final landforms designated as supporting future pasture (as required). Topsoil will be re-spread at a minimum depth of 100 mm. Topsoil re-spreading operations will not be undertaken when the material is excessively wet or dry.	Noted, no topsoil spreading in the audit period, this reference will be relevant in the rehabilitation of the open cut reject dump and the TSF.	Noted									

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Ashton Mining Operations Plan 2013-2017							
	3.7.3	Soil Ameliorants Soils throughout the project area are generally low in organic matter. This reduces the availability of nutrients and creates an unfavourable microclimate for germination of plant seeds. The key management practices to rectify these issues are: - Application of the appropriate amount of soil ameliorant and fertiliser; - The establishment of a cover crop for soil protection purposes and improvement in organic matter levels; and - Use of imported organic materials such as bio-solids and municipal waste compost. Appropriate application rates for soil ameliorants at ACP will be established through ongoing trial work of revegetation techniques and varying application rates.	OGM continues to be applied. Rest of this work has not been required.	Compliant			
Rock Raking	3.8						
		Rock raking has been and will continue to be undertaken on all areas rehabilitated in association with the NEOC mining areas during the landform establishment phase, with rocks greater than 500 mm in diameter removed from the land surface. Rocks will be either buried within the spoil structure or may be left in groups on the surface as fauna habitat.	This has not been undertaken in the audit period.	Not Triggered			
Steep Slopes	3.9						
		For the purpose of land management at the ACP, steep slopes are defined as an area of land having a natural gradient ranging between 18 and 45 (Geotech Solution 2011). No slopes have been rehabilitated to an incline greater than 18 degrees at the ACP.	This has not been undertaken in the audit period.	Not Triggered			
Erosion and Sedimentation	3.10						
		Erosion and sedimentation at the ACP is currently managed by the approved Water Management Plan (WMP)	Compliance as per audit of the SWMP.	Compliant			
Existing landscape Management Practises	3.11						
		Currently managed through the Bushfire MP, Flora and Fauna MP and Site Water MP.	Compliance as per audit of these MP.	Compliant			
Surface Water	3.12						
		Surface water at the ACP is managed in accordance with ACOL's approved WMP.	Compliance as per audit of the SWMP.	Compliant			
Groundwater	3.13						
		The WMP has been developed by ACOL to manage risks associated with groundwater.	This was noted, however no finding is required for this condition/commitment.	Noted			
Containment of Hazardous Materials	3.15						
		Oils, fuels, greases and chemicals are labelled and stored in designated, impermeable bunded areas or approved storage facilities and are only used on a prescribed basis. Appropriate barriers are in place to eliminate the potential for soil contamination. Bunded fuel and oil storage areas are located near the NEOC Workshop CHPP Store and on the workshop level of the Underground Pit Top Facility.	Site Inspection - one drum stored incorrectly at the CHPP small drum store.	Not Compliant	E	4	Low
Acid Mine Drainage	3.16						
		As CHPP wastes and coarse rejects are both considered to be NAF, acid mine drainage is not considered to be a risk at the ACP and does not need to be managed. However, groundwater seepage and drainage from emplaced materials will be periodically tested for signs of acid rock drainage.	Dam 56 is included in water quality monitoring program.	Compliant			
Biodiversity	3.17						
		Threatened species managed by FFMP.					
	3.17.1	River Red Gums Two narrow bands of Eucalyptus camaldulensis (River Red Gum) open woodland occur along the banks of Bowmans Creek near the Hunter River and are confined to the riparian corridor outside of the mining lease area, approximately 1km upstream from the Hunter River confluence. This population is listed as an endangered population under the TSC Act. No area of this community will be removed as part of the project.	This was noted, however no finding is required for this condition/commitment.	Noted			
	3.17.2	Seed Collection Native seed needs for rehabilitation at the ACP includes use in: - Bowmans Creek Diversion rehabilitation and revegetation; - Underground rehabilitation; - Linking corridors across NEOC and Underground; and - Rehabilitation of Southern Woodland Conservation Area. Seed collection will be undertaken by an appropriately experienced contractor engaged based on their ability to employ methods which where practical, follow Florabank Guidelines (1999).	The only planting that has occurred during the audit period was in the Bowman's Creek diversion. No seed has been collected on site during the audit period.	Compliant			
	3.17.3	A revegetation schedule has been developed to minimise the maintenance required and ensure successful establishment of the target plant community. In areas returning to a biodiversity objective plantings will generally be relatively dense in areas with minimum native vegetation cover to provide adequate vegetation coverage to minimise weed colonisation. If an area has a sufficient ground or shrub cover but no canopy species (or vice versa) spot planting may be used to introduce these structural components.	The rehabilitation program undertaken by ACOL is essentially the recommendations from the rehab reports. No formal works program is developed as the rehabilitation is considered to be performing well. Note all rehab at the site in the audit period has been maintenance, only some minor completion works on the BCD occurred in the audit period.	Compliant			
	3.17.6 & 3.17.7	Is the species mix still current as described in the MOP.	No seed purchased in the audit period	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Ashton Mining Operations Plan 2013-2017							
	3.17.8	Hollow Re-use Strategy There are specific hollow requirements that need to be addressed in the rehabilitation. Targeting of these resources throughout the site has been determined by an analysis of the predicted number of hollows on the site the specific requirement of target species, the habitat requirements of the species and the records of these species across the site. The hollow reinstatement works are aligned to the findings of this work.	No vegetation clearing has been undertaken in the audit period - all hollows removed for the OC have been re-instated prior to the audit period.	Compliant			
		Screening and Corridors Earth bunds and tree screens have been installed along the New England Highway and Lemington Road, to screen the main fans and future proposed gas drainage facilities. These landscaping works have been undertaken to reduce visual amenity impacts of the ACP and have the additional benefit of reducing erosion and sediment runoff. Wildlife corridors at the ACP have been developed and are maintained as per the Rehabilitation Strategy (Evans & Peck 2009) and Landscape Restoration Report (AECOM 2009) to create a mosaic of agricultural land and wildlife habitat that is consistent with reference sites.	These works have been completed prior to the audit period.	Compliant			
		Feral Pests ACOL has designed an annual feral animal management and control program that will be undertaken for the ACP area. All work will be implemented in close liaison with the staff of the Livestock Health and Pest Authority (LHPA) and in close communication with adjoining land users to ensure a coordinated approach to pest management.	As detailed in the AR's reviewed for the audit period.	Compliant			
		Fauna Protection Corridors A series of corridors have been developed and are maintained in accordance with the Rehabilitation Strategy (Evans & Peck 2009) and Landscape Restoration Report (AECOM 2009). They have been developed in consideration of the Hunter Synoptic plan to create a mosaic of agricultural land and wildlife habitat with linkages extending to neighbouring properties and other approved project habitat corridors. Habitat linkages across the site are managed in accordance with the Flora and Fauna (Biodiversity) Management Plan (ACOL 2012). Key fauna protection corridors include: the Bowmans Creek Diversion riparian corridor; and the Voluntary Conservation Area (VCA) and connected woodlands extending from the VCA to Bowmans Creek via two connecting vegetation corridors, and along Glennies Creek towards the New England Highway.	Tree corridors to viewed during site inspection.	Compliant			
	3.18	Noise Noise management at the ACP is conducted in accordance with the approved Noise Management Plan (NMP)	Compliance as per audit of the NMP.	Compliant			
	3.19	Visual Amenity and Lighting Management of visual amenity at the ACP is addressed through a series of key actions which include:	Compliance as per audit of the Lighting Management Plan.	Compliant			
		- ACP office facilities have been positioned below the ridge along Glennies Creek Road to be below the visual line of sight;	Viewed during site audit.	Compliant			
		- The facility was constructed on the lower side of the hill to provide natural screening from the New England Highway and the village of Camberwell;	Viewed during site audit.	Compliant			
		- The CHPP and Open Cut contractor's facilities have been positioned at the western extremity of the infrastructure area, remote from the village of Camberwell;	Viewed during site audit.	Compliant			
		- Buildings and structures will be designed and built in order to present a neat and orderly appearance and to blend as far as practicable with the surrounding landscape;	Found to be as such during the audit visit/site inspection.	Compliant			
		- Use of natural colours in all exterior building materials, including neutral browns, beiges, muted greens and greys;	Found to be as such during the audit visit/site inspection.	Compliant			
		- Periodic inspection of ACP buildings and facilities to identify any disrepair or degradation of the visual appearance of buildings, structures and facilities.	Noted, no buildings were sighted in the audit inspection that required repair	Compliant			
		- Surfaces such as timbers or bricks will be adopted where appropriate, and manufactured metals will be of natural colours;	Viewed during site audit/ most manufactured are natural colours.	Compliant			
		- Use of non-reflective building materials for the construction of surface facilities;	Viewed during site audit/ most manufactured are natural colours.	Compliant			
		- The construction of environmental bunds to screen emplacement areas from Camberwell residents as well as northbound highway motorists;	Viewed during site audit.	Compliant			
		- Planting on the bunds with a mixture of appropriate native overstorey and understorey species;	Viewed during site audit.	Compliant			
		- A bund and tree screen was established to screen the flares and fans from the New England Highway;	Viewed during site audit.	Compliant			
		- Some trees have been planted in areas along Lemington Road for screening of future gas drainage bores in LW 6 and 7;	Site inspection indicated that this had not happened, however no gas flares were located in the area so no screening was required. Recommendation - ACOL should review the need for gas flaring (in the future) and if required, establish a tree screen as noted in the MOP.	Not Triggered			
		- Progressive rehabilitation of emplacement areas;		Not Triggered			
		- Moulding of bunds to existing topography so that there are no 'hard' edges;	Found to be as such during the audit visit/site inspection.	Compliant			
		- Appropriate site layout to minimise light impacts to Camberwell Village and the New England Highway;	Viewed during site audit.	Compliant			
		- Arboreal screens in strategic locations to diffuse light emanating from the site.	Found to be as such during the audit visit/site inspection.	Compliant			
		- Placement of lighting only where it is required (e.g. for operations or security). All lighting will be focused on the subject area and directed downwards as much as possible;	No complaints pertaining to lighting have been received during the audit period. Operations are in accordance with the Lighting Management Plan.	Compliant			
		- Flood lighting is to be faced inward to the ACP area to avoid light spilling on to public roads; and	No complaints pertaining to lighting have been received during the audit period. Operations are in accordance with the Lighting Management Plan.	Compliant			
		- Lighting will be of the minimum wattage possible whilst not compromising safety or OH&S requirements.	No complaints pertaining to lighting have been received during the audit period. Operations are in accordance with the Lighting Management Plan.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Ashton Mining Operations Plan 2013-2017							
	3.2	Aboriginal Heritage An Archaeology and Cultural Heritage Management Plan (ACHMP) (ACOL, b) has been developed to mitigate risks to significant heritage sites and/or objects potentially affected by ACP operations and ensure management activities are undertaken in accordance with the relevant AHP.	Compliance assessed as per audit of the ACHMP.	Compliant			
	3.21	Spontaneous Combustion The primary focus is prevention but the other components are addressed through: - Recognition of the interaction between spontaneous combustion and ventilation; - Standards for the stockpiling of materials with a propensity to spontaneous combustion; - Procedures to be adopted in changes to mine design or stockpile management techniques; - Procedures for the inspection and monitoring of materials with a propensity for spontaneous combustion, together with reporting requirements; - Housekeeping requirements; - Action response plans where a potential heating is identified; - Clear definitions of roles, responsibilities and training; and - Regular audits and reviews to ensure the continued effectiveness of the management measures.	Compliance assessed as per audit of the Spontaneous Combustion Management Plan.	Compliant			
	3.23	Mine Subsidence Mine subsidence impacts are managed through the preparation (and approval) of Eps	Compliance assessed as per audit of the Extraction Plans.	Compliant			
6 Rehabilitation Tables							
	Table 28	Ongoing subsidence cracking repairs	Site Inspection - evidence of these works sighted.	Compliant			
		Regular monitoring of subsidence impacts	EOP Reports	Compliant			
	Table 29	Soil tests over underground	Soil testing undertaken in Ashton Agricultural Productivity Audit	Compliant			
		Water leaving site is tested to ensure compliance with EPL and therefore POEO Act	No dirty water leaves the site.	Not Triggered			
	Table 30	Bowmans Creek Riparian zone, fence to exclude stock	Fences have not been erected, bust stock are excluded by not allowing grazing in the paddocks containing riparian areas.	Compliant			
		Weed management	Weed management activities conducted and reported in the Annual Reviews.	Compliant			
		Nest Boxes installed (see AEMRs)	Nest boxes have been installed, as detailed in AR's.	Compliant			
		Bushfire risks managed	Compliance as per audit of the Bushfire Management Plan.	Noted			
		Vegetation monitoring for the diversions	Bowmans Creek Diversion Rehab Reports completed annually.	Compliant			
		Limiting vehicle access to lower soil compaction risks	Site Inspection - GDP process defines tracks and limits traffic to tracks, observations in site inspection did not identify any variations to this requirement.	Compliant			
	Table 31	LFA in Bowmans Creek Riparian area, Pasture Areas, Southern Conservation Area, NEOC,	Contained in May 2015 Annual Pasture – Underground Mining Monitoring Report (Kleinfelder, 2016), 2015 NEOC Annual Monitoring (Kleinfelder, 2016)	Compliant			
		Fauna Habitat Monitoring - See Annual Ecological Monitoring Report	Bi-annual FF Monitoring program, conducted by Umwelt in 2015.	Compliant			
		Annual Farmland Report and Land Classifications (same as or better than pre-mining)	Section 2.3 of the May 2015 Annual Pasture – Underground Mining Monitoring Report (Kleinfelder, 2016)	Compliant			
7 Rehabilitation Implementation							
Proposed remediation activities this MOP Term	7.2						
	Table 34	Predicted disturbance and rehab in the MOP period	Because cracking is measured but disturbed area is low, zero disturbance is recorded.	Compliant			
8 Rehabilitation Monitoring, Research and Reporting							
Monitoring Methodology	8.2						
Landscape Function Analysis	8.2.1	LFA will be undertaken within the NEOC rehabilitation monitoring program. LFA will also be used to assess attributes that relate to pasture productivity and soil nutrient status, in line with the existing and future site-wide agriculture area surveys.	Section 3.2, 2015 NEOC Annual Monitoring (Kleinfelder, 2016)	Compliant			
Soil Analysis	8.2.2	Soil samples are undertaken using standard soil sampling techniques (core sampler). Soil parameters assessed include pH, electrical conductivity (EC), available calcium, magnesium, potassium, ammonia, sulphur, organic matter, exchangeable sodium, calcium, magnesium, hydrogen, aluminium, cation exchange capacity, available and extractable phosphorus, micronutrients (zinc, manganese, iron, copper, boron), total carbon and nitrogen.	This testing was done in the Agricultural Productivity Audit by SLR.	Compliant			
Ecosystem Characteristics	8.2.3	An assessment of ecosystem characteristics will be conducted during the MOP term. The ecological assessment provides quantitative data that measures changes in: - Floristic diversity including species area curves and growth forms; - Ground cover diversity and abundance; - Fire; - Vegetation structure and habitat characteristics (including ground cover, cryptogams, logs, rocks, litter, projected foliage cover at various height increments); - Understorey density and growth (including established shrubs, direct seeding and tubestock plantings and tree regeneration); - Overstorey characteristics including tree density, health and survival; and - Other habitat attributes such as the presence of hollows, mistletoe and the production of buds, flowers and fruit.	Some of this is contained in May 2015 Annual Pasture – Underground Mining Monitoring Report (Kleinfelder, 2016) Mostly included in 2015 NEOC Annual Monitoring (Kleinfelder, 2016)	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Ashton Mining Operations Plan 2013-2017							
	8.2.3.1	Pasture Productivity Assessment In areas with a post mining landuse aligned to pasture, pasture sampling is undertaken in accordance with the collection technique guidelines – Form Collect1-Version No.2-01/11/07 supplied by the NSW Department of Primary Industries (DPI) (2007). Samples are to be sent to an accredited laboratory for analysis to determine the quality of feed available. Based on the testing results on the feed quality, pasture productivity will be calculated aligned to stocking rates and farm size assessment tools relevant for Beef cattle in the Hunter Valley, which in turn determine sustainable carrying capacities.	No evidence provided	Not Compliant Administrative			
	8.2.3.2	Land Capability Assessment The land capability system is applied to the survey area in accordance with the guideline called Systems used to classify rural lands in New South Wales (Cunningham et al. 1986). Data will be collected on a range of factors and assessed to determine land capability. These will include climate, soils, geology, geomorphology, soil erosion, topography and the effects of past landuses.	Noted, the Agricultural Productivity Audit references the Land Class guideline, not the Land Capability Guideline. There was no evidence of the application of the Land Capability guideline at ACOL.	Not Compliant	D	2	Medium
Photographic Monitoring	8.2.4	Opportunistic and permanent photo-points or transects may be utilised to record changes in attributes over time. Generally the location and orientation of photo-points and transects will be recorded using GPS. Photo transects may be established by laying a length of tape (e.g. 50m) between two star pickets. A consistent ground to sky ratio should be maintained (e.g. 5:1) where possible. Once established, the transect will allow for the capture of three digital photographs at each star picket; taken in the direction of the transect line: - to the left of the tape (with the tape just in the frame in the far right); - with the tape (and star picket) in the centre of the frame; and - to the right of the tape (with the tape just in the frame in the far left). - Alternatively, a panoramic shot can be taken centred around the star picket.	Photo-Points in compliance with this commitment included in 2014 Flora Monitoring Report, 2015 Bowmans Creek Diversion Annual Monitoring (Kleinfelder, 2016), 2015 NEOC Annual Monitoring (Kleinfelder, 2016). Confirmed by email from Kleinfelder (10/11/16) that photo-point monitoring was also undertaken in June 2016	Compliant			
Subsidence Monitoring	8.2.5	Addressed in Subsidence Monitoring documents associated with the Extraction Plans	Compliance as per audit of Extraction Plans.	Noted			
Bowmans Creek Diversion Monitoring	8.3						
		Monitoring of the BCD will extend to include the LFA methodology and the program of rehabilitation and farmland monitoring undertaken at sites that will provide reference sites for some aspects of the program for Bowmans Creek.	2015 Bowmans Creek Diversion Annual Monitoring, Section 3.2 (Kleinfelder, 2016)	Compliant			
Research and Rehabilitation Trials	8.4						
	8.4.2	Proposed The following are research projects proposed by ACOL, the finding of which, where relevant will be incorporated into the land management program: - The effect of burial depth of biosolid compost on the abundance of Galenia in mine rehabilitation areas; - Projective foliage cover and Leaf Area Index of Red gum individuals; - The effect of burial depth on the growth rate and survivorship of Eucalyptus long-stem tube stock; - The effect of brush matting and mulching on re-colonisation of Green cestrum following its removal; and - Research on NEOC agriculture land focusing on a grazing trial.	Burial depth of biosolids, completed Redgum studies still ongoing Long stem studies not ongoing (no planting...) Not going ahead ATM No grazing trials at present. Recommendation, this point be updated on next revision of the MOP.	Noted			
Reporting	8.5						
Annual Environment Management Report	8.5.1	Also as required under the Development Consent, ACOL will undertake an Annual Review of the environmental performance of the project. This review will: - describe the works (including any rehabilitation) that were carried out during the previous calendar year, and the works that are proposed to be carried out over the current calendar year; - include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against: o relevant statutory requirements, limits or performance measures/criteria; o monitoring results of previous years; and o relevant predictions in the EA; - any non-compliance over the previous calendar year, and describe what actions were (or are being) taken to ensure compliance; - any trends in the monitoring data over the life of the project; - any discrepancies between the predicted and actual impacts of the project; - the analysis of the potential cause of any significant discrepancies; and - what measures will be implemented over the current calendar year to improve the environmental performance of the project.	Annual Reviews for the audit period were reviewed. 2013 AR does not include comparison with EA predictions for noise or surface water monitoring results.	Not Compliant Administrative			
9 Intervention and Adaptive Management							
Trigger Action Response Plan	9.1	Has the TARP been triggered?	Not in the audit period	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Ashton Coal Bowmans Creek Diversion Environmental Assessment dated 3 December 2009, prepared by Evans & Peck						
1.1	All mining will be undertaken within the approved mining lease.	As per audits of Mining Leases undertaken for this audit.	Compliant			
1.2	The final extraction design of each subsequent seam below the Pikes Gully seam, including whether longwall panels are stacked or offset, be subject to the results of impact monitoring and subsidence from the preceding seam and would be detailed in an Extraction Plan.	Mining Operations undertaken during the audit period as per LW 101-104 and LW 105-107 Extraction Plans. Compliance with the Extraction Plans is Assessed elsewhere.	Compliant			
2.1	Subsidence troughs will be reshaped and fill will be used where practicable to create a free draining landform. This approach is expected to reduce the potential for surface pooling and inflow into the mine.	As per MOP - cracking is repaired on a continual basis and work is undertaken where required to ensure public safety. Final reshaping has not yet occurred to decrease potential for re-work, as mining operations continue.	Compliant			
2.2	The diversion channels will be constructed in accordance with detailed civil and landscape design plans generally consistent with EA Plan Sets 2 and 3.	Prior to audit period.	Not Triggered			
2.3	A geosynthetic clay liner will be placed under the low flow section of the diversion channels to minimise loss of baseflow from the constructed channels and to preserve surface flows in the diverted creek.	Prior to audit period.	Not Triggered			
2.4	All workers involved in the construction of the diversion channels and block banks will receive site specific induction that includes requirements for good environmental management, including management of noise and dust; erosion and sediment; Aboriginal heritage; hazardous materials; and waste.	Site induction was reviewed for these requirements and found to be compliant.	Compliant			
3.1	Mine plans will be reviewed in response to actual subsidence and geotechnical behaviour associated with mining in the deeper seams based on monitoring experience, expert interpretation, and other advice.	As per Extraction Plans prepared and approved for mining operations.	Compliant			
3.2	The Southern limits of LW5, LW6 and LW7 will be offset at least 200m from the Hunter River alluvium.	As per Extraction Plans prepared and approved for mining operations.	Compliant			
3.3	Subsidence will be monitored and managed in accordance with approved Extraction Plans (or equivalent), the development of which will be informed by: • Subsidence monitoring over LW1-4 in the lower seams, as each seam is mined, to allow more accurate predictions of subsidence parameters above LW5-8. • An End of Panel Report for each longwall panel with a focus on subsidence. • Consultation with the owner(s)/operator(s) of the Ravensworth Underground Mine on a seam by seam basis.	Subsidence monitoring included in Extraction Plans and Mid/EOP Reports.	Compliant			
3.4	Subsidence and groundwater experts will be used to assess the western longwall (LW8) to ensure concurrent operation of the RUM and ACOL underground mines can be undertaken safely.	LW 6B to 8 EP details the expert reports - LW8 was wholly extracted prior to the audit period.	Not Triggered			
3.5	With the exception of Brunckers Lane as a public road: • Existing surface infrastructure will be maintained to be safe, serviceable and repairable manner unless the owner agrees otherwise in writing. • Damage to existing third party-owned infrastructure due to the ACOL induced subsidence will be mitigated or remediated.	As per Extraction Plans/Built Features MP and monthly subsidence reports.	Compliant			
4.1	The current ACP groundwater monitoring network will be maintained and expanded to enable monitoring of water extracted from the mine workings as the lower seams are developed and mined.	Site Water MP reviewed and updated to reflect these changes. Also contained in AR's and Groundwater Reports.	Compliant			
4.2	Additional (nested) groundwater monitoring bores will be installed in the alluvium and Pikes Gully overburden at the following locations: • Southwest of LW6A. • On the eastern side of LW6B near the downstream end of the Eastern Diversion. • On the eastern side of LW6B near the upstream end of the Eastern Diversion. These monitoring points will be monitored monthly as part of the routine monitoring and weekly at the time that mining occurs in the Pikes Gully seam immediately below in order to monitor groundwater drainage from the alluvium.	Pike Gully Seam largely mined outside the audit period. Assessment of impacts to the alluvium completed (sighted).	Compliant			
4.3	The volume of water extracted from the mine workings will be monitored for the life of mine.	As found to be in the AR's reviewed for the Audit period.	Compliant			
4.4	The volume and quality of individual sources of groundwater inflows, will be monitored where separation of sources is possible.	As found to be in the AR's reviewed for the Audit period.	Compliant			
4.5	The existing ACP Groundwater Trigger Action Response Plan will be reviewed and extended to include monitoring of the lower seam inflows as they are mined.	SWMP is regularly reviewed to reflect changes such as this.	Compliant			
5.1	Water level monitoring will be undertaken in two pools immediately above LW6B as part of the routine monthly monitoring program and used to guide construction of block banks to their final level. While mining is occurring in LW6B, water levels will be monitored weekly.	Fortnightly Subsidence Reports mentioned monitoring of pools in excised channel.	Compliant			
5.2	The existing ACP surface water quality monitoring program will be reviewed and updated where required.	SWMP is regularly reviewed to reflect changes as required.	Compliant			
5.3	Setting back all secondary workings by at least 40m (in a horizontal direction) to the high bank of Bowmans Creek in its diverted function form.	Reviewed Figures showing this.	Compliant			
6.1	Hold appropriate and adequate water entitlements to account for water from all sources impacted by underground operations on an annual basis.	As verified in the 2015 AR Water Balance.	Compliant			
6.2	Returning flows to Bowmans Creek whenever the rules of the Water Sharing Plan for Jerrys Management Zone prohibit the taking of water, including provisions for returning flows post-mine closure. Returned flows will be of an equal or better quality than the receiving waters.	No return flows to Bowmans Creek have occurred during the audit period.	Not Triggered			
6.3	Retaining or retiring an equivalent licensed entitlement to account for the long-term annual water based impacts, post-mine closure.	Not Applicable until post-closure.	Not Triggered			
6.4	The provision of an ongoing financial contribution to cover the cost associated with returning flows to Bowmans Creek, post-mine closure, when baseflow impacts to Bowmans Creek are not permitted under the rules of the relevant water sharing plan (from 2015 onwards).	Not Applicable until post-closure.	Not Triggered			
7.1	The bed and bank of the diverted creek will be surveyed: • Six months, one year and two years after completing construction of the diversion channels. • At five yearly intervals, or immediately after a flood with a peak flow greater than 150m ³ /s (about 5 years ARI), at existing cross sections in the retained sections of the existing creek. For purposes of this commitment, flow will be determined from the Office of Water gauging station. • At five yearly intervals, or immediately after a flood event with a peak flow greater than 150m ³ /s (about 5 years ARI), at ten new cross section locations and along the thalweg of each diversion channel. The cross section locations will be established to be representative of the various geomorphic forms within the diverted channels.	Construction completed 2012 - surveys sighted for 2013, 2014, 2015. Sighted Geomorphic Condition Assessment and Survey Reports during audit visit.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Ashton Coal Bowmans Creek Diversion Environmental Assessment dated 3 December 2009, prepared by Evans & Peck						
7.2	At the same time as cross sectional and longitudinal (thalweg) surveys, bed samples will be collected from four locations in each diversion channel (two pools and two riffles). Samples will also be collected from eight comparable representative sites in the remaining functional sections of the creek for statistical comparison. If there is a variation of more than 20% in the statistics of the data from the diversions compared to the existing channel, ACOL will commission an appropriately qualified geomorphologist to investigate the causes and recommend any remedial actions.	These were found to be included in the reports reviewed during the audit period.	Compliant			
8.1	The diversion channels will be constructed during daylight hours: • 7am-6pm Monday to Saturday. • 8am-6pm Sundays and Public Holidays.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
8.2	Erosion and sediment controls for the construction works will generally be consistent with: • The existing ACP Erosion and Sediment Control Management Plan. • Detailed diversion engineering design drawings (C045 – C047). • Managing Urban Stormwater: Soils and Construction – Volume 2E Mines and Quarries (DECC 2008, or its latest version).	Construction of the diversion channels is prior to the audit period.	Not Triggered			
8.3	Topsoil will be separately stockpiled within designated stockpile areas and used for rehabilitating disturbed areas, post construction, where required.	Section 3.7 of the ACOL MOP.	Compliant			
8.4	During and immediately after mining of the Pikes Gully seam, groundwater monitoring together with visual monitoring of stream flows and pools within Bowmans Creek (as diverted) will be undertaken. If there is any indication that significant drainage of the alluvium is occurring, or there is loss of stream flow, due to cracking, the full height block banks will be constructed immediately.	Groundwater review undertaken and included in EOP Reports. No cross ingress has been identified, gauging stations indicate no loss across diverted sections of Bowmans Creek.	Compliant			
8.5	Noise and dust associated with construction activities will be minimised and managed consistent with existing ACP Noise and Dust Management Plans, including: • Monitoring against existing noise and dust impact assessment criteria at nearby sensitive receivers. • Minimising areas to be disturbed. • Using water trucks to suppress dust on all active haul roads and stockpile areas, where required. • Revegetating disturbed areas following completion of earthworks.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
8.6	Appropriate signage will be installed on the New England Highway and at relevant public access points for the duration of construction activities.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
8.7	A construction traffic management plan will be prepared and implemented to manage construction traffic interaction with the New England Highway, to the satisfaction of the RTA.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
8.8	Detailed channel construction works will be carried out in consultation with appropriately qualified and experienced technical specialists.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
9.1	Subsidence troughs will be rehabilitated to provide a free draining surface.	Section 3.26.3 of the ACOL MOP.	Compliant			
9.2	Landscape restoration will generally be consistent with the: • The Rehabilitation Strategy described in the Response to Submissions Report. • Conceptual landscape design drawings presented in the EA. • Existing ACP Landscape and Revegetation Management Plan. • Existing ACP weed management protocols.	The ACOL MOP satisfies this condition.	Compliant			
9.3	Flood damage to the constructed channels will be remediated to restore hydraulic and geomorphic function.	This has not been required during the audit period.	Not Triggered			
9.4	Stock proof fencing (at least 5 m from the alignment of any riparian trees) will be installed along both sides of the functioning diverted creek for its full length between the New England Highway and the Hunter River.	Stock are excluded from the whole area.	Not Triggered			
9.5	Stock watering troughs will be installed at strategic locations on pasture areas adjacent to the creek in the post-mine landscape, where required.	Not required.	Not Triggered			
10.1	The existing ACP Flora and Fauna Management Plan will be updated where necessary to be consistent with the vegetation and habitat management objectives for the diverted and rehabilitated creek.	As per FFMP.	Compliant			
10.2	Habitat trees in close proximity to construction activities will be clearly marked and protected.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
10.3	Fish passage will be maintained in the diverted creek sections under at least moderate flow conditions.	Aquatic ecology monitoring shows fish passage has been restored/maintained.	Compliant			
10.4	Resting pools will be included within the diverted creek sections.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
10.5	Large woody debris will be used to restore aquatic habitat.	This continues as such.	Compliant			
10.6	The loss of up to 1.8ha of riparian and aquatic habitat will be replaced with 15.7ha of combined aquatic and riparian habitat. An additional 58.7ha of mixed riparian woodland and grassy floodplain woodland will be established on the adjacent floodplain to further improve terrestrial habitat.	The ACOL MOP satisfies this condition.	Compliant			
10.7	The collection of River Red Gum seeds will be conducted under the appropriate licence or certificate, as required under the Threatened Species Conservation Act 1995.	This has not occurred during the audit period.	Not Triggered			
11.1	All workers involved in construction will be given a site induction that includes awareness of the location of aboriginal heritage sites in the area, prohibition on entering identified sites and procedures to be followed in the event of any Aboriginal artefacts being detected during construction work.	Construction of the diversion channels is prior to the audit period.	Not Triggered			
11.2	Should any Aboriginal artefacts be detected during construction, work in that location will cease immediately and the finds will be reported to the Environmental Manager, at which time the existing ACP Archaeology and Cultural Heritage Management Plan protocols will be implemented. Work will not recommence in the area until instructed to do so by the Environmental Manager.	Construction of the diversion channels is prior to the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Ashton Coal Bowmans Creek Diversion Environmental Assessment dated 3 December 2009, prepared by Evans & Peck						
11.3	There will be no construction within 70m of the Waterhole Site grinding grooves and appropriate controls will be implemented to protect this site from inadvertent construction activity impacts, including: <ul style="list-style-type: none"> * Clear fencing of the site to form a boundary between contractors and the outer perimeter of the site. * Inclusion of a work method statement (WMS) that outlines the responsibilities of contractors in order to ensure that the site is not impacted and which outlines the repercussions of not adhering to the WMS (e.g. fines administered by OEH). * Inclusion of a cultural awareness component in the general induction of contractors working on the project. 	Construction of the diversion channels is prior to the audit period.	Not Triggered			
11.4	The management for sites and areas of potential Aboriginal heritage impacted by the proposed diversions will be developed in consultation with the registered Aboriginal Stakeholders, and approved through the Extraction Plan process.	Section 4.3.1 LW 105-107 Extraction Plan, approved 22/1/16	Compliant			
11.5	The oral history of the area will be recorded through consultation with relevant Aboriginal stakeholders, local landowners and other sources appropriate to inform mitigation measures during construction.	Prior to audit period.	Not Triggered			
11.6	The existing ACP Archaeology and Cultural Heritage Management Plan will be reviewed and updated where required, in consultation with Aboriginal stakeholders, to include management of Aboriginal heritage within the Bowmans Creek diversion disturbance area.	The latest version of the ACOL ACHMP is found to contain include management of Aboriginal heritage within the Bowmans Creek diversion disturbance area.	Compliant			
12.1	The existing ACP Environmental Management Strategy: Phase 2 Underground Mining Operations will be reviewed and updated where required to include management, mitigation and monitoring objectives for the creek diversion.	These criteria covered by MOP.	Compliant			
13.1	Environmental monitoring will be carried out generally as described in the EA for the creek diversion.	AR's provides summary of diversion monitoring.	Compliant			
13.2	An Annual Environmental Management Report (AEMR) will be prepared and forwarded to relevant government departments, including DoP. The AEMR will include a summary of all monitoring undertaken during the year, including a discussion of any exceedances and responses taken to ameliorate these exceedances.	AR's available for audit period have been reviewed.	Compliant			
13.3	Completion criteria for the creek diversion, including a monitoring regime and reference sites will be formalised in a Rehabilitation Management Plan prepared in consultation with relevant government authorities.	As per SWMP and BCD rehab strategy.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FOR THE MODIFICATION OF DA 309-11-201-1 (MOD 7) COMPRISING UNDERGROUND MINE INTERIM GAS DRAINAGE OPEN CUT HEBDEN SEAM RECOVERY CONDITION 3.14 (SCHEDULE 2) AMENDMENT FEBRUARY 2011, Wells Environmental Services						
1a	Monitoring of the open cut pit highwall will continue to be carried out to ensure the continued safe operation of Glennies Creek Road adjacent to the pit highwall.	Monitoring for this area is still undertaken - viewed data during audit visit.	Compliant			
	Open cut recovery of the Hebden Seam and backfilling of the extracted area will be carried out in strips as described in the EA to ensure the integrity and stability of the pit highwall is maintained.	No open-cut mining has been conducted during the audit period.	Not Triggered			
	The management measures described in existing approved ACOL environmental management plans will continue to be implemented.	Operations continue as per this condition.	Compliant			
2a	Site disturbance will be minimised as far as practicable.	Operations continue as per this condition.	Compliant			
	Vehicle access will be restricted to designated site access routes.	Operations continue as per this condition -verified during site inspection.	Compliant			
	A water cart will be used to suppress dust on access tracks and on well pad disturbance areas, where required.	Operations continue as per this condition -verified during site inspection.	Compliant			
	Disturbed areas not required for ongoing operations will be promptly rehabilitated.	This has been completed - Note no rehabilitation apart from subsidence remediation during the audit period.	Compliant			
	Mine related dust emissions will be monitored and managed to within acceptable criteria using real-time monitoring.	Operations continue as per approved AQMP.	Compliant			
	Gas drainage infrastructure will be developed to capture gas from the underground mine prior to requiring gas drainage from the ULD Seam.	This infrastructure is currently operational as per this condition.	Compliant			
3a	Mine related noise emissions will be monitored and managed to within acceptable criteria using real-time noise monitors.	Operations continue as per this condition.	Compliant			
	Blasting in the open cut pit will be designed and managed to ensure blast overpressure and vibration levels at surrounding sensitive receiver locations are within acceptable criteria.	No Blasting during the audit period.	Not Triggered			
4a	Locations of gas drainage well pads and access tracks will be developed to avoid known Aboriginal heritage sites, wherever practicable.	As per GDP Process - sighted GDP for survey lines and the process complies, sighted evidence that the same process for Gas wells 5A and 5B was followed but the GDP was not available as the GDP process was not complete	Compliant			
	Locations of gas drainage well pads and access tracks will be surveyed in conjunction with Aboriginal community stakeholders for Aboriginal artefacts prior to disturbance and: • Where additional significant Aboriginal artefact sites are identified the well pad or access track will be relocated to avoid impacting the Aboriginal site. • Where impact to Aboriginal artefacts cannot be avoided these will either be salvaged or relocated in conjunction with Aboriginal community stakeholders in accordance the conditions of an Aboriginal Heritage Impact Permit.	As per AHIP's in place and ACHMP. Work was undertaken prior to thos audit period.	Compliant			
	Site inductions will include identification of Aboriginal heritage exclusion areas and actions to be undertaken where additional Aboriginal artefacts are identified, in accordance with ACOL's existing Aboriginal heritage management protocols.	Site induction to be reviewed for these elements.	Compliant			
5a	Prior to developing any of the gas drainage wells proposed to be located on Macquarie Generation-owned land ACOL will finalise these access arrangements with Macquarie Generation.	No gas wells on Macquarie Generation-owned land.	Not Triggered			
	Each of the gas drainage wells will be adequately secured to prevent any adverse interaction between the development and use of the gas drainage wells with any other proposed use of the land.	All wells are fenced or rehabilitated.	Compliant			
6a	Locations of gas drainage well pads and access tracks will be developed to avoid clearing native vegetation.	Operations continue as per this condition, as verified through staff interviews during the audit visit.	Compliant			
	Ground disturbance will be minimised as far as practicable.	Operations continue as per this condition, as verified through staff interviews during the audit visit.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FOR THE MODIFICATION OF DA 309-11-201-i (MOD 7) COMPRISING UNDERGROUND MINE INTERIM GAS DRAINAGE OPEN CUT HEBDEN SEAM RECOVERY CONDITION 3.14 (SCHEDULE 2) AMENDMENT FEBRUARY 2011, Wells Environmental Services						
	Site inductions will include identification of native vegetation exclusion areas and designated site access routes.	Slides 6 and 29 of Enviro Awareness Training	Compliant			
7a	Gas drainage well pads will be located to avoid impacts to surface drainage lines, wherever practicable.	As per Gas Drainage Network Map viewed during the audit visit.	Compliant			
	Self bunded fuel tanks and chemical spill kits will be implemented at active gas drainage well pads.	Not required after construction period.	Not Triggered			
	The frequency of monitoring groundwater levels in monitoring bores surrounding the open cut pit will be increased to monthly for the duration of the extraction of coal from the Hebden Seam.	No open-cut mining has been conducted during the audit period.	Not Triggered			
8a	Industry standard sediment control measures will be implemented prior to ground disturbance, including use of clean water diversions, where required.	ACOL MOP includes Erosion and Sediment Control measures and management and related control structures that are consistent with the specifications contained in Managing Urban Stormwater – Soils and Construction, Volume 1, 4th edition (Landcom, 2004), and particularly Volume 2E Mines and Quarries (DECC, 2008a).	Compliant			
	Long-term stockpiles will be stabilised with jute mesh or grass cover.	None established during the audit period.	Not Triggered			
	Clean water diversions will be implemented around gas drainage well pads.	verified in Site Inspection	Compliant			
9a	The potential for visual screening of gas drainage wells on Macquarie Generation-owned land will be investigated to minimise the visual intrusion of the wells.	None on Macquarie Generation-owned land.	Not Triggered			
	The use of low profile well head covers to secure well heads following the active use of the gas drainage wells on Macquarie Generation-owned land will be investigated to minimise the visual intrusion of the wells.	None on Macquarie Generation-owned land.	Not Triggered			
10a	Construction waste will be recycled or disposed of in accordance with the existing ACOL approved Waste Management Plan.	Prior to audit period.	Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FOR THE MODIFICATION OF DA 309-11-2001-i (MOD 9) COMPRISING UPCAIST VENTILATION SHAFT, FANS AND MINE SERVICE INFRASTRUCTURE FEBRUARY 2012, Wells Environmental Services						
1a	Locations of the infrastructure, access track and sediment dam have been designed to avoid known Aboriginal heritage sites, wherever practicable.	This was noted, however no finding is required for this condition/commitment.	Noted			
	Infrastructure locations have been surveyed for Aboriginal artefacts prior to disturbance. Where Aboriginal artefacts are identified these will either be salvaged or relocated in accordance with the conditions of AHIP 1131017.	Construction outside of audit period	Not Triggered			
	A perimeter barricade will be placed around known objects located in proximity to the proposed works to avoid unintentional impacts during construction and operation.	Construction outside of audit period	Not Triggered			
	Site Inductions will include identification of Aboriginal heritage exclusion areas and actions to be undertaken where additional Aboriginal artefacts are identified, in accordance with ACOL's existing Aboriginal heritage management protocols.	This was found to be generally covered in the Environmental Awareness Training provided by ACOL.	Compliant			
2a	A temporary noise barrier (e.g. site sheds or shipping container) will be installed east of the site during pilot hole and drop hole drilling.	Construction outside of audit period	Not Triggered			
2b	Noise monitoring will be undertaken during construction to ensure compliance with the relevant criteria.	Construction outside of audit period	Not Triggered			
3a	A water cart will be used to suppress dust on access tracks and on disturbed areas, where required.	As per AQMP - water cart is operated on an as needs basis.	Compliant			
3b	Disturbed areas not required for ongoing operations will be promptly rehabilitated.	This has been completed - Note no rehab (except for crack remediation) during the audit period.	Compliant			
4a	Ground disturbance will be minimised as far as practicable.	Operations continue as per this condition, as verified through staff interviews during the audit visit.	Compliant			
4b	Site access will be restricted to existing and proposed access tracks.	his continues as such.	Compliant			
	Site Inductions will include identification of designated site access routes and correct driving behaviour.	Sighted driving behaviour guidelines in Yancoal Underground Operations Induction Training Presentation.	Compliant			
5a	Industry standard sediment control measures will be implemented prior to ground disturbance.	Construction outside of audit period. Industry standards outlined in SWMP.	Not Triggered			
	Clean water diversions will be implemented around the site.	Verified in Site Inspection	Compliant			
	An appropriately sized sediment dam will be constructed to capture surface water runoff from disturbed areas.	Verified in Site Inspection	Compliant			
	Disturbed areas will be revegetated as soon as possible.	Verified in Site Inspection	Compliant			
6a	Vehicle access, for construction and operation of this project, will be restricted to designated site access routes. ACOL and construction employee access to "Dairy Lane" will be restricted to left in and left out, where required.	If no traffic controls in place, this access is 'left-in/left-out only'	Compliant			
	Temporary "trucks turning" signs will be installed on the New England Highway in both directions, 200 to 300m in advance of the intersection, during construction.	Outside of Audit Period.	Not Triggered			
7a	Screening vegetation will be used to limit visual exposure to the northwest and south.	Viewed during site inspection.	Compliant			
	The colour of the ventilation fan infrastructure will be selected so as to be visually recessive with the surrounding landscape.	Viewed during site inspection.	Compliant			
8a	Construction waste will be recycled or disposed of in accordance with the existing ACOL approved Waste Management Plan.	Outside of Audit Period.	Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ENVIRONMENTAL ASSESSMENT - Gas Drainage Plant 2012						
FOR THE MODIFICATION OF DA 309-11-2001-I (MOD 10) COMPRISING CENTRAL GAS DRAINAGE PLANT AND ASSOCIATED SURFACE INFRASTRUCTURE, AUGUST 2012, Wells Environmental Services						
1a	A temporary noise barrier will be used to minimise drill noise while ever gas bore construction activities are in close proximity to Property 130.	300 m offset to Property 130	Not Triggered			
1b	Noise monitoring will be conducted at the boundary of Property 130 during gas bore construction in proximity to the property boundary.	301 m offset to Property 130	Not Triggered			
2a	Site disturbance will be minimised as far as practicably possible, including limiting vegetation clearing and soil disturbance and minimising the number and size of soil stockpiles.	Operations continue as per this condition, as verified through staff interviews during the audit visit.	Compliant			
2b	A water cart will be used to suppress dust on access tracks and on disturbance areas, particularly during dry and windy conditions.	As per AQMP - water cart is operated on an as needs basis.	Compliant			
2c	Disturbed areas not required for ongoing operations will be promptly rehabilitated.	This has been completed - Note no rehab (except for crack remediation) during the audit period.	Compliant			
2d	Vehicle speeds on unsealed tracks will be restricted to a level that minimises dust generation. Vehicle movements (such as delivery and movement of materials) will be coordinated to avoid unnecessary trips on unsealed access tracks.	Roads and Other Vehicles, Surface Transport and Emplacement Training Presentation reviewed and found to contain awareness and procedural training concerned with dust minimisation.	Compliant			
2e	When a mobile gas plant is used on Macquarie Generation owned land or within 100 m of Property 130, Air sampling near non-ACOL owned land work areas will be implemented to	Not Applicable.	Not Triggered			
3a	Drained gas will be flared wherever practicably possible.	Operations continue as per this condition.	Compliant			
	Use of mobile flares in conjunction with use of the mobile gas plant will be investigated.	Usage of mobile flares has occurred during the audit period.	Compliant			
	Economically viable alternative uses of drained gas will be investigated.	Due to removal of the Carbon Tax there is no longer an economic incentive to pursue alternatives.	Not Triggered			
4a	Aboriginal heritage sites will be avoided as far as practicably possible. Where Aboriginal heritage sites can not be avoided, potentially impacted objects will either be salvaged or relocated in accordance with an approved AHIP, ACOL's ACHMP and in consultation with Aboriginal community stakeholders.	Archaeological work completed prior to audit period.	Not Triggered			
	A perimeter barricade will be placed around known objects located in proximity to the proposed works to avoid unintentional impacts during construction and operation.	Archaeological work completed prior to audit period.	Not Triggered			
	Site inductions will include identification of Aboriginal heritage exclusion areas and actions to be undertaken where additional Aboriginal objects are identified, in accordance with ACOL's existing Aboriginal heritage management protocols.	This was found to be generally covered in the Environmental Awareness Training provided by ACOL.	Compliant			
5a	Ecologically sensitive areas will be avoided as far as practicably possible.	As per GDP Process	Compliant			
	Ground disturbance will be minimised as far as practicably possible.	As per MOP requirements and GDP due diligence processes.	Compliant			
	The location of pipe laying and excavation will be assisted by a qualified ecologist including walking over of suitable habitat areas for target species immediately preceding construction.	Staff interviews indicate that all pipelines are on Class 4 or 5 agricultural land, no trees have been cleared. To date there has been no need to involve ecologists.	Not Triggered			
	Areas containing EEC species will be avoided as far as practicably possible, provided the safety of underground mine workers is not compromised. Where avoidance is not possible, areas to be disturbed will be selected to avoid clearing trees as far as practically possible.	No gas drainage in EEC areas.	Not Triggered			
6a	The "Dairy Lane" property access intersection will be used as a 'right in' intersection for south bound vehicles accessing the site when other approved ACP development is occurring with approved traffic controls. In the event these traffic controls do not exist, the 'dairy lane' intersection will be operated as a 'left in left out' only.	If no traffic controls in place, this access is 'left-in/left-out only'	Compliant			
	Temporary "trucks turning" signs will be installed on the New England Highway in advance of site access intersections during construction.	Outside of Audit Period.	Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ENVIRONMENTAL ASSESSMENT - Gas Drainage Plant 2012						
FOR THE MODIFICATION OF DA 309-11-2001-i (MOD 10) COMPRISING CENTRAL GAS DRAINAGE PLANT AND ASSOCIATED SURFACE INFRASTRUCTURE, AUGUST 2012, Wells Environmental Services						
	Heavy vehicle use of the "Dairy Lane" intersection during school bus pick-up / drop-off and milk tanker access times will be minimised as far as practically possible.	Contract managers notify contractors. It was contained in inductions for gas well drainage infrastructure and BCD, both outside the audit period. There is not a lot of traffic utilising this road now. We constructed a larger pad at the front gate so that access to gate is not impeded by the school bus, so the issue has been rectified in a different way.	Compliant			
7a	Visual screening will be used to reduce the visibility of gas bores on Macquarie Generation owned land to the Brunkers Lane / realigned Lemington Road and New England Highway as	No bores on AGL Land	Not Triggered			
	Gas flares will be finished with visually recessive colours where possible.	Site Inspection confirms	Compliant			
8a	Industry standard sediment control measures will be implemented prior to ground disturbance.	Erosion and Sed in SWMP.	Complaint			
	Clean water diversions will be implemented around the gas drainage plant site.	Site Inspection confirms	Complaint			
	Disturbed areas will be revegetated as soon as possible.	Site Inspection confirms	Complaint			
	Gas bores will be drilled by a licenced driller and in accordance with bore construction guidelines, where relevant, including sealing off alluvial aquifer zones.	Included in Drilling Tender and subsequent contract - as reviewed during audit visit. This contract includes specifications for grouting and sealing.	Compliant			
9a	Construction waste will be recycled or disposed of in accordance with the existing ACOL approved Waste Management Plan.	No construction waste during audit period.	Not Triggered			
10a	Visual screening will be used to reduce the visibility of gas bores on Macquarie Generation owned land to the Brunkers Lane / realigned Lemington Road and New England Highway as far as practically possible.	No bores on AGL Land	Not Triggered			
10b	Monitoring for methane will be undertaken during free-venting in close proximity to Macquarie Generation work areas (including the Void 5 ash dam).	No work areas near vents.	Not Triggered			
10c	Continue regular Ashton / Macquarie Generation interaction meetings as appropriate.	Verified through staff discussions during the audit visit - no formal meetings have been held during the audit period, however informal consultation occurs as required.	Compliant			
10d	Continue to consult about future gas supply / use options	There had been assessments of generation units in the audit period but none were considered economic - not considered feasible.	Compliant			
11a	Access to property 130 will be maintained through all stages of the project through the ROW access track or the alternative access track.	Two access roads provide access at all times.	Compliant			
11b	Gas bores will be set-back a minimum of 12 m (from the edge of the pad) from the centre of the ROW access tracks.	Site Inspection confirms	Compliant			
11c	Gas bores will be set-back a minimum of 50 m from the Property 130 boundary.	300 m offset to Property 130	Compliant			
11d	Monitoring of methane and odours will be undertaken during free-venting within 100 m of the Property 130 boundary.	301 m offset to Property 130	Compliant			
11e	Heavy vehicle use of the "Dairy Lane" intersection during school bus pick-up / drop-off and milk tanker access times will be minimised as far as practically possible.	Contract managers notify contractors. It was contained in inductions for gas well drainage infrastructure and BCD, both outside the audit period. There is not a lot of traffic utilising this road now. We constructed a larger pad at the front gate so that access to gate is not impeded by the school bus, so the issue has been rectified in a different way.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Tailings Emplacement Operations Plan						
Table 9	Continuous flow monitoring system to ensure potential pipeline blockages or leakages are detected and managed.	CITECH System, rosemount mag flow meters at each end of the line and comparison between these are done, the results are alarmed and on a screen in the control room.	Compliant			
Table 9	Visual inspection of readily accessible portions of the pipeline and TSF to detect breakage or leaks as per the 'Road Side Inspections and Pipe Line Blockage SWP'	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 9	Visual inspection of all above ground portions of pipelines and earth bunds and catch basins to detect blockages or leaks. Monthly	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 9	Non-destructive testing of tailings pipeline to monitor wall thickness. Every two years	Conducted annually, Noble is the contractor.	Compliant			
Table 9	Safety inspections of the TSF embankments as per the 'Macquarie Generation Void 4 Tailings Dam Management Plan' (ACOL Site SHEC Standards Document No. 3.4.7.3) Annually	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 9	Visual inspection of the Void No. 4 TSF management area to identify evidence of spontaneous combustion events (e.g. smoke, odour, heat). 'Twice per Week' inspections	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 9	Monitoring of water quality at available surface water monitoring points in the vicinity of Void No. 4 as part of Ashton Coal's existing EPL requirements. Monthly	Water quality monitoring in the vicinity of Void 4 is conducted as per the EPL in accordance with the agreement between MacGen and ACOL	Compliant			
Table 9	Inspection of pipelines, bunds and TSF surrounds to identify areas of erosion or requiring revegetation. Confirm no evidence of tailings leakage or spills Monthly	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 9	Monitor the volume of tailings emplaced at the TSF and volume of leachate recovered. Monthly	Monitored monthly, plus an algorithm in the PLC provides volumes sample testing monthly and reporting monthly.	Compliant			
Table 9	Monitor the surface of the Void No. 4 TSF to identify formation of a dry surface layer and potential for dust generation. Weekdays	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 10	Where spontaneous combustion is identified, a risk assessment is to be undertaken to determine the risks posed to personnel, infrastructure or the environment and potential air quality and odour impacts. As required	GDP and various other controls	Compliant			
Table 10	Outbreak areas are to be covered with inert / fine material and compacted where possible. Fly ash slurry may be injected into surface cracks where spontaneous combustion is observed, where practicable. Notify Ashton Coal environment team of activities. As required	Noted	Compliant			
Table 10	Employ water carts to extinguish visible flames and to maintain or decrease temperatures in areas of excavation where the potential for spontaneous combustion has been identified. Notify Ashton Coal environment team of activities. As required during construction activities.	No visible flames in the audit period	Compliant			
Table 10	Mine water catch basins (CS1 and CS2) are to be maintained in a "dry" state. Operations to have immediate access to suitable equipment for pump out and disposal as required. Ongoing	Sighted in site inspection	Compliant			
Table 10	Reinstate appropriate vegetative cover of embankments and bunds and repair erosion – as identified during routine environmental inspections (1.07). As required	Interview with CHPP Manager	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Tailings Emplacement Operations Plan						
Table 10	Ensure the prompt removal of free water through decant return pumps – maintain appropriate operating water level Ongoing	Noted	Compliant			
Table 10	Tailings emplacement activities are to be reprogrammed or relocated if necessary during periods of strong winds if they produce excessive wind-blown dust. As required	No wind blown dust that required this action in the audit period.	Compliant			
Table 11	Follow the procedures set out in the Emergency Response Management System – CHPP, including control, containment and clean up. Immediately following a pipeline rupture.	Noted, no emergency response required in the audit period	Not Triggered			
Table 11	Remove blockage in accordance with the Tailings Pipeline Blockages Procedure. If flow monitoring indicates a potential pipeline blockage.	Flow rates 1.7m/s and shutdowns preceded by flush with process water.	Compliant			
Table 11	Spillages are to be immediately contained and pumped out / absorbed with a suitable material and disposed of in an approved manner. Immediately following a spillage.	No spillages in the audit period	Compliant			
Table 11	Review existing spontaneous combustion management procedures. Obtain updated spontaneous combustion data for the TSF area to identify and avoid disturbance of potential 'hot spots' and inform future management response. In the event that spontaneous combustion material cannot be effectively controlled.	Noted, spon com info comes back and is acted on when required.	Compliant			
Table 11	Review dam safety management program and, if necessary, cease disposal of tailings. Undertake remedial action including dam repair in accordance with dam safety management program. If the escape of tailings is detected through a breach in the dam walls.	Every shift when in operation and a dam safety approved inspector inspects once per week both pipeline and dam.	Compliant			
Table 11	Follow procedures set out in Attachment B Void No. 4 Dust Trigger Action Response Plan (TARP). If visual inspection indicates significant dust generation from the tailings dam.	Has not been triggered in the audit period.	Compliant			
Table 12	Report all significant environmental incidents to Macquarie Generation and relevant Government agencies (including DRE and EPA). Immediately upon becoming aware of the incident.	No significant incidents in the audit period	Compliant			
Table 12	Provide a monthly summary report indicating the volume of tailings emplaced at the TSF and volume of leachate recovered to Macquarie Generation. Monthly	Sighted monthly reporting relating to the Ashton Coal Tailings Dam (Quantity of Tailings Discharged into dam and Quantity of Leachate returned from the Ashton Tailings Dam to mine).	Compliant			
Table 12	Provide notification to DRE and Macquarie Generation prior to pumping water (or as soon as practicable) to the Void No. 4 TSF for short-term flood storage. Use of Void No. 4 TSF for temporary flood storage.	No use of Void 4 for flood storage in the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Conservation Agreement Between Minister for National Parks and Wildlife Act (1974) and Ashton Coal Mines Limited, 2009							
	2.2	Except as permitted in this Agreement the Owners shall not construct any new road, access track, building Or internal fencing or any development that could adversely affect the conservation values of the conservation area.	No work other than works related to UG mining in the audit period	Compliant			
	2.3.5	establish and maintain drainage swales in accordance with the Ashton Coal Subsidence Environmental Management Plan and Section 3, Schedule 2 of the development consent issued by the NSW Department Of Planning for Development Application NO. 309-11-2001-i on the 11 October 2002 which includes consultation with DECCW;	Swales not requiring maintenance in the audit period, not reviewed in site inspection. Site personnel were unaware of the swales in question, the VCA was inspected by the lead auditor and he was not able to identify these swales either.	Not able to be verified			
	2.3.6	carry out necessary surface works that may be required to ensure the ongoing operation and safety of the underground mining operations, that by necessity cannot be carried out outside the boundaries of the conservation area.	Noted - see response in 2.2	Noted			
Annexure B	1 E	The Owner and the Minister recognise that Ashton Coal Mines Limited has prepared a number of environment management plans as listed in section 3.6 of the development consent and these in conjunction with this agreement will constitute the Plan of Management required by condition 3.30 of the development consent. At the time of writing of this agreement these environmental management plans included : Flora and Fauna Management Plan, Archaeology and Cultural Heritage Management Plan, Bushfire Management Plan, Landscape and Revegetation Management Plan, Subsidence Environmental Management Plan, Land Management Plan, Site Water Management Plan and Groundwater Management Plan, Erosion and Sediment Control Plan, Soil Stripping Management Plan, Waste Management Plan, Construction Air Quality Management Plan, Operations Air Quality Management Plan, Blasting/Vibration Management Plan, Road Closure Management Plan, Construction Noise Management Plan, Noise Management Plan and Lighting Management Plan.	This was noted, however no finding is required for this condition/commitment.	Noted			

Context	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
ENVIRONMENTAL MANAGEMENT STRATEGY PHASE 2 UNDERGROUND MINING OPERATIONS, 19 August 2006							
3 Environmental Impacts							
Visual		The visual impact of the underground mine will be minimal. The mine entrance and ventilation fans will be located in a box-cut and will not be visible from Camberwell village or the New England Highway. No structures are planned for the area south of the New England Highway.	Compliance verified through site inspection.	Compliant			
5 ECOLOGICAL AND COMMUNITY OBJECTIVES							
COMMUNITY OBJECTIVES	5.2						
		No change from those outlined in the Phase 1 Environmental Management Strategy. The community objectives are: To establish and maintain open communication with the community, particularly through the CCC; Endeavour to source employment from local areas; Enhance social amenity and cohesion in the local community; Maximise economic benefits to the local area through various initiatives; Be pro-active in addressing ongoing concerns of the community; and Involve and collaborate with the local Indigenous community.	CCC comms sighted elsewhere Loss of employees in the audit period, no measure of local employees but found compliant in previous audits Social policy deals with this Personl visits conducted to maintain contact with the community Indigenous community cosulted through the works program, ACCF nmeetings, artefact analysis.	Compliant			
		These objectives are implemented in the following manner; • Ashton has contacted all residents of Camberwell and invited them to participate in a confidential discussion to identify any areas of concern that they may have with the operations. Action plans have been implemented to address the common areas of concern. • At least 16 residents of the Camberwell area are directly employed at the mine site. • Considerable effort to ensure that a portion of the Section 94 grants to Singleton Shire Council are utilised in the immediate area of the Camberwell Village to enhance the amenity of the area. • Ashton has established a regular program of financial contributions to the maintenance of St Clements Church which is of significant social value to the community. • Ashton has established strategic relationships with a number of local contractors to ensure that the economic benefits stay within the local region; • Ashton has facilitated the establishment of Yunuga Mining Services as the primary supplier of indigenous labour to the coal mining industry in the Hunter Valley. • Collaboration with the local indigenous community has been facilitated through the establishment of the Wonnarua Liason Committee which comprises the native title claimant and the Wonnarua Nation Corporation.	Prior to the audit period.	Not Triggered			
7 KEY ENVIRONMENTAL STRATEGIES							
GLENNIES CREEK	7.6	A monitoring program will be developed and implemented in relation to the alluvial groundwater associated with Glennies Creek.	As per the Ground Water Monitoring Plan.	Compliant			
CULTURAL HERITAGE	7.9	Reports on cultural heritage surveys and monitoring will be submitted before, during and after mining operations annually in the AEMR.	Auditors reviewed the AR's for the audit period and found them to contain commentary on heritage activities/potential impacts.	Compliant			
ENDANGERED FLORA & FAUNA	7.1	The planting of trees in both the southern and northern areas of the project will provide long-term habitats for endangered fauna, such as the grey-crowned babbler, squirrel glider, glossy black cockatoo and speckled warblers.	This was noted, however no finding is required for this condition/commitment.	Noted			
		The planting of trees will accord with the concepts presented in the Upper Hunter Synoptic Plan developed by DMR. This will provide travel routes via habitat corridors for a variety of fauna.	This was noted, however no finding is required for this condition/commitment.	Noted			

Context	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
ENVIRONMENTAL MANAGEMENT STRATEGY PHASE 2 UNDERGROUND MINING OPERATIONS, 19 August 2006							
12 COMPLIANCE MANAGEMENT REPORTING							
MONITORING PROGRAMS	12.1	All monitoring programs, including sampling strategies and protocols developed in support of EMPs will include a quality assurance / quality control plan to ensure proper review and validation of results.	WMP contains the required section. AQMP does not contain a specific section but does address the requirements. NMP contains the required section. These are the critical monitoring areas.	Compliant			
CONTRACTOR ENVIRONMENTAL AUDITS	12.3	Each significant contractor will undertake an environmental risk assessment in relation to the works that they are to undertake and will submit an Environmental Control Plan for ACP approval prior to the commencement of works on site.	Satisfied by Contractor Work Health, Safety and Environment Requirements Proforma, Ashton Rehab Guidelines and Ashton Weed Spraying Guidelines for smaller contractors, no major contractors with significant environmental risk on-site in the audit period.	Not Triggered			
ENVIRONMENTAL INSPECTIONS	12.4	The Environmental Officer will undertake site environmental inspections at least once every month. The results of these inspections will be reported to the General Manager and will be presented in management meetings then added to a site action plan to address any identified shortcomings.	Reviewed a monthly inspection record sheet Actions are entered in CMO at the time of the audit, earlier in the audit period there was an action spreadsheet for the entire site that was followed up in management meetings	Compliant			
INTERNAL ENVIRONMENTAL AUDITS	12.5	Ashton will initiate internal environmental audits at least once per year, when no external audit is scheduled. The results of these audits will be reported in the AEMR, along with an approved list of corrective actions.	Internal audits are conducted, corrective actions from the internal audits are not recorded in the Annual Reviews. Recommendation - Revise wording in the Annual Review to include the context of the internal audits and suggest the inclusion of a summary of site inspections to show compliance in "on ground" works.	Not Compliant Administrative			
ANNUAL ENVIRONMENTAL MANAGEMENT REPORT (AEMR)	12.7	As per the DA	Available AR's reviewed for the audit period and found to be compliant with the relevant conditions in the DA.	Compliant			
EXTERNAL ENVIRONMENTAL AUDITS	12.8	Every three years from the date of consent until completion of mining, and one year after the commencement of construction in the DA area, an independent Environmental Audit will be performed by an independent third party in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing (or current versions). These Environmental Audits will assess compliance against the issues listed in Clause 8.9 of the Development Consent. Copies of the report will be submitted to DoP, SSC, DEC, DNR, DPI (Minerals), NPWS and CCC within two weeks of the completion of the report.	This audit satisfies this condition.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ARCHAEOLOGY AND CULTURAL HERITAGE MANAGEMENT PLAN, Version Date: 19/06/2015						
Table 3: Archaeology and Cultural Heritage Management Actions and Responsibilities						
1.01	Documented visual inspection (including photographs) of all in-situ sites subject to potential subsidence will be undertaken by a qualified archaeologist to record the current condition of each archaeological site as outlined in Appendix C. All Registered Aboriginal Parties will be provided with the opportunity to participate in this recording. Timing: Prior to and at the completion of each longwall panel.	To date everything has been salvaged not left in-situ in the subsidence crack zone so no need for this visual inspection.	Not Triggered			
1.02	Site personnel will inspect each site on a monthly basis during undermining. The inspections will aim to observe the relationship of cracking (if any) to archaeological sites, any erosion potentially threatening the site and whether intervention and remediation works are required. Monthly	Inspection included in E&C Monthly Inspection. Surveying inspections include Archaeological sites . Survey data is entered in CAD system and overlaid with Archaeological sites to capture areas of potential impacts. End of LW 4 includes an area not rehabilitated due to potential disturbance of heritage items.	Compliant			
1.03	All Registered Aboriginal Parties will be provided with the opportunity to monitor mine related impacts on Aboriginal sites within ULD LW1-8. Prior to and at the completion of each longwall panel.	Whenever site work, salvage or inspections are undertaken Registered Aboriginal Parties are invited to attend. There is a roster paid survey positions, but all are invited to attend.	Compliant			
1.04	Following completion of longwall extraction within each seam in the western panels (LW5-8), ACOL must prepare a report on the Aboriginal heritage subsidence impact monitoring program (Appendix C). At completion of each seam (western panels).	Sighted Report, Aboriginal Heritage Subsidence Impact Monitoring Program Report, PG Seam LW 6B-8, BCD amd Asscoiated Mining Works. April 2016	Compliant			
1.05	Following completion of longwall extraction within the eastern panels (LW 1-4), ACOL must prepare a report on the actions relating to the harm of Aboriginal objects (permitted by the AHIP) as outlined in Section 6.2. At completion of mining within the eastern panels (or expiry of the relevant AHIP).	Not yet required, extraction not completed.	Not Triggered			
2.01	Collection of surface artefacts as outlined in Appendix B will be aimed at those sites not already collected during the detailed surface collection, salvage excavation and grader scrapes already completed in accordance with the AHIP #1130976 and AHIP #11310017. Prior to any subsidence related impact within the ULD.	Salvage plans show the work conducted was compliant with this commitment	Compliant			
2.02	Maintain fencing around the Oxbow Site and monitor for potential subsidence impacts including cracking, ponding and/or increased erosion. Where impacts are anticipated or observed, salvage in accordance with an appropriate AHIP will be carried out prior to mitigation/remediation measures being undertaken as outlined in Appendix B.	Sighted fencing around Oxbow Site. Areas of predicted and actual subsidence salvaged from the Oxbow site.	Compliant			
2.03	Maintain sites identified for conservation, such as Waterhole and Glennies Creek Sites, in accordance with ACHMP(s) and relevant management plans including fencing, erosion control measures and site entry restrictions. No construction within 70m of the Waterhole site. Ongoing for life of mine	Fenced and signage Inductions GDP process	Compliant			
2.04	Ensure all personnel involved in earthworks or any type of disturbance on the ACP are appropriately trained / inducted and made aware of the cultural significance of the area, including site identification and materials likely to be uncovered. Personnel will be instructed to notify the Environment and Community Relations Manager in the event they identify any object which they believe to be of archaeological or cultural origin. Prior to commencing works on site	Content of ACOL's Environmental Awareness Training package was found to satisfy this commitment.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ARCHAEOLOGY AND CULTURAL HERITAGE MANAGEMENT PLAN, Version Date: 19/06/2015						
2.05	The Aboriginal stakeholders have been asked to consider the curation of the artefacts retrieved from the site. Should consensus not be reached by stakeholders within 3 years of the commencement of the relevant AHIP the artefacts will be stored as determined by the OEH. Ongoing	Stored onsite - consultation with RAPs indicated that at end of project artefacts are to be returned to country. Cataloguing process ongoing at the time of the audit.	Compliant			
2.06	Ensure that archaeological surveys are undertaken for any new impact areas and where required a project specific management measures prepared in consultation with stakeholders. Prior to commencing works on site.	As per GDP process.	Compliant			
2.07	Provide a first point of contact if Aboriginal people wish to visit any areas of conservation. Ongoing	Manager Environment and Community Relations	Compliant			
3.01	Following the discovery of new finds of Aboriginal objects – surface works will cease in the immediate area immediately and the area secured. Assessment of the site/object and subsequent management of the site will be carried out in accordance with the protocols provided in Appendix B. In addition, the site will be recorded on standard AHIMS site cards and lodged with AHIMS. Objects that are likely to be impacted are to be salvaged in consultation with stakeholders and archaeologist as outlined in Appendix B. If the site is considered by the archaeologist, in consultation with at least 2 RAPs, to be significant, OEH will be notified and a methodology for salvage will be developed with OEH and the Registered Aboriginal Parties. Surface works within the immediate area will only recommence on agreement in writing from OEH on the salvage methodology. The discovery of any previously unrecorded Aboriginal heritage sites.	No unexpected finds in the audit period	Not Triggered			
3.02	In the event that a potential burial is identified / discovery of skeletal remains– works will immediately cease in that area. No works to recommence until clearance is provided by OEH and/or where appropriate the NSW Police as per the protocol outlined in Appendix B. Identification of a potential burial or discovery of skeletal remains.	None in the audit period	Not Triggered			
3.02	AHIMS site cards have been designed to complement the AHIMS data structure as well as to meet the professional standards for archaeological recording of potentially sensitive information. All new sites (both previously unrecorded and relocated sites) will be recorded by an archaeologist on standard AHIMS site cards and submitted to OEH for registration on the AHIMS database.	Noted, all sites are on AHIP cards	Compliant			
3.02	An Aboriginal Site Impact Recording Form (ASIRF) must be completed and submitted to the AHIMS Registrar, for each AHIMS site identified within Schedules B and C of the relevant AHIP that has been salvaged or otherwise impacted as authorised under the AHIP. These must be submitted within one month of the action for the western panels and biannually for the eastern panels (or within 4 months of the completion of the actions authorised by, or expiry of, the relevant AHIP).	Contract archaeologist completes these tasks	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ARCHAEOLOGY AND CULTURAL HERITAGE MANAGEMENT PLAN, Version Date: 19/06/2015						
3.02	<p>A Cultural Heritage Management Report (western panels) is to be prepared and submitted to OEH two months prior to the extraction of the next seam. The report will contain as a minimum:</p> <ul style="list-style-type: none"> - Documentary evidence of Aboriginal sites and objects such as photographs, written records and comments made by the RAPS at each monitoring location within the AHIP area during the reporting period. - Include a map of landform units overlying the longwall panels within the AHIP area, that identifies the location of; <ul style="list-style-type: none"> o Longwall panels; o Aboriginal sites and objects; o Predicted versus measured subsidence impacts for the reporting period, including type and scale of impact; and o Any mining related surface disturbance activities, including subsidence remediation works, which were carried out during the reporting period. - Describe any revised proposed subsidence assessment of the potential impact to Aboriginal sites and objects within the AHIP area. - Describe the measures implemented to manage subsidence and how these were applied to reduce or avoid impacts to Aboriginal sites and objects within the AHIP area. - Describe any ongoing consultation with or involvement of RAPS in relation to the AHIP during the reporting period. - Describe how any Aboriginal objects or no-harm areas described in schedule A were managed during the reporting period. - Comment on the effectiveness of any Aboriginal heritage management plan that was in place during the reporting period. - Comment on the effectiveness of any mitigation measures that were implemented. 	Sighted Report, Aboriginal Heritage Subsidence Impact Monitoring Program Report, PG Seam LW 6B-8, BCD and Associated Mining Works. April 2016	Compliant			
3.02	<p>Within 4 months of the completion of the action authorised by the relevant AHIP i.e. the completion of mining within the eastern panels or the expiry of the AHIP (whichever comes first). The report must:</p> <ul style="list-style-type: none"> - Include a short summary of the report - Describe any ongoing consultation with or involvement of representatives of Registered Aboriginal Parties in relation to the AHIP - Describe how any Aboriginal objects or 'no harm areas' described in Schedule A of the AHIP were managed during the course of undertaking the actions - Provide a description of the methods and results of any salvage excavations - Detail any community collection of Aboriginal objects undertaken by the Registered Aboriginal Parties - Comment on the effectiveness of any mitigation measures that were implemented - Comment on the effectiveness of any management plan that was in place - If any Aboriginal objects were moved to a temporary storage location, a description of the nature and types of Aboriginal objects which are now at that location - Details of the results of any analysis of Aboriginal objects - Detail the long term management arrangement for any Aboriginal objects - Include a statement confirming that all Aboriginal Site Impact Recoding Forms have been completed and submitted to the AHIMS Registrar. <p>A copy of the Harm to Aboriginal Objects Report, including a summary of the report in plain English, must be sent by registered post to each Registered Aboriginal Party within 14 days of the report being submitted to OEH.</p>	Not yet required	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
STATUTORY REQUIREMENTS AND COMPLIANCE CRITERIA	3						
	3.1.1	Compliance criteria from the DA Schedule 2 Condition 6.1	2013 - HVAS Camberwell Village North exceeded the 90µg/m ³ over the annual averaging period (96µg/m ³).	Not Compliant	E	2	Medium
	3.1.2	Acquisition criteria from the DA Schedule 2 Condition 6.18	None within audit period.	Not Triggered			
	3.2	Monitoring Standards and Guidelines As detailed in DA Condition 6.14 and EPL 11879, the air quality monitoring equipment has been installed in accordance with the relevant guidelines and standards.	Noted, installation outside the audit period.	Not Triggered			
ROLES, RESPONSIBILITIES AND CONTACTS							
	4						
	4.1	Emergency Contacts	Contacts were out of date and require changes to reflect personnel changes	Not Compliant Administrative			
AIR QUALITY MANAGEMENT PROCEDURES							
	5						
	5.1A, Pg 15	Staff and contractor inductions will include where relevant an overview of dust management measures and responsibilities. This includes the duty to report observed significant dust emissions. Ongoing	The Environmental Awareness Training Packae was found to contain an overview of these measures and responsibilities.	Compliant			
	5.2A , Pg 15	The planning of any new activity with potential for significant dust generation will consider practical opportunities to minimise dust, and balance these considerations with any relevant competing considerations such as cost, timeliness, and other environmental or social factors. Any significant alteration or modification with potential for significant new dust emissions. Any significant alteration or modification with potential for significant new dust emissions.	No new significant alteration or modification with potential for significant new dust emissions within the audit period.	Not Triggered			
	5.3A, Pg 16	Weather Forecast Assessment Access weather forecast from reliable supplier, and assess potential risks to air quality impacts at surrounding receptors, considering likely wind direction and speed, recent and predicted rainfall and activities occurring onsite. Results of assessment to feed into Day to Day and Weekly Planning of mining operations. Key wind vectors and conditions for consideration in daily planning include: • Periods of dry times and predicted winds (greater than 20km/h). • Westerly / North-westerly (these winds occur throughout the year but are more prevalent during the winter months, Figure 2): o CHPP and NEOC area at risk for Camberwell. o Specific attention to low wind speeds when air dispersion is poor, and ACP (and other mine's) emissions may arrive at receptors at relatively elevated levels. • Periods when there are changes in wind direction, leading to airborne dust blowing back over itself, temporary wind stagnation, or ACOL's ability to estimate where potential ACP dust may go is restricted. As appropriate in pre-operational or shift planning meetings, or construction prestart meetings	Where activities have the potential to create environmental impacts that could be increased due to adverse weather conditions, this requirement is implemented	Compliant			
	5.3B, Pg 16	Day to Day Planning • Day-to-day planning of activities, taking account of forecast weather and actual weather conditions. Daily	Where activities have the potential to create environmental impacts that could be increased due to adverse weather conditions, this requirement is implemented	Compliant			
	5.3C, Pg 16	General • Keep disturbance areas to the minimum area required for activity. • Disturbance areas not required for ongoing activities will be promptly rehabilitated. At all times	This was reviewed through a site inspection. No areas requiring immediate rehabilitation were identified. Areas that would generate significant quantities of dust were identified.	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
	5.3D, Pg 17	<p>Haul Roads and Access Roads</p> <ul style="list-style-type: none"> Haulage roads must be surfaced in selected hard, non-friable material with a low silt/ fines content. Soft mudstone, claystone and shale must not be used. Roads are regularly graded to ensure that loose fine/ silty dustgenerating surface material is kept to the lowest level practicable. Obsolete roads will be ripped and re-vegetated as soon as practicable Roads and trafficked areas will be watered as required using water trucks to minimise the generation of dust. Regular monitoring of water application rates to maintain optimum suppression while avoiding over application and degradation of road surface. All reject haul roads will have edges clearly defined with marker posts or equivalent to control their locations. Speed limits on mine roads are restricted to 50 km/hr. Speed limits will be reduced if required to maintain dust emission at minimum levels. Grader speed will be maintained to below 8 km/hr (when grading). <p>Ongoing</p>	<p>Haul roads maintained as per traffic usage levels.</p> <p>Grading is conducted in an adequate manner that minimises dust emissions.</p> <p>No obsolete roads during the audit period.</p> <p>Watering of roads and trafficked areas viewed during site inspection.</p> <p>Regular monitoring by operators with irregular inspections by CHPP Manager and Maintenance Planner.</p> <p>Sighted marker post on haul road during the site inspection.</p> <p>Road rules on site specify the speed limits required.</p>	Compliant			
	5.3E, Pg 17	<p>Topsoil Stripping / Placement (unlikely)</p> <ul style="list-style-type: none"> Access tracks used by topsoil stripping equipment during their loading and unloading cycle will be watered. Minimise areas of disturbance. <p>During topsoil stripping</p>	No significant topsoil stripping during the audit period.	Not Triggered			
	5.3F, Pg 18	<p>Blasting (unlikely to be undertaken)</p> <ul style="list-style-type: none"> Minimise the area blasted. Meteorological conditions will be assessed prior to blasting. Adequate stemming will be used at all times. <p>When blasting</p>	No blasting during the audit period.	Not Triggered			
	5.3G, Pg 18	<p>Drilling (includes drilling in underground area)</p> <ul style="list-style-type: none"> Drill areas are wetted down prior to drilling during dry and windy conditions. Dust aprons will be lowered. Drills will be equipped with dust extraction cyclones, or water injection systems. Water injection or dust suppression sprays will be used when high levels of dust are being generated. <p>When drilling</p>	<p>Drillers checklist</p> <p>GDP</p> <p>Only one hole drilled in the audit period, a shallow groundwater piezometer.</p> <p>No drillers operating at the time of the audit, not able to be fully verified.</p>	Not Able to be Verified			
	5.3H, Pg 18	<p>Bulldozing</p> <ul style="list-style-type: none"> Minimise travel speed and distance. Apply water to travel paths where feasible. <p>When using bulldozer</p>	Most materials pushed by dozers are wet, that is, the rejects and the coal stockpiles.	Not Triggered			
	5.3I, Pg 18	<p>Conveyors and Hoppers</p> <ul style="list-style-type: none"> Belt conveyors, other than those whose functions preclude it, must be enclosed on the top and at least one side. Belt scrapers must be installed to effectively remove material from the underside of the belt. Raw coal dump hoppers must be fitted with an automatically activated dust suppression water spray system and windshields on three sides to a height of at least 2m above the dump grate. With respect to the underground raw coal dump hopper, its construction within the box cut adjacent to the highwall is likely to provide equivalent wind shielding. <p>At all times</p>	Observed in site inspection and confirmed at interview.	Compliant			
	5.3J, Pg 18	<p>Overburden and Stockpile Management Implement overburden and stockpile management to minimise dust generation:</p> <ul style="list-style-type: none"> The overburden emplacement area is predominantly vegetated, maintenance activities now occur on an as needs basis. Water application by fixed sprays or water cart on ROM pad and other coal stockpiles. Long term topsoil stockpiles will be re-vegetated <p>At all times</p>	Observed in site inspection and confirmed at interview.	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
	5.3K, Pg 19	<p>Alternative Measures and Long Term Strategies</p> <ul style="list-style-type: none"> ACOL will investigate and where appropriate utilise other such technologies and initiatives as required to ensure that potentially problematic dust emissions from ACOL operations are kept to a minimum. During the mining operations, actions in response to real-time monitoring data will be documented and operational responses applied to reduce dust emissions from the site. <p>As required/ where emissions are problematic</p>	No occurrences of problematic dust emanating from the ACOL site in the audit period	Not Triggered			
	5.4A, Pg 19	<p>Monitoring Network</p> <ul style="list-style-type: none"> Operate and maintain monitoring network in accordance with relevant standards and guidelines (refer Table 9). Refer to Section 6 for the justification and location of the monitoring network. The monitoring network will include: <ul style="list-style-type: none"> One (1) Tapered Element Oscillating Microbalance (TEOM) within Camberwell village (Site 8) measuring PM10 for compliance. At all times One (1) TEOM located to the west of the ACP (Site 7) as a management tool to assess "upwind" air quality. Connected in (near) real time to site computers via telemetry One (1) weather station. Connected in (near) real time to site computers via telemetry One (1) High Volume Air Sampler (HVAS) measuring Total Suspended Particulates (TSP) 24 hour result every six (6) days Four (4) dust deposition gauges. Collected and analysed monthly 	Reviewed in DA and sighted in site inspection	Compliant			
	5.4B, Pg 20	<p>When a mobile gas plant is used on Macquarie Generation owned land or within 100m of Property 130, air sampling near non-ACOL owned land will be implemented to measure methane levels.</p> <p>On Macquarie Generation Lands or within 100m of Property 130</p>	Not in the audit period	Not Triggered			
	5.4C, Pg 20	<p>The estimated contribution of ACOL's activities to the air quality monitoring results is to be assessed through consideration of "upwind" contributions measured at suitably placed monitoring stations used as management tools not for compliance.</p> <p>Where TEOMs record PM10 levels above criteria</p>	Discussed during the audit and sighted responses and results in the Annual Reviews.	Compliant			
	5.4D, Pg 20	<p>Equipment Calibration</p> <ul style="list-style-type: none"> All monitoring equipment must be calibrated as specified by the respective equipment manufacturer. <p>Reviewed annually for compliance</p>	Sighted calibration records.	Compliant			
	5.5A, Pg 20	<p>Summer Dust Suppression</p> <p>During summer months, as a result of the weather forecast assessment (5.3A above) and consideration of ground considerations efforts will be directed to application of water by water cart or static sprays to ancillary bare earth areas (in addition to the main trafficked areas) to minimise dust generation across the site.</p> <p>Where ground conditions are dry and predicted winds (greater than 20km/h)</p>	Not required in the audit period due to cessation of OC activities.	Not Triggered			
	5.5B, Pg 20	<p>Response Actions</p> <p>Response actions will depend on the activities occurring on-site at the time but may for example involve:</p> <ul style="list-style-type: none"> increasing the frequency of watering for exposed areas and stockpiles. increasing the frequency of watering on unpaved roads. Modifying the location or intensity of site activities depending on the sources contributing to elevated levels. <p>As required, with consideration to the intensity of activities onsite and the prevailing weather conditions</p>	Noted	Noted			
	5.6A, Pg 21	<p>A Non-Compliance Investigation will involve the following:</p> <ul style="list-style-type: none"> Date, time, location and nature of the exceedance. Identify the cause (or likely cause) of the exceedance and responsible parties. Identify the activities that were occurring at the time of the noncompliance; Determine the activities that were most likely contributing to the noncompliance; Describe what action has been taken to date. Describe the proposed measures to address the exceedance. <p>Compliance Evaluation (see Section 7 of Air Quality Management Plan) indicates non-compliance with the criteria and the ACP has potentially been the source of more than 50% (i.e. more than 25 µg/m³) of air quality level at Site 8.</p>	No non-compliances relating to ACOL activities in the audit period.	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
	5.6B, Pg 21	<p>Where possible, upon determining the likely cause of the exceedance, further investigation of the likely cause will be undertaken to determine if the appropriate management measures were implemented. The investigation may consider:</p> <ul style="list-style-type: none"> Where relevant measures were implemented at the time of the exceedance, were they adequate and sufficient? Where it is found that the measures implemented are insufficient, the measures will be reviewed and this will be documented to prevent similar potential exceedances. This will be communicated at daily / weekly meetings. Where relevant measures should have been implemented but were not at the time of the incident, discuss the non-compliance with the personnel involved and if necessary implement environmental training to relevant employees and contractors to ensure that appropriate measures are implemented in the future. <p>The corrective action may involve supplementary monitoring to identify the source of the non-conformance, or may involve modification of activities or programmes to avoid any recurrence or minimise its adverse effects.</p> <p>Upon determination of the likely cause of an ACOL non-compliance with criteria</p>	No non-compliances relating to ACOL activities in the audit period.	Not Triggered			
	5.6C, Pg 22	<p>Upon approval of this management plan, a trial will be commenced whereby ACOL will report all daily real time results exceeding 50µg/m³. The results of the trial will be reported in the next AEMR, and a review of this section of the management plan may be undertaken.</p> <p>Any exceedance of the 50µg/m³ will be reported within three working days of the exceedance, and where possible an initial report within one working day of the result becoming available. The report will include:</p> <ul style="list-style-type: none"> Result of daily average air quality result at Site 8 Prevailing weather conditions, wind speed and direction Whether there were any localised events that may contribute to the elevated result If possible, whether upwind data was above or below readings at site 8. <p>As required</p>	Some results that exceeded in 2014 following the approval of the AQMP have not been reported (evidence for reporting not able to be provided)	Not Compliant	D	1	Medium
	5.7A, Pg 22	<p>The Upper Hunter Air Quality Monitoring Network (UHAQMN) currently includes 14 monitors in the upper Hunter Valley. The monitors all record PM₁₀, with some monitors also recording PM_{2.5}, NO₂ and SO₂. The Camberwell monitor records PM10 and PM2.5. The UHAQMN will be utilised by ACOL as follows:</p> <ul style="list-style-type: none"> Understanding of regional dust levels. Comparison with levels measured by the ACOL network. Understanding of dust levels outside of the ACOL network that may be contributing to dust levels in the network. <p>As required</p>	Noted	Noted			
	5.7B, Pg 23	<p>ACOL will also address cumulative impacts through sharing data where relevant, and keeping in regular contact through mechanisms such as the Upper Hunter Mining Dialogue Emissions and Air Quality working groups (where functioning).</p> <p>As required</p>	Noted	Noted			
	5.8A, Pg 23	<p>Impacted Residence - Initial Consultation Consult with tenant or land owner regarding the air quality results and seek resolution of issue.</p> <p>Where a tenant or land holder is impacted or feels impacted due to the ACP operations</p>	None in the audit period	Not Triggered			
	5.8B, Pg 23	<p>Advice to Existing Tenants / Landholders - Condition 6.10f (i) Condition 6.10f (i) requires notification of existing tenants in writing of increase to fine particulate levels – as the NEOC has now been completed there are no anticipated impacts to existing tenants due to ACOL operations. No advice in addition to that supplied since the mine has been operating to any landowner or tenant is required at this stage.</p> <p>Where air quality monitoring or modelling of existing or future development shows an increase in fine particulate levels due to ACOL operations above the air quality criteria in Table 3, Table 4 and Table 5 of the Air Quality Management Plan</p>	None in the audit period	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
	5.8C, Pg 23	<p>Advice to Potential Tenants - Condition 6.10f (ii)</p> <p>In the circumstances where a mine-owned property is to be leased to a potential tenant, and air quality monitoring data or modelling indicates the potential for an exceedance of the specified criteria, the potential tenant is to be advised of the likely change to air quality and provided with a copy of the NSW Health fact sheet "Mine Dust and You" that can be accessed online at http://www.health.nsw.gov.au/environment/factsheets/Pages/minedust.aspx and also information relating to access of the ACOL website and the Upper Hunter Air Quality Monitoring Network station within Camberwell. Where the property is not mine-owned, but is subject to an agreement in respect to exceedances of air quality criteria, the agreement is to include a requirement for the landowner to include a letter from Ashton detailing the same information to any prospective tenant.</p> <p>New tenants and existing tenants on a two yearly basis</p> <p>OR</p> <p>Where air quality monitoring or modelling of existing or future development shows an increase in fine particulate levels due to ACOL operations above the air quality criteria in Table 3, Table 4 and Table 5 of the Air Quality Management Plan</p>	AQ Data shows no significant impacts to tenants for ACOL owned or independently owned residences.	Not Triggered			
	5.8D, Pg 24	<p>Advice to Existing and Future Tenants</p> <p>Existing and future tenants are to be provided with the following:</p> <ul style="list-style-type: none"> • A copy of the latest available fact sheet on mine dust from NSW Health (refer to http://www.health.nsw.gov.au/environment/factsheets/Pages/minedust.aspx); • Direction to access the online quarterly ACOL air quality monitoring data; • The Environmental Hotline number; • Contact details for the Ashton Community Consultative Committee members; • The details for access to the Upper Hunter Air Quality Monitoring Network data for Camberwell; and • This AQMP. <p>New tenants and existing tenants on a two yearly basis</p> <p>OR</p> <p>Where air quality monitoring or modelling of existing or future development shows an increase in fine particulate levels due to ACOL operations above the air quality criteria in Table 3, Table 4 and Table 5 of the Air Quality Management Plan</p>	AQ Data shows no significant impacts to tenants for ACOL owned or independently owned residences.	Not Triggered			
	5.9A, Pg 24	<p>In accordance with Condition 6.16 where a landowner or tenant believe they are being impacted by dust above criteria, ACOL will:</p> <ul style="list-style-type: none"> • Consult with affected landowner or occupant and, if agreed with the landowner, notify DP&E regarding request for independent monitoring; • Following consultation with nearby mines, make arrangements for, and bear the cost of, an independent dust investigation to quantify impact and determine the potential sources and the level of contribution from the ACP. • Modify the mining activity if impacts outside of consent conditions are demonstrated to result from the ACP activities (refer to Section 5.2 and 5.3 above); or enter into agreement with the landowner to provide amelioration of the impact as may have been agreed between the parties. • Conduct a follow up investigation, if necessary to the satisfaction of the Director General of DP&E. <p>On receipt of a written request from the land owner or occupant and direction from the Director General of DP&E</p>	Not in the audit period	Not Triggered			
	5.9B, Pg 25	<p>While specification of procedures for independent investigation is ultimately at the discretion of the independent investigator, the procedure would be generally expected to be consistent with the Protocol for Compliance Evaluation detailed within Section 7 of the Air Quality Management Plan.</p> <p>On receipt of a written request from the land owner or occupant and direction from the Director General of DP&E</p>	Not in the audit period	Not Triggered			
	5.9C, Pg 25	<p>Where a land owner disputes any dust mitigation or other measure proposed in the independent dust investigation, the matter shall be referred by either party to the Director General of DP&E in consultation with SSC. If the matter is not resolved within 21 days the matter shall be referred to the Independent Dispute Resolution Process defined in the development consent.</p> <p>Land owner dispute of mitigation measures.</p>	Not in the audit period	Not Triggered			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
	5.9D, Pg 25	Further Independent Investigations will cease upon determination of the Director-General of DP&E Director-General is satisfied that that the impact criteria (Table 3, Table 4 and Table 5 of the Air Quality Management Plan) are not being exceeded and it is unlikely they will be exceeded in the future, or that the agreement / amelioration agreed upon is satisfactory.	Not in the audit period	Not Triggered			
	5.10A, Pg 25	In accordance with Condition 6.17 (also refer to Acquisition Process Chart in the development consent), where independent dust investigations confirm an exceedance of long term annual PM10 or dust deposition criteria and criteria cannot be met, or agreement reached, ACOL will acquire the relevant property at the written request of the land owner in accordance with Condition 11.5-11.11 of the consent. If the impact is due to the cumulative effect of ACOL and other mines, the acquisition will be made in accordance with the Joint Acquisition Management Plan where prepared. Current ACOL operations and other sources impacting air quality will be taken into account in consultation with DP&E prior to negotiating acquisition. When long term impact criteria (Table 3, Table 4 and Table 5 of the Air Quality Management Plan) are exceeded and where changes to mining operations do not reduce dust levels below long term impact criteria, or an agreement cannot be reached.	Not in the audit period	Not Triggered			
	5.10B, Pg 26	In accordance with Condition 6.18, where independent dust investigations confirm an exceedance of short term 24 hour PM ₁₀ criteria and criteria cannot be met, or agreement reached, ACOL will re-assess dust levels based on acquisition criteria (Table 6, Table 7, and Table 8 of the Air Quality Management Plan). When these levels cannot be met, ACOL will acquire the relevant property at the written request of the land owner in accordance with Condition 11.5 - 11.11 of the consent. If the impact is due to the cumulative effect of ACOL and other mines, the acquisition will be made in accordance with the Joint Acquisition Management Plan where prepared. Current ACOL operations and other sources impacting air quality will be taken into account in consultation with DP&E prior to negotiating acquisition Where changes to mining operations do not reduce dust levels below acquisition criteria (Table 6, Table 7, and Table 8 of the air quality management plan), or, an agreement cannot be reached.	Not in the audit period	Not Triggered			
	5.10C, Pg 26	For continued complaints and dust investigations, ACOL will continue negotiations with land owners and other nearby mines where relevant until a resolution to the satisfaction of the Director General of DP&E is reached. Where the 24 hour PM10 level is less than 150 µg/m3 cumulatively, but greater than 50 µg/m3 of the project in isolation.	Not in the audit period	Not Triggered			
	5.11A, Pg 26	Environmental Hotline Maintain the Environmental Hotline 1800 657 639 for the recording of complaints and community enquiries. All comments and complaints are logged into a database. An initial response is provided to the complainant within 24 hours on a normal business day or the first business day following the complaint. At all times	See evidence in the DA	Compliant			
	5.11B, Pg 26	Complaints Complaints are managed in accordance with the ACOL complaint handling protocol. All complainants are provided an initial response within 24 hours or the next business day. For complaints that are received, but are proven to be unfounded, ACOL will discuss dust levels with the complainant. Consistent with the EPL, at a minimum the record of the complaint will include: • The date and time of the complaint; • The method by which the complaint was made; • Any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; • The nature of the complaint; • The action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and • If no action was taken by the licensee, the reasons why no action was taken. Refer to the EMS for detail in relation to the complaint management system. A flowchart for the management of complaints is also detailed within the conditions of development consent. Upon receiving complaint.	See evidence in the DA	Compliant			

Reference	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
OPERATIONS AIR QUALITY MANAGEMENT PLAN - Version D, Effective: April 2014							
	5.11C, Pg 27	<p>Properties with Agreement ACOL may establish agreements with residents in accordance with Conditions 6.16c(ii) and 6.49c(iii) of the development consent. These residents will be provided the opportunity to provide comments and feedback on the mine operations, which are recorded in a separate log but investigated in the same way as complaints from residents without agreements.</p> <p>Upon receiving inquiry</p>	Noted	Noted			
	5.11D, Pg 27	<p>Internet Site Maintain internet site (www.ashtoncoal.com.au) with as a minimum the following information related to air quality management: <ul style="list-style-type: none"> This management plan. Air quality monitoring data. Link to EPA Upper Hunter Air Quality Monitoring Network (UHAQMN) - http://www.environment.nsw.gov.au/aqms/uhunteraqmap.htm. </p> <p>Monitoring data updated every 14 days. The UHAQMN is updated on an hourly basis by EPA</p>	See evidence in the DA	Compliant			
	5.11E, Pg 28	<p>Community Consultative Committee A Community Consultation Committee (CCC) has been established to address any concerns raised by local members of the community. The CCC is chaired by a Councillor of SSC and is attended two ACOL representatives. CCC meetings include an update on ambient air quality during the preceding period, and detail if any changes to air quality are anticipated during the coming period.</p> <p>Quarterly</p>	See evidence in the DA	Compliant			
	5.12A, Pg 28	<p>ACOL maintains a commitment to the maintenance of best practice through an awareness of best practice dust reduction technologies and alternative operating methodologies Available best practice technologies will be reviewed on an ongoing basis, reported in the AEMR and considered in all Independent Environmental Audits. When any technologies are found to be feasible, reasonable and effective in the context of a safe and economic mining operation and where there is a clear public benefit in its application, ACOL will implement the technology.</p> <p>Continuous</p>	The majority of the requirement was met and the remainder is satisfied through lack of impact from the site on air quality values to neighbours and the environment at large during the audit period.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
BUSHFIRE MANAGEMENT PLAN, Version C Effective: December 2013 – December 2018						
2.1.5	Records of fire management should be kept within a database and mapped as part of BMP.	Management is documented and reported in AR's.	Compliant			
2.5.1	The APZ can be managed through slashing allowable areas on a regular basis to the conditions detailed in the NSW RFS document "Standards for Asset Protection Zones". This management is required on a needs basis, where fuel growth can be dependent on weather, seasons and climate.	Fire-break slashing of all applicable areas is undertaken annually before fire season.	Compliant			
2.5.1	The SFAZ can be managed through slashing fire breaks and crash grazing (stock) or mosaic hazard reduction burns for fuel management in grassland and grassy woodland areas. These can be managed in the designated Bushfire Management Zones. The application of these measures should include an environmental assessment of fuel loads and potential ecological impacts. Hazard reduction burns would require approvals from the NSW RFS.	Fire-break slashing of all applicable areas is undertaken annually before fire season. No further management actions are undertaken.	Compliant			
2.5.5	The ACOL Environmental and Community Relations Manager is responsible for ensuring the annual bushfire hazard assessments are conducted prior to each bushfire season. The assessments will review the following: <ul style="list-style-type: none"> Fuel loads and APZ setbacks to infrastructure are adequate and managed; Condition and routes for all fire access tracks are suitable for emergency operations; Any amendments or additions to the assets are detailed within the Plan. The inspections would involve experienced personnel with any significant changes to identified assets or access provisions referred to the local RFS.	The surface areas are inspected monthly by the E&C team, including the adequacy of fire breaks. The October 2016 inspection form was provided.	Compliant			
3.1	The ACOL Environmental and Community Relations Manager would be responsible for: <ul style="list-style-type: none"> Arranging for the annual inspections of bushfire fuel loading and adequacy of setbacks relating to the Asset Register and suitability of access and water supplies, prior to the bushfire season (September); Initiating actions to reduce fuel loads and maintain APZ, maintain suitable access and water provisions; and Recording the actions on the Asset Register. Provide an updated register or BMP to local RFS where changes have occurred.	The surface areas are inspected monthly by the E&C team, including the adequacy of fire breaks. The October 2016 inspection form was provided.	Compliant			
3.2	The ACOL morning meetings determine the conditions and response, and this is communicated to the employees and contractors. To support the determination, ACOL should check the NSW RFS website for the NSW RFS classification for Total Fire Ban and Current Fire Danger map	Not captured in Morning Meetings as these no longer take place, however control through Hot Works Permit and Works permits for people operating where there is a risk of fire.	Not Compliant Administrative			
3.4	Relevant actions and emergency response resulting from the ACOL BMP will be communicated to the employees, contractors, the local community (Camberwell) and the NSW RFS.	No such actions or responses within the audit period.	Not Triggered			
4.1	Asset protection provisions detailed in the BMP will be monitored on an annual basis. The ACOL Environmental and Community Relations Manager will be responsible for monitoring the condition of the bushfire mitigation services on ACOL lands and to coordinate any maintenance where required. The treatment recommendations in this Plan detail the methods and frequency for maintenance; however some elements are maintained on a needs basis and require monitoring and judgement. The monitoring effort would inspect the following: <ul style="list-style-type: none"> Roads and access condition; Fuel loads and interference on conveyor and powerline easements; Adequacy of fuel reduction areas (e.g. APZ, SFAZ, firebreaks); and Accessibility and suitability of water supplies (static water supply, dams, water tanker, fire fighting station, reticulation). Monitoring will also include identifying new assets that will be added to the asset register for bushfire protection.	The surface areas are inspected monthly by the E&C team, including the adequacy of fire breaks. The October 2016 inspection form was provided. Slashing/wippersnipping of firebreaks (including compound maintenance) was undertaken by site services. The Site Services planning minutes, along with the work time sheets from October and November with reference to firebreak maintenance (i.e. slashing) were provided.	Compliant			
4.2	This BMP should be reviewed on a 5 year cycle.	Review not triggered within the audit period.	Not Triggered			
Appendix 2	Slashing to be undertaken according to the BMP - Asset Management Register (Appendix 2 of BMP). Slashing required 4 times annually, annually or as required for relevant assets.	sighted in site inspection	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FLORA AND FAUNA (BIODIVERSITY) MANAGEMENT PLAN, Version Date: 01/08/2012						
Table 5 Flora and Fauna (Biodiversity) Management Actions and Responsibilities						
1.01	Collect baseline data prior to the commencement of the underground mining operations, to be used to monitor the impact of the operations on the aquatic ecosystem health. Completed prior to commencement of underground mining operations.	Commencement of underground mining is outside of the audit period.	Not Triggered			
1.02	Collect baseline data from temporary monitoring sites on the Hunter River prior to the commencement of Longwall 1, to be used to monitor the impact of the operations on the aquatic ecosystem health. Prior to mining Longwall 1 (if longwall 1 to be full length).	Commencement of underground mining is outside of the audit period.	Not Triggered			
1.03	Visual inspection of the area immediately behind the longwall face passage as outlined within Extraction Land Management Plan, including a visual inspection of mapped nest and den trees to identify if any are at risk of damage or failure. Fortnightly	Surveyors undertake fortnightly subsidence inspections. To date in the audit period there have been no trees at risk of damage or failure.	Compliant			
1.04	Undertake terrestrial fauna and habitat monitoring in accordance with the monitoring methodology outlined in Section 4. If no rainfall has been recorded for the season, the amphibian survey must take place in the last week of the season. Bi-annually	2015 Flora and Fauna Monitoring Report (Umwelt, 2016) states that "the data collected in accordance with the prescribed methodology has inherent bias and limitations. Umwelt has undertaken the 2015 fauna monitoring in generally accordance with the methodology outlined in the FFMP, and where deviations were required this is specified" Aquatic monitoring, including amphibian survey, undertaken as part of Marine Pollution Research	Compliant			
1.05	Undertake monitoring of the River Red Gum population at existing stands and reference sites as outlined within Section 4 and Table 1 to monitor the health and viability of these potentially groundwater dependant ecosystems over time and obtain data to assist with future regeneration and rehabilitation of the River Red Gum population on site. Bi-annually	Sighted 2014 Ecological Fauna Monitoring (Autumn and Spring 2013) including assessment of health of RRG following monitoring.	Compliant			
1.06	Conduct a research program to test roost box preference based on design, positioning and colour of the artificial roost. As many arboreal roosting and denning species may take several years to utilise artificial dens and roosts, roost and den box design and positioning will be re-evaluated every five years if targeted species are not using the boxes. To be incorporated into the bi-annual monitoring program.	Sighted Draft Report	Compliant			
1.07	Undertake aquatic fauna and habitat monitoring at established locations along Bowmans Creek in accordance with the monitoring methodology outlined in Section 4 and Table 1 to assess the long term stability of ecosystems against the pre-mining benchmarks. Bi-annually during mine operations and for at least 5 years following the completion of longwall mining under Bowmans Creek or until no significant impact can be confirmed.	Aquatic monitoring, including amphibian survey, also undertaken as part of Marine Pollution Research	Compliant			
1.08	Establish additional long-term stream monitoring sites in the excised sections of Bowmans Creek and in each of the diversion channels to monitor developing aquatic habitat attributes against existing habitat attributes. Prior to commencement of the Bowmans Creek diversion works.	Outside of the audit period.	Not Triggered			
1.09	Undertake monthly water quality monitoring program, with the location of monitoring sites within Bowmans Creek to be adjusted as the creek diversions come on line (refer to Water Management Plan). Monthly	As per ACOL SWMP	Compliant			
1.1	Undertake vegetation surveys within established rehabilitated tree plots annually three years after commencement of rehabilitation activities, in accordance with monitoring methods outlined in Section 4. Post-mine operations and rehabilitation.	As included in Annual Rehab (NEOC and BCD) Reports.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FLORA AND FAUNA (BIODIVERSITY) MANAGEMENT PLAN, Version Date: 01/08/2012						
1.11	Undertake bi-annual weed monitoring surveys within the Bowmans Creek riparian corridor immediately following the commencement of rehabilitation works. Bi-annually during mine operations and for at least 5 years following the completion of longwall mining under Bowmans Creek.	Weed Monitoring survey as part of Weed Management Plan undertaken annually.	Not Compliant Administrative			
1.12	Conduct field assessment of the areas overlying longwalls at the completion of each mining pass, to ascertain the extent of subsidence impacts on excised creek and riparian channel ecosystems. Where required, targeted riparian or habitat enhancement/protection measures will be recommended. On completion of each longwall panel.	Daily inspections of excised creek and riparian systems when subsiding in that area (as found in fortnightly subsidence reports).	Compliant			
1.13	Conduct post-mining aquatic monitoring to assess impacts to fish, fish passage, macroinvertebrates and aquatic habitat, and impacts to existing communities along Bowmans Creek from subsidence. Bi-annually during mine operations and for at least 5 years following the completion of longwall mining under Bowmans Creek.	Aquatic monitoring, including amphibian survey, also undertaken as part of Marine Pollution Research	Compliant			
1.14	Conduct pre and post-mining aquatic monitoring to assess impacts to aquatic habitat, and impacts to existing communities along the Hunter River from subsidence. Prior to and on completion of mining Longwall 1 (if longwall 1 to be full length).	Aquatic monitoring, including amphibian survey, also undertaken as part of Marine Pollution Research	Compliant			
2.01	Undertake seed collection in accordance with OEH guidelines and relevant licences. Collection of River Red Gum seeds requires a licence under the TSC Act. Spring, or when available.	No seed collection undertaken during the audit period.	Not Triggered			
2.02	Conduct pre-clearance inspections in accordance with the Vegetation Clearance Protocol (Appendix C). Prior to any clearing between March and June during the life of the mine.	No clearing of vegetation within the audit period.	Not Triggered			
2.03	Provide replacement hollows or nesting boxes in the southern woodland voluntary conservation area and within the riparian corridor, as detailed in the Vegetation Clearance Protocol (Appendix C). During all vegetation clearing activities.	No clearing of vegetation within the audit period.	Not Triggered			
2.04	Utilise hollow limbs, felled trees and woody debris from clearing activities to provide habitat, shelter and foraging opportunities for relocated animals and to restore aquatic ecosystems, as described in the Vegetation Clearance Protocol (Appendix C of Biodiversity Management Plan). During all vegetation clearing activities.	No clearing of vegetation within the audit period.	Not Triggered			
2.05	Undertake weed control and revegetation within the creek north and south of the New England Highway to enhance wildlife movement along the riparian corridor. As existing ponds and adjacent pools are likely to be continually colonised by mosquito fish and carp, it is no longer practicable to manage these for the threatened green and golden bell frog. Ongoing	Willows cleared from Creek North and South of the New England Highway during the audit period.	Compliant			
2.06	Vegetate the clean water dams at the eastern toe of the emplacement area in such a way to filter sediments and to create refuge opportunities for the green and golden bell frog (refer to Section 5.1). Ongoing	Evidence of vegetation/modification to suit frogs viewed in the clean water dams near dam 56 during the site inspection.	Compliant			
2.07	Implement feral animal control programs within the ACP area as described in Section 5.2. Ongoing	As summarised in AR's/	Compliant			
2.08	Fence the Bowmans Creek riparian zones (around diversions, the excised creek and the remaining creek) to exclude stock and provide stock watering points away from the protected riparian zones. Following construction of the diversion works	No stock in the area at all.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FLORA AND FAUNA (BIODIVERSITY) MANAGEMENT PLAN, Version Date: 01/08/2012						
2.09	Increase the existing riparian vegetated strip widths along Bowmans Creek such that the eastern diversion is planted out to a minimum of 93m and the western diversion is planted out to a minimum of 75m (Figure 2). Incorporate these expanded width riparian zones into the existing vegetation and terrestrial corridor system. Construction of Bowmans Creek diversions.	Detailed in Bowmans Creek Rehab Strategy. Also viewed during the site inspection.	Compliant			
2.1	Provide habitat offsets associated with the Bowmans Creek diversions (Figure 2), including 15.7 hectares of combined aquatic and riparian habitat, and 58.7 hectares of mixed riparian woodland and grassy floodplain woodland. Construction of Bowmans Creek diversions.	Sighted in site inspection, recorded in AR's and BCD monitoring reports.	Compliant			
2.11	Provide fish-friendly riffle and rock bar structures, resting pools to assist fish migration, and cobble bottom pools suitable for catfish nesting in the Bowmans Creek diversions. Fish passage will be maintained in the diverted creek sections under at least moderate flow conditions. Construction of diversions.	Detailed in Bowmans Creek Rehab Strategy. Also viewed during the site inspection. Also detailed in Aquatic Ecology Report.	Compliant			
2.12	Enhance the River Red Gum population by planting on the stream and upper banks of the Bowmans Creek diversions. Stock exclusion (fencing) will be provided to improve recruitment of juveniles. Ongoing	No stock in the area at all.	Compliant			
2.13	Manage the southern woodland voluntary conservation area in accordance with the Conservation Agreement. Specific management practices applicable to the conservation area are provided in Appendix D and these have been incorporated into relevant site protocols. Ongoing	As per Conservation Agreement.	Compliant			
2.14	Vehicle access will be restricted to formed trails for access to private property, management purposes as approved by OEH, fire fighting and/or any emergency requirements. Ongoing	No excessive vehicle tracks identified during the site inspection.	Compliant			
2.15	Maintain a free draining landform as detailed in the Extraction Land Management Plan. Ongoing	No excessive ponding noted in the site inspection	Compliant			
2.16	If subsidence induced pond formation occurs in the excised creek sections, riparian vegetation will be managed. Detection of pond formation in excised creek sections.	This has not occurred during the audit period.	Not Triggered			
2.17	Permanent marking of all nest and den trees within the subsidence impact area. Prior to mining Longwall 1.	Sighted Subsidence Repair Pre-clearance Vegetation Survey Report (Kleinfelder, 2016) - marking/recording of significant vegetation. Note: marked with flagging tape (not permanent), but GPS located.	Compliant			
3.01	Injured terrestrial animals that are found prior to or during clearing activities will be cared for in accordance with the Animal Ethics and Care Committee permit. If injured terrestrial animals are found prior to or during clearing activities.	This has not occurred during the audit period.	Not Triggered			
3.02	In the event of the detection of the masked owl or other threatened species within any habitat areas to be cleared, all clearing work will cease and further investigations will take place, in accordance with the Vegetation Clearing Protocol provided in Appendix C. Detection of a threatened species within any habitat areas to be cleared.	No clearing of vegetation within the audit period.	Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
FLORA AND FAUNA (BIODIVERSITY) MANAGEMENT PLAN, Version Date: 01/08/2012						
3.03	<p>Where perceptible impacts to terrestrial and aquatic habitat are noted, the following procedure will be followed and reported in accordance with Table 1 and Table 6:</p> <ul style="list-style-type: none"> x Undertake additional investigation to ascertain the actual cause (mine related or other); x Assess the impact against the performance measures and indicators detailed in Table 1 and Table 6; x If mine related, consult relevant government agencies; x Develop and implement a specific response plan to prevent further impacts; and x Undertake remediation as required. <p>Perceptible impacts noted during monitoring activities or exceedance of Performance Indices.</p>	No perceptible impacts that exceeded the performance indices have occurred during the audit period.	Not Triggered			
3.04	<p>Pre-clearance surveys (as part of ground disturbance permits) shall be used to identify the presence of any threatened species within construction or operations facilities at the ACP. Upon detection of a threatened species;</p> <ul style="list-style-type: none"> x An assessment will be undertaken regarding whether the species is a critical stage of its life cycle; and x Works will not recommence until the species has vacated the habitat or can be relocated. <p>Animals (non-breeding) will not be relocated without the consent of the OEH (breeding animals will not be disturbed).</p> <p>Upon detection of a threatened species.</p>	As per GDP Process reviewed during the audit period.	Compliant			
3.05	<p>Any disturbance planned or created, outside that allowed by the ground disturbance permits, will be reported to the Environment and Community Relations Manager as soon as practicable.</p> <p>Any disturbance planned or created, outside that allowed by GDP</p>	None reported in the audit period.	Not Triggered			
3.06	<p>In the event that it is not practical to maintain a free draining landform, an assessment will be undertaken into the suitability of creating a permanent wetland or stock watering point with due consideration given to the:</p> <ul style="list-style-type: none"> x Overall rehabilitation and final land use objectives of the ACP; x Use of riparian revegetation techniques (stock exclusion and provision of edge and emergent vegetation); x Feasibility of providing sustainable wetland habitat and its potential to support threatened species; x Impacts to terrestrial threatened species and /or loss of agricultural land; and x Risk of inrush into the underground workings. <p>Areas of ponding that are unable to be practically drained or filled to create a free-draining landform</p>	This has not occurred during the audit period	Not Triggered			
3.07	<p>Restoration of creek water quality/quantity using a supply of good quality make-up water.</p> <p>If any significant deterioration in water quality or quantity is identified as a result of monitoring.</p>	This has not occurred during the audit period	Not Triggered			
3.08	<p>Provision of engineering solutions for den or nest trees identified during the monitoring surveys that are at risk of damage, i.e. shoring up the tree and the ground with anchors and/or ground works.</p> <p>In response to outcomes of monitoring.</p>	This has not occurred during the audit period	Not Triggered			
3.09	<p>If a den or nest tree appears to be failing and an engineering solution is not possible, apply for NPWS licence to relocate the nests and undertake relocation actions.</p> <p>In response to outcomes of monitoring.</p>	This has not occurred during the audit period	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
LIGHTING MANAGEMENT PLAN, Version B Effective: September 2015							
Project Design	5.1 A	The Eastern Environmental Bund is planned for development as soon as practicable after commencement of mining operations. This will shield the village of Camberwell from the potential impact of trucks and dozers that may be operating on the Eastern Emplacement Area. Completed	Prior to the audit period	Not Triggered			
	5.1 A	Light shields have been placed on any large fixed equipment, such as conveyors or the train loading station, to direct the light where required. This is particularly relevant to the coal preparation plant and train loading facility that operates 24 hours a day, 7 days a week. Completed	This has been undertaken where possible as verified through staff interview.	Compliant			
	5.1 A	The ACP office facilities have been positioned below the ridge along Glennies Creek Road and are below the visual line of site. Completed	As verified through site inspection.	Compliant			
	5.1 A	The CHPP and Open Cut Contractor's facilities have been positioned at the western extremity of the infrastructure area, remote from the village of Camberwell and shielded from the New England Highway by environmental bunds. Completed	As verified through site inspection.	Compliant			
	5.1 A	The train loading system has been designed such that all trains will be loaded in a westerly direction, thereby ensuring that the lights from the locomotives are directed away from the village of Camberwell and do not directly impact any public roads. Completed	As verified through site inspection.	Compliant			
	5.1 A	Arboreal screens have been positioned in strategic locations to diffuse light emanating from the site. Completed	As verified through site inspection.	Compliant			
	5.1 A	Environmental bunds have been constructed at the following locations: <ul style="list-style-type: none"> • Adjacent to the ACP infrastructure area, north of the New England Highway. • Parallel to Glennies Creek Road, along the north western boundary. • The bunds have been vegetated with a mixture of overstorey and understorey species. • Tree planting along Glennies Creek Road, the slopes of the ridge south of Glennies Creek Road and adjacent to the New England Highway. Completed	As verified through site inspection.	Compliant			
	5.1 A	Visual screening will be used to reduce the visibility of gas bores on Macquarie Generation owned land to the Brunckers Lane / realigned Lemington Road and New England Highway as far as practically possible. Following construction of the gas wells.	Not installed.	Not Triggered			
	5.1 A	Visual tree screens will be constructed for the Ventilation Shaft and Mine Service Drop Holes approved in Modification 9 generally as shown by Schedule F of the Consent and Figure 2. The tree screen will use native species consistent with surrounding vegetation and the approved MOP. On completion of construction activities	As verified through site inspection.	Compliant			
Planning Controls	5.2A	All employees are responsible for the detection of potential lighting management issues on site. As required	Included in Environmental Awareness Training.	Compliant			
	5.2B	Ensure that haul roads are maintained with due consideration to the effects of mobile plant and vehicle lighting systems on non-mine owned properties and passing traffic. As required		Compliant			
	5.2C	Ensure all proposed external lighting is compliant with AS 4282. Prior to lighting purchase / renewal	This is noted, no finding is required to be made.	Noted			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
LIGHTING MANAGEMENT PLAN, Version B Effective: September 2015							
Operational Controls	5.3A	Lighting will be placed only in areas where it is required for operations and/or security and will be: <ul style="list-style-type: none"> • Focused on the subject area. • Down facing as much as possible. • Shielded where required. • Directed inwards toward the centre of the ACP away from Camberwell Village and passing traffic on Glennies Creek Road and the New England Highway as to avoid offsite impacts. • The minimum wattage that does not compromise safety or WHS requirements. At all times	No lighting complaints during the audit period.	Compliant			
Monitoring	5.4A	Undertake routine night time inspections of the site and surrounds to assess and correct lighting impacts to surrounding residences and public roads. Inspections are to consider: <ul style="list-style-type: none"> • Lighting considerations above in 4.3A. • Adequacy of vegetation on bunds and screens to reduce offsite lighting impacts. • Inspection of new lighting installations against AS4282. Quarterly or at time of light installation	Lighting is fixed. No need to undertake routine lighting inspections/no light installations during the audit period.	Not Triggered			
Response Actions	5.5 A	Complaints are managed in accordance with the ACOL complaint handling protocol and EMS. All complaints are recorded into a complaints register. All complainants are provided an initial response within 24 hours of the next business day. Complaints will be investigated and where impacts are from ACP operations response actions will be implemented. <p>Upon Receiving Complaint</p>	No lighting complaints during the audit period.	Compliant			
	5.5 B	Modify lighting (placement, shielding, wattage, direction) where monitoring identify potential for impact or complaint investigation determines impact. <p>As required</p>		Not Triggered			
	5.5 C	Attend to vegetation/rehabilitation of environmental bunds and screens where necessary to assist screening of lighting from the ACP. <p>As required</p>	This has not been required.	Not Triggered			
Continuous Improvement and Reporting	5.6 A	The LMP will be reviewed on an annual basis. It will assess any incidents of non-compliance with this management plan and any complaints received in respect of lighting management. <p>Annually</p>	This was found to be as such.	Compliant			

Commitment	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Noise Management Plan							
Table 7 Noise Management Measures							
Inductions	5.1A	As part of site inductions, employees, contractors and visitors to the site are reminded of their responsibility to undertake work activities in an environmentally sensitive manner, including minimising noise while on site, or entering and leaving the site.	Environmental Awareness training package was reviewed and found generally to comply with this commitment.	Compliant			
Planning Controls	5.2A	Day to Day Planning <ul style="list-style-type: none"> The use of significant noise generating equipment or activities simultaneously is avoided. The noisiest activities are scheduled to the least sensitive times of the day. 	Significant noise generating equipment no longer as applicable as open cut mining operation no longer continues. Worst Case scenario run in adverse weather conditions produced no notable impacts. (2014 AR)	Compliant			
	5.2C	Continuous monitoring and regular review of meteorological data, specifically wind speed, direction and temperature gradient strength, to guide decisions on how mining activities will be modified or suspended to achieve noise goals.	Reviewed monitoring data during site visit.	Compliant			
	5.2D	Review of noise monitoring results obtained during the previous year to ensure the accuracy of both ACOL acquisition and management zones, and to provide a forward plan of predicted noise levels for the year ahead. Any changes in assumed equipment, mine method or weather conditions since the noise and vibration assessment was completed for the EIS will be used in the model. This will allow ACOL to better understand noise issues on a yearly basis and modify methods, where required, to reduce impacts on likely affected receivers in the area.	Results of Annual noise monitoring have indicated compliance. No actions taken from the results and review.	Compliant			
Engineering and Operational Controls	5.3A	Equipment and Machinery <ul style="list-style-type: none"> Where possible equipment will be selected to have the minimal level of sound emission while maintaining productivity. All machinery, infrastructure and plant used on site will be maintained regularly to minimise noise generation. Maintenance may include sound power testing of relevant equipment. Where appropriate, all machinery and equipment will be shut off when not in use. Where possible broadband reversing alarms will be used in preference to conventional reversing alarms. Reversing alarms on mobile equipment are regularly maintained to ensure that they are correctly operating. Signal lights will be used to control the movement and speed of trains in the coal loading rail loop. Train horns are not permitted as a means of communication between coal loading activities and the drivers of the trains or vice versa. Continuous	No noise generating equipment purchased during the audit period. All plant and equipment as it was in the last audit period.	Compliant			
	5.3B	Eastern Bund <p>Construction of the eastern overburden dump has now been completed, with only intermittent activities associated with rehabilitation maintenance occurring in this area. Notwithstanding, the following controls apply to equipment operating specifically in this area:</p> <ul style="list-style-type: none"> Mobile plant with a sound power level of greater than 114 dB is not to be used at low level (<RL 120) on the eastern end of the Eastern Environmental Bund when the wind speed is in the range 1 – 3m/s and the direction of wind origin lies between West and North. Use of mobile plant with a sound power level of greater than 114dB should not occur at high levels (>RL 120) on the eastern bund when the wind speed is in the range 0.5 – 3m/s and the direction of wind origin lies between West and Northeast, or during inversions where the vertical temperature gradient is greater than +30/100m. If the sound power level of mobile plant is less than or equal to 114 dB(A), only the above restriction on wind speed and direction applies (0.5 – 3m/s and the direction of wind origin lies between West and Northeast). When working on the exposed face of the Eastern Environmental Bund	Only small plant/equipment used on Eastern Bund.	Compliant			
	5.3C	Engineering <ul style="list-style-type: none"> Engineering controls including the use of noise barriers, use of equipment in enclosed areas and attenuation may be utilised where an activity or use of equipment has the potential to cause an exceedance of noise criteria. A temporary noise barrier will be used to minimise drill noise while ever gas bore construction activities are in close proximity to Property 130. As required Where drilling in proximity to Property 130 boundary	No requirement for this action during the audit period.	Not Triggered			

Commitment	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Noise Management Plan							
	5.3D	<p>Low Frequency and Tonal Noise Reduction</p> <ul style="list-style-type: none"> The mobile equipment fleet is regularly serviced to maintain the efficiency of the equipment and help prevent increases in the emission of low frequency and tonal noise. Regular maintenance of underground ventilation fans, conveyor belt drives and rollers is conducted to minimise noise. The use of conventional reversing beepers is not permitted (outlined in Item 5.3A). <p>Continuous</p>	<p>Low Frequency Noise Monitoring as part of noise monitoring regime. No issues identified.</p> <p>Confirmed at interview with maintenance planner.</p>	Compliant			
Response Actions	5.4A	<p>Response Actions</p> <p>With the closure of the NEOC there is not expected to be any exceedance at private residences. However, if required, Response Actions will vary depending on the level and source of the noise emission. Response Actions refer to actions that can readily be undertaken onsite, and exclude activities that may be detailed in a Noise Reduction Plan (5.6C). Potential Response Actions are likely to include:</p> <ul style="list-style-type: none"> Review of existing operations and location of equipment operating. Review of Continuous Noise monitoring data to assist in the identification of noise source. Modify operations where safe to do so through changing the location of works or equipment used to complete works. If modifications to operations do not result in noise emissions falling to acceptable levels, suspend the relevant noise generating activity until conditions change and task is able to be completed while maintaining compliance. <p>Attended monitoring indicates exceedance OR Noise Complaint Received OR Adverse weather conditions present such as strong inversions present.</p> <p>Response Actions will be triggered within two hours of trigger where reasonable and feasible.</p>	<p>Not required during the audit period.</p>	Not Triggered			
Monitoring Protocol	5.5A	<p>Monitoring Network</p> <p>ACOL operates and maintains a monitoring network in accordance with relevant standards and guidelines (refer Section 3.2). The monitoring network includes:</p> <ul style="list-style-type: none"> Continuous Noise Monitor (real-time) – This provides the opportunity for ACOL to review its activities and respond to potential impacts proactively. These monitors are not used for regulatory reporting purposes as they are unable to separate ACOL noise levels from background noise within the village. Three (3) attended noise monitoring locations – used for monthly attended noise monitoring. One (1) real-time weather station. <p>Ongoing for continuous noise monitor and weather stations</p> <p>On a monthly basis for attended noise monitoring</p>	<p>Monitoring continues as per this commitment.</p>	Compliant			
	5.5B	<p>Confirmation of Noise Management Approach</p> <p>Undertake one targeted noise survey (in addition to monthly monitoring), during the winter months, targeting the night time period (10pm to 6am) with weather conditions conducive to noise generation and transmission, with all operational areas running (i.e. train loading and CHPP in operation). If the targeted survey, along with complaints data, demonstrates that the ACP operations are generating noise levels above impact criteria at private residences, then proactive measures detailed in the Management Plan will be reviewed and increased.</p> <p>Once during winter in noise conducive conditions with all aspects of ACP in operation</p>	<p>2015 - A worst-case scenario monitoring was not carried out during winter as required by Item 5.5B of the NMP</p>	Not Compliant	D	1	Medium
	5.5C	<p>Low Frequency and Tonal Noise Monitoring</p> <p>Attended noise monitoring will include monitoring for low frequency and tonal noise, with adjustments applied consistent with the NSW INP.</p> <p>Monthly (attended noise monitoring)</p>	<p>Low Frequency Noise Monitoring as part of noise monitoring regime. No issues identified.</p>	Compliant			
	5.5D	<p>Compliance Evaluation (refer to Section 7)</p> <p>All attended monitoring results that exceed impact assessment criteria are to be subject to Compliance Evaluation (Section 7) to determine if noise levels from the ACP are likely to have resulted in the exceedance of criteria.</p> <p>After attended monitoring event</p>	<p>No exceedances to trigger this evaluation.</p>	Not Triggered			
	5.5E	<p>Replacement Monitoring</p> <p>In the event meteorological conditions are not suitable (as per the Compliance Evaluation) further attended monitoring will be undertaken when conditions are suitable.</p> <p>When meteorological conditions are not suitable</p>	<p>Noted in 2015 AEMR that was not undertaken in May 2015.</p>	Not Compliant	D	1	Medium

Commitment	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Noise Management Plan							
	5.5F	Additional Attended Monitoring In the event that Compliance Evaluation (Section 7) of the attended monitoring results determines an exceedance of criteria is caused by the ACP, follow up monitoring will be undertaken at those locations identified to be in exceedance of criteria. Weekly until compliance with criteria is met	No exceedance of monitoring criteria in the audit period.	Not Triggered			
	5.5G	Adhoc Attended Monitoring Adhoc monitoring will be undertaken if requested and approved by the Environmental and Community Relations Manager. If requested and approved by the Environmental and Community Relations Manager	None requested.	Not Triggered			
	5.5H	Property 130 Attended Monitoring Noise monitoring will be conducted at the boundary of Property 130 during gas bore construction in proximity to the property boundary. Gas bore construction in proximity of boundary to Property 130	No such works undertaken.	Not Triggered			
	5.5I	Equipment Calibration All monitoring equipment must be calibrated as specified by the respective equipment manufacturer. Reviewed annually for compliance	In monthly attended monitoring reports.	Compliant			
	5.5J	Real Time Monitoring reporting As part of monthly reports, the real time noise monitoring data will be compared to the attended noise monitoring to ensure that there is consistency between real time and attended monitoring. It is important to note that the real time monitoring cannot be calibrated against attended monitoring, but can be checked for consistency. Monthly (within reports)	This is presented in ACOL Monthly Noise Monitoring Reports (Spectrum Acoustics)	Compliant			
Non-Compliance Investigation and Reporting	5.6A	Where the Compliance Evaluation (Section 7) indicates non-compliance with the criteria, a Non-Compliance investigation will be conducted, and will involve the following: <ul style="list-style-type: none"> • Date, time, location and nature of the exceedance. • Identify the cause (or likely cause) of the exceedance and responsible parties. • Identify the activities that were occurring at the time of the non-compliance; • Determine the activities that were most likely contributing to the non-compliance; • Describe what action has been taken to date. • Describe the proposed measures to address the exceedance. Non-compliance with criteria	No exceedances to trigger this evaluation.	Not Triggered			
	5.6B	Upon determining the specific event that caused the exceedance further investigation of the event will be undertaken to determine if the appropriate management measures were implemented: <ul style="list-style-type: none"> • Where relevant measures were implemented at the time of the exceedance, these measures will be reviewed to ensure that they are adequate and sufficient. Where it is found that the measures implemented are insufficient, the measures will be modified and this will be documented to prevent similar potential exceedances. This will be communicated at daily / weekly meetings and in the AEMR. • Where relevant measures were not implemented at the time of the incident, the non-compliance will be discussed with the personnel involved and if necessary implement environmental training to relevant employees and contractors to ensure that appropriate measures are implemented in the future. Corrective actions may involve supplementary monitoring to identify the source of the non-conformance, or may involve modification of activities or programmes to avoid any recurrence or minimise its adverse effects. Upon determination of cause of Non-Compliance	No exceedances to trigger this evaluation.	Not Triggered			

Commitment	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Noise Management Plan							
	5.6C	<p>Noise Reduction Plan</p> <p>If Compliance Evaluation or Independent Investigations confirm that noise impact assessment criteria are exceeded by the ACP, ACOL will prepare and implement a Noise Reduction Plan. The Noise Reduction Plan will include, the following actions:</p> <ul style="list-style-type: none"> • Introduction of additional controls, either on the noise emission from individual sources or changes to operations or sensitive receivers, to ensure that compliance with criteria is achieved where possible. • Negotiate with the affected landowner to reach a resolution to the satisfaction of the landowner and Director General of DP&E (if involved). The affected landowner may agree to negotiated compensation and/or ameliorative actions. If requested and successfully negotiated with the landowner, ACOL may undertake ameliorative works at the dwelling to achieve internal noise levels at least 10dBA below the relevant external noise criteria. Ameliorative works may include, but are not limited to: <ul style="list-style-type: none"> o Window double glazing. o Insulation. o Air Conditioning. • Conduct a follow up investigation, where necessary. <p>Upon exceedance of the noise impact assessment criteria</p>	No exceedances to trigger this evaluation.	Not Triggered			
Cumulative Noise Reduction Protocol	5.7A	<p>When attended noise monitoring determines that ACOL operations are not the primary cause of elevated noise levels, ACOL will inform neighbouring mining operations of its investigation and what it considers may be the likely source of the elevated noise levels. This will enable neighbouring mines to instigate controls as required.</p> <p>The Protocol sequence can be outlined as follows:</p> <ol style="list-style-type: none"> 1. Attended monitoring results indicate a breach of compliance criteria. 2. ACOL investigates likely primary contributor(s) to increased noise level. 3. If ACOL is the primary contributor instigate "Response Actions". 4. If one neighbouring mine is potentially the primary contributor, notify that mining operation of the potential issue. 5. Where no single party is identified as potentially the primary contributor, contact appropriate neighbouring mines and advise of the ACOL investigation results. <p>Where ACOL determine from attended noise monitoring that exceedances of the impact assessment criteria are occurring due to sources other than ACOL operations</p>	No exceedances to trigger this evaluation.	Not Triggered			
Impacted Residence Protocol	5.8A	<p>Advice to Existing Tenants / Landholders</p> <p>Notification will be given to existing tenants where operations are anticipated to result in noise levels above criteria stated in Table 4 – as the NEOC has now been completed there are no anticipated impacts to existing tenants.</p> <p>As required, where noise monitoring or modelling of existing or future development shows an increase in noise levels above the impact criteria (Table 4 of Noise Management Plan)</p>	No exceedances to trigger this evaluation.	Not Triggered			
	5.8B	<p>Advice to Potential Tenants</p> <p>In the circumstances where a mine-owned property is to be leased to a potential tenant and noise monitoring data or modelling indicates the potential for an exceedance of the impact assessment criteria, the potential tenant is to be advised of the likely change in noise levels. The tenant will be provided with information relating to access of the ACOL website. Where the property is not mine-owned, but is subject to an agreement in respect to exceedances of noise criteria, the agreement is to include a requirement for the landowner to include a letter from ACOL detailing the same information to any prospective tenant.</p> <p>As required, where noise monitoring or modelling of development shows an increase in noise levels above the impact criteria (Table 4 Noise Management Plan)</p>	No exceedances to trigger this evaluation.	Not Triggered			
	5.8C	<p>Advice to Existing and Future Tenants</p> <p>Existing and future tenants are to be provided with the following:</p> <ul style="list-style-type: none"> • Direction to access the online ACOL noise monitoring data. • The Environmental Hotline number. • Contact details for the Ashton Community Consultative Committee members. <p>New tenants OR Following approval of an updated NMP, or changes to other listed details OR Where noise monitoring or modelling of existing or future development shows an increase in noise levels above the noise impact criteria (Table 4 of Noise Management Plan)</p>	This has not been done.	Not Compliant	D	1	Medium

Commitment	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Noise Management Plan							
Independent Noise Investigation	5.9A	In accordance with Condition 6.49 (and Independent Noise/Dust Monitoring Process Chart defined in consent) where a landowner or tenant believe they are being impacted by noise above the impact criteria, ACOL will: <ul style="list-style-type: none"> Consult with affected landowner or occupant and if required notify DP&E regarding any request for independent monitoring; Following DP&E's directive to undertake an independent noise investigation, consult, make arrangements for, and bear the cost of an independent noise investigation to quantify impact and determine the potential sources and the level of contribution from the ACP. Take steps in accordance with a noise reduction plan (outlined in Section 5.6) including introduction of additional controls, provision of benefits or amelioration of impacts if required. Conduct a follow up investigation, if necessary to the satisfaction of the Director General of DP&E. <p>As required</p>	No such directives during the audit period	Not Triggered			
	5.9B	While specification of procedures for independent investigation is ultimately at the discretion of the independent investigator, the procedure would be generally expected to be consistent with the Attended Noise Monitoring Protocol, further discussed in Section 6.2. <p>As required</p>	No such directives during the audit period	Not Triggered			
	5.9C	Where a land owner disputes any noise mitigation or other measure proposed in the independent noise investigation, the matter may be referred by either party to the Director General of DP&E in consultation with SSC. If the matter is not resolved within 21 days the matter shall be referred to the Independent Dispute Resolution Process (as defined in consent). <p>Land owner dispute of mitigation measures</p>	No such directives during the audit period	Not Triggered			
	5.9D	Further Independent Investigations will cease upon determination of the Director-General. <p>Director-General is satisfied that that the impact criteria (Table 4 Noise Management Plan) are not being exceeded and it is unlikely they will be exceeded in the future</p>	No such directives during the audit period	Not Triggered			
Property Acquisition	5.10A	In accordance with DC Condition 6.50 (also refer to Acquisition Process Chart in as defined in consent), where independent noise investigations confirm an exceedance of the noise acquisition criteria, and impact assessment criteria cannot be met, or agreement reached, ACOL shall, at the written request of the landowner, acquire the relevant property. Acquisitions will be in accordance with Condition 11.5-11.11 of the consent. <p>When the acquisition criteria is exceeded (Table 5 of this document) and operational changes cannot reduce levels below impact criteria (Table 4 of this document), or, no other agreement can be reached between the relevant parties</p>	No property acquisition during the audit period.	Not Triggered			

Commitment	Condition	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Noise Management Plan							
	5.10B	For continued complaints and noise investigations, ACOL will continue negotiations with land owners and other nearby mines where relevant until a resolution to the satisfaction of the land owners or the Director General of DP&E is reached. Where noise investigations show that impact criteria is exceeded (Table 4 of Noise Management Plan), but acquisition criteria (Table 5 of Noise Management Plan) is complied with.		Not Triggered			
Community Notification and Liaison	5.11A	Environmental Hotline Maintain the Environmental Hotline 1800 657 639 for the recording of complaints. All comments and complaints are logged into a database. An initial response is provided to the complainant within 24 hours on a normal business day or the first business day following the complaint. At all times	As per DA	Compliant			
	5.11B	Internet Site Maintain internet site (www.ashtoncoal.com.au) with as a minimum the following information related to noise management: <ul style="list-style-type: none"> This management plan. Noise monitoring data. Noise data updated within 14 days of obtaining data required under EPL and/ or Following approval of an updated NMP	As per DA	Compliant			
	5.11C	Community Consultative Committee A Community Consultation Committee (CCC) has been established to address any concerns raised by local members of the community. The CCC is chaired by a Councillor of SSC and is attended by at least two ACOL representatives. The CCC meeting is to include an update on noise levels during the preceding period, and if any changes to noise levels are anticipated during the coming period. Quarterly	As per DA	Compliant			
	5.11D	Complaints Complaints will be handled in accordance with the EMS and the Process for Management of Complaints for Noise/Dust Impacts (as defined in consent). All complaints are recorded into a complaints log. Valid complaints will be investigated in accordance with the compliance evaluation procedures (Section 7) and, where exceedances are determined to be caused by ACP operations, the Response Actions will be implemented and a Non-compliance investigation conducted. For complaints that are received, but are proven to be unfounded, ACOL will discuss noise levels with the complainant where possible. Upon receiving complaint	As per DA	Compliant			
	5.11E	Properties with Agreement ACOL may establish agreements with residents in accordance with Conditions 6.16c(ii) and 6.49c(iii) of the development consent. These residents will be provided the opportunity to provide comments and feedback on the mine operations, which are recorded in a separate log but investigated in the same way as complaints from residents without agreements. Upon receiving enquiry	As per DA	Compliant			
Continuous Improvement	5.12A	ACOL maintains a commitment to the maintenance of best practice through an awareness of best practice noise mitigation technologies and alternate operating methodologies. When any technologies are found to be feasible, reasonable and effective in the context of a safe and economic mining operation and where there is a clear public benefit in its application, ACOL will implement the technology. Available best practice technologies will be reviewed on an ongoing basis, reported in the AEMR and considered in Independent Environmental Audits. This NMP incorporates best practice techniques for identifying potential noise related impacts and utilising appropriate management systems. The NMP also includes a community liaison programme, complaints register, response protocols and regular monitoring methods which are all best practice procedures in the mining industry. This NMP is regularly reviewed and updated to ensure best practice noise management techniques appropriate to the current operational status of the ACP. Continuous	There have been no noise exceedances in the audit period. Noise complaints have been negligible in the audit period (2 complaints and one of those regarded noise that on investigation was from another site - bulldozers when there were none operating at ACOL). Noise performance clearly needs no improvement and efforts are best placed in other areas which was what the site did through the audit period.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Spontaneous Combustion Management Plan						
Pg 10	ACOL will continue to liaise with Ravensworth Underground Mine in the management of the spontaneous combustion in the area, as required, during periods of active subsidence.	RUM Consultation provided. Spon Com no longer an issue to be liaised on as more relevant to surface operations than underground operations.	Not Triggered			
Pg 10	The rehabilitation of the tailings facility will require a review of potential spontaneous combustion risk as the tailings are allowed to dry		Not Triggered			
Pg 14 SCMP	Sealing leakage paths (grout pumping in to ribs or spraying surface). <ul style="list-style-type: none"> Reducing differential pressures or balancing across the pillar (reduce airflows, redesign ventilation circuit). Monitoring by statutory mining supervisors using hand held gas monitors and if required thermo graphic imaging. As required	None in audit period.	Not Triggered			
Pg 14 SCMP	Detection of surface leakage is difficult. Physical inspections do not generally show surface leakage due to the very small volume of airflow involved. Pressure measurements across seals underground will be used to detect the existence of surface connections to the goaf, and other leakage paths. Surface cracks will be repaired after subsidence effects have become stable. The Longwall Subsidence Management Plan identifies the surface inspection system and timeframe for remediation works. Sealing of underground roadways to isolate a potential zone of leakage from other mine workings. Pressure balancing of goaves to minimise the pressure differential thus limit air movement between the surface and workings. As required		Not Triggered			
Pg 15 SCMP	Detecting the onset of spontaneous combustion in a goaf is achieved through regular monitoring of gasses in the goaf environment. The goaf atmosphere is monitored using the mines tube bundle system and real time monitors as per the ventilation monitoring plan. A spontaneous combustion event of this type is dealt with by: <ul style="list-style-type: none"> Sealing leakage paths by maintaining seal integrity. Inertisation of the goaf void. Increasing production rates to bury the area and minimise oxygen supply. Changing the longwall airflow volume. Surface remediation to at cracks. Pressure balancing the goaf during production. Pressure balancing when longwall complete. 	Gases monitored in the goaf environment, as contained in Sitec (real time)	Compliant			
Pg 15 SCMP	Managed through baseline surveys and audits of high pressure zones to establish normal levels and identify risk status.	Underground.	Not Applicable			
Pg 15 SCMP	Monitoring for spontaneous combustion in the rider seams will be via the tube bundle system in the overlying seam using the goaf sample points. Management will be by: <ul style="list-style-type: none"> Reducing the pressure differential across the seams (either reducing panel ventilation or reducing the goaf drainage hole extraction rate). Injection of inert gas (nitrogen or carbon dioxide) into the active goaf. Injection of inert gas into the overlying seams. Sealing of surface cracks. Balancing pressure differentials. Sealing of the panel. 	This continues - monitoring conducted by ventilation engineer. No management measures required during the audit period. Note: No incidents of spon com underground.	Not Applicable			
Pg 16 SCMP	The AAMP is audited at intervals of no more than one year by a Ventilation Engineer as defined by Clause 130 of the Coal Mines Health and Safety Regulations 2006.	This is noted, no finding is required to be made.	Noted			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Spontaneous Combustion Management Plan						
Pg 16 SCMP	A review is also held when there are significant changes to ACOL activities or significant changes in ACOL's operating conditions, that may be but not limited to: <ul style="list-style-type: none"> Mining in a different seam. Change to the main mine fans. Addition of mine fans, either main fans or small capacity fans. Addition of booster fans. Changes in gas drainage system. Changes in the system of sealing panels. Other changes that effect mine pressures and gas flow in the mine. A written report of the audit or review is provided to the Manager of Mining Engineering with identified recommendations for improvements to the system. These recommendations will inform the update to the AAMP.	Th AAMP is reviewed regularly , revision table in document makes this clear.	Compliant			
Pg 16 SCMP	The Mining Manager will inform the CHPP Manager where mined coal seams show a propensity for self-heating. This will allow these coals to be identified and the duration of stockpiling minimised.	No such events during the audit period.	Not Triggered			
Pg 16 SCMP	Visual inspections of the CHPP coal stockpile will be undertaken for the presence of any evidence of heat haze, smoke emissions, odours or reports by machine operators of any sign that may indicate evidence of stockpiled coal self-heating.	Informal daily inspections undertaken.	Compliant			
Pg 16 SCMP	Where observed, the CHPP Manager is to be informed, who will direct the management of the potential heating observation.	Informal daily inspections undertaken resulting in such an action if required.	Compliant			
Pg 16 SCMP	All observations of a potential heating are to be recorded detailing the key aspects of the situation and observation for use in future risk analysis.	No significant spon com that may present a risk to operations or people has occurred in the audit period.	Not Triggered			
Pg 16 SCMP	Management of a spontaneous combustion event will be undertaken following a task specific risk assessment and may include the following: <ul style="list-style-type: none"> Where possible isolate the affected coal. If practical to do so, dig out the affected coal and spread in layers approximately 300mm thick. Track roll and saturate with water to dissipate heat and control dust. 	Management continues as per these directives. No significant spon com in the audit period	Not Triggered			
Pg 16 SCMP	All workers associated with stockpile activities will be provided awareness training during their induction that is specific to the CHPP and spontaneous combustion.	Stockpile Dozer Competency Assessment has been found to include stockpile hazards such as hot material.	Compliant			
Pg 16 SCMP	The CHPP Spontaneous Combustion Management Plan will be reviewed if there are: <ul style="list-style-type: none"> Significant changes to the CHPP operating plan. Significant incidents or adverse safety trends through the operations of the CHPP. 	Sighted Review Table (reviews triggered by changes in legislation and to include TARP)	Compliant			
Pg 16 SCMP	An internal audit of the plan will be conducted at intervals no longer than three years.	Sighted planned audit action as contained in CMO in compliance with this commitment.	Compliant			
Pg 17	Visual Inspections of the emplacement areas will be undertaken for the presence of any evidence of heat haze, smoke emissions, odours or reports by machine operators of any sign that may indicate evidence of stockpiled coal or rejects self-heating.	Daily Inspection undertaken by CHPP supervisor - sighted completed inspection form dated 7/6/16.	Compliant			
Pg 17	Where observed, the Environment and Community Relations and CHPP Managers are to be informed, who will direct the management of the potential heating observation.	Site inspection - saw the terraced areas at the tailings dam. Directed by CHPP Manager.	Compliant			
Pg 17	All observations of a potential heating are to be recorded detailing the key aspects of the situation and observation for use in future risk analysis.	Daily Inspection undertaken by CHPP supervisor - sighted completed inspection form dated 7/6/16.	Compliant			
Pg 17	Management of a spontaneous combustion event will be undertaken following a task specific risk assessment and may include the following: <ul style="list-style-type: none"> Where possible isolate the affected material. If practical to do so, dig out the affected coal and spread in layers approximately 300mm thick. Track roll and saturate with water to dissipate heat and control dust. Most workers working within the reject emplacement area will be provided awareness training through the Coal Preparation Course that is specific to signs of spontaneous combustion. 	Management continues as per these directives. No significant spon com issues within the audit period	Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Spontaneous Combustion Management Plan						
Pg 19	Among other purposes, the ACOL website is used to provide updates on the environmental management and monitoring results for the ACP. The SCMP will be updated on the ACOL website as required. On update of plan	SCMP updated on ACOL website as required during the validity of this MP. However this Plan is no longer required under the new DA Mod.	Compliant			
Pg 20	This SCMP will be reviewed and / or updated every five years, or within 3 months of the: <ul style="list-style-type: none"> • Lodgement of the Annual Environmental Management Report. • Modification to the conditions of the Development Consent which has the potential to alter spontaneous combustion. • Submission of an Independent Environmental Audit. • Substantial modification to the HSEC spontaneous combustion management plans. This plan and the implementation of the plan shall be subject to an annual internal audit and an external audit every three (3) years. Records of all audits should be maintained. In order to assess the performance of the management plan the following aspects will be considered: <ul style="list-style-type: none"> • What was the nature, frequency and extent of non-compliance (if any)? • Does the management plan and actions still fulfil the objectives? • Were the management actions and reporting completed as specified within the plan? • Are aspects of the plan now obsolete, inefficient or ineffective? The response to these aspects will inform the update of the SCMP.	Sighted review submitted to DP&E 29/6/15 - within 3 months of submission of 2014 Annual Review.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Waste Management Plan							
Effective 3/04/2014							
5. Waste Management Procedures							
General Controls	5.1A, Pg 8	ACOL will maintain the waste hierarchy philosophy for waste management, being: <ul style="list-style-type: none"> • Avoid – Avoid the generation of waste. • Resource Recovery (including reuse, reprocess, recycle and energy recovery). • Disposal – Dispose waste at an appropriate facility. At all times	Operations continues as per this commitment	Noted			
	5.1B, Pg 8	Waste Minimisation <ul style="list-style-type: none"> • Specifications of construction material quantities required will be as accurate as possible to avoid the over-ordering of materials and potential wastage. • Stock ordering will be regularly reviewed to ensure efficient stock control and avoidance of wastage. • The use of degreasers will be regulated in the workshop areas to ensure the efficiency of the oil water separator. • Effluent will be treated and irrigated onsite. At all times	Fines plant only construction within audit period, however not able to verify as works completed. Stock ordering reviewed regularly. Oil and water separator operated efficiently. Effluent continues to be managed as specified.	Compliant			
	5.1C, Pg 9	Signage, Education and Training <ul style="list-style-type: none"> • All waste storage areas are to be clearly marked, including the type of waste. • The induction of personnel to the site will include onsite waste management practices. • Clear written instructions are to be erected at appropriate locations detailing recycling and waste segregation principles. During site induction and at all times	Site inspection confirmed these requirements, some commentary during the interviews too. Waste management practices are also introduced in Environmental Awareness Training.	Compliant			
	5.1D, Pg 9	Spill kits will be kept in relevant vehicles and designated areas relevant to the waste potentially in that area. At all times	Site inspection confirmed compliance at the time of the audit.	Compliant			
	5.1E, Pg 9	Hydrocarbon Storage Bund(s) must be installed around areas in which fuels, oils and chemicals are stored. Bunds must: <ul style="list-style-type: none"> • Have walls and floors constructed of impervious materials. • Be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed). • Have walls not be less than 250 millimetres high. • Have floors graded to a collection sump. • Not have a drain valve incorporated in the bund structure. At all times	Site inspection confirmed compliance of all the bunds inspected (sample).	Compliant			
	5.1F, Pg 9	ACOL will 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 a licence under the Protection of the Environment Operations Act, 1997. For the storage, treatment, processing, reprocessing or disposal of waste if it requires an environment protection licence under Protection of the Environment Operations Act, 1997	This has not occurred.	Compliant			
Waste Segregation and Storage	5.2A, Pg 10	All waste will be segregated and stored in designated bins according to the waste type. <ul style="list-style-type: none"> • Dedicated bins will be located within buildings and workshop areas. • Dedicated bins will be emptied to larger skip bins as required. • Skip bins will be removed from the site by appropriately licenced contractors. • All waste storage vessels must be suitable for the waste contained and clearly marked or labelled to indicate waste type. • Waste storage locations must have regard to the proximity and type of other waste storage areas and site activities. At all times	Site inspection confirms compliance Contractors = JR Richards	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk																																			
					Consequence	Likelihood	Risk																																	
Waste Management Plan																																								
	5.2B, Pg 10	<p>Waste streams will be managed onsite as per the table below where feasible.</p> <p>At all times</p> <table border="1"> <thead> <tr> <th>Waste Stream</th> <th>Management Practice</th> <th>Trackable Waste</th> </tr> </thead> <tbody> <tr> <td>General Solid Waste</td> <td>Disposal to landfill</td> <td>No</td> </tr> <tr> <td>Hydrocarbon Contaminated Rags</td> <td>Disposal to landfill</td> <td>No</td> </tr> <tr> <td>Effluent</td> <td>Treated and irrigated onsite</td> <td>Disposed onsite</td> </tr> <tr> <td>Scrap Metal</td> <td>Reuse or Recycling</td> <td>No</td> </tr> <tr> <td>Waste Oil and Grease</td> <td>Recycling</td> <td>No (exemption)</td> </tr> <tr> <td>Oil Filters</td> <td>Recycling</td> <td>No (exemption)</td> </tr> <tr> <td>Timber</td> <td>Reuse or Recycling</td> <td>No</td> </tr> <tr> <td>Paper & Cardboard</td> <td>Reuse or Recycling</td> <td>No</td> </tr> <tr> <td>Batteries - Lead Acid</td> <td>Recycling where possible</td> <td>No (exemption)</td> </tr> <tr> <td>Printer cartridges recycled to 'Cartridges 4 Plant Ark' program</td> <td>Recycling</td> <td>No</td> </tr> </tbody> </table>	Waste Stream	Management Practice	Trackable Waste	General Solid Waste	Disposal to landfill	No	Hydrocarbon Contaminated Rags	Disposal to landfill	No	Effluent	Treated and irrigated onsite	Disposed onsite	Scrap Metal	Reuse or Recycling	No	Waste Oil and Grease	Recycling	No (exemption)	Oil Filters	Recycling	No (exemption)	Timber	Reuse or Recycling	No	Paper & Cardboard	Reuse or Recycling	No	Batteries - Lead Acid	Recycling where possible	No (exemption)	Printer cartridges recycled to 'Cartridges 4 Plant Ark' program	Recycling	No	JR Richards Waste Report captures these waste streams.	Compliant			
Waste Stream	Management Practice	Trackable Waste																																						
General Solid Waste	Disposal to landfill	No																																						
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Printer cartridges recycled to 'Cartridges 4 Plant Ark' program	Recycling	No																																						
Reuse and Recycling	5.3A, Pg 11	<p>General Recycling (Plastics, Paper, Aluminium and Steel)</p> <ul style="list-style-type: none"> Dedicated recycling bins will be located in buildings and workshops. Recycling will be transferred to a recycling skip bin. Waste paper will be stored separately in a dedicated bin to be collected by a recycling contractor as required. <p>At all times</p>	Viewed as pink bins onsite - dedicated recycling exits as verified by JR Richards Waste Reports.	Compliant																																				
	5.3B, Pg 12	<p>Building and Construction / Demolition Waste</p> <ul style="list-style-type: none"> Building and construction or demolition waste (metal, wood, glass and some plastics) will be segregated for onsite reuse or recycling. <p>As required</p>	No construction during audit vit.	Not able to be Verified																																				
	5.3C, Pg 12	<p>Batteries</p> <ul style="list-style-type: none"> Batteries (a hazardous waste), where suitable for recycling, will be kept within designated storage bins. Storage bins will be collected by a licenced contractor for recycling or disposal where recycling is not feasible. <p>At all times</p>	Storage bins onsite. Volume captured in Waste Report.	Compliant																																				
	5.3D, Pg 12	<p>Printer Cartridges</p> <ul style="list-style-type: none"> Where available printer cartridges will be recycled to 'Cartridges 4 Planet Ark' program or equivalent. <p>At all times</p>	This continues to be undertaken, also managed by JR Richards.	Compliant																																				
	5.3E, Pg 12	<p>Fuels and Oils</p> <ul style="list-style-type: none"> The use of fuels and oils will be restricted to designated areas. Drainage in these areas will be directed to the oil water separator. The use of degreasers will be regulated in the workshop areas to ensure the efficiency of the oil water separator. Dirty oil from vehicles etc will be stored in an appropriate receptacle, and will be removed from site by a licensed tanker for recycling. Any waste fuel and oil spilt to the ground will be collected by the onsite oil and water separator. The oil water separator will be periodically drained by a licenced contractor as required. <p>At all times</p>	This continues to be undertaken, also managed by JR Richards.	Compliant																																				

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Waste Management Plan							
Waste Treatment	5.4A, Pg 13	Effluent Effluent is treated on site. Treated effluent from offices and bathhouse will be pumped to an enviro-cycle tank. A sprinkler system will be connected to the tank and moved around revegetated areas and landscaped bunds as required in accordance with EPA license conditions and Singleton Council requirements. At all times	This continues to be undertaken, inspections occur (covered previously as part of EPL)	Compliant			
Special Waste	5.5A, Pg 13	Waste Tyres Waste tyres will be: • Used as road boundaries. • Removed from site for offsite recycling. Management and disposal of waste tyres	2 waste tyres sighted in yards over underground (near blue house)	Not Compliant	D	2	Medium
Hazardous Waste	5.6A, Pg 13	Hazardous Waste • Asbestos where encountered will be managed in accordance with the relevant WorkCover and Australian standards. • All hazardous waste, including batteries, will be individually segregated from other forms of waste. • Hazardous waste will be transported offsite by a licenced contractor to a facility licenced to receive that type of waste for recycling or disposal where recycling is not feasible. Management and disposal of hazardous waste.	,N no asbestos in audit period, other hazardous waste managed as above and transported offsite by JR Richards.	Compliant			
Disposal to Landfill	5.7A, Pg 14	Disposal to Landfill • Disposal is the last option in the management of waste, if avoidance, reuse or recycling is not practical. • General solid waste will be collected by a licenced contractor and transported to a licenced receiving facility. • The location of the licenced receiving facility is dependent on the selected waste contractor. • Details of the disposal destination will be recorded and only licenced waste facilities will be used for disposal. Disposal of waste to landfill	As managed by JR Richards.	Compliant			
Waste Transport	5.8A, Pg 14	For the offsite transport of all waste from the ACP the following information will be retained: • For trackable waste (refer to Schedule 1 of the PoEO Waste Regulations,) unless subject to an exemption, the relevant consignment authority and transport certificates must be obtained prior to removal of trackable wastes. • Dangerous goods requirements are adhered to where required. • Company name and details of transport contractor, including: o ABN. o Vehicle registration and driver details. o Date and time of transport. o Quantity and classification of waste transported. • Name and details of receiving facility, including: o ABN and address. o EPL number (if required). o Confirmation that facility can accept transported waste. Offsite transport of waste	Waste Tracking Certificates show company name and ABN, Quantity and classification of waste transported and transport and facility license numbers. The rest of the required information is held in contract management files.	Compliant			
Monitoring	5.9A, Pg 15	Monitoring of waste will include: • The type and volume of waste generated. • Contractor who removed the waste and its destination. Continuous	As per monthly waste reports	Compliant			
	5.9B, Pg 15	Monitoring of site waste management practices will include: • Signage and suitability of waste receptacles and segregation practices onsite. • Education materials for waste management and minimisation are erected at appropriate locations. • Odour from waste receptacles. • Effluent treatment facilities are operating appropriately. • Hydrocarbon bunding is intact. • Spill kits are appropriately specified and located. • Oil water separators are working effectively. Monthly	JR Richards conduct inspections, etc from which management actions are communicated to CHPP and underground surface staff.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Waste Management Plan							
Response Actions	5.10A, Pg 15	<p>Waste generation will be reviewed to determine:</p> <ul style="list-style-type: none"> • Recycling and solid waste volumes and proportions. • Opportunities to increase rates of reuse and recycling. • Opportunities for waste minimisation. <p>Annually, or Where monitoring indicates solid waste disposal volumes are increasing, and are not due to construction activities</p>	Reviewed for the purpose of AR, any outcomes from this review are discussed in the AR.	Compliant			
	5.10B, Pg 15	<p>Waste management will be monitored and reviewed. Upon detection of incorrect / ineffective procedures, ACOL will:</p> <ul style="list-style-type: none"> • Review the procedures implemented. • Implement additional controls where appropriate. • Undertake additional staff training where appropriate. <p>As required</p>	Reviewed for the purpose of AR, any outcomes from this review are discussed in the AR.	Compliant			
	5.10C, Pg 16	<p>Spill kits will be kept in relevant vehicles and at designated locations to contain and rectify spills.</p> <p>At all times</p>	Spill kits noted during site inspection.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Water Management Plan							
11/05/2016							
Introduction	1.1	Rejects disposal to the NEOC was approved under Section 100 of the Coal Mine Health & Safety Act (2002) on 1st March 2012. The Section 100 Application Report (Cardno, 2012) states that to meet geotechnical and stability requirements, the groundwater level within the rejects emplacement must not rise to within 3 m of any coarse rejects surface.	Reported weekly, TARP system enacted according to monitoring data. Citect shows levels in real time and is alarmed.	Compliant			
Site Water Balance	2.3	An annual retrospective site water balance for the reporting period is documented in the Annual Environmental Monitoring Report (AEMR).	As reviewed in AR's.	Compliant			
	2.4	Measures to minimise clean water use include: <ul style="list-style-type: none"> • Recovery of tailings bleed water and use of this as a priority for CHPP and truckfill demand on site instead of WALs. • Continued supply from Glennies Creek Mine where the water quality is suitable for intended site uses. • Storage and use of runoff from disturbed areas in preference to using WALs. • Use of water reclaimed from underground operations in preference to using WALs. • Maintenance of water management infrastructure to ensure efficient operation and minimisation of wastage. 	No water extracted from Hunter River, etc... as discussed previously.	Compliant			
Bowmans Creek Diversion Management Plan	3.5	Bowmans Creek Diversion Design Criteria					
	Table 7	Conveyance Divert flows up to 5 year ARI 152 m ³ /s Minimise seepage losses in 80th – 100th percentile low flow range Seal under low flow channel (80th percentile flow = 2 ML/d = 0.023m ³ /s) Channel Morphology and Stability Channel shear stress Comparable to existing Low flow channel cross section and longitudinal profile Mimic existing Floods inundate low level floodplain Inundation at least once per year Channel Alignment and Geometry Maximise channel length with sinuosity within defined corridor Existing E channel grade 0.17% Existing W channel grade 0.39% Batter slopes comparable to existing channel 1:3.5 – 1:11 (V:H) Maintain comparable lower active floodplain Range 21 – 35 m width Maintain comparable width of incised creek corridor Range 50 – 100 m width Sinuosity Mimic existing channel sinuosity as far as possible Flood Levels and Flood Storage 100 year ARI flood level at Highway No increase Flow velocity at Highway Peak 100 year ARI velocity 4.3 m/s Floodplain storage No significant loss of storage Fish Passage and Aquatic Habitat Fish passage when creek flowing Passage possible in moderate flows Provide appropriate pool and riffle sequence Mimic existing channel Maximum bed slope of riffles Approximately 5% Maintain comparable pool area 0.9 ha Riparian and Low Active Floodplain Ecology Maintain area of lower active floodplain area inundated in 1 year ARI flood 6.7 ha Improve habitat value of lower active floodplain Revegetate and exclude domestic stock Ecosystem resilience Create robust, relatively self-sustaining ecosystem Establish plant communities characteristic of those present prior to European colonisation	Design prior to audit period.	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Water Management Plan							
	Table 8	Bowmans Creek Diversion Performance and Completion Criteria					
		<p>Geomorphology and Channel Stability</p> <p>Absence of permanent channel scouring Visual inspection after minor floods during first three years. No visible scouring. Repair any significant scour and revegetate as necessary.</p> <p>Geometry of diversion channels Establish ten permanent survey sections in each diversion channel. Survey these cross and long section (along the channel thalweg) at the following times after completing construction of the diversion channels: • 6 months; • 1 year; • 2 years; • 5 years; • 10 years; • After floods with peak flow* > 150 m³/s. Compare channel sections against earlier surveys and any changes in reference sites to assess trajectory towards long-term stability (assessment qualified fluvial geomorphologist). Evident trend towards longtermstability (by qualified fluvial geomorphologist).</p> <p>Channel geometry at existing reference sites Re-survey cross sections in remaining active sections of channel every 5 years and after floods with peak flow* > 150 m³/s. None (for comparison with diversion channel sections).</p> <p>Bed load transport At same time as above surveys, sample channel bed at four locations in each diversion channel (two pools and two riffles) and at eight comparable representative sites in the remaining active sections of the creek. Undertake particle size distribution analyses on samples. Statistics of data from the diversion channels within 20% of that from the existing channel. Review by qualified fluvial geomorphologist to assess trend and recommend corrective actions.</p> <p>Stream Health</p> <p>Fish passage and aquatic ecology of diversion sections Macro-invertebrate sampling of diversion reaches using AusRivAS protocols, fish sampling, habitat diversity assessment, water quality sampling and assigning site scores for Macroinvertebrate diversity, site SIGNAL index, site fish lists and site RCE aquatic habitat condition and comparing against baseline site mean ± SD scores. Baseline sites comprise: • corresponding sites within the creek sections excised (pre-excision); and • reference sites in the existing creek. New site scores are consistently within or above the range (Baseline Excised Site Mean – SD) score and consistent with trend in reference sites. Review by aquatic ecologist to assess trend, whether change is natural expected change or otherwise and recommend corrective actions.</p> <p>Rehabilitation</p> <p>Community Structure (Phase 2* – vegetation elements that provide habitat niches) Bi-annual surveys to record growth rates, species abundance as well as percentage cover to determine a final structural complexity index. Structural complexity scores will be achieved by sampling complexity using a modified vegetation complexity assessment method as first developed by Newsome & Catling (1979). Quantitative data compared with data sets from reference sites to assess success of this phase. Feedback to planting program and modification</p>	Geomorphology report confirms these requirements were monitored..	Compliant			
			floods with peak flow* > 150 m ³ /s has not happened within the audit period.	Not Triggered			
			Geomorphology report confirms these requirements were monitored..	Compliant			
			Reported in AR's	Compliant			
			Reviewed Kleinfelder 2016 Monitoring report for BCD, it is generally in compliance with the requirements here.	Compliant			
Monitoring Program	3.6	ACOL will undertake monthly review of streamflow data in Bowmans Creek at the two streamflow gauging stations on Bowmans Creek (refer Section 5.1.1 and Section 5.2 for relevant surface water impact assessment criteria).	3 stream flow gauging stations in Bowmans Creek however they are not currently operating to satisfactorily provide data that is able to be reviewed as per this commitment. This is due to base flow bypassing some stations and not others. Reviews are conducted. ACOL keep a measure on the losses from Bowmans Creek by review of inflows the to the UG. Sighted evidence of the data review, checking and reporting. Recommendation - This requirement should be removed from the next revision of the WMP.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Water Management Plan							
Erosion and Sediment Control Plan	4	<p>Specific measures used at the ACP include:</p> <ul style="list-style-type: none"> Contour drains and drop structures on the NEOC waste rock emplacement (refer Figure 6); Collection drains at the toe of the NEOC waste rock emplacement and around the perimeter of the NEOC and administration areas (refer Figure 6); Direction of runoff from disturbed areas to mine water storages (refer Section 1.1); A levee bank constructed between the Settling Dam and PWD and Bettys Creek; Any subsidence cracking is repaired quickly and seeded using equipment suitable for the size of the area undergoing remediation; Coal stockpiling occurs on stabilised platforms; Drill sumps are contained on site and not allowed to spill; Drill pads are constructed with silt fence around the perimeter, with the pads themselves constructed using road base material (low fines fill); Sealing of some roads; On unsealed roads, maintenance is carried out to avoid erosion with table drain outlets directed to well grassed areas; Water ponded in areas of subsidence may be pumped out or removed by gravity drainage, while backfilling may occur if no further subsidence is predicted in the given area (subsidence management occurs in accordance with the Subsidence Management/Extraction Plan – ACOL, 2012b); Repairs of subsidence induced surface cracking or instability are implemented in a timely fashion following occurrence by regrading, ripping or infilling followed by revegetation; Use of silt fences and hay bale filters (Landcom, 2004) associated with soil and alluvial stockpiles and downstream of channel excavation in the BCD construction area; Upslope diversions around the gas drainage plant (refer Figure 6); Revegetation of stockpiles at the BCD. 	As sighted during audit inspection and during interviews with staff at the time of the audit visit.	Compliant			
	4	<p>Monthly inspections of sediment control structures, as well as inspections following significant rainfall events (more than 25mm in 24 hours), are conducted by ACOL personnel. During these inspections, sediment control structures are inspected for capacity, structural integrity and effectiveness.</p> <p>Where inspections indicate substantial accumulation of sediment in a storage, clean-out is undertaken so as to reinstate the minimum required volumes given in Table 9.</p>	Undertaken - sighted completed inspection sheets as well as alarm notification for rainfall event >25mm in 24hrs.	Compliant			
	4	Silt fences and straw bale filters are inspected and trapped sediment removed or straw bales replaced as necessary.	Undertaken as per inspections reviewed.	Compliant			
	4	Monthly inspections of the NEOC waste rock emplacement are undertaken to identify any areas of erosion that may require remediation by re-seeding, regrading or reinstatement of drainage paths.	As part of monthly E&C inspection	Compliant			
	4	Stabilised areas at the BCD are routinely inspected and monitored to ensure that the risk of erosion has been effectively reduced. Any repairs or remedial measures are implemented as required.	As part of monthly E&C inspection, FF Monitoring and Geomorph Inspections	Compliant			
Surface Water Management Plan	5.2	Surface Water Impact Assessment Criteria					
	Table 16	Surface Water Impact Assessment Criteria					
		Surface water quality (local watercourses)					
		<p>pH EC TSS TDS</p> <p>Either</p> <p>If recorded value at a monitoring site is greater than the xth percentile of baseline data* for 3 consecutive readings or, for pH, less than the yth percentile of baseline data for 3 consecutive readings, where:</p> <p>x = 80 during periods of flow x = 95 during periods of no flow y = 20 during periods of flow y = 5 during periods of no flow</p> <p>Or</p> <p>If recorded value at a monitoring site differs extremely from the preceding 3 readings at that location and there are no unusual events that could have caused the difference</p>		Noted			
		Bowmans Creek Streamflow (total)					
		<p>Recorded flow at FG1 & FG2</p> <p>If the 7-day total recorded streamflow at FG2 is less than 90% of the 7-day total recorded streamflow at FG1 (i.e. 10% flow reduction) over 7 or more consecutive days, except for the first 7 days following a period of zero or immeasurable flow which occurred for more than 14 days. Assessments to be undertaken quarterly.</p>		Noted			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Water Management Plan							
	5.3	Monitoring Program					
		Check monitoring is done in accordance with Table 18, AEMRs	All of these parameters are monitored as per Table 18. Monitoring is presented as an Appendix to AR's.	Compliant			
Groundwater Management Plan	6.2	Groundwater Impact Assessment Criteria	Sighted AGE May 2016 Groundwater Monitoring Report showing monitoring results in comparison with relevant TARP levels. Any anomalies are assessed in accordance with Groundwater Response Plan.	Compliant			
	6.2	In accordance with Section 8.2 of the Development Consent, the following quality assurance/quality control measures form part of the SWMP: <ul style="list-style-type: none"> Surface water quality monitoring and sample collection, storage and transportation are undertaken in accordance with the procedures outlined in the relevant sections of the Australian Standard for Water Quality Sampling AS/NZS5667.1-1998 and by a suitably qualified and experienced contractor. This includes the use of proforma field sheets and chain of custody records. Laboratory analysis is undertaken by a laboratory which has relevant accreditation by the National Association of Testing Authorities (NATA), Australia or equivalent. Results of all water quality monitoring that is required under EPL 11879 is reviewed internally each month by ACOL prior to the data being uploaded to the Ashton Coal website. 	As in CBE monthly report reviewed during the audit visit.	Compliant			
	6.2	ACOL undertake routine monitoring of water usage, water imported to the mine and volumes of water stored on site, as part of a program of monitoring to verify the mine site water balance. The data is used to: <ul style="list-style-type: none"> monitor trends in water use and efficiency; check stored water inventory; validate or re-calibrate the mine water balance; and assist in future mine water supply and management planning. 	Compliance verified as per flow meter monitoring database reviewed during audit visit. Water usage reviewed and resources re-calibrated annually as part of site water balance and reported in AR's.	Compliant			
	6.2	Flow meters are shown on Figure 3 and are typically monitored on a monthly basis. Water levels in all mine water storages (Table 1) are also typically recorded on a monthly basis.	Compliance verified as per flow meter monitoring database reviewed during audit visit.	Compliant			
	6.2	Site water balance reviews are undertaken on at least an annual basis as part of the AEMR.	Verified through a review of the AR's for the audit period.	Compliant			
	6.2.1	Groundwater Levels					
		Bore					
		Base of Alluvium					
		Trigger Value (end of mining UL Seam)					
		Bowmans Creek Alluvium*					
		WMLP323	57.7	58.4			
		WMLP311	54.9	56.2			
		T2A	51.8	52.5			
		WMLP328	54.7	55.2			
		Glennies Creek Alluvium					
		WML120B	50.0	51.7			
		WML129	45.0	50.4			
		WML239	45.4	50.8			
		Hunter River Alluvium					
		WMLP279	37.4	49.0			
		WMLP280	43.3	48.8			
		WMLP337	45.6	47.8			
					Noted		

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Water Management Plan							
	6.2.2	Groundwater Quality Bowmans Creek alluvium: • A confirmed pH trend below 6.5 or above 8.0 pH units. • A confirmed EC trend above 2000 µS/cm. Hunter River Alluvium: • A confirmed pH trend below 6.2 or above 8.0 pH units. • A confirmed EC trend above 3100 µS/cm. Glennies Creek alluvium: • A confirmed pH trend below 6.2 or above 8.0 pH units. • A confirmed EC trend above 2000 µS/cm.		Noted			
				Noted			
				Noted			
	6.3	Monitoring Program					
		Check monitoring in accordance with Tables 22, 23, 24 is carried out, see AEMRs	Verified through review of Groundwater Monitoring and Calculations database during the audit visit.	Compliant			
	6.3.2	Routine (typically monthly) monitoring of pumped transfer of mine water and water imported to the ACP is undertaken using a network of flow meters (refer Figure 3).	This continues as such.	Compliant			
	6.3.2	Water balance calculations undertaken as part of the annual water balance review (Section 5.3) for the NEOC use monitored flow rates, water levels and modelled estimates of rainfall runoff, to estimate groundwater inflows to the open cut void.		Noted			
	7.2	In the event of a surface water assessment criterion (Table 15) being exceeded, the following protocol will be followed: 1. Check and validate the data which indicates an exceedance of the criterion, including whether the exceedance is ongoing. 2. A preliminary investigation will be undertaken to establish the cause(s) and determine whether changes to the water management system or operations are required. This will involve the consideration of the monitoring results in conjunction with: a) site activities being undertaken at the time; b) baseline monitoring results; c) predictive modelling; d) surface water monitoring at nearby locations and upstream (including NOW stations); e) the prevailing and preceding meteorological and streamflow conditions; f) available data indicating releases from upstream regulating storages or other sites; g) changes to the land use/activities being undertaken in the contributing catchment area; and h) hydrological conditions. 3. If the preliminary investigation shows that the impact is linked to activities undertaken by ACOL, a report will be emailed to the DPE and any other relevant department. Causal factors will be addressed and rectified if possible. Contingency measures will be developed in consultation with the DPE and any other relevant department and implemented in response to the outcomes of the investigation. 4. Remedial/compensatory measures will be developed in consultation with DPE and any other relevant department and implemented in response to the outcomes of the investigations. 5. Monitoring would be implemented as required to confirm the effectiveness of remedial measures. Any loss of baseflow in excess of predictions would be further offset against ACOL's WALs. ACOL could purchase additional WALs if required. Any exceedances and responses taken to ameliorate these exceedances will be reported in the AEMR.	Sighted the process that ACOL followed in the audit period. Preliminary investigation showed no potential impact from site was responsible. The TARP process is not followed completely by the site as it is not practicable (auditor agrees). Recommendation - the WMP Surface Water TARP requires review.	Not Compliant Administrative			
	7.4	No privately owned groundwater bores exist in surrounding areas that are expected to be impacted by the underground mine (refer Section 6.1.3) hence an impact on the groundwater supply of private landowners is not expected. There are no privately owned surface water storages within the Ashton colliery holding boundary and hence impacts on the surface water supply of private landowners are not expected. In the event that a complaint is received, this would be handled in accordance with ACOL procedures, which includes recording the details of the complaint, providing feedback to the complainant (including corrective actions) and reporting of investigation outcomes and corrective actions. Compensation would be developed in consultation with the private landowner where it can be demonstrated that the ACP has adversely affected the water supply. To date, no complaints have been received in relation to groundwater or surface water supply of private landowners.	No impacts within the audit period.	Not Triggered			
	7.4	If it was established that ACOL's activities have adversely affected flows in Bowmans Creek, thereby affecting licensed private water users in the lower reaches of the creek (refer Section 5.3), ACOL would negotiate provision of an alternative water resource with the affected users.	No adverse impacts on Bowmans Creek flow as per the NOW Gauging station.	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Water Management Plan							
	7.5	<p>RRGs are the only identified GDEs in the vicinity of the ACP and no impact on these is predicted by the ACP (refer Section 6.1.4). RRG monitoring is described in the FFMP (AECOM, 2012) as are contingency responses if impacts are identified.</p> <p>The potential for impact on riparian vegetation has been identified in Bowmans Creek and Section 3.4 outlines vegetation rehabilitation assessment, performance criteria and corrective actions. In addition, the FFMP (AECOM, 2012) contains further details of riparian vegetation monitoring, triggers and response.</p> <p>Any unforeseen impacts would be investigated if and when they occur, with corrective actions devised and implemented if the cause of the impact was found to be attributable to the ACP.</p>	No impact on RRG's as per FF Monitoring Reports.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Pollution Incident Response Management Plan							
Effective: 15/09/2016							
Legal Duty to Notify	4.1	Any person engaged as an employee or undertaking an activity must, immediately after becoming aware of any potential incident, notify their relevant manager of the incident and all relevant information about it.	The PIRM has not been triggered during the audit period. This commitment is included in Environmental Awareness training and induction training.	Compliant			
	4.1	An employer or occupier of the premises on which the incident occurs, who is notified (or otherwise becomes aware of) a potential pollution incident, must undertake notification to the appropriate regulatory authority of any "material harm incidents", including relevant information. Notification shall be undertaken by the Environment and Community Manager or Operations Manager	No "material harm incidents" have occurred during the audit period.	Not Triggered			
Determination of Material Harm	6.1	Following containment of the incident, immediate action must be taken to determine if the incident can be classified as a 'material harm incident', i.e. considered to be causing or threatening material harm. As defined by Section 147 of the POEO Act, a material harm incident has occurred if the incident: - Involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or - Results in actual or potential loss (including all reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations).	No "material harm incidents" have occurred during the audit period.	Not Triggered			
Internal and External Notification	6.2	Sufficient detail of the incident must be reported to enable appropriate follow-up action. The information required is listed in section 150 of the POEO Act. This initial report must include the following information: - Time, date and duration of the incident; - Duration of the event; - Locations where pollution is occurring or is likely to occur; - Nature, estimated quantity or volume and concentration of any pollutants involved, if known*; - Circumstances in which the incident occurred (including the cause of the incident, if known)*; and - Action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known * If this information is not known to the person when the initial notification is made but becomes known afterwards, that information must be notified immediately after it becomes known to each authority listed in Table 1 of the PIRMP.	No "material harm incidents" have occurred during the audit period.	Not Triggered			
	6.2	call 000 if the incident presents an immediate threat to human health or property. Fire and Rescue NSW, the NSW Police and the NSW Ambulance Service are the first responders, as they are responsible for controlling and containing incidents. If the incident does not require an initial combat agency, or once the 000 call has been made, notify the relevant authorities in the order detailed in Table 1 of the ACOL Pollution Incident Reduction Management Program	No "material harm incidents" have occurred during the audit period.	Not Triggered			
	6.2	In the instance of identification of an environmental incident or hazard, the personnel will report the issue immediately to their Supervisor, who in turn shall report it to the Environment and Community Manager, or any member of the Environmental Team. Immediately is taken to mean 'promptly and without delay'. As per guidance provided by the EPA, the decision on whether to notify the incident in accordance with Part 5.7 of the POEO Act should not delay immediate actions to provide the safety of people or contain a pollution incident. However, incident notification will be made as soon as it is safe to do so by either the Operations Manager or Manager Environment and Community.	No "material harm incidents" have occurred during the audit period.	Not Triggered			
	6.2	After initial notification of any material harm incident, it will be the responsibility of the Operations manager or Manager Environment and Community to liaise with any authority listed in Table 1 of the ACOL that requests additional information, or is providing directions for management of the material harm incident. This may include incident investigation reports and ongoing environmental monitoring results.	No "material harm incidents" have occurred during the audit period.	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Pollution Incident Response Management Plan							
Training	7	A training exercise designed to test the adequacy of emergency preparedness and response will be undertaken at least once each year.	Documented in Annual Returns (last tested 29/4/15) - the training exercise for 2016 is scheduled but has not been undertaken yet.	Compliant			
Review and Improvement	8	The testing of the PIRMP will be undertaken to check that the information is accurate and current and that the plan is capable of being implemented in a workable and effective manner. Testing shall be undertaken in the following ways: -The PIRMP will be tested by assessing and reviewing it and making any necessary changes as identified. Testing is taken to be either a desktop review or an environmental emergency drill procedure. Testing will include all components of the plan, including training requirements. -The PIRMP will be reviewed within one month from the date of any pollution incident that occurs in the course of an activity to which the EPL relates. This review will be undertaken in light of the incident, to provide the information included in the plan is accurate and up to date and the plan is still capable of being implemented in a workable and effective manner.	As per Appendix in PIRMP. Sighted PIRMP test (2015) record during audit visit. Note: PIRMP updated within 1 month of this PIRMP test.	Compliant			
	8	Copies of the PIRMP testing record will be maintained by the E&C Manager and made available to Statutory Departments upon request. Information to be retained regarding PIRMP testing includes: - The manner in which the test was undertaken; - Dates when the plan has been tested; - The person who carried out the testing; and - The date and description of any update or amendment to the plan.	As per Appendix in PIRMP.	Compliant			
Document Control	8.1	The PIRMP shall be kept in written and electronic form at the EPL premises and shall be made available to all personnel responsible for implementing the plan, and to an authorised officer, as defined in the POEO Act on request.	Verified during the audit visit. Contained on website.	Compliant			
	8.1	A hard copy of the PIRMP will be kept within the ACP Environment and Community Office and kept updated with each revision of the PIRMP.	Verified during the audit visit.	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ULD-seam-LW-1-4-SMP-Approval, 31-07-12						
1	The Leaseholder must carry out the activity strictly in accordance with the SMP Approved Plan.	This is noted, no finding is required to be made.	Noted			
2	The Leaseholder must carry out the activity generally in accordance with the SMP; and subject to the conditions of this Approval.	This is noted, no finding is required to be made.	Noted			
	In the event of any inconsistency between the conditions of this Approval and the SMP, the conditions of this Approval prevail to the extent of any inconsistency.	This is noted, no finding is required to be made.	Noted			
3	Where this Approval requires actions to be undertaken by the Leaseholder, including remediation of subsidence impacts, the obligation continues until the Director General notifies the Leaseholder that the action has been completed to his or her satisfaction.	This is noted, no finding is required to be made.	Noted			
4	The Director General may vary the conditions of this Approval by notice in writing.	This has not occurred.	Noted			
5	The Director General may, at his or her discretion, suspend or revoke this Approval if: a) the Leaseholder fails to adhere to any condition of the Approval; or b) of the Leaseholder's non-compliance, or potential non-compliance, with legislation administered by that agency in relation to this Approval.	This has not occurred.	Noted			
6	General Obligation to Minimise Harm to the Environment The Leaseholder must implement the SMP (as amended by the conditions of this Approval) and carry out any additional practicable measures necessary to prevent any harm to the environment that may result from the construction, operation, or rehabilitation of the activity. Where prevention can not be achieved the leaseholder is to demonstrate minimisation of harm to the environment that may result from the construction, operation, or rehabilitation of the activity.	No incidents of environmental harm within the audit period.	Compliant			
7	Notification of Approval The Proponent must give notice of this SMP approval within 30 days to the DP&I, NOW, EPA, Council, MSB, the local Aboriginal Land Council/s, the owners/operators of any infrastructure, and landowners in the application area and any other relevant government agencies or stakeholders that the Director General's approval of the SMP has been granted.	Prior to the audit period.	Not Triggered			
8	Implementation of Approval Any plans, programmes, reports or strategies required as a condition of this Approval must be developed having regard to any guidelines adopted by the Director General for the purpose of subsidence management and mine rehabilitation.	Compliance as per approvals.	Compliant			
9	The Leaseholder must implement any plan, programme or strategy required and approved pursuant to this Approval.	This is noted, no finding is required to be made.	Noted			
10	Any modifications to plans, programmes or strategies already approved for the purposes of the conditions of this Approval must have regard to the matters set out in condition 8. Amended plans, programmes or strategies submitted for approval must be accompanied by all relevant supporting documentation to assist in the assessment of the amendment or modification.	Asset Management Plans for Ausgrid Infrastructure prepared on a panel to panel basis - these were approved progressively as required. DRE's satisfaction of Asset Management Plan for Ashton LW106A Ausgrid as per email from DRE (24/10/16) sighted by auditors. Other infrastructure management plans have not required changes in the audit period	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ULD-seam-LW-1-4-SMP-Approval, 31-07-12						
11	<p>Directions</p> <p>The Leaseholder must comply with any written direction given by the Director General, Director Environmental Sustainability & Land Use, Director Mine Safety Operations or Principal Subsidence Engineer relating to:</p> <p>a) the implementation of any aspect of the SMP or an approved plan, programme or strategy;</p> <p>b) assessing or reviewing the adequacy, effectiveness, or coverage of any approved plan, programme or strategy or any aspect of the SMP;</p> <p>c) the type, timing and/or location of monitoring of baseline conditions, subsidence or subsidence impacts;</p> <p>d) any reporting requirement under this Approval;</p> <p>e) the carrying out of works to address subsidence impacts; and/or</p> <p>f) the carrying out of any studies or investigations related to subsidence or subsidence impacts and the reporting of any findings or conclusions.</p> <p>The obligations under this condition prevail over any other obligation under this Approval.</p> <p><i>Note: Compliance with a written direction will not operate as a defence to a breach of any obligation under this Approval that occurred prior to the Direction being given.</i></p>	No written directins within the audit period.	Not Triggered			
12	<p>Subsidence Monitoring Programme</p> <p>12. The Leaseholder must submit to the Principal Subsidence Engineer for approval a subsidence monitoring programme for the longwall panels which are the subject of this Approval. This programme must include:</p> <p>a) inspection regimes;</p> <p>b) layout of monitoring points;</p> <p>c) parameters to be measured;</p> <p>d) monitoring methods and accuracy;</p> <p>e) timing and frequencies of surveys and inspections;</p> <p>f) recording and reporting of monitoring results.</p> <p>The Leaseholder must not commence longwall mining prior to the subsidence monitoring programme being approved.</p> <p><i>Note: The programme should be submitted to the Principal Subsidence Engineer at least 30 days prior to the expected commencement of operations to enable sufficient time for the assessntment of the programme. The Principal Subsidence Engineer may require the provision of further information to assist in the assessment of the programme or a resubmission of the programme if it is considered inadequate. Complex issues or the need for additional information or a resubmission of the programme may require a longer assessment period.</i></p>	<p>Approved Subsidence Monitoring Program (Subsidence Effects Monitoring Plan) satisfies this condition.</p> <p>Subsidence Monitoring Program approved by the Department 22/1/16.</p>	Compliant			
14	<p>Infrastructure and Property Management</p> <p>The Leaseholder must submit to the Director Mine Safety Operations for approval management plans for the following infrastructure that may be affected by subsidence. These plans must be developed in consultation with:</p> <p>a) the owners/operators of the infrastructure; and</p> <p>b) any Government Agency with a regulatory role for the infrastructure.</p> <p>The Leaseholder must not cause any subsidence impacts to any of the infrastructure listed below prior to the management plans for the said infrastructure being approved and effectively implemented:</p> <p>i) Electrical transmission lines;</p> <p>ii) telecommunication infrastructure;</p> <p>iii) New England Highway and associated structures; and</p> <p>iv) Any infrastructure if required by the Director Mine Safety Operations</p>	<p>As included in Built Features Management Plans (as approved).</p> <p><i>Note: relevant asset owners and agencies have been consulted with where there is a potential for impact to infrastructure.</i></p>	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ULD-seam-LW-1-4-SMP-Approval, 31-07-12						
15	<p>Public Safety</p> <p>15 The Leaseholder must prepare and implement a public safety management plan to ensure public safety in any structures, houses and surface areas that may be affected by subsidence, to the satisfaction of the Director, Mine Safety Operations.</p> <p>The plan must include, but not be limited to:</p> <p>a) identification of any areas, man-made structures, facilities and infrastructure which are hazardous or could become hazardous due to subsidence impacts;</p> <p>b) regular monitoring of areas or infrastructure/structures posing safety risks</p> <p>c) regular monitoring of stability of any areas with cliff formations and/or steep slopes that may be affected by subsidence</p> <p>d) measures to prevent, mitigate and promptly remediate hazards and safety risks referred to in (a)above;</p> <p>e) erection of warning signs;</p> <p>f) entry restrictions;</p> <p>g) backfilling of dangerous surface cracks;</p> <p>h) securing of unstable built structures or rockmass where required and appropriate; and</p> <p>i) provision of timely notification of proposed mining progress to the community and any other relevant stakeholders where management of public safety is required.</p>	<p>Public Safety Management Plan approved by the Department 22/1/16.</p> <p>a) Section 4.2</p> <p>b) Section 4.2</p> <p>c) no cliff formations</p> <p>d) Section 4.2</p> <p>e) Section 4.2</p> <p>f) Section 4.2</p> <p>g) Section 4.2</p> <p>h) n/a</p> <p>i) Section 5.2.2</p>	Compliant			
16	<p>Incident and Ongoing Management Reporting</p> <p>The Leaseholder must, within 24 hours of becoming aware of the occurrence, notify:</p> <p>i. the Principal Subsidence Engineer;</p> <p>ii. Director, Environmental Sustainability & Land Use;</p> <p>iii. The Mine Subsidence Board;</p> <p>iv. NSW Office of Water;</p> <p>v. the operators of all infrastructure as listed in condition 14; and</p> <p>vi. other relevant stakeholders and any Government Agency with a regulatory role if they request such notification, of the following:</p> <p>a) Any significant unpredicted and/or higher-than-predicted subsidence and/or abnormalities in the development of subsidence;</p> <p>b) Any exceedance of predicted impacts on groundwater resources and/or the natural environment that may have been caused (whether partly or wholly) by subsidence;</p> <p>c) Any observed subsidence impacts adverse to the serviceability and/or safety of infrastructure and other built structures that may be affected by longwall mining;</p> <p>d) Any significant subsidence-induced cracking and/or ground deformations observed in any surface areas within the SMP application area;</p>	<p>No incidents/significant impact within the audit period.</p>	Not Triggered			
17	<p>The Leaseholder must prepare and maintain a Subsidence Management Status Report which must include but not be limited to:</p> <p>a) the current face position of the panel being extracted;</p> <p>b) a summary of any subsidence management actions undertaken by the Leaseholder in the period subsequent to the last regular submission of the Status Report;</p> <p>c) a summary of any comments, advice and feedback from consultation with stakeholders in relation to the implementation of this Approval (including the preparation, implementation and review of plans, programmes, reports or strategies required by this approval) undertaken or received in the period subsequent to the last regular submission of the Status Report and a summary of the Leaseholder's response to the comments, advice and feedback given by the stakeholders;</p> <p>d) a summary of the observed and/or reported subsidence impacts, incidents, service difficulties, community complaints, and any other relevant information reported to the Leaseholder in the period subsequent to the last regular submission of the Status Report and a summary of the Leaseholder's response to these impacts, incidents, service difficulties and complaints;</p> <p>e) a summary of subsidence development based on monitoring information compared with any defined triggers and/or the predicted subsidence to facilitate early detection of potential subsidence impacts;</p> <p>f) a summary of the adequacy, quality and effectiveness of the implemented management processes based on the monitoring and consultation information summarised above; and</p> <p>g) a statement regarding any additional and/or outstanding management actions to be undertaken or the need for early responses or emergency procedures to ensure adequate management of any potential subsidence impacts due to longwall mining.</p>	<p>Fortnightly Subsidence Updates, Mid-Panel Reports (LW 1-3) and EoP Reports.</p>	Compliant			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
ULD-seam-LW-1-4-SMP-Approval, 31-07-12						
	The Subsidence Management Status Report must be updated at least every 14 days to reflect any changes in the information required to be included in the Report. The Status Report must be regularly submitted to the Principal Subsidence Engineer, NSW Office of Water, EPA and each operator of infrastructure referred to in condition 14 every four (4) months from the date of this Approval. In addition, the Status Report (as updated from time to time) must be provided, upon request, to the Mine Subsidence Board, the Director of Environmental Sustainability & Land Use, the Principal Subsidence Engineer, owners/operators of any infrastructure within the application area and any other relevant stakeholders.					
18	<p>End of Panel Report</p> <p>Within 4 months of the completion of each longwall panel, an end of panel report must be submitted to the Director General. The end of panel report must:</p> <p>a) include a summary of the subsidence and environmental monitoring results for the applicable longwall panel;</p> <p>b) include an analysis of these monitoring results against the relevant;</p> <ul style="list-style-type: none"> • impact assessment criteria; • monitoring results from previous panels; and • predictions in the SMP; <p>c) identify any trends in the monitoring results over the life of the activity; and</p> <p>d) describe what actions were taken to ensure adequate management of any potential subsidence impacts due to longwall mining.</p>	EoP Reports for LW 1-4 completed as per this commitment.	Compliant			
19	<p>Access to Information</p> <p>Within 3 months of the submission of an End of Panel Report (as required by Condition 18) or the approval of a plan, programme or strategy required under this Approval or the SMP (or any subsequent revision of these documents), the Leaseholder must, to the satisfaction of the Director General:</p> <p>a) provide a copy of these document/s to all relevant agencies;</p> <p>b) ensure that a copy of the relevant documents is made publicly available at the Leaseholder's regional office; and</p> <p>c) put a copy of the relevant document/s on the Leaseholder's website.</p> <p><i>Note: Relevant agencies currently include MSB, EPA, NOW and DP&I.</i></p>	No evidence for satisfaction of DG.	Not Compliant Administrative			
20	<p>Survey Marks</p> <p>At the completion of subsidence, or otherwise as required by the Land and Property Management Authority, the functionality of any survey marks affected by subsidence must be fully restored to the satisfaction of the Land and Property Management Authority.</p>		Not Triggered			
21	<p>Water Supply</p> <p>In the event of interruptions to potable water supplies (water quality and/or quantity) due to subsidence impacts on water supply systems and/or sources caused by longwall mining, the Leaseholder must provide, without delay, water supplies of equivalent quality and quantity to locations convenient to those affected within the SMP Application Area until such time that the affected water supply systems and/or sources are restored</p>		Not Triggered			
22	<p>Special Condition</p> <p>The Leaseholder must convene management review meeting(s) with the Principal Subsidence Engineer and the NSW Office of Water in relation to the 'stacked' gateroad design of Maingate 4B and its impact on Bowmans Creek, prior to the development of Maingate 4B.</p> <p>The above-mentioned meeting(s) must review the adequacy of the mine design for Longwall 4B and impacts to Bowmans Creek based on the subsidence monitoring data obtained for multi seam mining in the preceding Upper Liddell seam longwalls and their comparison with predictions of subsidence impacts within the approved Extraction Plan.</p>	Evidence provided in the form of meeting minutes.	Compliant			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Upper Liddel Seam Extraction Plan LW 105-107, December 2015							
4. Subsidence Assessment							
Impacts and Management of Natural and Heritage Features	4.3.1 Table 9, Line 1	Lemington Road and Culvert subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring; • Visual inspections; • Erection of signage; • Onsite crew available to make repairs; • Management and repairs in accordance with Lemington Road Subsidence Deed; • Consultation with Glencore and SSC; • Management as per the Glencore and SSC AMPs; and • Reporting as per EP Guidelines 	No impact on Lemington Rd during the audit period.	Not Triggered			
	Table 9, Line 2	New England Highway subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post active subsidence as required under RMS AMP; • Installation of additional survey monitoring locations prior to the commencement of monitoring; • Management as per the AMP; and • Reporting as per EP Guidelines. 	No impact on NEH during the audit period.	Not Triggered			
	Table 9, Line 3	South Access Road on AGLM subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring; • Inspections of road; • Erection of signage warning of subsidence; • Repair road (cracking) as required; • Liaison with AGL Macquarie; • Management as per the AMP; and • Reporting as per EP Guidelines. 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 4	Alternative Right of Way to Property 130 subsidence monitoring and mitigation: <ul style="list-style-type: none"> • ACOL to undertake regrading if required; and • Liaison with property owner. 	Sighted Alternative Right of Way during audit inspection. No impacts to road noted during the inspection.	Compliant			
	Table 9, Line 5	132 kV traversing the southern extent of the ACOL Mining Lease subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • Structural assessment of transmission lines and implement remedial works to transmission line, if required; • Consultation with asset owners(Ausgrid); and • Reporting as per EP Guidelines. 	Intensive Monitoring Program and Asset Management Plan with Ausgrid is in place.	Compliant			
	Table 9, Line 6	11 kV line traversing ACP subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • Structural assessment of transmission lines and implement remedial works to transmission line, if required; • Consultation with asset owners(Ausgrid); and • Reporting as per EP Guidelines. 	Evidence of monitoring sighted in EoP and Fortnightly Subsidence Reports.	Compliant			
	Table 9, Line 7	132 kV and Combined 66/11 kV lines parallel to New England Highway subsidence monitoring and mitigation: <ul style="list-style-type: none"> • No proposed monitoring or management. 	This is noted, no finding is required to be made.	Noted			
	Table 9, Line 8	11 kV line traversing ACP subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • Structural assessment of transmission lines and implement remedial works to transmission line, if required; • Consultation with asset owners(Ausgrid); and • Reporting as per EP Guidelines. 	Evidence of monitoring sighted in EoP and Fortnightly Subsidence Reports.	Compliant			
	Table 9, Line 9	330 kV line along western lease boundary: subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Monitoring as per the Transgrid AMP; • Consultation with asset owners; and • Reporting as per EP Guidelines. 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 10	Telstra cables to Ravensworth: subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • ACOL to inform Glencore and Telstra if subsidence impacts have been identified; • Suitably qualified engineer/technician to test and repair communications if issue has been observed; • Management as per the AMP; and • Reporting as per EP Guidelines.Ⓜ 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 11	Telstra cables to NOW stream gauging station: subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • ACOL to inform Glencore and Telstra if subsidence impacts have been identified; • Suitably qualified engineer/technician to test and repair communications if issue has been observed; • Management as per the AMP; and • Reporting as per EP Guidelines.Ⓜ 	Not undermined during the audit period.	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Upper Liddel Seam Extraction Plan LW 105-107, December 2015							
	Table 9, Line 12	Fibre optic Underground Cable along Lemington Road subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • ACOL to inform Glencore and Telstra if subsidence impacts have been identified; • Suitably qualified engineer/technician to test and repair communications if issue has been observed; • Management as per the AMP; and • Reporting as per EP Guidelines.Ⓜ 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 13	NOW Water Station Subsidence monitoring within the EP area will be undertaken subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Overall subsidence monitoring within the EP area – pre, during and post active subsidence; and • Management as per the AMP. 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 14	315 mm Diameter Pipeline (Glencore) subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Visual inspection / monitoring of exposed sections of pipeline. Glencore to continue monitoring of pipeline flows; • Expose pipeline and place on surface to reduce subsidence impacts and/or provision for leak detection; • If required Glencore is to ensure pumping is stopped and to notify ACOL immediately so that potential damage to the pipeline can be investigated; • Management as per the AMP; and • Repairs to pipeline as soon as practicable. 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 15	Narama Dam (Glencore) subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre and post subsidence monitoring of established survey pegs; • Liaison with Glencore; • Management as per the AMP; and • Reporting as per EP Guidelines. 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 16	Void 5 Ash Dam DSC Notification Area subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre and post subsidence monitoring of established survey pegs; • Obtain DSC approval to mine within the notification area of the Void 5 Ash Dam; • Liaison with AGL Macquarie; • Management as per the AMP; and • Reporting as per EP Guidelines. 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 17	Ravensworth Underground Mine and No. 5 Shaft subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Site inspections; • Management as per the AMP; and • Reporting as per EP Guidelines.Ⓜ 	Not undermined during the audit period.	Not Triggered			
	Table 9, Line 18	NOW Water Station Subsidence monitoring within the EP area will be undertaken. subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Overall subsidence monitoring within the EP area – pre, during and post active subsidence; and • Management as per the AMP.Ⓜ 	Not undermined during the audit period.	Not Triggered			
5. Subsidence Monitoring and Management							
Contingency Response	5.4	In the event that observed subsidence impacts exceed the performance measures identified in Section 5.1 (and relevant management plans), the following process and actions will be implemented: § The observation will be reported to the Technical Services Manager or Environment and Community Relations Manager as soon as practicable, ideally within 24 hours. § The observation will be recorded for the purposes of the EP 6 Monthly Subsidence Report (provided to DP&E and DRE, refer to Section 6.5). § Assess public safety and where applicable, implement safety measures in accordance with the Public Safety Management Plan or as otherwise necessary to prevent injury or harm to any person. § Report any incident to the relevant stakeholders (as identified in each sub-plan to this EP) as soon as practicable after ACOL becomes aware of the exceedance. § Assess impacts on environmental features and Aboriginal Heritage sites. Implement appropriate measures in accordance with the relevant management plans. § Investigate, in consultation with affected stakeholders (where appropriate) to evaluate the contributing factors to the exceedance/issue. The investigation may include (where applicable): o Re-survey of the relevant subsidence monitoring lines; o Re-sampling or re-surveying of the applicable environmental monitoring locations (i.e. groundwater bores, surface water monitoring sites); o Review measured subsidence parameters against the observed impact, and latest subsidence predictions; and o Determine appropriate remedial response.	Not triggered under subsidence monitoring program or as per subsidence predictions.	Not Triggered			

Reference	Commitment	Requirement	Evidence	Audit Finding	Risk		
					Consequence	Likelihood	Risk
Upper Liddel Seam Extraction Plan LW 105-107, December 2015							
		<p>§ Implement remedial action and/or adaptive management measures, dependent on the outcomes of the above investigation. Any such measures will be undertaken in consultation with the relevant stakeholder and/or to the satisfaction of the appropriate government agency and DP&E.</p> <p>§ Reporting as per the requirements of the EP Guidelines.</p> <p>§ Review the subsidence management and subsidence monitoring program, where appropriate, to reduce the risk of future incidents; and</p> <p>§ Revise future plans and implement change where required.</p> <p>Specific AMPs and site Environmental Management Plans provide details of monitoring, management, incident response and notification, consultation and reporting.</p>	Not triggered under subsidence monitoring program or as per subsidence predictions.	Not Triggered			
Monitoring the success of remediation measures	5.5	Regular inspections will be undertaken following the implementation of remediation measures. Subsidence remediation measures will be recorded in the key reports to stakeholders and government departments (including DRE and DP&E).	E&C Monthly Inspections include inspection of this work.	Compliant			
6. Implementation and Operation							
Responsibilities and Resources	6.2	<p>Responsibilities of Operations Manager:</p> <p>§ Ensure whole Site is committed to implementing the monitoring and management regime described in the EP.</p> <p>§ Ensure that adequate resources are available to ACOL personnel to facilitate the completion of their responsibilities under this EP.</p> <p>§ Ensure the EP and associated documents are adhered to.</p>	This is noted, no finding is required to be made.	Noted			
	6.2	<p>Responsibilities of Environment and Community Manager:</p> <p>§ Ensure that all environmental monitoring and reporting is undertaken in accordance with the relevant environmental management plans and various approval requirements, and is checked, processed, filed and appropriately reported.</p> <p>§ Ensure that the ongoing stakeholder consultation processes detailed in this plan and the specific AMPs are carried out.</p>	This is noted, no finding is required to be made.	Noted			
	6.2	<p>Responsibilities of Technical Services Manager:</p> <p>§ Ensure that all subsidence monitoring and reporting is carried out within the timeframes specified, checked, processed, filed and appropriately reported.</p> <p>§ Liaise with stakeholders regarding subsidence impact management.</p>	This is noted, no finding is required to be made.	Noted			
	6.2	<p>Responsibilities of Statutory Mine Surveyor:</p> <p>§ Ensure that all subsidence monitoring is carried out to the accuracy required within specified timeframes and are checked, processed, filed and appropriately reported.</p>	This is noted, no finding is required to be made.	Noted			
Review	6.4.1	<p>An internal review of the EP and/or associated sub plans may be conducted if:</p> <p>§ An incident is recorded as a result of subsidence (refer to Section 6.3);</p> <p>§ There is a significant change in operation that may affect the environment or the community;</p> <p>§ Required to do so by any statutory requirements or directions/conditions of approvals; or</p> <p>§ Recommended as a result of internal or external audits.</p> <p>This EP may also be audited (when required) under the scope of any external environmental compliance audits.</p> <p>Consideration will be given to updating this plan, or sub-plans, as a result of audits/ reviews, or in response to feedback on the following reports.</p>	Not Triggered within the audit period.	Not Triggered			
Reports	6.5	A fortnightly update will be prepared to asset owners which are affected by subsidence impacts.	An example of this was reviewed during the audit period.	Compliant			
	6.5	Incident reporting, following any occasion of incident, in accordance with the conditions of consent and/or environment protection licence and/or any requirements in the TARP(s). Reporting method: Email or phone call - DRE/DP&E.	No incidents as such.	Not Triggered			
	6.5	Bi-monthly (every two months) subsidence impact reporting, following regular monthly inspections, but only if any new impact is identified. Every two months if new impacts are identified. Reporting method: Email – DRE/DP&E.	No incidents as such.	Not Triggered			
	6.5	<p>Six-monthly reporting of all impacts and environmental monitoring results, including:</p> <p>Six-monthly reporting of all impacts and environmental monitoring results, including:</p> <ul style="list-style-type: none"> · A comprehensive summary of all impacts, including a revised characterisation according to the relevant TARP(s); · Any proposed actions resulting from Triggers being met in the TARP, or other actions; · Assessment of compliance with all relevant performance measures and indicators. <p>Reporting method: Email – DRE/DP&E.</p>	This EP not in place for the 6 month period as of the audit date. Mining under the previous EP required a EOP Report which has been completed and supplied as audit evidence.	Not Triggered			
	6.5	AEMR reporting, to be based on each two successive six-monthly reports of impacts and environmental monitoring results. A summary of subsidence effects monitoring results will also be included. Reporting method: Hard Copy and CD – DRE/DP&E and other stakeholders. Report available on ACOL website.	This EP not in place for the 6 month period as of the audit date. Mining under the previous EP required a EOP Report which has been completed and supplied as audit evidence.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107,						
Table 2, Line 1	Monitoring Frequency: Prior to adjacent longwall mining commencing or adjacent LW retreating face being within 200m of centreline, whichever is applicable. Every 80m (+/- 20m) of retreat when the associated LW is passing under the subsidence line. Then 1x monthly survey, then at completion of associated and subsequent longwall. (For location see Table 2)	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 2, Line 2	Monitoring Frequency: Prior to adjacent longwall retreating face being within 200m of the centreline. When the associated longwall retreating face is at 200m from take-off position (Ch0) and then at every 80m (+/- 20m) of retreat, then at completion of the longwall. After completion, monthly for 2 months, then at completion of subsequent LW. (For location see Table 2)	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 2, Line 3	Monitoring Frequency: When associated longwall retreating face is 120m on the approach side of XL5 and then for every 40m of retreat until 80m past XL5, then at 160m and 400m past (+/- 20m). Full survey of XL5 to TG1 at completion of each longwall. (For location see Table 2)	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 2, Line 4	Monitoring Frequency: When associated LW retreating face is 120m on the approach side of XL5 and then for every 40m of retreat until 80m past XL5, then at 160m and 400m past (+/- 20m). Full survey of XL5 to TG1 at completion of LW4 and LW7. (For location see Table 2)	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 2, Line 5	Monitoring Frequency: During mining of LW 104. Pre, during and post mining of LW 106B. After completion, monthly for 2 months, then at completion of subsequent longwall. (For location see Table 2)	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 2, Line 6	Monitoring Frequency: Prior to commencement of ULD Seam (baseline completed July 2012) and following completion of LW105, LW 106 and LW107 panels in ULD Seam and prior to extraction in ULLD Seam. Each survey mark to be occupied for a suitable length of time to obtain accuracy required (For location see Table 2)	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 3, Line 1	Subsidence Monitoring: Lemington Road Timing: Prior to subsidence impacts. Action: Pre-mining condition assessment to document pre-subsidence condition of the road, including photographic records of any observed existing pavement fatigue or failure or similar existing damage. Monitoring in accordance with the Lemington Road Subsidence Deed Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Provide copy to Glencore and SSC	Not undermined during the audit period.	Not Triggered			
Table 3, Line 2	Subsidence Monitoring: Lemington Road Timing: Daily during active subsidence. Action: Visual inspection of the road to identify any subsidence impacts that could affect the safety of vehicles. Subsidence monitoring in accordance with the Lemington Road Subsidence Deed. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report – Glencore and SSC	Not undermined during the audit period.	Not Triggered			
Table 3, Line 3	Subsidence Monitoring: Lemington Road Timing: Once active subsidence has ceased. Action: Post mining condition assessment of the road to confirm that any perceptible subsidence impacts have ceased and document the post-subsidence status of the road. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report – Glencore and SSC	Not undermined during the audit period.	Not Triggered			
Table 3, Line 4	Subsidence Monitoring: Lemington Road Culvert Timing: Pre, during and post active subsidence. Action: Pre, during and post mining subsidence monitoring. Regular inspections. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report – Glencore and SSC	Not undermined during the audit period.	Not Triggered			
Table 3, Line 5	Subsidence Monitoring: New England Highway Timing: Pre, during and post active subsidence as required under RMS Asset Management Plan. Installation of additional survey monitoring locations prior to the commencement of monitoring. Action: Monitoring as per the RMS Asset Management Plan. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report only when mining 200 metres from road	Not undermined during the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107.						
Table 3, Line 6	Subsidence Monitoring: AAPT Optic Fibre Line Timing: Post active subsidence. Action: Location of fibre optic has been marked. Subsidence monitoring at the end of extraction. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: No proposed reporting as outside the area of perceptible subsidence impacts.	Not undermined during the audit period.	Not Triggered			
Table 3, Line 7	Subsidence Monitoring: Underground Cables along Lemington Road Timing: Overall subsidence monitoring within the Extraction Plan area – pre, during and post active subsidence. Action: Subsidence monitoring within the Extraction Plan area will be undertaken. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report	Not undermined during the audit period.	Not Triggered			
Table 3, Line 8	Subsidence Monitoring: Narama Dam Timing: Prior to secondary extraction within LW 107A. Following completion of active subsidence. Action: Survey of established survey pegs Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Copy of survey provided to Glencore	Not undermined during the audit period.	Not Triggered			
Table 3, Line 9	Subsidence Monitoring: 33kV (Glencore), Southern 11 kV and 132 kV (Ausgrid) Transmission Lines Timing: Prior to mining in the area. Action: Pre-subsidence survey of transmission lines to obtain xyz coordinates. The survey is to be undertaken in accordance with the Subsidence Effects Monitoring Program and the proposed methods therein. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Copy of survey provided to stakeholder	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 3, Line 10	Subsidence Monitoring: 33kV (Glencore), Southern 11 kV and 132 kV (Ausgrid) Transmission Lines Timing: · During active subsidence; and · Final inspection and survey following completion of mining. Action: · Assets to be monitored in accordance with this Subsidence Effects Monitoring Program. · Subsidence monitoring and post subsidence inspection / structural assessment of lines including visual inspections noting condition, line clearance and pole tilt. · Undertake final inspections following completion of mining. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Copy of survey provided to stakeholder. When applicable, fortnightly status report	Sighted Survey Program and data in interview with Mine Surveyor. Reported in EoPs and Fortnightly reports	Compliant			
Table 3, Line 11	Subsidence Monitoring: 330 kV Transgrid Timing: · During active subsidence; and · Final inspection and monitoring following completion of mining. Action: · Assets to be monitored in accordance with this Subsidence Effects Monitoring Program. · Visual inspections conducted during subsidence. · Undertake final inspections and survey following completion of mining. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Copy of monitoring to be provided to Transgrid. Provide Transgrid fortnightly status report when mining LW 107A	Not undermined during the audit period.	Not Triggered			
Table 3, Line 12	Subsidence Monitoring: 132kV and Combined 66/11kV Powerline along New England Highway Timing: No Action Action: No predicted subsidence impacts therefore no monitoring proposed. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: n/a		Not Triggered			
Table 3, Line 13	Subsidence Monitoring: 315 mm Diameter Pipeline (Glencore owned) Timing: · Prior to commencement of mining of LW 107B; · During active subsidence; and · At completion of each longwall panel. Action: Visual inspection / monitoring of exposed sections of pipeline. Glencore to continue monitoring of pipeline flows. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report		Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107,						
Table 3, Line 14	Subsidence Monitoring: Void 5 Ash Dam (AGL Macquarie) Timing: · Prior to LW 106B; and · Following completion of active subsidence. Action: Survey of subsidence monitoring pegs. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report		Not Triggered			
Table 3, Line 15	Subsidence Monitoring: South Access Road (AGL Macquarie) Timing: · Prior to LW 106B; and · During and following undermining. Action: · Pre mining condition assessment. · During and post subsidence monitoring Inspections. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report		Not Triggered			
Table 3, Line 16	Subsidence Monitoring: Alternate Right of Way to Property 130 through ACOL land Timing: During mining of LW 105. Action: · Visual inspection of the road to identify any subsidence impacts. · Subsidence monitoring. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report	Survey do a drive check on serviceability of access road. Reporting to surface supervisor for repairs where required.	Compliant			
Table 3, Line 17	Subsidence Monitoring: DPI Water Station Timing: Overall subsidence monitoring within the Extraction Plan area – pre, during and post active subsidence Action: Subsidence monitoring within the Extraction Plan area will be undertaken. Responsibility: ACOL Underground Mining Engineer and Mine Surveyor Reporting: Fortnightly Status Report		Not Triggered			
4.1	Responsibilities of General Manager: Ensure that adequate resources are available to ACOL personnel to facilitate the completion of their responsibilities under this program	This is noted, no finding is required to be made.	Noted			
4.1	Responsibilities of Underground Mine Manager: Ensure this Subsidence Effects Monitoring Program is implemented and adhered to.	This is noted, no finding is required to be made.	Noted			
4.1	Responsibilities of Technical Services Manager: · Ensure that all monitoring and reporting under the BFMPs and Subsidence Effects Monitoring Program is carried out within the timeframes specified, and is checked, processed and filed appropriately. · Liaise with relevant stakeholders regarding subsidence impact management.	This is noted, no finding is required to be made.	Noted			
4.1	Responsibilities of Environment and Community Relations Manager: · Ensure that all environmental monitoring and reporting is undertaken in accordance with the relevant environmental management plans and various approval requirements, and is checked, processed and filed appropriately. · Liaise with relevant stakeholders regarding subsidence-related environmental consequences.	This is noted, no finding is required to be made.	Noted			
4.1	Responsibilities of Mine Surveyor: · Ensure that all subsidence monitoring is carried out to the accuracy required, within specified timeframes and are checked, processed and filed appropriately.	This is noted, no finding is required to be made.	Noted			
4.2	A Fortnightly update will be prepared to asset owners which are affected by subsidence impacts. If there are no subsidence impacts to a stakeholder, no fortnightly report will be prepared.	Subsidence Update report sighted during audit visit - circulation as per this condition.	Compliant			
4.2	Incident reporting, following any occasion of incident, in accordance with the conditions of consent and/or environment protection licence and/or any requirements in the monitoring, management and notification tables from the specific AMP's. Reporting Method: Email or phone call - DRE/DP&E	No incident within the audit period.	Not Triggered			
4.2	Bi-monthly (every two months) subsidence impact reporting, following regular inspections, but only if any new impact is identified. Reporting Method: Every two months if new impacts are identified. Email – DRE/DP&E.	No incident within the audit period.	Not Triggered			

Condition	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
Subsidence Effects Monitoring Program Upper Liddell Seam LW 105-107,						
4.2	Six-monthly reporting of all impacts and environmental monitoring results, including: <ul style="list-style-type: none"> - A summary of all impacts, including a revised characterisation according to the incident response table in the Asset Management Plans; - Any proposed actions resulting from triggers being met in the incident response table in the Asset Management Plans; - Assessment of compliance with all relevant performance measures and indicators. Reporting Method: Email - DRE/DP&E	This has not yet been required in the audit period (this requirement was added to the most recent version of this MP and six months had not yet passed at the end of the audit period).	Not Triggered			
4.2	AEMR reporting, to be based on each two successive six-monthly reports of impacts and environmental monitoring results. A summary of subsidence effects monitoring results will also be included. Reporting Method: Hard Copy and CD – DRE/DP&E and other stakeholders. Report available on ACOL website	AR's report summaries of EoP Reports.	Not Triggered			
4.3	It is the Mine Surveyors role to ensure that all subsidence monitoring is carried out to the accuracy required, within specified timeframes and are checked, processed and filed appropriately. The results of subsidence monitoring are reviewed by the ACOL Technical Services Manager. Where results are not as predicted, ACOL will liaise with the subsidence specialist.	Responses above confirm this	Compliant			
4.3	An internal review of this Subsidence Effects Monitoring Program will be conducted in response to: <ul style="list-style-type: none"> § An incident recorded as a result of the operations that has implications for how subsidence impacts and consequences are monitored (i.e. exceedance of predicted subsidence values); § A significant change in operation that may affect built features covered by program; § Statutory requirements or directions/conditions of approvals requiring such action; or § Recommendations as a result of internal or external audits. This Subsidence Effects Monitoring Program may be audited (if required) under the scope of any external environmental compliance audits.	No triggering events have occurred during the audit period.	Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
UPPER LIDDELL SEAM LONGWALLS 1 TO 8 BUILT FEATURES MANAGEMENT PLAN, 1-08-12 (Note only approved for LW 1-4)						
Appendix A	<p>ACTION: Pre-mining condition assessment to document pre-subsidence condition of the road, including photographic records of any observed existing pavement fatigue or failure or similar existing damage. Monitoring in accordance with the Lemington Road Subsidence Deed.</p> <p>TIMING: Prior to subsidence impacts.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Provide copy to Glencore and SSC</p>	Outside of the Audit Period	Not Triggered			
Appendix A	<p>ACTION: Visual inspection of the road to identify any subsidence impacts that could affect the safety of vehicles. Subsidence monitoring in accordance with the Lemington Road Subsidence Deed.</p> <p>TIMING: Daily during active subsidence.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Fortnightly Status Report – Glencore and SSC</p>	Not undermined during the audit period.	Not Triggered			
Appendix A	<p>ACTION: Post mining condition assessment of the road to confirm that any perceptible subsidence impacts have ceased and document the postsubsidence status of the road.</p> <p>TIMING: Once active subsidence has ceased.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Fortnightly Status Report – Glencore and SSC</p>		Not Triggered			
Appendix A	<p>ACTION: Pre, during and post mining subsidence monitoring. Regular inspections.</p> <p>TIMING: Pre, during and post active subsidence.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Fortnightly Status Report – Glencore and SSC</p>		Not Triggered			
Appendix A	<p>ACTION: Monitoring as per the RMS Asset Management Plan.</p> <p>TIMING: Pre, during and post active subsidence as required under RMS Asset Management Plan. Installation of additional survey monitoring locations prior to the commencement of monitoring.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Fortnightly Status Report only when mining 200 metres from road.</p>		Not Triggered			
Appendix A	<p>ACTION: Location of fibre optic has been marked. Subsidence monitoring at the end of extraction.</p> <p>TIMING: Post active subsidence.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: No proposed reporting as outside the area of perceptible subsidence impacts.</p>		Not Triggered			
Appendix A	<p>ACTION: Subsidence monitoring within the Extraction Plan area will be undertaken.</p> <p>TIMING: Overall subsidence monitoring within the Extraction Plan area – pre, during and post active subsidence.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Fortnightly Status Report</p>	As per the implementation of the Subsidence Effects MP, in EoP Reports 101-104	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
UPPER LIDDELL SEAM LONGWALLS 1 TO 8 BUILT FEATURES MANAGEMENT PLAN, 1-08-12 (Note only approved for LW 1-4)						
Appendix A	<p>ACTION: Survey of established survey pegs.</p> <p>TIMING: Prior to secondary extraction within LW107A. Following completion of active subsidence.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Copy of survey provided to Glencore</p>		Not Triggered			
Appendix A	<p>ACTION: Pre-subsidence survey of transmission lines to obtain xyz coordinates. The survey is to be undertaken in accordance with the Subsidence Effects Monitoring Program and the proposed methods therein.</p> <p>TIMING: Prior to mining in the area.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Copy of survey provided to stakeholder</p>	As per Subsidence Effects MP	Noted			
Appendix A	<p>ACTION: -Assets to be monitored in accordance with this Subsidence Effects Monitoring Program. -Subsidence monitoring and post subsidence inspection / structural assessment of lines including visual inspections noting condition, line clearance and pole tilt. -Undertake final inspections following completion of mining.</p> <p>TIMING: - During active subsidence; and - Final inspection and survey following completion of mining.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Copy of survey provided to stakeholder. When applicable, fortnightly status report.</p>	As per Subsidence Effects MP	Noted			
Appendix A	<p>ACTION: Assets to be monitored in accordance with this Subsidence Effects Monitoring Program. Visual inspections conducted during subsidence. Undertake final inspections and survey following completion of mining.</p> <p>TIMING: -During active subsidence; and -Final inspection and monitoring following completion of mining.</p> <p>RESPONSIBILITY: ACOL Mine Surveyor</p> <p>REPORTING: Copy of monitoring to be provided to Transgrid. Provide Transgrid fortnightly status report when mining LW 107A and 107B.</p>		Not Triggered			
Appendix A	<p>ACTION: No predicted subsidence impacts therefore no monitoring proposed.</p> <p>TIMING: No action</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: None</p>		Not Triggered			
Appendix A	<p>ACTION: Visual inspection / monitoring of exposed sections of pipeline. Glencore to continue monitoring of pipeline flows.</p> <p>TIMING: -Prior to commencement of mining of LW107B; - During active subsidence; and - At completion of each longwall panel.</p> <p>RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor</p> <p>REPORTING: Fortnightly Status Report</p>		Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
UPPER LIDDELL SEAM LONGWALLS 1 TO 8 BUILT FEATURES MANAGEMENT PLAN, 1-08-12 (Note only approved for LW 1-4)						
Appendix A	ACTION: Survey of subsidence monitoring pegs. TIMING: - Prior to LW 106B; and - Following completion of active subsidence. RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor REPORTING: Fortnightly Status Report		Not Triggered			
Appendix A	ACTION: Pre mining condition assessment. During and post subsidence monitoring. Inspections. TIMING: Prior to LW 106B; and During and following undermining. RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor REPORTING: Fortnightly Status Report		Not Triggered			
Appendix A	ACTION: Visual inspection of the road to identify any subsidence impacts. Subsidence monitoring. TIMING: During mining of LW 105. RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor REPORTING: Fortnightly Status Report	See Subsidence Effects MP, fortnightly report copy retained by audit team and sighted in interview	Compliant			
Appendix A	ACTION: Subsidence monitoring within the Extraction Plan area will be undertaken. TIMING: Overall subsidence monitoring within the Extraction Plan area – pre, during and post active subsidence. RESPONSIBILITY: ACOL Underground Mining Engineer and Mine Surveyor REPORTING: Fortnightly Status Report	See Subsidence Effects MP	Compliant			
Table 1	Always safe and serviceable. Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired.	No impacts to infrastructure.	Compliant			
Table 1	In accordance with the recommendations of the report prepared under Condition 7.14.		Noted			
Table 1	Always safe. Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repaired or replaced, or else fully compensated.	No loss of serviceability	Compliant			
Table 1	No additional risk.	No incidents of public safety	Compliant			
Table 5	As required, review information, and approve and instruct implementation of remediation / corrective action / or compensation, if necessary. Ensure this BFMP and associated Asset Management Plans are implemented and adhered to. Ensure that adequate resources are available to ACOL personnel to facilitate the completion of their responsibilities under this management plan.	Subsidence repairs for LW 1-4 undertaken and completed, as viewed during site inspection.	Noted			
Table 5	Ensure that all monitoring and reporting is carried out within the timeframes specified, checked, processed and filed appropriately. Liaise with stakeholders regarding subsidence impact management.		Noted			
Table 5	Ensure that all subsidence surveys are carried out to the accuracy required, within specified timeframes and are checked, processed and filed appropriately.		Noted			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
UPPER LIDDELL SEAM LONGWALLS 1 TO 8 BUILT FEATURES MANAGEMENT PLAN, 1-08-12 (Note only approved for LW 1-4)						
Table 5	Ensure that the ongoing community consultation processes detailed in this BFMP are carried out. Prepare, maintain and distribute a stakeholder contact register. Keep documentation and undertaken reporting for the Annual Environmental Management Report (AEMR) regarding subsidence management activities on the site. Ensure that audits and reviews are carried out as detailed in this Plan.		Noted			
Table 5	Notify ACOL of any concerns or issues related to subsidence management. Provide access or permission (through appropriate agreements) where required for the implementation of monitoring and management actions identified under this plan. Continue to participate in discussions with ACOL representatives regarding subsidence management and appropriate agreements.		Noted			
Table 5	Asset Management Plans have been developed in consultation with relevant stakeholders. Responsibilities, contact details and communication protocols are detailed within these plans.	Signed off by Asset managers as well as DRE indicating satisfactory consultation.	Noted			
Table 7	Incident reporting, following any occasion of incident, in accordance with the conditions of consent and/or environment protection licence and/or any requirements in the monitoring, management and notification tables from the specific AMP's.	No incidents have occurred during the audit period.	Not Triggered			
Table 7	Bi-monthly (every two months) subsidence impact reporting, following regular inspections, but only if any new impact is identified.	EoP Reports prepared for 1-4, six monthly reporting undertaken for subsequent LW's however not yet prepared as time not yet elapsed.	Not Triggered			
Table 7	Six-monthly reporting of all impacts and environmental monitoring results, including: A summary of all impacts, including a revised characterisation according to the incident response table in the Asset Management Plans; Any proposed actions resulting from triggers being met in the incident response table in the Asset Management Plans; Assessment of compliance with all relevant performance measures and indicators.	EoP Reports prepared for 1-4, six monthly reporting undertaken for subsequent LW's however not yet prepared as time not yet elapsed.	Not Triggered			
Table 7	AEMR reporting, to be based on each two successive six-monthly reports of impacts and environmental monitoring results. A summary of subsidence effects monitoring results will also be included.	Summary of subsidence effects presented in Section 8 of the 2015 AR, Section 3.18 of the 2014 AR and 3.18 of the 2013 AR.	Compliant			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
PUBLIC SAFETY MANAGEMENT PLAN UPPER LIDDELL SEAM LONGWALLS 1 - 8, 1-08-12						
Table 6, Line 1	Lemington Road and Culvert subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring; • Visual inspections; • Erection of signage; • Onsite crew available to make repairs; • Management and repairs in accordance with Lemington Road Subsidence Deed; • Consultation with Glencore and SSC; • Management as per the Glencore and SSC AMPs; and • Reporting as per EP Guidelines 	Lemington Rd not undermined during the audit period.	Not Triggered			
Table 6, Line 2	New England Highway subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post active subsidence as required under RMS AMP; • Installation of additional survey monitoring locations prior to the commencement of monitoring; • Management as per the AMP; and • Reporting as per EP Guidelines. 	Monitoring points on the NEH maintained. No effects within audit period. See EoP Reports.	Compliant			
Table 6, Line 3	South Access Road on AGLM subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring; • Inspections of road; • Erection of signage warning of subsidence; • Repair road (cracking) as required; • Liaison with AGL Macquarie; • Management as per the AMP; and • Reporting as per EP Guidelines. 	Not undermined during the audit period.	Not Triggered			
Table 6, Line 4	Alternative Right of Way to Property 130 subsidence monitoring and mitigation: <ul style="list-style-type: none"> • ACOL to undertake regrading if required; and • Liaison with property owner. 	This continues - sighted condition of both roads during the audit period. Weekly updates to Property 130. Note: email notifying in advance if RoW access changes.	Compliant			
Table 6, Line 5	132 kV traversing the southern extent of the ACOL Mining Lease subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • Structural assessment of transmission lines and implement remedial works to transmission line, if required; • Consultation with asset owners(Ausgrid); and • Reporting as per EP Guidelines. 	Approved within Asset MP. Upgraded during audit period in accordance with AMP (approved by Ausgrid) As per EoP Reports.	Compliant			
Table 6, Line 6	11 kV line traversing ACP subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • Structural assessment of transmission lines and implement remedial works to transmission line, if required; • Consultation with asset owners(Ausgrid); and • Reporting as per EP Guidelines. 	This continues - replacement/translocation to be conducted. As per EoP Reports	Compliant			
Table 6, Line 7	132 kV and Combined 66/11 kV lines parallel to New England Highway subsidence monitoring and mitigation: <ul style="list-style-type: none"> • No proposed monitoring or management. 	This is noted, no finding is required to be made.	Noted			
Table 6, Line 8	11 kV line traversing ACP subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • Structural assessment of transmission lines and implement remedial works to transmission line, if required; • Consultation with asset owners(Ausgrid); and • Reporting as per EP Guidelines. 	This continues . As per EoP Reports	Compliant			
Table 6, Line 9	330 kV line along western lease boundary: subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Monitoring as per the Transgrid AMP; • Consultation with asset owners; and • Reporting as per EP Guidelines. 		Not Triggered			
Table 6, Line 10	Telstra cables to Ravensworth: subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • ACOL to inform Glencore and Telstra if subsidence impacts have been identified; • Suitably qualified engineer/technician to test and repair communications if issue has been observed; • Management as per the AMP; and • Reporting as per EP Guidelines.☐ 		Not Triggered			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
PUBLIC SAFETY MANAGEMENT PLAN UPPER LIDDELL SEAM LONGWALLS 1 - 8, 1-08-12						
Table 6, Line 11	Telstra cables to NOW stream gauging station: subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • ACOL to inform Glencore and Telstra if subsidence impacts have been identified; • Suitably qualified engineer/technician to test and repair communications if issue has been observed; • Management as per the AMP; and • Reporting as per EP Guidelines.☐ 		Not Triggered			
Table 6, Line 12	Fibre optic Underground Cable along Lemington Road subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre, during and post subsidence monitoring in accordance with respective AMP's; • ACOL to inform Glencore and Telstra if subsidence impacts have been identified; • Suitably qualified engineer/technician to test and repair communications if issue has been observed; • Management as per the AMP; and • Reporting as per EP Guidelines.☐ 		Not Triggered			
Table 6, Line 13	NOW Water Station Subsidence monitoring within the EP area will be undertaken subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Overall subsidence monitoring within the EP area – pre, during and post active subsidence; and • Management as per the AMP. 		Not Triggered			
Table 6, Line 14	315 mm Diameter Pipeline (Glencore) subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Visual inspection / monitoring of exposed sections of pipeline. Glencore to continue monitoring of pipeline flows; • Expose pipeline and place on surface to reduce subsidence impacts and/or provision for leak detection; • If required Glencore is to ensure pumping is stopped and to notify ACOL immediately so that potential damage to the pipeline can be investigated; • Management as per the AMP; and • Repairs to pipeline as soon as practicable. 		Not Triggered			
Table 6, Line 15	Narama Dam (Glencore) subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre and post subsidence monitoring of established survey pegs; • Liaison with Glencore; • Management as per the AMP; and • Reporting as per EP Guidelines. 		Not Triggered			
Table 6, Line 16	Void 5 Ash Dam DSC Notification Area subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Pre and post subsidence monitoring of established survey pegs; • Obtain DSC approval to mine within the notification area of the Void 5 Ash Dam; • Liaison with AGL Macquarie; • Management as per the AMP; and • Reporting as per EP Guidelines. 		Not Triggered			
Table 6, Line 17	Ravensworth Underground Mine and No. 5 Shaft subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Site inspections; • Management as per the AMP; and • Reporting as per EP Guidelines.☐ 		Not Triggered			
Table 6, Line 18	NOW Water Station Subsidence monitoring within the EP area will be undertaken. subsidence monitoring and mitigation: <ul style="list-style-type: none"> • Overall subsidence monitoring within the EP area – pre, during and post active subsidence; and • Management as per the AMP.☐ 		Not Triggered			
4.4	Regular inspections and monitoring will be undertaken following the implementation of remediation measures. The success of subsidence remediation will be recorded in the key reports to stakeholders and government departments (including DRE and DP&E).	As satisfied by inspection of monthly E&C Inspection. Outcomes of remediation in AR's and in EoP Reports.	Compliant			
4.5	ACOL's approach to managing subsidence and environmental impacts at the ACP includes using past performance to guide and improve future monitoring and management actions. Monitoring of the environment, geological conditions and the subsequent response to mining has been in place at ACOL since prior to mining and has led to an improved understanding of the environment and site-specific subsidence behaviour. Updated information is then incorporated into ACOL's management plans through each phase of mine planning (e.g. EP) and reviewed when required.	As per EoP Reporting and evidenced in updated Management Plans, etc	Compliant			
5.1	Responsibilities for Underground Mine Manager: Ensure this Public Safety Management Plan is implemented and adhered to. Ensure that adequate resources are available to ACOL personnel to facilitate the completion of their responsibilities under this management plan.	This is noted, no finding is required to be made.	Noted			

Commitment	Requirement	Evidence	Audit Finding	Risk		
				Consequence	Likelihood	Risk
PUBLIC SAFETY MANAGEMENT PLAN UPPER LIDDELL SEAM LONGWALLS 1 - 8, 1-08-12						
5.1	Responsibilities for Underground Mining Engineer: Ensure that all monitoring and reporting is carried out within the timeframes specified, checked, processed and filed appropriately. Liaise with stakeholders regarding subsidence impact management.	This is noted, no finding is required to be made.	Noted			
5.2.1	A fortnightly update will be provided to key asset owners which are potentially affected by subsidence. Further reporting requirements relating to recording and notification of safety incidents are contained under ACOL's health and safety procedures.	Sighted fortnightly updated as circulated.	Compliant			
5.2.1	Incident reporting, following any occasion of incident, in accordance with the conditions of consent and/or environment protection licence and/or any requirements in the monitoring, management and notification tables from the specific AMP's. Reporting method: Email or phone call - DRE/DP&E.	No incidents within the auditing period.	Not Triggered			
5.2.1	Bi-monthly (every two months) subsidence impact reporting, following regular inspections, but only if any new impact is identified. Every two months if new impacts are identified. Reporting method: Email – DRE/DP&E.	No new impacts within the audit period.	Not Triggered			
5.2.1	Six-monthly reporting of all impacts and environmental monitoring results, including: - A summary of all impacts, including a revised characterisation according to the incident response table in the Asset Management Plans; - Any proposed actions resulting from triggers being met in the incident response table in the Asset Management Plans; - Assessment of compliance with all relevant performance measures and indicators. Reporting method: Email – DRE/DP&E.	For the current extraction plan this has not been triggered - for previous EP this commitment has been fulfilled by the EoP Reports. Note: Mid Panel Reports prepared for LW 1 - 3.	Compliant			
5.2.1	AEMR reporting, to be based on each two successive six-monthly reports of impacts and environmental monitoring results. A summary of subsidence effects monitoring results will also be included. Reporting method: Hard Copy and CD – DRE/DP&E and other stakeholders. Report available on ACOL website.	Previous AR's reported summaries of EoP Reports.	Not Triggered			
5.2.2	Lemington Road users will be informed of key public safety risks related to the mining of LW 105 – 107. The management of subsidence impacts relating to Lemington Road will be through the Glencore Asset Management Plan and the Lemington Road Subsidence Deed (Deed). This will include signage warning the road users of potential subsidence impacts and repairs.	No impacts to Lemington Rd during the audit period.	Not Triggered			
5.3	An internal review of this Public Safety Management Plan will be conducted in response to: § An incident recorded as a result of the operations that affects safety; § A significant change in operation that may affect public safety risks; § Statutory requirements or directions/conditions of approvals requiring such action; or § Recommendations as a result of internal or external audits. A review and update of the Plan will be undertaken prior to second workings progressing in subsequent seams or as necessitated by operation requirements.	No such trigger within the audit period.	Not Triggered			



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*APPENDIX D – COMPLIANCE WITH RECOMMENDATIONS FROM 2013 PARSONS
BRINCKERHOFF IEA*

Reference	Summary of Non-compliance	Recommendation	Action	Close out Date	Audit Finding	Compliance	Risk		
							Consequence	Likelihood	Risk
Independent Environmental Compliance Audit of Ashton Coal Operations Consent 309-11-2001-i, Parsons Brinckerhoff, 20 December 2013									
DA 309-11-2001-i Condition 1.2	ACP EIS (2001) - Air quality modelling predicted that the project could operate with controls in place to ensure dust deposition and TSP limits could be achieved at Camberwell Village. Air quality monitoring has shown that exceedance of these criteria has occurred. It is noted that ACOL are unlikely to contribute to the majority of dust received at the village, however; the proportion of dust contributed by ACOL to these exceedances has not been determined.	ACOL should continue to implement best practice measures to mitigate dust generation from on-site operations.	Complete and submit the revision of the Air Quality Management Plan (AQMP) including the outcomes of the Best Management Practice PRP Report (Reference)	31/03/2014	Compliance verified through the document review table of the AQMP (review date April 2014). Section 2.3.1 AQMP contains the outcomes of this Report.	Compliant			
DA 309-11-2001-i Condition 1.21	The audit found no evidence to show that a review of all strategies, management plans and programs required under the development consent had occurred within 3 months following an independent audit, completion of an AEMR or modification of the development consent.	Undertake a review of relevant management plans, programs in accordance with DA 309-11-2001-i Condition 1.21. Ensure this review process is recorded to show compliance with this condition in future audits.	Complete the revision of the relevant management plans and programs and resubmit if required. Ensure an action is recorded in the internal compliance management system to review strategies management plans and programs after completion of AEMR, independent audit and modification of development consents.	30-6-14 30-6-14	Sighted submission of reviewed and updated Management Plans where required. This also included notation of MP's reviewed but not updated. Sighted recurring action in CMO (3 monthly) to review MP's if a trigger event has occurred.	Compliant			
DA 309-11-2001-i Condition 2.4	ACOL sent a copy of the MOP to SSC on 1 October 2013 (refer to Document 54) and DP&I on 22 October 2013 (refer to Document 156). This was outside the required timeframe.	Ensure any future revisions or new MOPs are provided to SSC and DP&I within 14 days of approval by DRE.	The revision of the MOP with the TEOP to be provided to SSC, DP&I within 14 days of approval	30/06/2014	MOP approved 10 May 2016, email submission of MOP to SSC and DG sighted by lead auditor.	Compliant			
DA 309-11-2001-i Condition 2.5C	ACOL have not appended the approved or revised Tailing Emplacement Operational Plan (TEOP) to the 2013-2017 MOP.	Ensure the current approved TEOP is appended to the current MOP.	The revised TEOP has been submitted to the DRE for approval on 27 September 2013. Once approved, this document will be appended to the approved MOP.	30/06/2014	TEOP not yet required to be annexed to MOP as ML is not in place over the area. It is currently submitted, but not yet approved. Therefore this is not yet triggered.	Not Triggered			
DA 309-11-2001-i Condition 2.8 and Condition 6.41 EPL 11879 L2.6	On 14 November 2010, a complaint was made to the DP&I compliance branch regarding a dozer commencing operation at 7.45am (15 minutes prior to its approved start time). This complaint resulted in an infringement notice being issued to ACOL by DP&I. ACOL responded to this incident by implementing the following procedures. > Open Cut Examiner calls a start time over the radio and notes this time on the shift report. > No open cut machinery is to move from the go line until this is called.	Ensure approved operational hours are adhered to. If a breach of operational hours occurs it should be investigated and the outcomes of the investigation reported to the relevant workforce.	Open cut operations will not recommence under this approval without modifications to the current consent. Historic finding requiring no action. Underground and CHPP operations are approved to operate 24 hours per day 7 days per week.	NA	No Action Required	Not Triggered			
DA 309-11-2001-i Condition 3.30	No evidence was found to show the Voluntary Conservation Agreement had been provided to SSC or DP&I following its approval by OEH.	Ensure a copy of the Conservation Agreement is provided to DP&I and OEH.	Provide a copy of the Conservation Agreement to DP&I and SSC.	31/03/2014	Sighted email submission of Conservation Agreement to SSC and DPI (March 2014)	Compliant			
DA 309-11-2001-i Condition 3.31 and 9.2	> The 2012 AEMR does not provide the results of archaeological or heritage surveys. Section 3.12 (Aboriginal Heritage) of the 2012 AEMR states that 'pre-disturbance inspections for minor surface works within underground surface areas continued throughout the year but does not provide the results of these surveys. > It is considered that the intent of this condition is to report the finding of surveys such as these.	Ensure the results of any cultural heritage surveys are described in future AEMRs.	Ensure that the results of cultural heritage surveys are reported in the 2013 and future AEMR's	31/03/2014	Found to be contained in the AR's reviewed for the audit period.	Compliant			

Reference	Summary of Non-compliance	Recommendation	Action	Close out Date	Audit Finding	Compliance	Risk		
							Consequence	Likelihood	Risk
Independent Environmental Compliance Audit of Ashton Coal Operations Consent 309-11-2001-i, Parsons Brinckerhoff, 20 December 2013									
DA 309-11-2001-i Condition 3.36	<p>>Appendix A of the Aboriginal Cultural Heritage Management Plan states, for this requirement 'All management measures are generally consistent with the commitments made in the various documents (refer to Table 5)'</p> <p>The audit found that the ACHMP does not include a Table 5 and provides no specific reference to commitments made by documents listed in Condition 1.2 of the development consent.</p> <p>> The ACHMP includes a figure that shows AHIMS registered sites and the boundaries of AHIPs applicable to the site. The VCA area is not shown on this figure.</p> <p>Appendix A of the plan states 'The conservation areas have been excluded from the AHIP boundaries and these areas will be managed to prevent impacts.'</p> <p>The VCA is referred to throughout the ACHMP, and specific procedures for managing this area are provided in Appendix E. The auditors therefore believe the area should be shown on a figure provided in the ACHMP.</p>	Ensure the ACHMP summarises the commitments made in relevant documents listed in Condition 1.2 of the development consent, and shows how consistency has been achieved with these. Revise Figure 1 included in the ACHMP to show the location of the VCA.	<p>Ensure the ACHMP summarises the commitments made in relevant documents listed in Condition 1.2 of the development consent, and shows how consistency has been achieved with these. Revise Figure 1 included in the ACHMP to show the location of the VCA.</p> <p>Ensure that the compliance audit and these changes are discussed at the ACC Forum, and then resubmit the ACHMP to DP&I and OEH for approval.</p>	30/06/2014	<p>Table 5 is found to be included in the latest revision of the ACHMP.</p> <p>Figure 1 in the current is found not to show the VCA.</p> <p>Discussion of annual Aboriginal Cultural Heritage Management Plan review verified through review of ACCF presentation, 30 June 2015.</p> <p>Auditors sighted lodgement letter for reviewed and updated ACHMP for approval with DPE (29/6/15).</p>	Not Compliant Administrative			
DA 309-11-2001-i Condition 3.46	<p>> The Flora and Fauna Management Plan (FFMP) was reviewed against the sub-requirements of this condition (a) and was found to cover all requirements, with the following exceptions:</p> <ul style="list-style-type: none"> - (n) Integration of rehabilitation works from nearby mines is not discussed - (r) Table 1 of the plan discusses Aboriginal heritage management but does not provide any specific details of how activities under the plan will avoid impact to Aboriginal heritage values. - (s) A protocol for identifying and managing significant impacts to threatened species not identified in the EIS is not included. <p>> It was found that the FFMP provided reference to the Rehabilitation Management Plan for certain requirements of the development consent. The audit found that the Rehabilitation Management Plan has been replaced by the MOP (refer to Condition 3.51).</p>	<p>Amend the FFMP to include:</p> <ul style="list-style-type: none"> - discussion of how rehabilitation works could be integrated with nearby mines. - how protection of Aboriginal heritage values against actions described in the FFMP will be achieved. - include a protocol for identifying and managing significant impacts to threatened species not previously identified. - update references to the Rehabilitation Management Plan that are provided in the FFMP to reflect that it has been replaced by the MOP. 	<p>Amend the FFMP to include:</p> <ul style="list-style-type: none"> - discussion of how rehabilitation works could be integrated with nearby mines. - how protection of Aboriginal heritage values against actions described in the FFMP will be achieved. - include a protocol for identifying and managing significant impacts to threatened species not previously identified. - update references to the Rehabilitation Management Plan that are provided in the FFMP to reflect that it has been replaced by the MOP. 	30/06/2014	<p>Updated FFMP reviewed to contain these criteria.</p> <p>Email evidence of lodgement (9/6/16) sighted by auditors.</p>	Compliant			
DA 309-11-2001-i Condition 3.55	<p>A review of the content of the MOP against this condition found that the landscaping and revegetation strategies discussed in the MOP are consistent with this condition, although non-compliances were noted against the following sub-clauses:</p> <ul style="list-style-type: none"> - (c) Appropriate erosion and sediment control practices for earthworks associated with landscaping are not discussed. - (d) The MOP provides a broad discussion of the visual appearance of buildings, but does not provide a specific description of individual buildings, structures etc. Construction of new structures is an activity covered by the MOP (e.g. upcast vent fan facility); however specifications for the visual appearance of the facility are not provided. - (e) Details, for building/structure maintenance to ensure that their original visual appearance is maintained are not provided. - (f) Details of how vegetation screening and fauna protection corridors will be incorporated into visual and landscaping works are not provided. 	Revise the MOP to ensure it is compliant with the requirements for a Landscape and Revegetation Management Plan under DA 30911-2001-i. Liaise with DP&I to determine a suitable timeframe for this.	Revise the MOP to include the requirements of condition 3.55 of DA309-11-2001-i	30/06/2014	This was found to be included in Table 38 of the MOP 2013-2017, MOP Amendment B.	Compliant			

Reference	Summary of Non-compliance	Recommendation	Action	Close out Date	Audit Finding	Compliance	Risk		
							Consequence	Likelihood	Risk
Independent Environmental Compliance Audit of Ashton Coal Operations Consent 309-11-2001-i, Parsons Brinckerhoff, 20 December 2013									
DA 309-11-2001-i Condition 3.56	<p>> Section 1 of the 2013-2017 MOP states that it satisfies the requirements for a Final Void Management Plan under this condition.</p> <p>> The MOP also outlines that the intended use of the final void is for tailing disposal. A Final Void Management Plan will therefore be redundant, should the final void be completely backfilled as shown on Figure 5A of the MOP.</p> <p>> As this condition was current during the audit period and the approved MOP states that it satisfies the requirements under this condition for a Final Void Management Plan, a review of the contents of the MOP against this condition was undertaken. This found it to be non-compliant with the following sub-clauses of this condition:</p> <ul style="list-style-type: none"> - (b) the MOP does not outline future use options for the final void other than for tailings disposal. - (c) the MOP does not include a re-examination and validation of groundwater modelling. - (d) the MOP does not include details of a strategy for long-term management of the final void. - (e) the MOP does not include any strategies to minimise impacts where it is identified that potential degradation of surrounding water resources may occur. - (f) the MOP does not contain programs for catchment management including practices to ensure there is little residual risk of nutrient enrichment of final 	Liaise with DP&I to determine an appropriate outcome regarding the requirement for ACOL to have a Final Void Management Plan, given that under current plans, the NEOC void will be completely backfilled.	Liaise with DP&I to determine an appropriate outcome regarding the requirement for ACOL to have a Final Void Management Plan, given that under current plans, the NEOC void will be completely backfilled.	31/12/2014	Sighted letter from DP&E showing reviewed management plans, including those which include Final Void Management, were considered satisfactory. Letter dated 21/8/14.	Compliant			
DA 309-11-2001-i Condition 3.57	No evidence was found to show that an annual report such as the AEMR or similar annual report had been submitted to the Singleton Fire Control Officer and therefore full compliance with this condition could not be demonstrated.	Ensure a copy of the AEMR is provided to the Singleton Fire Control Officer.	Provide a copy of the 2013 AEMR and future AEMR's to the Singleton Fire Control Officer Include an action in the internal compliance management system under AEMR to send a copy to the Singleton Fire Control officer so this is not missed in the future.	31-03-14 31-12-14	Sighted in distribution list and also sighted correspondence during the audit visit.	Compliant			
DA 309-11-2001-i Condition 3.58	<p>> A review of the contents of the MOP against this condition found that it is non-compliant with the following sub-clauses of this condition: (c) and (d) Section 3.22 of the MOP provides a brief discussion of subsidence crack and ponding rehabilitation in agricultural areas. Sections 4.3 provides broad agricultural land rehabilitation objectives and some pasture soil criteria is provided in Tables 28 and 31. Section 8.2.3.1 discusses pasture productivity assessment via laboratory testing. However, it was determined that the MOP does not provide 'a strategy for sustainable land management and the enhancement of agricultural values and production across the entire site' as required by this clause.</p> <ul style="list-style-type: none"> - (e) there is no discussion of how land degradation will be prevented. - (g) the potential for recycling of standing timber removed from the site is not provided in the MOP. - (h) Section 3.16.8 provides commitment to control weeds and discusses a plan, however no detail is provided and there is no discussion of vermin eradication. - (i) feral pests are discussed in Section 3.16.8 of the MOP, however, no detail is provided. 	Revise the MOP to ensure it is compliant with the requirements for a Land Management Plan under DA 309-11-2001-i. Liaise with DP&I to determine a suitable timeframe for this.	Revise the MOP to include the requirements of condition 3.58 of DA309-11-2001-i	30/06/2014	As included in 2014 revision of the MOP	Compliant			
DA 309-11-2001-i Condition 3.62	The Emergency Response System was found to have been amended in 2013 (version 12), but no evidence was found to show this amendment had been approved by DRE.	Ensure the revised Emergency Response Plan applicable to the tailings disposal pipeline is provided to DRE for approval.	Ensure the revised Emergency Response Plan applicable to the tailings disposal pipeline is provided to DRE and meets their satisfaction.	30/03/2014	Approval of CHPP Emergency Management System is outside of audit period. Ashton Coal Emergency Management Plan was revised during the audit period, with no requirement for further approval by DRE as this is required only prior to commissioning of the pipeline.	Compliant			

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DA 309-11-2001-i Condition 4.7	<p>> The WMP was submitted in June 2012, the required date was June 2011. This was due to ongoing issues relating to the delayed approval of mod 5 and the SEOC project, which would have created further changes in the Management Plan.</p> <p>> An Erosion and Sediment Control Plan ESCP has been incorporated into the WMP. This plan was reviewed against Managing Urban Stormwater: Soils and Construction (Landcom 2004). This review found the ESCP:</p> <ul style="list-style-type: none"> - Does not identify critical natural areas requiring special planning or management. - Does not define the nature and extent of earthworks to be undertaken or the location of stockpiles and access roads. - Does not describe general site characteristics (slopes, topography etc.). - Does not describe major soil types present. - Does not describe existing vegetation species. - Does not describe catchment areas above and within the site. - Does not identify any areas within the site with serious erosion or sedimentation potential, such as steeply grading areas and areas with dispersive or magnetic sub or topsoils. - Does not provide design standards for erosion control or criteria to be used to select, locate and schedule 	Amend the ESCP to ensure compliance with Managing Urban Stormwater: Soils and Construction Manual (Landcom) 2004.	Revise the Water Management Plan (WMP) and ensure compliance with Managing Urban Stormwater: Soils and Construction Manual (Landcom) 2004.	30/06/2014	WMP submitted frequently during the audit period. It is now considered compliant with Managing Urban Stormwater: Soils and Construction Manual (Landcom) 2004. (pending auditors review and comparison with Blue Book)	Compliant			
DA 309-11-2001-i Condition 6.1 and 2001 EIS	<p>> PM10 - exceedances of the 24-hour cumulative average criteria occurred on 23 occasions at off-site locations and on 52 occasions at on-site monitoring locations. ACOI state in the 2011-12 AEMR that these exceedances 'were not attributed to ACOI as the NEOC was no longer operating and all of the available overburden dump had been reshaped and rehabilitated by the end of May 2012' It is noted that the criteria for 24hr Pm10 was reduced from 150ug/m3 following approval of MOD7 in 2011.</p> <p>> Deposited dust - exceedances of annual average criteria occurred during 2010 at sites D6, D7 and D13; and during 2012 gauges D2, D4 and D5. It was noted that as open cut mining at ACOI ceased in September 2011, the exceedances at D2, D4 and D5 during 2012 are likely to have been influenced by a source outside Ashton Mine.</p>	ACOI should continue to implement best practice measures to mitigate dust generation from on-site operations.	As per action for Condition 1.2	NA	No action required	Not Triggered			
DA 309-11-2001-i Condition 6.10B	<p>> ACOI has prepared a Greenhouse Gas Abatement Plan and received approval from DP&I for this plan, on the basis that it be revised to reflect the outcomes of Modification 9.</p> <p>> No evidence was found to show that the plan had been revised as requested by DP&I.</p>	Ensure the Greenhouse Gas Abatement Plan is modified as required by DP&I.	DP&I approved the Greenhouse Gas Abatement Investigation Report on 12 June 2012. Subsequently Mod 10 was assessed and approved. Mod 10 covers the appropriate proposed greenhouse gas abatement measures contained within the report. These measures are currently being commissioned (gas drainage and flare plant). Therefore it is ACOI's view that no further action is necessary.	NA	No action required	Not Triggered			
DA 309-11-2001-i Condition 6.22 and EPL 11879 L3.2	The 5% overall limit for 115-120 dB(L) blasts during the 2009/10 reporting period was exceeded at St Clements Church and Camberwell Village.	Ensure the effective blast planning and controls are implemented if open cut operations recommence in the future.	Open cut operations will not recommence under this approval without modifications to the current consent. Historic finding requiring no action.	NA	No action required	Not Triggered			
DA 309-11-2001-i Condition 6.48	<p>> The NMP does not specify measures to assess noise results for low-frequency, tonality or impulsive components.</p> <p>> Noise monitoring results presented in the AEMRs and Quarterly Monitoring Reports do not provide any analysis on frequency, tonality or impulsive components of noise monitored.</p>	Ensure noise monitoring reporting includes an analysis of lowfrequencies,tonality and impulsive sounds.	For all future noise monitoring and reporting ensure that it includes an analysis of low-frequencies, tonality and impulsive sounds.	30/03/2014	Noise Monitoring Reports contain section detailing compliance with this condition.	Compliant			

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DA 309-11-2001-i Condition 8.2	> The AQMP and WMP do not specify quality control or assurance measures for monitoring programs. > The AQMP does not specify how laboratory analysis of dust samples should occur.	Amend management plans to include quality control/assurance measures and specify how laboratory analysis should be undertaken.	At the next revision ensure that the AQMP and the WMP specify quality control/assurance measures and specify which standards should be used to undertake laboratory analysis	30/06/2014	AQMP (2014) includes section 3.2, Monitoring Standards and Guidelines SWMP (2016) includes quality assurance methods as in accordance with Section 8.2 of the DA.	Compliant			
DA 309-11-2001-i Condition 8.12	The audit did not find evidence to show that the site is recording Sigma-Theta through meteorological monitoring.	Ensure sigma theta is recorded at monitoring stations and provide evidence that this is occurring in a relevant report such as the AEMR.	Determine what is required to record sigma theta at the monitoring station and implement this monitoring and report it in the AEMR and other relevant reports	30/12/2014	This finding was not correct.	Compliant			
DA 309-11-2001-i Condition 9.2	The AEMRs do not discuss changes to agricultural land or land suitability as a result of mining operations.	Ensure future AEMRs discuss any impacts to agricultural land, including potential changes to land suitability.	Incorporate the results of the farmland monitoring into future AEMR reports	30/03/2014	This monitoring is now included.	Compliant			
EPL 11879 M2.2	Annual returns applicable to the audit period were observed to contain all required information (refer to Documents 16-18), with the following exception: - Total Suspended Solids were not analysed during October 2012 due to a laboratory error and therefore no results were received for any site for this month. It is understood that corrective actions were undertaken following this incident to ensure analysis of all collected samples occur correctly.	Ensure required analysis are undertaken for all collective water quality samples.	Monthly check of water quality results is undertaken following this issue prior to monthly upload of monitoring data onto website. This process will be documented in the WMP review and tracked in an internal Compliance Management System.	30/09/2014	No such non-compliances within the audit period.	Compliant			
EPL 11879 U1.2	The Particulate Matter Best Management Practice Pollution Reduction Program does not include a timeframe for undertaking the review of current practices and developing a procedure for undertaking site watering practices and therefore full compliance with this condition cannot be demonstrated.	Provide a commitment to implementing the recommendations provided in the Particulate Matter Best Practice Pollution Reduction Program Report.	As per action for Condition 1.2	NA	Compliance verified through the document review table of the AQMP (review date April 2014). Section 2.3.1 AQMP contains the outcomes of this Report.	Compliant			
EPL 11879 U1.4	The Particulate Matter Best Management Practice Pollution Reduction Program was finalised on 4 July 2012, 5 days after the deadline.	Ensure future compliance reports are submitted to the required agency by the required deadline.	Ensure that deadlines for future compliance reports are captured within an action tracking database to ensure that they are submitted by the due date	30/06/2014	Not in the audit period	Compliant			
EL 4918 and EL 5860 (Conditions 5-7)	> ACOL are required to provide an annual report on Community Consultation to DRE within 28 days of the anniversary of the licence being granted. > No evidence of any community consultation activities being undertaken regarding exploration activities, or any evidence of an annual report being submitted in accordance with this condition were found during the audit. An annual report for 2011-12 was sighted for EL 4918, but this did not describe any consultation activities.	Submit an annual report to DRE within 28 days of the anniversary of each EL detailing any community consultation activities undertaken in regard to exploration activities.	Liaise with DRE to have this covered off in the AEMR each year.	30/03/2014	This has been concluded.	Compliant			
EL 4918 and EL 5860 (Conditions 12)	> ACOL are required to prepare a Groundwater Monitoring and Modelling Plan in consultation with NOW. > The auditors found that the site's WMP covers the requirements for this plan and that ACOL undertakes regular consultation with NOW. > The site's WMP does not cover the SEOC area and it is understood that EL's 5860 and 4915 at least partly cover this area. It is understood that a Draft Groundwater and Verification Monitoring Program has been prepared for the South East Open Cut and that it covers exploration activities, although this program was not viewed during the audit.	It is recommended that ACOL review its commitments under this requirement and consult with DRE and NOW regarding compliance with this requirement.	The WMP for the ACP covers most of the requirements of this condition. The draft SEOC Groundwater Monitoring and Verification Program will be lodged with DP&I and NOW which will satisfy the rest of the area covered by EL 4918 and EL 5860	30/06/2014	Groundwater Monitoring and Modelling Plan (22/4/2016) was developed to provide adequate coverage of Ashton Exploration Licences 4918 and 5860. The Draft version was lodged with DPI as verified from response received by Ashton.	Compliant			