

Boggabri Coal Mine Independent Environmental Audit, August 2017 – Audit Action Plan

Reference	Requirement	Compliance	Key Findings (reported by exception)	Recommendation	Proposed Action	Target Completion Date								
Project Approval 09 0182														
S3.5	<p>At any stage of the project, except for the noise-affect land identified in Condition 3 as being within the Project's 35 dB(A) contour, the Proponent shall ensure that operational noise generated by the project does not exceed the criteria in Table 3 at any residence on privately-owned land.</p> <p><i>Table 3: Noise impact assessment criteria dB(A) – maximum at any stage of project life</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day (L_{Aeq}(period))</th> <th>Evening (L_{Aeq}(period))</th> <th>Night (L_{Aeq}(period))</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>40</td> <td>40</td> <td>40</td> </tr> </tbody> </table>	Location	Day (L _{Aeq} (period))	Evening (L _{Aeq} (period))	Night (L _{Aeq} (period))	All privately-owned land	40	40	40	Non-Compliance (Low Risk)	<p>There was a missed noise monitoring event in December 2015 which is non-compliant.</p> <p>2014 AEMR - Noise non-compliance for night time noise level at Goonbri property on 11 September 2014. This was attributable to heavy vehicles and a soft mine hum. Actions were taken relating to this non-compliance at the site of the audit ('Goonbri' is now mine-owned).</p>	No recommendations	BCOPL does not propose any actions in response to this non-compliance. The issue has already been rectified.	A completion date has not been nominated as no action is proposed.
Location	Day (L _{Aeq} (period))	Evening (L _{Aeq} (period))	Night (L _{Aeq} (period))											
All privately-owned land	40	40	40											
S3.9	<p>The Proponent shall:</p> <p>(a) ensure that:</p> <ul style="list-style-type: none"> all new trucks, dozers, drills and excavators purchased for use on the site after the date of this approval are commissioned as noise suppressed (or attenuated) units; all equipment and noise control measures deliver sound power levels that are equal to or better than the sound power levels identified in the EA and that correspond to best practice or the application of best available technology economically achievable; where reasonable and feasible, improvements are made to existing noise suppression equipment as technologies become available... 	Non-Compliance (Low Risk)	<p>a) Evidence of sound power screening testing. Evidence of actions proposed in the AEMR's to reduce noise. For example: Komatsu 930E-4 haul trucks - It was suggested to install an engine matched exhaust/muffler system as a first stage treatment and evaluate its effectiveness.</p> <p>It is noted that in the 2014 AEMR, that <i>attenuated plant noise monitoring found the sound power levels of BCM's dozers to generally be higher than the levels recommended in the EA and is therefore a non-conformance</i>. Since 2014 there has been a continued program for noise attenuation, with monitoring results for sound power levels of plants improving following the use of additional noise attenuation. Evidence of implementation of noise attenuation following the recommendation of sound power testing reports. As the noise attenuation program is continuing and appears to be proving effective there are no further recommendations relating to noise attenuation.</p>	No recommendations	BCOPL does not propose any actions in response to this non-compliance. The issue has already been rectified.	A completion date has not been nominated as no action is proposed.								
S3.12	<p>The Proponent shall:</p> <p>(b) operate a comprehensive noise management system on site that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this approval...</p>	Non-Compliance (Low Risk)	<p>SentineX-real-time monitoring-daily monitoring data provided to key BOCPL staff and contractors via email. Evidence of triggers for real time noise monitoring outlined in the Noise MP. Minimal evidence provided for reviewing/changing operations based on real-time noise monitoring results (implementation of triggers). The approved Noise Management Plan (January 2016) provides some detail on real-time noise monitoring. Additional detail is provided in the unapproved Noise Management Plan (June 2017) which is currently with the DPE. Section 5.3 and 6.2 of the June 2017 Noise Management Plan outlines this information relating to trigger, action and response. It should be noted that the site has had minimal noise complaints and is generally compliant with attended monitoring during the audit period. Real-time monitors are installed and working, but record keeping could be improved regarding changes in response to noise alarms.</p>	<ol style="list-style-type: none"> Further liaison with the DPE regarding approval of the June 2017 version of the Noise Management Plan. Implementation of the real time monitoring program and recording of reviewing/changing operations in site documentation (including OCE reports). Additional information should be provided in the AEMR relating to activities for reviewing/changing operations based on real time noise monitoring. 	<p>BCOPL will continue to proactively manage noise impacts in line with the approved Noise Management Plan.</p> <ol style="list-style-type: none"> BCOPL will implement the recommendation. BCOPL will implement the recommendation. All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE. 	<ol style="list-style-type: none"> 16 February 2018 16 February 2018 A completion date has not been nominated as no action is proposed. 								
S3.13	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(f) include a monitoring program that:</p> <ul style="list-style-type: none"> uses a combination of real time and supplementary attended monitoring to evaluate the performance of the project; adequately supports the proactive and reactive noise management system on site... 	Non-Compliance (Low Risk)	<p>Noise monitoring - non compliant relating to the implementation of the real-time noise monitoring program (sub condition f). Minimal evidence provided for reviewing/changing operations based on real-time noise monitoring results (implementation of triggers).</p>	As per Schedule 3 Condition 12 recommendation for the implementation of real-time noise.	<p>BCOPL will continue to proactively manage noise impacts in line with the approved Noise Management Plan.</p> <ol style="list-style-type: none"> BCOPL will implement the recommendation. BCOPL will implement the recommendation. All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE. 	<ol style="list-style-type: none"> 16 February 2018 16 February 2018 A completion date has not been nominated as no action is proposed. 								
S3.16	<p>The Proponent shall only carry out blasting on the site between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Secretary.</p>	Compliant		<p>The day of the week that blasting is undertaken should be recorded in the blasting logs. The current log only records date and time, not day. No blasting is allowed on Sundays unless there is approval from the Secretary.</p>	<p>BCOPL disagrees with, and will not implement, the recommendation. Recording the date and time is adequate for complying with the requirements of this condition.</p>	A completion date has not been nominated as no action is proposed.								
S3.22	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>... (d) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> best management practice is being employed; and 	Compliant		<p>Section 7 of the Blast Management Plan outlines monitoring. The Blast Management Plan does not outline when meteorological conditions are favourable to blast and when conditions are not favourable. There is obviously a process to review meteorological conditions that</p>	<p>BCOPL does not propose to implement the recommendation. The auditor found BCOPL to be compliant with the condition. The criteria for favourable/unfavourable meteorological conditions are documented in the blasting procedure referred to by the auditor.</p>	A completion date has not been nominated as no action is proposed.								

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	<ul style="list-style-type: none"> compliance with the relevant conditions of this approval; (f) include a specific blast fume management protocol to demonstrate how emissions will be minimised including risk management strategies if blast fumes are generated; ... 			the Blast Co-ordinators and BCOPL enact during a blast, with there being no blasting activities until conditions are met. This additional detail should be added to the Blast Management Plan.	BCOPL operates in accordance with the approved Blast Management Plan. Documenting these criteria in the Blast Management Plan would require an unnecessary revision to the Blast Management Plan.	
S3.27*	Except for the air quality affected land in Table 7, the Proponent shall ensure that particulate matter emissions generated by the project do not exceed the criteria listed in Table 9, Table 10 and Table 11 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.	Non-Compliance (Low Risk)	<p>2015 A total of 54 of the required 66 sampling events occurred over the reporting period. Data was not collected from Merriown HVAS on 5 January, 2015 due to the unavailability of HVAS filter replacements, and between 10 March and 9 May, 2015 as a result of the resident who occupied the property vacating the premises and disconnecting the electricity. According to the 2015 AEMR 'Electricity has been reconnected at Merriown and will be maintained throughout future monitoring periods. A monitoring technician has been engaged to undertake the required monitoring, thereby minimising the risk of future non-compliances'.</p> <p>2014 No recordings of PM10 occurred on the 18, 24 and 30 December 2014, due to the unavailability of HVAS filter replacements.</p>	No recommendations	BCOPL disagree's with the auditor's finding that this issue constitutes a non-compliance. The condition does not specify the required number of sampling events. Nonetheless, the issue has been rectified, and no actions are proposed. BCOPL asserts that this non-compliance applies only to condition M2.2 of EPL12407, under which the required frequency of monitoring is specified.	A completion date has not been nominated as no action is proposed.
S3.31(e)	<p>The Proponent shall prepare and implement an Air Quality and Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>...</p> <p>(e) include a risk/response matrix to codify mine operational responses to varying levels of risk resulting from weather conditions and specific mining activities;</p> <p>(h) includes a Leard Forest Mining Precinct Air Quality Management Strategy that has been prepared in consultation with other coal mines in the Precinct to minimise the cumulative air quality impacts of all mines within the Precinct, that includes: ...</p> <ul style="list-style-type: none"> procedures for identifying and apportioning the source/s and contribution/s to cumulative air impacts for both mines and other sources, using the air quality and meteorological monitoring network and appropriate investigative tools such as modelling of post incident plume dispersion, dual synchronised monitors and chemical methods of source apportionment. ... 	Compliant	There is a difference between the triggers/response within the AQGHGMP (Appendix E) and the Air Quality Management Strategy (Section 4.7 and dated May 2017) for the BTM Complex. The AQGHGMP Triggers in Table 11.3 still state 'Example', and are of a greater level of detail compared to the Air Quality Management Strategy. It should be noted that Table 11.3 of the AQGHGMP is a little vague and confusing.	<ol style="list-style-type: none"> Once the AQGHGMP is approved, install and operate the PM2.5 monitor. Ensure there are consistent triggers between the BCOPL AQGHGMP and the BTM Air Quality Management Strategy. Further consultation with an air quality specialist and the EPA regarding the finalisation of the Trigger Action Response Plan. Triggers should be justifiable and based on known site dust levels. Ensure there is additional detail in the AEMR relating to real - time dust monitoring, including details of when conditions were changed based on monitoring data and triggers. 	<ol style="list-style-type: none"> The PM 2.5 monitor will be operated following installation. BCOPL will review the triggers in the AQGHGMP and BTM Complex Air Quality Management Strategy during the next revision of each document. Any inconsistencies will be corrected. BCOPL will continue to utilise suitability qualified and experienced personnel to refine the Trigger Action Response Plan in the AQGHGMP. Any revisions to the plan will be made in accordance with the consultation requirements of the project approval. All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE. 	<ol style="list-style-type: none"> 16 April 2018 16 July 2018 16 July 2018 A completion date has not been nominated as no action is proposed.
S3.38(b)	<p>(b) a Surface Water Management Plan, which includes:</p> <p>...</p> <ul style="list-style-type: none"> a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> clean water diversion systems; erosion and sediment controls (dirty water system); mine water management systems including irrigation areas; discharge limits in accordance with EPL requirements; water storages; haul road and Boggabri Rail Spur Line and bridge flood and water diversions; performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the project: <ul style="list-style-type: none"> the water management system; soils within the irrigation area; downstream surface water quality; downstream flooding impacts, including flood impacts due to the construction and operation of the Boggabri Rail Spur Line and rail bridge; and stream and riparian vegetation health, including the Namoi River; a program to monitor: <ul style="list-style-type: none"> the effectiveness of the water management system; soils within the irrigation area; and 	Non-Compliance (Low Risk)	<p><u>Implementation</u></p> <ul style="list-style-type: none"> Currently clean water is being captured in a dam (road built across) and clean water from a large section of the catchment does not leave site. This is not as per the Water Management Plan (July 2017 - unapproved) and the MOP. SLR understands this dam was only built recently in the month prior to the site visit however the site is not licenced to collect water from this dam, with the original design to divert the clean water around the site. Field inspection noted the incorrect clean/dirty water management in the area around the 'clean water diversion drain'. Currently clean water is being captured in a dam (road built across) and clean water from a large section of the catchment does not leave site. Rilling and erosion of dam and pipeline at SD11. No evidence of stream and riparian monitoring as per the 2014 Surface Water Management Plan (approved) and 2017 Surface Water Management Plan (unapproved - Section 6.3). The commitment from the 2017 Water Management Plan states BCOPL will monitor stream and riparian condition of Nagero Creek and the Namoi River at permanent monitoring locations to identify the potential for impacts to stream and riparian condition. 	<p><u>Field Improvements:</u></p> <ol style="list-style-type: none"> Improvements required for clean/dirty water management in the area around the 'clean water diversion drain'. Pursue options for ensuring that clean water diversions shown on MOP, in Water Management Plan, align with what is constructed on site and all necessary licences are in place for the solution. Undertake consultation with government agencies as required. SD11 – adjacent to rail load out. Rilling across dam. Pipeline has caused erosion and if not treated could affect dam integrity. Recommend moving pipeline location closer to the water or additional rocks placed around the eroded area to reduce erosion. Completion of monitoring for stream and riparian monitoring for Nagero Creek and the Namoi River as per the Water Management Plan. <p><u>Administrative Improvements:</u></p> <ol style="list-style-type: none"> Tarrawonga Drainage Area - protocol. Develop a protocol to review the capacity of SD6 if the 	<ol style="list-style-type: none"> BCOPL will implement the recommendation. BCOPL will engage a suitably qualified and experienced individual to inspect SD11 and, if required, based on the outcomes of that inspection, undertake rectification works to the dam. BCOPL will implement the recommendation BCOPL will continue to manage the capacity of SD6 in accordance with the approved Surface Water Management Plan. These observations are noted. 	<ol style="list-style-type: none"> 16 April 2018 16 April 2018 16 April 2018 A completion date has not been nominated as no action is proposed. A completion date has not been nominated as no action is proposed.

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	<ul style="list-style-type: none"> - surface water flows and quality in the watercourses that could be affected by the project; - downstream flooding impacts; and • a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project;... 			<p>Tarrawonga drain is close to discharging (Tarrawonga drain flows to SD6). BCOPL should obtain samples of surface water when water enters the Boggabri site from the Tarrawonga Drainage Area.</p> <p>5. Section 3.6 of the Surface Water Management Plan outlines baseline data for the Namoi River. This data is from 2008 to 2012, with additional data to be added for the next update. This has not been updated in the 2017 update.</p>		
S3.38(c)	<p>(c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> • the monitoring and testing requirements specified in the PAC recommendations for groundwater management as set out in Appendix 6; • a program to monitor and assess: <ul style="list-style-type: none"> - groundwater inflows to the open cut mining operations; - the seepage/leachate from water storages, backfilled voids and the final void; - interconnectivity between the alluvial and bedrock aquifers; - background changes in groundwater yield/quality against mine-induced changes; - the impacts of the project on: <ul style="list-style-type: none"> o regional and local (including alluvial) aquifers; o groundwater supply of potentially affected landowners; o aquifers potentially affected by the mine irrigation area; o groundwater dependent ecosystems (including potential impacts on stygo-fauna) and riparian vegetation... 	Non-Compliance (Low Risk)	<p><u>Implementation</u></p> <ul style="list-style-type: none"> • There were occasions during the audit period where monitoring was unable to be undertaken at some groundwater locations. These were outlined in the EPL Annual Returns. The reason for these bores not being monitored include 'monitoring bore casing damaged due to ground movement, preventing a pump or bailer from being placed in the bore to obtain a groundwater sample. SLR understands additional bores will be installed (following approval from the DPI Water) to offset the loss of bores. 	<ol style="list-style-type: none"> 1. Further liaison with DPI Water regarding licencing of bores. 2. Updates to the Water Management Plan if required for most up to date monitoring locations. 	<ol style="list-style-type: none"> 1. BCOPL will continue to liaise with DPI Water for relevant licencing matters. 2. Any changes to surface water monitoring locations will be captured in the next revision of the Groundwater Management Plan. 	<ol style="list-style-type: none"> 1. 16 April 2018 2. 16 April 2018
S3.55(a)	The Proponent shall prepare and implement an Aboriginal Heritage Conservation Strategy for the project and the Biodiversity Offset Strategy areas to the satisfaction of the Secretary. This Strategy must enhance and conserve the Aboriginal cultural heritage values (both cultural and archaeological) and provide for their long-term protection and management. The Strategy must: (a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;	Compliant	AHCS Section 1.1 states that the NSW Department of Planning and Environment (DP&E) has approved the appointment of Dr Andrew Sneddon and Dr Matthew Whincop as suitably qualified and experienced persons. A letter from DP&E dated 20 January 2016 confirms the approval of this appointment.	A copy of the DP&E letter of appointment dated 20 January 2016 should be provided as an appendix to the AHCS.	BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way.	A completion date has not been nominated as no action is proposed.
S3.55(b)	(b) be prepared in consultation with OEH, the local Aboriginal community and other mines within the Leard Forest Mining Precinct, and submitted to the Secretary for approval within 18 months from the date of project approval;	Not verified	<p>The AHCS has not been submitted for approval and the draft document is currently undergoing review by the NSW Office of Environmental and Heritage (OEH). The 2014 audit states that an extension was granted for the development of the AHCS until the 30 June 2014. Email correspondence from RPS representative Tessa Boer-Mah dated 28 April 2014 was provided. The email requests in principle support for an additional time extension from OEH representative Phil Purcell on the basis that Aboriginal representatives had requested additional time to consider AHCS documentation. An email from Phil Purcell dated 30 April 2014 provides in principle support for the time extension, but no evidence is provided to show that the time extension was formally granted by OEH. AHCS Section 1.2 and 8 outlines the consultation process with Aboriginal stakeholders, OEH and other mines. There is no clear outline or summary of the feedback provided by Registered Aboriginal Parties (RAPs), OEH and other mines, when/how that feedback was provided, and how this feedback was incorporated into the AHCS. AHCS Section 8.2 outlines how ongoing consultation will occur.</p>	<ol style="list-style-type: none"> 1. An explanation of why the AHCS submission deadline was not met and whether additional time extensions were formally granted should be included in AHCS Section 1.2 along with any supporting documentation as appendices (e.g. letter/s formally granting extension/s). 2. Ideally, each point raised by RAPs, OEH and other mines during the consultation process would be tabulated along with a description of the response outlining the actions taken or justifying inaction. This could be incorporated as an appendix to the AHCS. 3. Some suggestions for improvement to the ongoing consultation process are to describe the consultation processes for: review of minutes; decision making; managing stakeholder input/feedback; responsibilities and obligations of 	<ol style="list-style-type: none"> 1. BCOPL will not implement the recommendations as they will not improve the system in any way. The AHCS was approved by the Secretary on 10 November 2017. 2. BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way. 3. The suggestions are noted and will be considered during the next review of the AHCS. 	<ol style="list-style-type: none"> 1. A completion date has not been nominated as no action is proposed. 2. A completion date has not been nominated as no action is proposed. 3. 16 April 2018

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				parties; and triggering additional/extraordinary meetings.		
S3.56(b)	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: ... (b) be prepared in consultation with the OEH and the local Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);	Compliant	The CHMP was developed in consultation with RAPs and OEH (Section 2 and Appendix G); however, there is no clear outline of the feedback provided by RAPs and OEH, when/how feedback was provided, and how this feedback was incorporated into the CHMP. A letter from OEH dated 7 February 2017 provides several recommendations for strengthening the CHMP (Boggabri ACHMP OEH Comments 20170207.pdf; additional audit documents). The CHMP was not updated to address these recommendations prior to approval by DP&E on 13 February 2017.	1. Ideally, each point raised by RAPs and OEH during the consultation process would be tabulated along with a description of the response outlining the actions taken to justify inaction. This could be incorporated as an appendix to the CHMP. 2. The OEH recommendations (letter dated 7 February 2017) for strengthening the CHMP should be addressed in subsequent CHMP revisions, and a copy of the letter incorporated as an appendix to the CHMP.	1. BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way. 2. BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way.	A completion date has not been nominated as no action is proposed.
S3.56(c)	(c) be submitted to the Secretary for approval prior to any development that may impact heritage items, unless the Secretary agrees otherwise;	Compliant	A letter from DP&E dated 13 February 2017 states that the CHMP Version 7 dated 9 February 2017 modified for MOD5 has been approved (Boggabri Coal Mine - Approval CHMP_2017.pdf; additional audit documents).	A copy of the letter from DP&E dated 13 February 2017 should be provided as an appendix to the CHMP.	BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way.	A completion date has not been nominated as no action is proposed.
S3.56(d)	(d) include the following for the management of Aboriginal heritage: • a detailed plan for the implementation of the approved Aboriginal Heritage Conservation Strategy; • a description of the measures that would be implemented for: - protecting, monitoring and managing Aboriginal sites on the site which are outside of the approved disturbance area; - maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on the site and within the Biodiversity Offset Strategy areas; - managing the discovery of any human remains or previously unidentified Aboriginal objects on site, including (in the case of human remains) stop work provisions and notification protocols; - ongoing consultation of the local Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage both on-site and within any Aboriginal heritage conservation areas; - ensuring any workers on site receive suitable heritage inductions prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions; • a strategy for the storage and management of any heritage items salvaged on site, both during the project and long term;	Compliant	<ul style="list-style-type: none"> CHMP Section 2.6 outlines the objectives of the AHCS. Section 2.6.1 states that the AHCS will be implemented following approval and in consultation with RAPs. The AHCS has not been approved and the draft document is currently undergoing review by OEH. As previously noted, the 2014 audit states that an extension was granted for the development of the AHCS until the 30 June 2014. It is not clear why the AHCS was not developed to meet this deadline, or whether additional extensions have been granted. Description of measures for: <ul style="list-style-type: none"> Aboriginal sites on the site which are located outside of the approved disturbance area: Section 3.7 outlines strategies for in situ conservation of these sites by fencing and the management of environmental and blasting impacts. These are considered appropriate and sufficient measures. CHMP Section 7 outlines the monitoring requirements, although it is not clear from the monitoring report provided (June 2017 Arch Monitoring Report.docx; ID20) whether monitoring is occurring at sites identified outside of the approved mining disturbance area. Managing the discovery of human remains or previously unidentified Aboriginal objects: CHMP Section 3.4 and 3.5 outlines the protocols. The "flow chart for site management" referred to on page 60 does not appear to exist and no figure reference is provided. This omission was identified in the 2014 audit and does not appear to have been rectified. Otherwise, these procedures are considered appropriate and sufficient. Ongoing consultation with RAPs: CHMP Section 2.6 outlines how this will occur through an Aboriginal Stakeholder Community Forum (ASCF). The suggestions for improvement from the 2014 audit have not been incorporated. CHMP Section 4.4 outlines the procedure for the storage and management of salvaged heritage items. The CHMP states that a sub-committee is under formation that will determine the location of a long-term Keeping Place. However, an outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs is not provided. 	<ol style="list-style-type: none"> Add the "flow chart for site management" referred to on page 60 of the CHMP. Incorporate the suggestions for improvement to ongoing consultation with RAPs from the 2014 audit, including: describing the proposed processes for: notification for meetings; review of minutes; review of reports; decision making; managing stakeholder input/feedback; responsibilities and obligations of parties; and triggering additional/extraordinary meetings. An outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs could be included as an appendix to the CHMP as a table with descriptions of points raised by RAPs and responses provided. 	<ol style="list-style-type: none"> BCOPL will implement the recommendations. The suggestions are noted and will be considered during the next review of the AHCS. BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way. Furthermore, adding an outline of progress to the CHMP will establish a requirement to continually update the plan to account for any changes in progress. 	<ol style="list-style-type: none"> 16 July 2018 16 July 2018 A completion date has not been nominated as no action is proposed.
S3.56(e)	(e) include the following for the management of historic heritage: • a detailed plan for the implementation of mitigation and management measures for historic heritage items identified to be impacted by the project, in particular proposed consultation, archival recording, research and archaeological investigations to be undertaken for the locally significant Heathcliffe residence prior to and during any disturbance; • a detailed plan for management measures for maintaining or enhancing the heritage values of heritage items on project-related land which are outside of the approved disturbance area;	Not verified	CHMP inclusions for the management of historic heritage: • A plan for the implementation of mitigation and management measures for historic heritage items identified to be impacted is provided in Section 5.1. One item was identified for impact: the piggery at Daisymede 3. Few details are provided in the CHMP. The item was assessed as having low local significance and the CHMP Section 5.3.1 states that the item was demolished and that archival recording was done by Insite Heritage in 2014. Some additional details are provided in the monitoring report (Monitoring_V1_030614: ID13). This report was reviewed and does not fulfil the requirements of an archival photographic recording report as outlined in NSW Heritage Office (2006) <i>Photographic Recording of Heritage Items Using Film or Digital</i>	<ol style="list-style-type: none"> An archival recording report for the piggery at Daisymede 3 is required to fulfil the CHMP requirements. Section 5.3.1 should be updated to state that the Daisymede 3 piggery is within the impact area. Evidence should be provided to show that maintenance of historic heritage buildings is being undertaken in accordance with the Heritage Office maintenance series. 	BCOPL will implement the recommendations, with the exception of those related to the piggery at Daisymede 3. The piggery at Daisymede 3 was demolished as part of the Boggabri Coal Expansion Project. It is therefore not possible to prepare another archival recording report. Furthermore, prior to demolition of the piggery, BCOPL engaged a suitably qualified archaeologist to prepare an archival recording of the site. The archival recording report titled	<ol style="list-style-type: none"> A completion date has not been nominated as no action is proposed. 16 July 2018 16 April 2019 16 July 2018 16 April 2019

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	<ul style="list-style-type: none"> a description of the measures that would be implemented for: <ul style="list-style-type: none"> managing the discovery of human remains or previously unidentified heritage items on site; and ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions. 		<p><i>Capture.</i> Section 5.3.1 states that the Daisymede 3 piggery is outside of the impact area, which is incorrect.</p> <ul style="list-style-type: none"> CHMP Section 5.2 outlines the maintenance to be undertaken for historic heritage buildings and states that this maintenance will be undertaken in accordance with the Heritage Office maintenance series. However, no evidence has been provided that these buildings are being monitored or maintained as stated. The CHMP Section 5.1 states that direct impacts to the Heathcliffe residence have been avoided. Section 5.3.2 states that archival recording of Heathcliffe residence has been completed, but this report has not been provided. Although not required unless impacts are identified, an archival recording report would provide a baseline condition assessment of Heathcliffe residence. Section 5.3.4 states that archival recording for a baseline assessment of The Rock Inn & Cemetery will occur, but no timeline of completion of the archival recording and report is provided. The CHMP provides a detailed plan for the management/mitigation for historic sites outside of the disturbance area in Section 5.3.5. However, no evidence has been provided to show that this plan is being implemented for the unassessed heritage assets. 	<ol style="list-style-type: none"> A timeline for the completion of archival recording for The Rock Inn & Cemetery should be provided. Evidence should be provided to show that the plan for the management/mitigation for historic sites outside of the disturbance area (Section 5.3.5) is being implemented for unassessed heritage assets. 	'Monitoring_V1_030614: ID13' was prepared to meet BCOPL's obligations for an archival recording report. There is no requirement within the Project Approval conditions or Statement of Commitments to prepare the archival recording report following the NSW Heritage Office (2006) guideline titled 'Photographic Recording of Heritage Items Using Film or Digital Capture'.	
S3.57(b)	The Proponent shall prepare and implement an Archaeological Salvage Program for the project to the satisfaction of the Secretary. This Program must: ... (b) be prepared in consultation with the OEH and the local Aboriginal stakeholders;	Compliant	<p>It is apparent that the salvage methodology (CHMP Section 4.2) was developed in consultation with RAPs (Section 2 and Appendix G); however, there is no clear outline of the feedback provided by RAPs, when/how it was provided, and how this feedback was incorporated into the salvage methodology.</p> <p>Likewise, consultation with OEH regarding the development of the salvage methodology is apparent (CHMP Section 2.2). This process could be more outlined, perhaps tabulated with descriptions of each point raised by OEH and the responses provided as an Appendix to the CHMP or ACHSR.</p>	Ideally, each point raised by RAPs and OEH during the methodology consultation process would be tabulated along with a description of the response outlining the actions taken or justifying inaction. This could be incorporated as an Appendix to the CHMP or ACHSR.	BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way.	A completion date has not been nominated as no action is proposed.
S3.57(c)	<p>(c) incorporate methodology including:</p> <ul style="list-style-type: none"> sub-surface testing; staged salvage, based on anticipated mine planning; pre-disturbance monitoring; site assessment and reporting protocols; research objectives to inform knowledge of Aboriginal occupation; protection, storage and management of salvaged Aboriginal objects; addressing relevant statutory requirements under the National Parks and Wildlife Act 1974; and proposed long-term plan for protection of salvaged Aboriginal objects. 	Non-Compliance (Low Risk)	<p>The salvage methodology is outlined in CHMP Section 4.</p> <ul style="list-style-type: none"> A review of the salvage program to date is outlined in CHMP Section 3 and stage 1 is reported in the ACHSR. However, there does not appear to be a summary of the staging or description of how the staging was based upon anticipated mine planning. Pre-disturbance monitoring is outlined in CHMP Section 3.3.1 and 7. There is a discrepancy between Section 3.3.1 (which requires monitoring of sites "within one hundred metres of proposed works... on a 6 monthly basis or more frequently...") and Section 7 (which omits the "6 monthly basis"). The archaeological monitoring report (ID20: June 2017Arch Monitoring Report.docx) outlines annual monitoring undertaken at 68 sites in June 2017, including notes and actions required. This demonstrates that site monitoring is occurring; however, from the information provided, it is not clear whether the CHMP requirement to monitor all sites annually (or more frequently for those located within 100m or proposed works) is being met. No evidence (e.g. program/schedule) has been provided for the implementation of the identified actions. The CHMP Table 1 refers to Section 4.4.4 for site assessment and reporting protocols. Section 4.4.4 and 9 outlines the schedule for annual reporting and submission of the salvage reports to DP&E. Site assessment protocols are not outlined here, although artefact analysis protocols are outlined in CHMP Section 4.4.2 and ACHSR Section 6.1. Research objectives are outlined in CHMP Section 4.4.6 and updated in ACHSR Section 5. The questions do appear to be relevant to informing knowledge of Aboriginal occupation; however, relevance to Aboriginal occupation is not clearly stated and should be incorporated into each question/statement. Discussion of the salvage results in ACHCR Section 7 rarely mentions or discusses Aboriginal occupation in relation to the research objectives. Aboriginal occupation should be clearly incorporated into the discussion of the salvage results. Discussion of Aboriginal occupation does occur in the ACHSR conclusion, Section 8. The statutory requirements under the National Parks and Wildlife Act 1974 (NPW Act) require that the AHIMS database be updated, including the registration of new sites 	<p>The CHMP or ACHSR should include a summary of the salvage program staging and a description of how the staging was based upon anticipated mine planning.</p> <ol style="list-style-type: none"> The discrepancy between Section 3.3.1 (which requires monitoring of sites "within one hundred metres of proposed works... on a 6 monthly basis or more frequently...") and Section 7 (which omits the "6 monthly basis") should be clarified and made consistent throughout the CHMP. Evidence that the CHMP requirement to monitor all sites annually (or more frequently for those located within 100m or proposed works) should be provided; and evidence (e.g. program/schedule) should be provided showing that the actions identified during monitoring are being implemented. Site assessment protocols should be outlined in the CHMP. The relevance of the research objectives (CHMP Section 4.4.6; ACHSR Section 5) to Aboriginal occupation should be incorporated into each research question/statement and into the ACHSR discussion (Section 7) of the salvage results. A brief audit of the AHIMS database versus the mine database indicates discrepancies (e.g. site status and location) and it is recommended that a AHIMS-Mine Site rectification programme occur over the following three years, prior to the next audit, to ensure that 	<ol style="list-style-type: none"> BCOPL will implement the recommendation. BCOPL will implement the recommendation. BCOPL will implement the recommendation. BCOPL will implement the recommendation. BCOPL will implement the recommendation. BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way. Furthermore, adding an outline of progress to the CHMP will establish a requirement to continually update the plan to account for any changes in progress. 	<ol style="list-style-type: none"> 16 July 2018 16 July 2018 16 July 2018 16 July 2018 16 July 2019 A completion date has not been nominated as no action is proposed.

Reference	Requirement	Compliance	Key Findings (reported by exception)	Recommendation	Proposed Action	Target Completion Date
			<p>and impacts/salvage of known sites. Consistency between the site status and location data shown on the AHIMS database and the mine administered site status database (Site status all sites 28022017.xlsx: ID21) was checked using a sample of 65 of 275 sites listed on the mine administered database. The status of 15 sites listed on the mine database as having undergone salvage were found not to have been updated on AHIMS. Five of these sites were listed as 'ASIR Form Submitted' on the mine database; however, the AHIMS site status does not appear to have been updated. Aboriginal Site Impact Recording (ASIR) forms for the remaining ten sites do not appear to have been submitted to AHIMS. The status of three sites (NV37, NV38 and NV39 under AHIMS ID 20-4-207) listed on AHIMS as having been 'destroyed' appears to be incorrect. The mine database indicates that the sites have only been partially destroyed, with the scarred tree still in situ. Location information for two sites differed between the AHIMS database and mine database: BC48 (AHIMS ID: 20-4-0141) and BC53 (AHIMS ID: 20-4-0146).</p> <ul style="list-style-type: none"> An outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs is not provided. 	6. these datasets match, which is vital to ensuring no inadvertent impacts. An outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs should be included as an Appendix to the CHMP, for instance, as a table with descriptions of points raised by RAPs and responses provided.		
S3.64	<p>Within 12 months of the completion of the Gunnedah Traffic Study, the Proponent shall provide a report of the outcomes of this liaison and identify any proposals recommended by either the Proponent or the Gunnedah Shire Council towards implementing reasonable and feasible recommendations, to the satisfaction of the Secretary.</p> <p>"Note: Any contribution by the Proponent should be on an equitable basis with other coal project rail users."</p>	Administrative Non-Compliance	No evidence of report provided to Council. Due to the construction of the overpass in Gunnedah, traffic impacts from trains in Gunnedah are negligible. No further recommendations.	No recommendations	The Gunnedah Traffic Study was a report that focused on the management of traffic impacts in Gunnedah caused by additional trains operating on the Werris Creek to Narrabri rail line as a result of the Boggabri Coal Mine. BCOPL was able to provide evidence of Gunnedah Shire Council having received a copy of the Gunnedah Traffic Study. Due to personnel changes within BCOPL and Council, evidence of any subsequent correspondence was unable to be provided to the auditor. NSW Roads and Maritime Services is currently preparing the detailed design for a second road over rail bridge in Gunnedah. Once constructed, this bridge will alleviate the rail-related traffic impacts in Gunnedah that drove the requirements of this condition. Therefore, BCOPL does not propose any actions in response to this non-compliance.	A completion date has not been nominated as no action is proposed.
S3.67	<p>The Proponent shall:</p> <p>(a) ensure that the project is suitably equipped to respond to any fires on site; and</p> <p>(b) assist the Rural Fire Service, NSW Forests, emergency services and National Parks and Wildlife Services as much as possible if there is a fire in the surrounding area.</p>	Compliant	No specific Bushfire Management Plan. Commitments in Biodiversity Management Plan. Bushfire management is covered within the Emergency Response Procedure for Plant or Structural Fire. The site has water storages which would assist the RFS with firefighting.	Recommend a standalone Bushfire Management Procedure. This would include the management of surrounding bushland in the event of a bushfire. This procedure would cover the site as well as offset areas.	BCOPL will not implement the recommendations as the requirements of the condition have been satisfied and there is no justifiable need for a separate Bushfire Management Procedure.	A completion date has not been nominated as no action is proposed.
S3.68	<p>The Proponent shall:</p> <p>(a) implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the project;</p> <p>(b) ensure that the waste generated by the project is appropriately stored, handled and disposed of;</p> <p>(c) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review.</p>	Compliant	<p>Generally waste management has been undertaken well. There are some comments from the site inspection including:</p> <ul style="list-style-type: none"> Area of hydrocarbon spill near above ground tanks – diesel unloading area. Noticeable spill and needs to be cleaned. Spill near water fill point; Oily rags in the general waste bin; Hoses in lubricant area hanging down and not being effectively stored. Ensure all hydrocarbon hoses are stored within clips. 	<ol style="list-style-type: none"> Ensure spills identified during the audit are cleaned up, with material taken to the hydrocarbon remediation area. Ensure there are enough hose clips in the lubricant storage area. Continue waste inspections to ensure correct waste separation. 	BCOPL will implement the recommendations.	16 April 2018
S3.70	<p>The Proponent shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim rehabilitation strategies shall be employed when areas prone to dust generation cannot yet be permanently rehabilitated.</p> <p>Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the development.</p>	Compliant	<ul style="list-style-type: none"> Evidence of progressive rehabilitation through a review of an aerial photo and rehabilitation outlined in the AEMR. Proposed rehabilitation in the MOP. Field inspection noted rehabilitation from recent to five years plus. Generally rehabilitation was of a good quality and rehabilitation monitoring is ongoing. Exposed surfaces are kept to a minimum. Mulched woodchip is spread across some disturbed lands to reduce dust generation. 	<ol style="list-style-type: none"> Completion of a targeted rehabilitation trial that is based on scientific analysis. There is criteria within the Rehabilitation Management Plan relating to rehabilitation being within soil criteria 'soil based criteria within 25% of analogue site values' for a series of criteria. Recommend testing of top soil used in rehabilitation as well as testing of 	The requirements of the condition have met. BCOPL will not implement the recommendations as there is no justification for them.	A completion date has not been nominated as no action is proposed.

Reference	Requirement	Compliance	Key Findings (reported by exception)	Recommendation	Proposed Action	Target Completion Date
				soil within established rehabilitation to determine how the soil is tracking against criteria.		
S3.71	The Proponent shall prepare and implement a Rehabilitation Management Plan to the satisfaction of DRE. This plan must: (b) be submitted DRE within 6 months from the date of this approval;	Administrative Non-Compliance	b) The Rehabilitation Management Plan was submitted in January 2013, with this being within 6 months of the approval date. Note the Rehabilitation Management Plan appears to have been submitted to the then DP&I (now DPE), instead of the requirement to submit to the DRG.	A copy of the Rehabilitation Management Plan should be sent to the DRG.	The Rehabilitation Management Plan has been submitted to the DRG (formerly DRE) on numerous occasions as part of the MOP process. The Rehabilitation Management Plan is an appendix to the approved 2015-2019 MOP, which was approved by DRE.	A completion date has not been nominated as no action is proposed.
S3.73	The Proponent shall use its best endeavours to ensure that the agricultural productivity of land that is project related (including remaining agricultural land on properties forming the biodiversity offset area) is maintained or enhanced.	Compliant	AEMR's summarise the management of agricultural land at BCOPL.	Additional detail should be provided in the AEMR regarding the management of agricultural productivity.	All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no action is proposed.
S3.75	The Proponent shall implement the Boggabri Coal Housing Commitment identified in the EA, in consultation with Council, to provide for: (a) construction of a minimum of 10 dwellings in Boggabri, within a timeframe agreed by Council; (b) construction of a minimum of 20 dwellings in Narrabri, within a timeframe agreed by Council; and (c) implementation of remaining commitments within the terms of the approved Social Impact Management Plan (see condition 77 of Schedule 3)...	Compliant	There is no due date on this condition. a) and b) the houses have not been constructed. Section 3.6.1 of the approved SIMP (2013) outlines the proposed process for implementing actions a) and b). This has not yet been completed yet. The SIMP stated that "If the monitoring results indicated that the Project was unreasonably increasing the cost of housing, BCOPL would underwrite the construction of a further 20 dwellings (60 percent in Narrabri Township, 30 percent in Gunnedah Township, and 10 percent in Boggabri Township)." c) There are a series of commitments in the SIMP. Section 4.15.2 of the 2016 reports against key SIMP monitoring requirements.	Liaison with the DPE and Council relating to this condition. Agreement on the best outcome for the area based on the housing strategy.	BCOPL will continue to liaise with the DPE and Council regarding the Boggabri Coal Housing Commitment.	A completion date has not been nominated as no action is proposed.
S3.77	The Proponent shall prepare and implement a Social Impact Management Plan for the project to the satisfaction of the Secretary to manage the potential impacts of the project. This plan must: (h) include a monitoring program, incorporating key performance indicators and a review and reporting protocol, including reporting in the annual review.	Administrative Non-Compliance	<u>Implementation:</u> There are non-compliances in relation to the SIMP monitoring requirements with these outlined in the 2015 AEMR. Note since this time the issues with SIMP identified in 2015 were rectified in the 2016 AEMR.	1. Ensure monitoring requirements relating to the SIMP are completed. 2. Include evidence of the liaison with relevant stakeholders as part of the SIMP update (copy of consultation letters). 3. Continue liaison with the Council relating to housing commitments as per recommendation in Schedule 3 Condition 75.	1. The auditor states that the issues related to SIMP monitoring outlined in the 2015 AEMR were rectified in the 2016 AEMR. BCOPL will continue to comply with the monitoring requirements of the SIMP. 2. BCOPL will not implement the recommendation as it is not a requirement of the condition and will not improve the management system in any way. 3. BCOPL will continue to liaise with Council regarding the Boggabri Coal Housing Commitment.	1. A completion date has not been nominated as no action is proposed. 2. A completion date has not been nominated as no action is proposed. 3. A completion date has not been nominated as no action is proposed.
S5.3	The Proponent shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: • the relevant statutory requirements (including any relevant consent, licence or lease conditions); • any relevant limits or performance measures/criteria;...	Compliant	Conditions a) to g) generally covered within management plans. Some plans have limited information relating to specific aspects of this condition, such as the SIMP (minimal information about contingency response). However some of these sub conditions are not relevant to some management plans. Section 3.6 of the Surface Water Management Plan outlines baseline data for the Namoi River. This data is from 2008 to 2012, with additional data to be added for the next update. This has not been updated in the 2017 update.	1. Include additional baseline data in the next update to the Surface Water Management Plan. 2. For the next updates of management plans, ensure a cross referencing table is included in all management plans outlining where Schedule 5 Condition 3 has been addressed.	BCOPL will implement the recommendations	16 April 2018
S5.4(d)	By the end of March each year, the Proponent shall review the environmental performance of the project for the previous calendar year to the satisfaction of the Secretary. This review must: ...(d) identify any trends in the monitoring data over the life of the project...	Observation	The documents are prepared as AEMR's. Although the AEMR's are detailed and cover most of the requirements of this condition they have not been prepared as per the Annual Review Guidelines. The 2014, 2015 and 2016 AEMR's were reviewed for this audit. Observation There are trends associated with groundwater in the AEMR's, however little information relating to longer terms trends for air quality, surface water and noise.	1. The name of these documents should be changed to become Annual Reviews. SLR recommends using the exact structure of the Annual Review Guidelines in terms of sections and headings. 2. Additional detail relating to trends. We recommend some graphs/tables and some analysis relating to trends over a five year period for noise compliance, surface water quality and air quality. 3. Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.	All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no action is proposed.
S5.5	Within 3 months of the submission of: (a) an annual review under condition 4 above; (b) an incident report under condition 8 below; (c) an audit under condition 10 below; and	Administrative Non-Compliance	It is acknowledged that BCOPL has been working on updating management plans for several years for key plans such as the Water Management Plan, Noise Management Plan and the AQGHGMP. These updates have included several versions with the DPE, hence the 'annual review' component is not triggered.	Review management plans annually as part of the Annual Review. Based on this review, there may not be a requirement to 'revise' a plan for resubmission to the	BCOPL disputes this audit finding. There is no formal requirement within the condition to document management plan reviews. All previous AEMRs/Annual Reviews have been prepared to the	A completion date has not been nominated as no action is proposed.

Reference	Requirement	Compliance	Key Findings (reported by exception)	Recommendation	Proposed Action	Target Completion Date
	(d) any modification to the conditions of this approval, the Proponent shall review the strategies, plans, and programs required under this approval. Where this review results in revisions to any such document, then within 4 weeks of the completion of the revision, unless the Secretary agrees otherwise, the revised document must be submitted to the Secretary for approval.		Some management plans such as Blast Management Plan (no review between June 2013 and November 2015), SIMP (no review between November 2013 - June 2016) and Environmental Management Strategy (no review between November 2012 and September 2012) exceeded the review timing of a) and c) of this condition.	DPE. Where this is the case, this should be stated in the Annual Review.	satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	
S5.9	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.	Compliant	Environmental performance is outlined on the website through environmental reporting. Including summaries for groundwater, surface water, dust and noise.	The reporting on the BCOPL website does not meet the EPA reporting requirements. The EPA requirements are a consolidated summary, not separate reports for different aspects, as currently prepared by BCOPL. Ensure ongoing reporting meets these requirements. EPA Reporting requirements are outlined in the following link: http://www.epa.nsw.gov.au/resources/licensing/130742reqpubpmdata.pdf	Neither the Project Approval nor Statement of Commitments require reporting in accordance with EPA's reporting requirements. BCOPL will not implement the recommendation.	A completion date has not been nominated as no action is proposed.
S5.11	Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Administrative Non-Compliance	Response letter from DPE provided which confirms that a copy of the audit report was received by the department on 21 August 2014. A letter is also provided which gave BCOPL an extension of the timeframe for submission of the audit report until 20 August 2014. A copy of the action plan is also provided. Very minor admin non-compliance with the audit report provided one day later than the agreed date.	No recommendations	BCOPL does not propose any actions in response to this non-compliance. The issue has already been rectified.	A completion date has not been nominated as no action is proposed.
S5.13	The Proponent shall ensure that the noise and air quality risk/response matrices required to be developed in the Noise and Air Quality Management Plans and validated real time monitoring data are available online and includes: (a) timely publication of validated monitoring data in a clearly understandable form; (b) identification of mine operational responses to monitoring data and weather forecasts;	Non-Compliance (Low Risk)	a) Evidence sighted of real-time air quality monitoring - PM10. No evidence of real-time noise monitoring available online. b) No evidence online of mine responses.	1. Ensure real-time noise monitoring is available on the website as real-time air is available. 2. Additional information should be provided in the AEMR regarding real time noise and air monitoring including responses to triggers.	1. The condition does not require the real-time noise monitoring data to be available online in real-time. It requires validated real-time monitoring data to be available online. Validated real-time monitoring data is currently available online. 2. All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no action is proposed.
Statement of Commitments						
2	Boggabri Coal commits to using reasonable endeavours to reach in good faith an appropriate barrier coal extraction agreement with Aston by the end of Year 5 of operations.	Not Triggered	The end of Year 5 of operations has passed at the site. There has been evidence of consultation with Maules Creek Coal Mine (Whitehaven) during the audit period, however there is no agreement yet in place.	Continue to liaise with Whitehaven regarding this condition to ensure an agreement is in place relating to barrier coal extraction.	BCOPL has complied with the requirements of this condition and does not consider further actions necessary.	A completion date has not been nominated as no action is proposed.
3	Boggabri Coal 's Environmental Monitoring Programs for air quality, water quality, noise and blasting will be reviewed and updated as required, in consultation with the relevant regulators for approval by DP&I as specified in conditions of Project Approval.	Administrative Non-Compliance	These key programs have been reviewed however the frequency has not met the requirements of Schedule 5 Condition 5 of the Project Approval. Several management plans are currently with DPE for review and approval.	Review management plans annually as part of the Annual Review. Based on this review, there may not be a requirement to 'revise' a plan for resubmission to the DPE. Where this is the case, this should be stated in the Annual Review.	BCOPL disputes this audit finding. There is no formal requirement within the condition or commitment to document management plan reviews. All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no action is proposed.
4	Boggabri Coal's EMPs will be revised and updated as required, in consultation with the relevant regulators for approval by DP&I as specified in any conditions of Project Approval for Surface and Groundwater Management, Flora and Fauna, Rehabilitation and Landscape Management (including Void Management) and Aboriginal Archaeology and Cultural Heritage Management.	Administrative Non-Compliance	These key programs have been reviewed however the frequency has not met the requirements of Schedule 5 Condition 5 of the Project Approval. Several management plans are currently with DPE for review and approval.	Review management plans annually as part of the Annual Review. Based on this review, there may not be a requirement to 'revise' a plan for resubmission to the DPE. Where this is the case, this should be stated in the Annual Review.	BCOPL disputes this audit finding. There is no formal requirement within the condition or commitment to document management plan reviews. All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no action is proposed.
27	Boggabri Coal will establish a keeping place for the purpose of housing salvaged Aboriginal artefacts from the mine site.	Compliant	The CHMP states that a sub-committee is under formation that will determine the location of a Keeping Place. However, an outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs is not provided.	An outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs should be included as an appendix to	All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance	A completion date has not been nominated as no action is proposed.

Reference	Requirement	Compliance	Key Findings (reported by exception)	Recommendation	Proposed Action	Target Completion Date
				the CHMP, for instance, as a table with descriptions of points raised by RAPs and responses provided.	with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	
28	Boggabri Coal will undertake archival recordings of the Daisymede shearing shed and yards, Daisymede piggery and the Heathcliff property residence prior to any disturbance or relocation of these sites.	Not verified	Archival recording of the Daisymede 3 piggery and the Heathcliff residence are reported to have occurred, but the archival recording reports have not been provided. The Daisymede 3 piggery has been demolished, which is documented in the <i>Monitoring Report: Demolition of Daisymede Piggery</i> (Monitoring_V1_030614: ID13). This report does not fulfil the requirements of an archival photographic recording report as outlined in NSW Heritage (2006) <i>Photographic Recording of Heritage Items Using Film or Digital Capture</i> . Impacts to the Heathcliff residence have been avoided. There are no planned impacts to the Daisymede shearing shed and yards and therefore archival recording of is not required at this time.	The archival recording report for the Daisymede 3 piggery should be provided.	BCOPL will not implement the recommendation. The piggery at Daisymede 3 was demolished as part of the Boggabri Coal Expansion Project. It is therefore not possible to prepare an archival recording report. Furthermore, prior to demolition of the piggery, BCOPL engaged a suitably qualified archaeologist to prepare an archival recording of the site. The archival recording report titled 'Monitoring_V1_030614: ID13' was prepared to meet BCOPL's obligations for an archival recording report. There is no requirement within the Project Approval conditions or Statement of Commitments to prepare the archival recording report following the NSW Heritage Office (2006) guideline titled ' <i>Photographic Recording of Heritage Items Using Film or Digital Capture</i> '.	A completion date has not been nominated as no action is proposed.
31	Boggabri Coal will prepare an Annual Review (which summarises monitoring results and reviews performance) and distribute it to the relevant regulatory authorities and the Boggabri CCC.	Compliant	The AEMR's have been completed, however SLR recommends some updates in future documentation.	<ol style="list-style-type: none"> The name of these documents should be changed to become Annual Reviews. SLR recommends using the structure of the Annual Review Guidelines in terms of sections and headings. Additional detail relating to trends. Recommend some graphs/tables and some analysis relating to trends over a five year period for noise compliance, surface water quality and air quality. 	All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no specific action is proposed.
34	Boggabri Coal will revise its existing RMP and undertake rehabilitation trials in the development of its topsoil utilisation strategy and rehabilitation success criteria to the satisfaction of EPA & DTIRIS-DRE and for approval by DP&I.	Compliant	Rehabilitation monitoring is being undertaken, with this including a review of the rehabilitation success criteria. Most recent Rehabilitation Management Plan dated October 2015. Evidence of ongoing rehabilitation monitoring against the 2008 rehabilitation trials for species selection. Minimal information relating to trials is outlined in the AEMR. Evidence of fertiliser treatment trials. There is evidence of past rehabilitation trials, but minimal recent trials.	<ol style="list-style-type: none"> Summarise rehabilitation trials in the future AEMR's/Annual Reviews. Consider developing additional rehabilitation trials. There is criteria within the Rehabilitation Management Plan relating to rehabilitation being within soil criteria 'soil based criteria within 25% of analogue site values' for a series of criteria. Recommend testing of top soil used in rehabilitation as well as testing of soil within established rehabilitation to determine how the soil is tracking against criteria. 	All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no specific action is proposed.
CL 368						
2	(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. (b) For the purposes of this condition: (i) environment means components of the earth, including: (A) land, air and water, and (B) any layer of the atmosphere, and (C) any organic or inorganic matter and any living organism, and (D) human-made or modified structures and areas, and includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C). (ii) harm to the environment 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	Compliant	Management measures for the prevention of harm to the natural environment (land, air and water) and man-made environment are included in Management Plans prepared for site. These include the Construction Environmental Management Plan, Air Quality Environmental Management Plan, Surface Water Management Plan and Groundwater Management Plan. The Surface Water Management Plan is not being adhered to as a dam has been constructed in a clean water drain that traverses the northern portion of the project area. Further work is required in this area, however currently this does not constitute harm to the environment.	Further investigations and action is required to ensure that the clean water drain remains a clean water management structure and that erosion within the drain is managed appropriately.	BCOPL will implement the recommendation	19 January 2018

Reference	Requirement	Compliance	Key Findings (reported by exception)	Recommendation	Proposed Action	Target Completion Date																
	impacts to places, objects and features of significance to Aboriginal people.																					
3	(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...	Compliant	The most recent MOP Guidelines (DRE, 2013) are dated September 2013. Although the structure is generally as per the 2013 MOP Guidelines, there are still some references in the MOP to the draft 2012 guidelines (including the references section).	The next MOP should remove references to the 2012 MOP Guidelines as these are now superseded.	BCOPL will implement the recommendation	19 January 2018																
4	(a) The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General. (b) The EMR must: (i) report against compliance with the MOP; (ii) report on progress in respect of rehabilitation completion criteria; (iii) report on the extent of compliance with regulatory requirements; and (iv) have regard to any relevant guidelines adopted by the Director-General;	Observation	In regards to b) ii), the 2014, 2015 and 2016 AEMRs do not report on progress in respect of rehabilitation completion criteria. Currently documentation is outlined as AEMR's, not Annual Reviews.	1. Future Annual Reviews must report on progress in respect of rehabilitation completion criteria. 2. Future AEMRs must be referred to as Annual Reviews in accordance with the October 2015 Annual Review Guideline.	All previous AEMRs/Annual Reviews have been prepared to the satisfaction of DPE. BCOPL will continue to prepare AEMRs/Annual Reviews in accordance with the Annual Review Guideline (DPE, 2015) and to the satisfaction of DPE.	A completion date has not been nominated as no specific action is proposed.																
EPL 12407																						
P1.3	P1 Location of Monitoring/discharge points and areas 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.	Non-Compliance (Low Risk)	According to the most recent <i>Surface Water Management Plan</i> (2017) there is no SD2. For the 2016-2017 EPL Annual Return period along sampling was not undertaken at the following locations: IBC 2101 (Point 8), IBC 2103 (Point 9), IBC 2104 (Point 10), IBC 2105 (Point 11), IBC 2139 (Point 14), IBC 2114 (Point 15), IBC 2115 (Point 16), IBC 2138 (Point 17).	SLR notes that an EPL variation has been lodged to address this issue. 1. Further liaison with the DPI Water regarding licencing of bores. 2. Updates to the <i>Water Management Plan</i> if required for most up to date monitoring locations.	1. BCOPL will continue to liaise with DPI Water for relevant licencing matters. 2. Any changes to surface water monitoring locations will be captured in the next revision of the Surface Water Management Plan.	16 April 2018																
L3.1	Noise generated at the premises must not exceed the noise limits in the table below. <table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day L_{Aeq}(15 minute)</th> <th>Evening L_{Aeq}(15 minute)</th> <th>Night L_{Aeq}(15 minute)</th> </tr> </thead> <tbody> <tr> <td>All privately owned residences</td> <td>35 dB(A)</td> <td>35 dB(A)</td> <td>35 dB(A)</td> </tr> </tbody> </table>	Locality and Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	All privately owned residences	35 dB(A)	35 dB(A)	35 dB(A)	Non-Compliance (Low Risk)	Site specific noise limits were exceeded on several occasions at Goonbri, Greenhills and Bollol Creek. However, these are not considered to be non-compliances by Boggabri Coal Mine for the following reasons: Goonbri was subject to acquisition in August 2015 and is now owned by BCOPL. Greenhills and Bollol Creek are owned by Tarrawonga Coal Mine. The 35 dB(A) criterion is therefore not applicable to these properties and the surveyed noise levels comply with the EPL.	No recommendations	BCOPL does not propose any actions in response to this non-compliance as all residences where the exceedences were recorded are now mine-owned.	A completion date has not been nominated as no specific action is proposed.								
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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.	Compliant	Generally compliant, with operations carried out in a competent manner. There are some comments from the site inspection including: • Area of hydrocarbon spill near above ground tanks – diesel unloading area. Noticeable spill and needs to be cleaned. • Spill near water fill point; • Oily rags in the general waste bin; • Hoses in lubricant area hanging down and not being effectively stored. Ensure all hydrocarbon hoses are stored within clips.	1. Ensure spills are cleaned up, with material taken to the hydrocarbon remediation area. 2. Ensure there are enough hose clips in the lubricant storage area. 3. Continue waste inspections.	BCOPL will implement the recommendations	16 April 2018																
O4.1	The quantity of effluent applied to the utilisation area(s) must not exceed the capacity of the utilisation area(s) to effectively utilise the effluent. For the purpose of this condition, "effectively utilise" includes the ability of the soil to absorb the nutrient, salt and hydraulic loads and the applied organic material without causing harm to the environment.	Compliant	Evidence of results of soil analysis - wastewater application area. Analysis report dated 24 January 2017 by Lanfax Laboratories. Based on results provided the quantity of effluent does not exceed the capacity of the utilisation area.	Future analysis should have a small summary comparing results against the carrying capacity.	BCOPL will not implement the recommendation. Compliance with the condition has been demonstrated and there is no justification for the recommendation.	A completion date has not been nominated as no specific action is proposed.																
M2.2	Air Monitoring Requirements POINT 24,25,26 <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>Continuous</td> <td>AM-19</td> </tr> </tbody> </table> POINT 45 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>Micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Particulates – Deposited Matter	Grams per square metre per month	Continuous	AM-19	Pollutant	Units of measure	Frequency	Sampling Method	PM10	Micrograms per cubic metre	Every 6 days	AM-18	Non-Compliance (Low Risk)	NC for sampling frequency for PM10. Missed events. 2016 - within criteria for DDG, TSP and PM10. 2015 - PM10 monitoring and DDG monitoring within criteria. No TSP monitoring, with a conversion used to assess compliance. 2014 - DDG and PM10 within criteria. For 2015: A total of 54 of the required 66 sampling events occurred over the reporting period. Data was not collected from Merriown HVAS on 5 January, 2015 due to the unavailability of HVAS filter replacements, and between 10 March and 9 May, 2015 as a result of the resident who occupied the property vacating the premises and disconnecting the electricity. Electricity has been reconnected at Merriown and will be maintained throughout future monitoring periods. A monitoring technician has been engaged to undertake the required monitoring, thereby minimising the risk of future non-compliances. 2014: No recordings of PM10 occurred on the 18, 24 and 30 December 2014, due to the unavailability of HVAS filter replacements.	No recommendations	BCOPL does not propose any actions in response to this non-compliance. The issue has already been rectified.	A completion date has not been nominated as no specific action is proposed.
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