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## Boggabri Coal Mine Independent Environmental Audit

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Boggabri Coal Operations Pty Ltd

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# Boggabri Coal Mine Independent Environmental Audit

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## DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
630.12119-R01-v0.2	24 October 2017	Tracey Ball and Chris Jones	Chris Jones	Chris Jones
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## 1 INTRODUCTION

### 1.1 Background to Site

The Boggabri Coal Mine is an open cut coal mine located 15km north-east of the township of Boggabri in north-western New South Wales. The Boggabri Coal Mine is managed by Boggabri Coal Operations Pty Ltd (BCOPL) which is majority owned by Idemitsu Australia Resources Group (IAR), a subsidiary of Japanese company Idemitsu Kosan Pty Ltd.

The current Project Approval (PA) 09\_0182 Modification 5, limits mining until end of December 2033. The Mining Operations Plan (MOP) covers a 5 year period from the 1 April 2015 to the 31 December 2019.

Truck and shovel operations are undertaken at Boggabri Coal Mine to produce a crushed and screened Run of Mine (ROM) coal product. A Coal Handling and Preparation Plant (CHPP) was completed at BCOPL in 2015. Following extraction and processing, product coal is stockpiled prior to being conveyed to the train load out facility, where it is dispatched to the Port of Newcastle and exported for overseas consumption. The rail spur has been operating since in early 2015, replacing road transport of product coal between the Mine Infrastructure Area (MIA) and Boggabri Coal Terminal (BCT).

BCOPL have approval to extract 7 Million tonnes per annum (Mtpa) of product coal from a total resource of 145 Mt. The Project includes the operation of ancillary equipment, CHPP, 17 kilometre (km) rail spur line and a rail loadout facility located at the mine. The final stage of the mining process involves the reshaping, topsoiling and seeding of the overburden emplacement to achieve the rehabilitation objectives of BCOPL.

BCOPL engages contractors to undertake construction, mining, coal processing and transportation activities.

### 1.2 Audit Scope

Schedule 5 Condition 10 and 11 of the Project Approval outlines the requirement to complete the Independent Environmental Audit (Audit).

#### **AUDITING**

##### ***Independent Environmental Audit***

*10. By the end of June 2014 and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:*

- a. be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- b. include consultation with the relevant agencies;*
- c. assess the environmental performance of the project and assess whether it is complying with the requirements in this approval, and any other relevant approvals, relevant EPL/s and/or Mining Lease (including any assessment, plan or program required under these approvals);*
- d. assess whether the Proponent is implementing best noise, blasting and air quality management practice;*
- e. investigate and report on the measures taken to minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply, including:*
  - the effectiveness of these measures in maintaining noise impacts within the relevant noise criteria in this approval and/or the limits in the relevant EPL; and*

- *any additional measures available to mitigate noise impacts under such meteorological conditions*
- f. *(investigate and report on the measures taken to minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see condition 30(d) of Schedule 3), including:*
- *the effectiveness of these measures in maintaining air quality impacts within the criteria in Table 9, Table 10 and Table 11 of Schedule 3; and*
  - *any additional measures available to mitigate air quality impacts under such conditions;*
- g. *review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and*
- h. *recommend measures or actions to improve the environmental performance of the project and/or any strategy, plan or program required under these approvals.*

*Note: This audit team must be led by a suitably qualified auditor, and include experts in noise, air quality, ecology, Aboriginal heritage and any other fields specified by the Secretary.*

*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.*

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

- Project Approval – PA 09\_0182 (including management plans and programs);
- Environment Protection Licence – EPL12407;
- Environmental Assessment (EA) Modification 5 (MOD 5) Consolidated Statement of Commitments;
- Mining Lease – CL 368; and
- Water Access Licences – WAL 2571, WAL 2572, WAL 2595, WAL 2596, WAL 12691, WAL 12767, WAL 15037, WAL 24103, WAL 29473, WAL 29562, WAL 36547, WAL 37067 and WAL 37519.

The physical boundaries of the audit are defined by the Project Approval area, which is outlined in **Figure 1**.



### 1.3 Key Site Contacts

Contact details for key personnel at BCOPL are provided in **Table 1** below:

**Table 1 Contact Details for Key Mine Personnel**

Name	Role	Telephone	Email
Daniel Martin	Environmental Superintendent	02 6749 6010	Daniel.Martin@boggabrickoal.com.au
Hamish Russell	Senior Environmental Advisor	02 6749 6009	Hamish.Russell@boggabrickoal.com.au
James McDonough	Environmental Advisor (Contract)	02 6749 6013	James.McDonough@boggabrickoal.com.au

### 1.4 Audit Methodology

The Independent Environmental Audit was undertaken on site by Chris Jones (Lead Auditor) and Tracey Ball (Assistant Auditor) of SLR, with the site component completed on 1, 2 and 3 August 2017. At the request of the DPE SLR also used Martin Davenport (SLR Noise specialist), Ali Naghizadeh (SLR Air Quality Specialist) and Jodie Benton (OzArk Heritage Specialist) to provide specialist input into the audit. The SLR audit team are independent of BCOPL as defined under Section 3.3 of the NSW Government's (2015) *Independent Audit Guideline*.

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

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

- Introductory and close out meetings;
- Reviewing key documents provided by BCOPL prior to the audit;
- Consultation with relevant government agencies as per the audit requirements prior to the site component;
- Preparation of draft Audit Protocol's provided to BCOPL prior to the site audit;
- Site component of the audit from 1 to 3 August 2017 – including inspections and discussions with key BCOPL personnel;
- Review of additional relevant documentation obtained while on site during the inspection or provided by BCOPL after the site inspection; and
- Client review and comment on the draft audit report.

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

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

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



### 1.4.1 Introductory and Closeout Meetings

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

**Table 2 Meeting Attendees**

Name	Role	Comment
Daniel Martin	BCOPL - Environmental Superintendent	Present at both meetings and site inspections.
Hamish Russell	BCOPL - Senior Environmental Advisor	Present at both meetings.
James McDonough	BCOPL - Environmental Advisor (Contract)	Present at both meetings.
Peter Forbes	BCOPL - HSE Manager	Present at both meetings.
Ray Balks	BCOPL - General Manager Operations	Present at the close out meeting.
Matt Robins	BCOPL - CHPP	Present at the opening meeting.
Anthony Margetts	BCOPL - Mine Operations Manager	Present at the opening meeting.
Angela Gamble	Downer Mining - Site Environmental Representative	Present at both meetings.
Luis Santivanez	Downer Mining	Present at both meetings.
Kent Taylor	Technical Services Manager	Present at the opening meeting.
Adrian Ribaldone	Maintenance Manager	Present at the opening meeting.
Paul Oram	Downer Manager	Present at the opening meeting.
Chris Jones	SLR Lead Auditor	Present at both meetings and all site inspections.
Tracey Ball	SLR Assistant Auditor	Present at both meetings and all site inspections.

### 1.4.2 Meetings/Interviews

Meetings/interviews with operations staff were also held for the audit. At these meetings/interviews drilling and blasting operations were discussed. **Table 3** lists those at these meetings/interviews.

**Table 3 Meeting Attendees**

Name	Role
Daniel Martin	BCOPL - Environmental Superintendent
Michael Ziang	Downer Mining Blast Engineer
Luis Santivanez	Downer Mining Blast Engineer
Chris Jones	SLR Lead Auditor
Tracey Ball	SLR Assistant Auditor

## 1.5 Consultation Requirements

**Table 4** outlines the stakeholder consultation completed for BCOPL, undertaken in accordance with the Audit Guidelines.

**Table 4 Stakeholder Consultation for the Audit**

Regulatory Authority	Contact Details	Comment
Department of Planning and Environment (DPE)	Heidi Watters Senior Compliance Officer 02 6575 3401 Heidi.Watters@Planning.nsw.gov.au	Comments provided. See Section 1.5.1 below. Email from SLR on 17 July 2017. Response provided by DPE by email on 25 July 2017.
Environment Protection Authority (EPA)	Robert O'Hern Head Regional Operations Unit (02) 67737000 Robert.OHern@epa.nsw.gov.au	Email from SLR on 17 July 2017. No comments provided.
Division of Resources and Geosciences (DRG)	John Trotter Acting Senior Inspector Environment (02) 4931 6553 john.trotter@industry.nsw.gov.au	Comments provided. See Section 1.5.2 below. Email from SLR on 17 July 2017. Response provided by DRG by email on 7 August 2017.
Department of Primary Industries – Water (DPI Water)	water.referrals@dpi.nsw.gov.au	Email from SLR on 17 July 2017. No comments provided.
Narrabri Shire Council	council@narrabri.nsw.gov.au	Email from SLR on 17 July 2017. No comments provided.
CCC Chairman	David Ross Director Phoenix Strategic Management david.ross@phoenixstategic.com.au	Email from SLR on 17 July 2017. No comments provided.

### 1.5.1 DPE Comments

Table 5 outlines the DPE comments relating to the BCOPL Audit.

**Table 5 DPE Comments Relating to BCOPL Audit**

Aspect	Comment
Effectiveness and adequacy of environmental monitoring (air, blast and noise) locations, particularly in relation to the location of private receivers	Air quality, blast and noise monitoring has been undertaken in accordance with site management plans. There are a series of management plans for the BTM Complex also outlining the management of these aspects.
Review of environmental monitoring (air, blast and noise) results for the audit period, identification of trends in monitoring data and comparison with EA predictions	Environmental monitoring has been reviewed for the audit.  For Schedule 5 Condition 4 of the Project Approval there is a requirement to provide information relating to trends in monitoring data.  SLR has recommended additional information relating to trends in future Annual Reviews. SLR recommend some graphs/tables and some analysis relating to trends over a five year period for noise compliance, surface water quality and air quality.
Review of Aboriginal heritage management and consultation with stakeholder groups	OzArk completed a reviewed of heritage commitments and statutory requirements.
Effectiveness of current measures to minimise visual impacts (including vegetation screening)	Generally visual management has been effective at the site. Very few queries and complaints relating to visual aspects.
Effectiveness/implementation of transport management plan and road maintenance	Conditions relating to road maintenance and contributions were reviewed as part of the audit.
Effectiveness and adequacy of online (website) information	The website information has generally been compliant. SLR however did recommend the publishing of real-time noise monitoring information, to meet Schedule 5 Condition 13 of the Project Approval.

DPE also noted the biodiversity aspects (Schedule 3 Condition 39 to 54) will be audited as part of the Independent Biodiversity Audit, to be commissioned by the end of December 2017.

### 1.5.2 DRG Comments

Table 6 outlines the DRG comments relating to the BCOPL Audit.

**Table 6 DRG Comments Relating to BCOPL Audit**

Aspect	Comment
<b>Desktop</b>	
Is there a current Mining Operations Plan (MOP) in place and has it been approved by DRG?	Yes approved MOP in place.
Has the MOP been prepared in consultation with the relevant agencies as outlined in the Project Approval?	There is a separate <i>Rehabilitation Management Plan</i> requirement in the Project Approval. There was consultation with the DRG and CCC during the development of the current MOP.
Is the rehabilitation strategy in the MOP consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s)?	Based on a review of Annual Reviews rehabilitation appears to be progressing in line with the MOP. Progressive rehabilitation was noted during the site inspection.

Aspect	Comment
Has the rehabilitation objectives and completion criteria as outlined in the MOP been developed in accordance with the proposed final land use(s) as outlined in the Project Approval?	The rehabilitation objectives are outlined in Section 4 of the MOP. Completion criteria outlined in Section 6 of the MOP.
Has a rehabilitation monitoring program been developed and implemented to assess performance against the nominated objectives and completion criteria? <i>verified by reviewing monitoring reports and rehabilitation inspection records.</i>	The monitoring program covers the key requirements of completion criteria in Section 6 of the MOP. Evidence of the completion of rehabilitation and monitoring. SLR has recommended some additional rehabilitation trials.
Has a rehabilitation care and maintenance program been developed and implemented based on the outcomes of monitoring program? <i>verified by reviewing Annual Rehabilitation Programs or similar documentation.</i>	Evidence of weed management and inspections of rehabilitation.
<b>Audit Component – Site Inspection</b>	
Are mining operations being conducted in accordance with the approved MOP (production, mining sequence etc.) including within the designated MOP approval boundary? <i>to be verified by site plans and site inspection.</i>	Yes. Based on the field inspection and a review of AEMR/MOP figures, operations are generally in accordance with the MOP and activities appear to be within the MOP boundary.
Is rehabilitation progress consistent with the approved MOP as verified by site plans and a site inspection? <i>This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in Project Approval.</i>	Based on the site inspection and a review of plans, the rehabilitation appears consistent with the MOP.
Based on a visual inspection, are there any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation?	The audit team viewed rehabilitation during the site inspection. The rehabilitation was in a good condition, with the landform being stable and excellent growth. There is a lack of groundcover in some areas, however this may improve in coming years.

### 1.5.3 DPI Water, EPA, CCC and NSC Comments

DPI Water, EPA, CCC and NSC did not provide any comments relating to the BCOPL Audit.

## 2 DOCUMENTS REVIEWED AND REFERENCED

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

- Project Approval – PA 09\_0182
- Environment Protection Licence – EPL 12407;
- Water Access Licences (WALs);
- Mining Lease (CL368);
- EA Statement of Commitments (Attached to the Project Approval);
- Previous Independent Environmental Audit – Graham A Brown & Associates (August 2014);
- Approved Environmental Management Plans, including:
  - *Groundwater Management Plan (February 2014);*
  - *Water Management Plan (May 2017);*
  - *Noise Management Plan (January 2016);*
  - *Surface Water Management Plan (February 2014);*
  - *Air Quality Environmental Management Plan (Air Quality EMP) (September 2009);*
  - *Site Water Balance (May 2017);*
  - *Blast Management Plan (June 2013);*
  - *Cultural Heritage Management Plan (CHMP) (November 2016);*
  - *Pollution Incident Response Management Plan (December 2015);*
  - *Social Impact Management Plan (November 2013);*
  - *Environmental Management Strategy (January 2013);*
  - *BTM Complex Blast Management Strategy (July 2014);*
  - *BTM Complex Air Quality Management Strategy (May 2017); and*
  - *BTM Complex Noise Management Strategy (May 2017).*
- Unapproved Management Plans (Prepared during audit period but not approved);
  - Air Quality Environmental Management Plan (July 2017)
- Mining Operations Plan – 2015 – 2019 (January 2017);
- Annual Returns – across the audit period;
- Annual Environmental Management Reviews (AEMRs) across the audit period;
- Community Consultative Committee Meeting Minutes – across the audit period;
- Key consultation with government – including consultation and approval letters;
- Complaints Register;
- Pollution Reduction Program; and
- Environmental monitoring reports and data – air, blasting, noise, water.

### 3 ASSESSMENT OF COMPLIANCE

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

**Table 7 Compliance Assessment Criteria**

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

**Table 8 Risk Levels for Non-Compliances**

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

## 4 APPROVALS AND DOCUMENTATION ASSESSED

### 4.1 Previous Audit Recommendations

The previous audit was completed by Graham A Brown & Associates, with the audit dated August 2014.

<https://www.idemitsu.com.au/wp-content/uploads/2016/02/Independent-Compliance-Audit-August-2014.pdf>

The audit covered the period of 18 July 2012 to 18 August 2014. Actions were reviewed as part of this audit and appear to have been completed. Recommendations covered some of the following aspects:

- Noise attenuation monitoring;
- Implementing predictive monitoring (SLR has recommended the implementation of this monitoring) as part of this audit;
- Noise monitoring;
- Stakeholder consultation; and
- Management Plan updates.

### 4.2 Project Approval

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

BCOPL operates under Project Approval (PA) 09\_0182 which was originally granted on 18 July 2012. PA 09\_0182 has subsequently been modified on three occasions as follows:

- Modification 3 (PA 09\_0182 MOD3) dated 17 March 2014 covering access, stockpiling and in-pit fuel storage;
- Modification 4 (PA 09\_0182 MOD4) dated 23 March 2015 covering boundary and infrastructure alterations; and
- Modification 5 (PA 09\_0182 MOD5) dated 30 August 2016 amendments to the project boundary to allow for the incorporation of additional ground water supply works.

Non-compliances relating to the Project Approval are outlined in **Section 6** and further recommendations outlined within **Section 7**. The Project Approval includes specific reference to each of the conditions within the following key areas of the consent:

#### **Schedule 2: Administrative Conditions**

#### **Schedule 3: Environmental Performance Conditions**

- Noise and vibration;
- Blasting;
- Air Quality and Greenhouse Gas;
- Meteorological Monitoring;
- Soil and Water;
- Heritage;

- Transport;
- Visual;
- Bushfire Management;
- Biodiversity;
- Rehabilitation;
- Ecology;
- Waste; and
- Social impacts.

#### **Schedule 4: Additional Procedures**

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

#### **Schedule 5: Environmental Management, Reporting and Auditing**

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

Biodiversity conditions were not covered by this audit as these will be subject to a separate Independent Environmental Audit in 2017.

### **4.3 Environmental Assessment – Statement of Commitments**

**Appendix B** lists the conditions imposed by the EA Statement of Commitments MOD 5 and indicates the compliance status of each condition, along with recommended actions in response to non-compliances. Non-compliances relating to the EA Statement of Commitments are outlined in **Section 6**.

Key aspects for the Statement of Commitments include:

- Mining Operations;
- Environmental Management and Monitoring;
- Air Quality;
- Noise and Blasting;
- Water Resources;
- Traffic;
- Visual;
- Aboriginal Archaeology and Cultural Heritage;
- Non Aboriginal Heritage;
- Community;
- Housing;
- Ecology;
- Rehabilitation;



- Reporting; and
- Rail.

Biodiversity commitments were not assessed as part of this Audit as they will be the subject of a separate Independent Environmental Audit to be undertaken by the end of 2017.

#### 4.4 Management Plans and Programs

The following Management Plans (**Table 9**) were assessed as part of the Independent Environmental Audit. Only the plans which were approved during the reporting period were assessed for compliance. Some plans were with the DPE for approval at the time of the audit including the *Water Management Plan* and the *AQGHGMP*. SLR completed a cursory review of these plans, however did not assess against compliance as these were not approved during the audit period. The *Biodiversity Management Plan* was not assessed during this Independent Environmental Audit, with this covered under a separate audit. The *Biodiversity Management Plan* will be the subject of a separate Independent Environmental Audit to be completed by the end of 2017.

**Table 9 Management Plans and Programs**

Management Plan	PA 09_0182	Comment
<i>Construction Environmental Management Plan (May 2013)</i>	S3 Condition 1	The preparation of this plan was outside the reporting period. The <i>Construction Environmental Management Plan</i> includes the construction of the rail spur line. The rail spur has been constructed and operations of the rail spur commenced in December 2014. Evidence was provided to SLR relating to the implementation of this plan.
<i>Noise Management Plan (January 2016)</i>	S3 Condition 13	The key commitments relating to monitoring and mitigation were reviewed for noise, with the site generally in compliance. The site receives few noise complaints, with no nearby receivers.  SLR has some recommendations relating to the implementation of real time noise monitoring which is outlined within <b>Section 6</b> .
<i>Blast Management Plan (June 2013)</i>	S3 Condition 22	SLR reviewed the <i>Blast Management Plan</i> as part of this audit. Blast results were within criteria and there was evidence of the implementation of the <i>Blast Management Plan</i> .
<i>Air Quality Environmental Management Plan (Air Quality EMP) (September 2009) and Air Quality and Greenhouse Gas Management Plan (Unapproved)</i>	S3 Condition 31	The currently approved <i>Air Quality Environmental Management Plan</i> is dated September 2009. This <i>Air Quality Environmental Management Plan</i> is based on a previous, now surrendered consent and it will not meet all the requirements of this condition.  There is an unapproved <i>AQGHGMP</i> with the most recent version of this dated July 2017. This plan was first submitted to the DPE in December 2012. As this <i>AQGHGMP</i> will be the plan going forward and the current approved plan is out of date (under a surrendered consent), SLR has reviewed compliance against the July 2017 <i>AQGHGMP</i> .  There was evidence of monitoring and mitigation

Management Plan	PA 09_0182	Comment
		measures from a review of AEMR's and the field inspection. SLR has made a recommendation relating to updating the <i>AQGHGMP</i> and the consistency of triggers.
<i>Water Management Plan (May 2017)</i>	S3 Condition 38	The most recent approved <i>Water Management Plan</i> is dated May 2017. For much of the audit period the site was approved to operate under the former 2013 documentation. There was evidence of monitoring and mitigation measures from a review of AEMR's and the field inspection. SLR has made several recommendations relating to water management, with these outlined within <b>Section 6</b> .
<i>Cultural Heritage Management Plan (CHMP) (November 2016)</i>	S3 Condition 56	OzArk assessed the CHMP for the site as part of this audit. A separate Appendix ( <b>Appendix E</b> ) has been prepared relating to heritage management conditions for the site.
<i>Traffic Management Plan (2012)</i>	S3 Condition 60	The <i>Traffic Management Plan</i> was received by SLR as part of the audit. SLR have made no recommendations relating to traffic management as part of this audit.
<i>Social Impact Management Plan (November 2013)</i>	S3 Condition 77	The SIMP was reviewed by SLR as part of the audit. Based on the information required some aspects of the SIMP were not completed earlier in the audit period, with this acknowledged in the 2015 AEMR. The issues with the SIMP which were identified in 2015 were rectified in the 2016 AEMR.
<i>Environmental Management Strategy (January 2013)</i>	S5 Condition 1	The EMS was reviewed by SLR as part of the audit. BCOPL provided evidence of the implementation of the EMS including recording complaints, incident management and inspections.

#### 4.5 Environment Protection Licence

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

- Administrative Conditions;
- Location of monitoring/discharge points and areas;
- Limit Conditions;
- Operating Conditions;
- Monitoring and Recording Conditions;
- Reporting Conditions;
- General Conditions;
- Pollution Studies and Reduction Programs; and
- Special Conditions.

## 4.6 Mining Leases

There is one Coal Leases (CL) relating to the Boggabri Mine operations; CL 368.

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

- Notifications;
- Environmental harm;
- Mining Operations Plan;
- Reporting;
- Rehabilitation;
- Subsidence Management;
- Blasting;
- Safety (not in the scope of the report);
- Prevention of Soil Erosion and Pollution;
- Infrastructure management;
- Trees and Vegetation;
- Resource Recovery;
- Indemnity;
- Security;
- Management of Operations; and
- Cooperation Agreement.

Rehabilitation, trees and vegetation aspects were not covered by this audit, as they will be the subject of a separate Independent Environmental Audit to be undertaken during 2017.

## 4.7 Water Licences

Water Access Licences (WALs for BCOPL include: WAL 2571, WAL 2572, WAL 2595, WAL 2596, WAL 12691, WAL 12767, WAL 15037, WAL 24103, WAL 29473, WAL 29562, WAL 36547, WAL 37067 and WAL 37519. SLR have been provided summary spreadsheets tracking how the site has performed against the WAL's. It is a very complex system involving carry over from previous years and the potential to sell or hold licences. There is a dedicated resource at BCOPL to manage WAL's. Based on the information provided to SLR in the summary spreadsheets, BCOPL have been within the volume limits of WAL's.

## 4.8 Complaints

Complaints are outlined within the AEMR, with the document providing a breakdown on the complaint issue across a one year period. The site receives most complaints relating to dust and blasting operations. The 2015 and 2016 AEMR illustrates the lowest number of complaints in the audit period, with 8 complaints received. The highest number of complaints was recorded in 2014 with 21 complaints recorded. Eight of these were made during the audit period.

## 4.9 Incident / Non Compliance Management

Incidents and non - compliances are outlined in the AEMRs and Annual Return documents. Most non compliances and incidents related to minor issues, including attenuation of plant, hydrocarbon spills, noise monitoring, PM<sub>10</sub> dust monitoring, surface water monitoring, groundwater monitoring.

## 5 ENVIRONMENTAL MANAGEMENT – SPECIALISTS ASSESSMENTS

The DPE requested specialists in air quality, noise and heritage to assist with the Independent Environmental Audit, with these specialists endorsed by the DPE on 27 June 2017.

### 5.1 Air Quality Management

#### 5.1.1 Background to Air Quality Management

The air quality management system for Boggabri Coal Mine is outlined within the *Air Quality Environmental Management Plan (2009 Approved document)* and the *AQGHGMP*. The most recent version of the *AQGHGMP* is dated July 2017. This plan was first submitted to the DPE in December 2012. As this *AQGHGMP* will be the plan going forward and the current approved plan is out of date (under a surrendered consent), SLR has reviewed compliance against the July 2017 *AQGHGMP*.

Air quality monitoring at site includes depositional dust monitoring, High Volume Air Sampler (PM<sub>10</sub>) and Tapered Element Oscillating Microbalance (TEOM) monitoring. Being an open cut there are a series of dust sources, with these outlined within the *AQGHGMP*. Mitigation measures relating to air quality impacts are outlined within the *AQGHGMP*.

#### 5.1.2 Key Findings – Air Quality

Key findings from the SLR audit include:

- The *AQGHGMP* has generally been prepared to meet Schedule 3 Condition 31 of the Project Approval;
- The site has been within air quality criteria, however there were some issues in 2014 where monitoring did not occur due to power failure and no supply of filter papers;
- There is a difference between the triggers/response within the *AQGHGMP* and the Air Quality Management Strategy (Section 4.7 and dated May 2017) for the BTM Complex. The *AQGHGMP* Triggers in Table 11.3 (of the *AQGHGMP*) still state 'Example', and are of a greater level of detail compared to the Air Quality Management Strategy;
- There was some evidence of the implementation of triggers following real time air quality monitoring;
- The field inspection noted evidence of water carts, use of mulch for dust suppression and the minimisation of the disturbance footprint; and
- There are some further recommendations relating to air quality, with these outlined within **Section 7** of this report.

## 5.2 Noise Management

### 5.2.1 Background to Noise Management

The noise management system for Boggabri Coal Mine is outlined within the approved *Noise Management Plan*. Noise monitoring for the mine includes attended monitoring, real time monitoring, cumulative noise monitoring and mobile equipment monitoring. The site also has a detailed meteorological monitoring system to assist with noise management. Key noise mitigation measures are outlined within the approved *Noise Management Plan*.

### 5.2.2 SLRs Findings - Noise

Key Findings from the SLR Audit include:

- The site has received few noise complaints during the audit period;
- Although the site is well away from the nearest private receptors, noise management is still a key aspect due to cumulative noise across the BTM Complex;
- There was one exceedance of noise criteria (night time noise level at Goonbri property on 11 September 2014) and one missed noise monitoring event (December 2015), with these being non compliances;
- There is a noise attenuation program that is completed annually;
- Real-time noise monitoring is being completed, however minimal evidence was supplied of implementation of triggers, actions and responses.
- There are some further recommendations relating to noise, with these outlined within **Section 6 and 7** of this report.

## 5.3 Heritage Management

### 5.3.1 Background to Heritage Management

Aboriginal and Cultural Heritage is managed under the *CHMP* (November 2016). The *CHMP* outlines known heritage sites, consultation requirements and a background to process to manage heritage sites.

### 5.3.2 OzArks Findings – Aboriginal Heritage

SLR engaged OzArk to assist with the Independent Environmental Audit, with OzArk endorsed by the DPE. Key Findings from the OzArks review of heritage are included in **Appendix E**, with recommendations outlined within **Section 6 and 7** of this report.

## 6 AUDIT FINDINGS - SUMMARY OF NON COMPLIANCES

Table 10 outlines the summary of non - compliances relating to the statutory conditions for BCOPL.

Table 10 Summary of Non - Compliances

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation								
<b>Project Approval – PA 09_0182</b>												
Schedule 3 Condition 5	<p><b>Operational Noise - Noise Affected Land</b>                      At any stage of the project, except for the noise-affected 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>Table 3: Noise impact assessment criteria dB(A) – maximum any stage of project life</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day (L<sub>day</sub> period)</th> <th>Evening (L<sub>day</sub> period)</th> <th>Night (L<sub>day</sub> 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 <sub>day</sub> period)	Evening (L <sub>day</sub> period)	Night (L <sub>day</sub> period)	All privately-owned land	40	40	40	Non – Compliant (Low Risk)	<p>2017 results - within criteria based on monthly reports provided to SLR for this audit.</p> <p>2016 AEMR - Noise levels assessed as part of the monitoring program were within all operational noise criteria.</p> <p>2015 AEMR stated: 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 PA.</p> <p>It should also be noted 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-</p>	No additional recommendation. Only one noise non - compliance.
Location	Day (L <sub>day</sub> period)	Evening (L <sub>day</sub> period)	Night (L <sub>day</sub> period)									
All privately-owned land	40	40	40									

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			compliance at the site of the audit.	
Schedule 3 Condition 9	<p><b>Noise</b>                      The Proponent shall:</p> <p>(a) ensure that:</p> <ul style="list-style-type: none"> <li>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;</li> <li>ensure that 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;</li> <li>where reasonable and feasible, improvements are made to existing noise suppression equipment as technologies become available; and</li> </ul> <p>(b) monitor and report on the implementation of these requirements annually on its website.</p>	Non – Compliant (Low Risk)	<p>a) Evidence of sound power screening testing. Evidence of actions proposed in the AEMR's to reduce noise. For example:</p> <p>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 attenuated plant noise monitoring found the sound power levels of Boggabri Coal Mine's dozers to generally be higher than the levels recommended in the EA and is therefore a non-conformance. 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> <p>b) the AEMR is provided on the website.</p> <p>Global Acoustics report - December 2016. Sound Power Level Report - screening of mobile plant onsite. Readings over 3DB required further assessment of proposed mitigation measures.</p>	No additional recommendation. Sound power level testing is an ongoing management tool for the site.
Schedule 3 Condition 12	<p>Operating Conditions                      The Proponent shall:</p> <p>(c) operate a comprehensive noise management</p>	Non – Compliant (Low Risk)	b) Non - Compliance - SentineX-real-time monitoring-daily monitoring data provided to key BOCPL staff and contractors via email. Evidence of triggers for real time	<ul style="list-style-type: none"> <li>Further liaison with the DPE regarding approval of the June 2017 version of the <i>Noise Management Plan</i>. Implementation</li> </ul>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>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> <p><i>Note: This condition has been summarized in this table to include only the relevant section of the condition.</i></p>		<p>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 <i>Noise Management Plan</i> (January 2016) provides some detail on real - time noise monitoring. Additional detail is provided in the unapproved <i>Noise Management Plan</i> (June 2017) which is currently with the DPE. Section 5.3 and 6.2 of the June 2017 <i>Noise Management Plan</i> 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>	<p>of the real time monitoring program and recording of reviewing/changing operations in site documentation (including OCE reports).</p> <ul style="list-style-type: none"> <li>Additional information should be provided in the AEMR relating to activities for reviewing/changing operations based on real time noise monitoring.</li> </ul>
<p>Schedule 3 Condition 13</p>	<p><b>Noise Management Plan</b>                      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"> <li>uses a combination of real time and supplementary attended monitoring to evaluate the performance of the project;</li> <li>adequately supports the proactive and reactive noise management system on site;</li> <li>uses predictive meteorological forecasting to incorporate proactive mitigation measures to manage noise impacts;</li> <li>includes monitoring of inversion strength at an appropriate sampling rate to determine compliance with noise limits;</li> </ul>	<p>Non – Compliant (Low Risk)</p>	<p>f) Section 6 and 7. The <i>Noise Management Plan</i> states:</p> <p>Ongoing real time noise monitoring and monthly attended noise monitoring will be undertaken throughout Project construction and operational phases. Attended noise monitoring was conducted on a quarterly basis from inception of the Boggabri Coal Mine to the end of 2015. Continued attended monitoring to assess ongoing compliance with individual and cumulative noise criteria is now conducted at monthly intervals.</p> <p><u>Implementation</u></p> <ul style="list-style-type: none"> <li>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</li> </ul>	<p>As per Schedule 3 Condition 12 recommendation for the implementation of real time noise.</p>



Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation																							
	<ul style="list-style-type: none"> <li>evaluates and reports on the effectiveness of the noise management system on site;</li> <li>provides for the annual validation of the noise model for the project; and</li> </ul> <p><i>Note: This condition has been summarized in this table to include only the relevant section of the condition.</i></p>		on real time noise monitoring results (implementation of triggers). <ul style="list-style-type: none"> <li>Attenuation; and</li> <li>Minimal complaints.</li> </ul>																								
Schedule 3 Condition 27	<p>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.</p> <p>Table 9: Long-term criteria for particulate matter</p> <p><small>Table 9: Long-term criteria for particulate matter</small></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th><sup>a</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td><sup>a</sup> 90 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td><sup>a</sup> 30 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p>Table 10: Short-term criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th><sup>a</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>a</sup> 50 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p>Table 11: Long-term criteria for deposited dust</p> <p><small>Table 11: Long-term criteria for deposited dust</small></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td><sup>c</sup> Deposited dust</td> <td>Annual</td> <td><sup>b</sup> 2 g/m<sup>2</sup>/month</td> <td><sup>a</sup> 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table>	Pollutant	Averaging Period	<sup>a</sup> Criterion	Total suspended particulate (TSP) matter	Annual	<sup>a</sup> 90 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	<sup>a</sup> 30 µg/m <sup>3</sup>	Pollutant	Averaging Period	<sup>a</sup> Criterion	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>a</sup> 50 µg/m <sup>3</sup>	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month	Non – Compliant (Low Risk)	<p>2016 - within criteria for DDG, TSP and PM<sub>10</sub>.</p> <p>2015 - PM<sub>10</sub> monitoring and DDG monitoring within criteria. No TSP monitoring, with a conversion used to assess compliance. SLR notes that the TSP conversion has been used for the overall BTM complex and this has been approved by the DPE.</p> <p>2014 - DDG and PM<sub>10</sub> within criteria.</p> <p>2015:</p> <p>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.</p> <p>According to the 2015 AEMR 'Electricity has been reconnected at Merriown and will be maintained throughout future monitoring periods. A monitoring technician was engaged to undertake the required monitoring, thereby minimising the risk of future non-compliances'.</p>	No recommendation. Since mid - 2015, this issue has been fixed.
Pollutant	Averaging Period	<sup>a</sup> Criterion																									
Total suspended particulate (TSP) matter	Annual	<sup>a</sup> 90 µg/m <sup>3</sup>																									
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Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			2014: No recordings of PM <sub>10</sub> occurred on the 18, 24 and 30 December 2014, due to the unavailability of HVAS filter replacements.	
Schedule 3 Condition 38 b)	<p><b>Water Management Plan</b></p> <p>b) a Surface Water Management Plan, which includes:</p> <ul style="list-style-type: none"> <li>a detailed description of the water management system on site, including the:                             <ul style="list-style-type: none"> <li>clean water diversion systems;</li> <li>erosion and sediment controls (dirty water system);</li> <li>haul road and Boggabri Rail Spur Line and bridge flood and water diversions;</li> </ul> </li> <li>performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the project:                             <ul style="list-style-type: none"> <li>stream and riparian vegetation health, including the Namoi River;</li> </ul> </li> </ul> <p><i>Note: This condition has been summarized in this table to include only the relevant section of the condition.</i></p>	Non – Compliant (Low Risk)	<p><u>Preparation</u></p> <p>b) Details provided within the <i>Surface Water Management Plan</i>. An irrigation management area is not currently planned for the Boggabri Coal Mine.</p> <p>Section 4 provides a detailed description of the water management system.</p> <p>Section 7 outlines performance criteria and includes trigger levels.</p> <p>Section 6 provides a detailed Water Monitoring Program.</p> <p><u>Implementation</u></p> <ul style="list-style-type: none"> <li>Evidence of clean water and dirty water management;</li> <li>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 <i>Water Management Plan</i> (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.</li> </ul>	<p><u>Field Improvements:</u></p> <ul style="list-style-type: none"> <li>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 <i>Water Management Plan</i> align with what is constructed on site and all necessary licences are in place for the solution. Consultation with government agencies as required.</li> <li>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.</li> <li>Completion of monitoring for stream and riparian monitoring for Nagero Creek and the Namoi River as per the <i>Water Management Plan</i>.</li> </ul> <p><u>Administrative Improvements:</u></p> <ul style="list-style-type: none"> <li>Tarrawonga Drainage Area - protocol. Develop a protocol to review the capacity of SD6 if the Tarrawonga drain is close to discharging (Tarrawonga drain flows to SD6). BCOPL should obtain samples of</li> </ul>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<ul style="list-style-type: none"> <li>• Evidence of correct management of 'contaminated water' around the workshop area;</li> <li>• 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;</li> <li>• Rilling and erosion of dam and pipeline at SD11;</li> <li>• Mulch material used at site to assist with erosion and sediment control including along road to MW5 and the area around MW5;</li> <li>• Results of water monitoring outlined in AEMR's;</li> <li>• Section 8 of the <i>Surface Water Management Plan</i> refers to an Annual Water Monitoring appendix. Monitoring also outlined in the AEMR's; and</li> <li>• No evidence of stream and riparian monitoring as per the 2014 <i>Surface Water Management Plan</i> (approved) and 2017 <i>Surface Water Management Plan</i> (unapproved - Section 6.3). The commitment from the 2017 <i>Water Management Plan</i> 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.</li> </ul>	<p>surface water when water enters the Boggabri site from the Tarrawonga Drainage Area.</p> <ul style="list-style-type: none"> <li>• Section 3.6 of the <i>Surface Water Management Plan</i> 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.</li> </ul>
Schedule 3 Condition 38 c)	<p><b>Water Management Plan</b></p> <p>c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> <li>• a program to monitor and assess:                             <ul style="list-style-type: none"> <li>- groundwater inflows to the open cut mining operations;</li> </ul> </li> </ul>	Non – Compliant (Low Risk)	<p><u>Preparation:</u></p> <p>c) SLR reviewed approved <i>Groundwater Management Plan</i> (Feb 2014).</p> <ul style="list-style-type: none"> <li>• Baseline data included in Section 4.2</li> </ul>	Further liaison with the DPI Water regarding licencing of bores. Updates to the <i>Water Management Plan</i> if required for most up to date monitoring locations.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<ul style="list-style-type: none"> <li>- the seepage/leachate from water storages, backfilled voids and the final void;</li> <li>- interconnectivity between the alluvial and bedrock aquifers;</li> <li>- background changes in groundwater yield/quality against mine-induced changes;</li> <li>- the impacts of the project on:                             <ul style="list-style-type: none"> <li>- regional and local (including alluvial) aquifers;</li> <li>- groundwater supply of potentially affected landowners;</li> <li>- aquifers potentially affected by the mine irrigation area;</li> </ul> </li> <li>- Groundwater dependent ecosystems (including potential impacts on stygo-fauna) and riparian vegetation.</li> </ul> <p><i>Note: This condition has been summarized in this table to include only the relevant section of the condition.</i></p>		<ul style="list-style-type: none"> <li>• Monitoring requirements outlined in Section 4.1</li> <li>• Criteria and trigger levels outlined in Section 5.</li> </ul> <p><u>Implementation</u></p> <ul style="list-style-type: none"> <li>• Evidence of monitoring with this provided on the website and AEMR's, with this including the components in this condition.</li> <li>• Evidence of a review of groundwater triggers with this reported in the AEMR.</li> <li>• Non - compliant. 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.</li> <li>• For the 2016 - 2017 EPL Annual Return period alone sampling was not undertaken at the following locations - IBC2102 (Point 8), IBC 2013 (Point 9), IBC 2104 (Point 10), IBC 2105 (Point 11), IBC 2139 (Point 14), IBC 2114 (Point 15), IBC2115 (Point 16), IBC2138 (Point 17).</li> <li>• 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.</li> </ul>	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
Schedule 3 Condition 57	(c) incorporate methodology including: <ul style="list-style-type: none"> <li><input type="checkbox"/> sub-surface testing;</li> <li><input type="checkbox"/> staged salvage, based on anticipated mine planning;</li> <li><input type="checkbox"/> pre-disturbance monitoring;</li> <li><input type="checkbox"/> site assessment and reporting protocols;</li> <li><input type="checkbox"/> research objectives to inform knowledge of Aboriginal occupation;</li> <li><input type="checkbox"/> protection, storage and management of salvaged Aboriginal objects;</li> <li><input type="checkbox"/> addressing relevant statutory requirements under the National Parks and Wildlife Act 1974; and</li> </ul>	Non – Compliant (Low Risk)	See <b>Appendix E</b> for list of evidence.	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Site assessment protocols should be outlined in the CHMP.</li> <li>• 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.</li> <li>• 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</li> </ul>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
				<p>occur over the following three years, prior to the next audit, to ensure that these datasets match, which is vital to ensuring no inadvertent impacts.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>
Schedule 3 Condition 64	<p><b>Rail Transport</b></p> <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>	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 recommendation.
Schedule 3 Condition 71	<p><b>Rehabilitation Management Plan</b></p> <p>The Proponent shall prepare and implement a Rehabilitation Management Plan to the satisfaction of DRE.</p> <p><i>Note: This condition has been summarized in this table to include only the relevant section of the condition.</i></p>	Administrative Non-Compliance	<p>A <i>Rehabilitation Management Plan</i> has been prepared for the site. There is also a MOP which outlines rehabilitation. A separate Rehabilitation MP has been prepared due to the specific requirements of the EPBC Consent.</p> <p><u>Preparation:</u></p> <ol style="list-style-type: none"> <li>Evidence of consultation provided by BCOPL with consultation completed with these agencies in December 2014.</li> <li>The <i>Rehabilitation Management Plan</i> was submitted in January 2013, with this being within 6 months of the approval date. Note the <i>Rehabilitation Management Plan</i> appears to have</li> </ol>	A copy of the <i>Rehabilitation Management Plan</i> should be sent to the DRG.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			<p>been submitted to the then DP&amp;I (now DPE), instead of the requirement to submit to the DRG.</p> <p>c) Prepared to meet the general requirements of the MOP Guideline. There is a separate MOP as well for the site.</p> <p>d) Section 1.2.</p> <p>e) Detailed criteria in Appendix A.</p> <p>f) Section 5 and 6.</p> <p>g) Some detail in several sections. Included in criteria.</p> <p>h) Section 5 and 8.</p> <p>i) Linked to other plans including <i>Biodiversity Management Plan</i> and <i>AQGHGMP</i>.</p> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>Evidence of progressive rehabilitation through a review of an aerial photo and rehabilitation outlined in the AEMR.</li> <li>Field inspection noted rehabilitation from recent to five years plus. Generally rehabilitation was of a good quality. Rehabilitation monitoring is ongoing.</li> <li>Summary of rehabilitation in AEMR's.</li> </ul>	
<p>Schedule 3 Condition 77</p>	<p><b>Social Impact Management Plan</b></p> <p>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:</p> <p>(h) include a monitoring program, incorporating key performance indicators and a review and reporting protocol, including reporting in the annual review.</p> <p><i>Note: This condition has been summarized in this table</i></p>	<p>Administrative Non-Compliance</p>	<p><u>Preparation:</u></p> <p>a) There is a letter from DP&amp;I dated 10/10/2012 approving Elton Consulting to prepare the SIMP.</p> <p>b) The SIMP was submitted for approval to DP&amp;I in January 2013 which is within 12 months of the date of this project approval. The SIMP stated that the "draft SIMP has been distributed to the CCC, Narrabri Shire Council and Gunnedah Shire Council for review and feedback". Evidence of consultation to DPE (30 June 2016), GSC (16 December 2016) and NSC (16 December 2016).</p>	<ul style="list-style-type: none"> <li>Ensure monitoring requirements relating the SIMP are completed.</li> <li>Include evidence of the liaison with relevant stakeholders as part of the SIMP update (copy of consultation letters).</li> <li>Continue liaison with the Council relating to housing commitments as per recommendation in Schedule 3 Condition 75.</li> </ul>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<i>to include only the relevant section of the condition.</i>		Evidence of the SIMP circulated to the CCC in May 2016 CCC meeting. c) Section 3 d) Section 3.4 e) Section 3.4 f) Section 3.4 and 3.5 g) Section 4.1 h) Section 4.2  <u>Implementation:</u> <ul style="list-style-type: none"> <li>• Updates provided in AEMR.</li> <li>• There are non-compliances in relation to the SIMP monitoring requirements with these outlined in the 2015 AEMR. The issues with the SIMP which were identified in 2015 were rectified in the 2016 AEMR.</li> </ul>	
Schedule 5 Condition 4	<p><b>Annual Review</b>                      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:</p> <p>a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> <li>• relevant statutory requirements, limits or performance measures/criteria;</li> <li>• monitoring results of previous years; and</li> <li>• relevant predictions in the EA;</li> </ul>	Observation	<p>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.</p> <p>a) Covered in AEMR's                      b) A review of monitoring results has been completed. There is generally a comparison of results against the previous AEMR period. Discussion of results against criteria. There is some discussion of performance against the EA.                      c) Evidence of discussing discussions of non-compliances.                      d) Observation There are trends associated with groundwater in the AEMR's, however little</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.</li> </ul>



Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>d) identify any trends in the monitoring data over the life of the project;</p> <p>e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>f) describe what measures will be implemented over the next year to improve the environmental performance of the project.</p>		<p>information relating to longer terms trends for air quality, surface water and noise.</p> <p>e) There is a discussion on the performance against the EA.</p> <p>f) In AEMR's. Section 9.1 of the 2016 AEMR.</p>	
Schedule 5 Condition 11	<p><b>Independent Environmental Audit</b></p> <p>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.</p>	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 further recommendation.
Schedule 5 Condition 13	<p><b>Online Communication of Onsite Activities and Monitoring of Noise and Air Quality</b></p> <p>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 on line and includes:</p> <p>(a) timely publication of validated monitoring data in a clearly understandable form;</p> <p>(b) identification of mine operational responses to monitoring data and weather forecasts; and</p> <p>(c) provision for on-line input /response by members of the community and real time</p>	Non-Compliant (Low Risk)	<p>The Noise <i>Management Plan</i> and <i>AQGHGMP</i> are available online.</p> <p>a) Evidence sighted of real-time air quality monitoring - PM<sub>10</sub>. No evidence of real-time noise monitoring available online.</p> <p>b) No evidence online of mine responses. Evidence of weather data.</p> <p>c) The website does contain provision for input from members of public.</p> <p><a href="https://www.idemitsu.com.au/operations/boggabri-coal/operational-information-and-monitoring/">https://www.idemitsu.com.au/operations/boggabri-coal/operational-information-and-monitoring/</a></p>	<ul style="list-style-type: none"> <li>Ensure real-time noise monitoring is available on the website as real-time air is available.</li> <li>Additional information should be provided in the AEMR regarding real time noise and air monitoring including responses to triggers.</li> </ul>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation								
	engagement with regionally-based regulatory compliance staff, to the satisfaction of the Secretary.											
<b>Environment Protection Licence – EPL 12407</b>												
P1.3	<p><b>P1 Location of Monitoring/discharge points and areas</b></p> <p>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.</p>	Non-Compliant (Low Risk)	<p>According to the most recent <i>Surface Water Management Plan (2017)</i> there is no SD2.</p> <p>For the 2016 - 2017 EPL Annual Return period alone sampling was not undertaken at the following locations - IBC2102 (Point 8), IBC 2013 (Point 9), IBC 2104 (Point 10), IBC 2105 (Point 11), IBC 2139 (Point 14), IBC 2114 (Point 15), IBC2115 (Point 16), IBC2138 (Point 17).</p>	SLR notes that an EPL variation has been lodged to address this issue. Further liaison with the DPI Water regarding licencing of bores. Updates to the <i>Water Management Plan</i> if required for most up to date monitoring locations.								
L3.1	<p><b>L3 Noise Limits</b></p> <p>Noise generated at the premises must not exceed the noise limits in the table below.</p> <table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day- LAeq(15 minute)</th> <th>Evening- LAeq(15 minute)</th> <th>Night- LAeq(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- LAeq(15 minute)	Evening- LAeq(15 minute)	Night- LAeq(15 minute)	All privately owned residences	35 dB(A)	35 dB(A)	35 dB(A)	Non-Compliant (Low Risk)	<p>2017 results - within criteria based on monthly reports provided to SLR for this audit.</p> <p>2016 Annual Review - Noise levels assessed as part of the monitoring program were within all operational noise criteria.</p> <p>2015 Annual Review stated: 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 PA.</p>	No additional recommendation. Only one noise non - compliance.
Locality and Location	Day- LAeq(15 minute)	Evening- LAeq(15 minute)	Night- LAeq(15 minute)									
All privately owned residences	35 dB(A)	35 dB(A)	35 dB(A)									

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation												
			<p>It should also be noted there was a missed noise monitoring event in December 2015.</p> <p>2014 Annual Review - 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. Investigations were completed at the time of the non-compliances.</p>													
M2.2	<p><b>Air Monitoring Requirements</b>  <b>POINT 24,25,26</b></p> <table border="1"> <tr> <td>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Continuous</td> <td>AM-19</td> </tr> </table> <p><b>POINT 45</b></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> </tbody> </table>	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	<p><b>Non-Compliant (Low Risk)</b></p>	<p>NC for sampling frequency for PM<sub>10</sub>. Missed events.</p> <p>2016 - within criteria for DDG, TSP and PM<sub>10</sub>.                  2015 - PM<sub>10</sub> monitoring and DDG monitoring within criteria. No TSP monitoring, with a conversion used to assess compliance.                  2014 - DDG and PM<sub>10</sub> within criteria.</p> <p>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.</p>	<p>No recommendation. Since mid - 2015, this issue has been fixed.</p>
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Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation																																																																																				
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M2.3	<p><b>POINT 7,8,9,10,11,12,13,14,15,16,17,18</b></p> <table border="1"> <tr><td>Arsenic</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Bicarbonate</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Cadmium</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Calcium</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Carbonate</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Chloride</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Chromium</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Quarterly</td><td>In situ</td></tr> <tr><td>Copper</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Iron</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Lead</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Magnesium</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Nickel</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Nitrate</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>pH</td><td>pH</td><td>Quarterly</td><td>In situ</td></tr> <tr><td>Potassium</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Sodium</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Standing Water Level</td><td>metres</td><td>Quarterly</td><td>In situ</td></tr> <tr><td>Sulfate</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> <tr><td>Temperature</td><td>degrees Celsius</td><td>Quarterly</td><td>In situ</td></tr> <tr><td>Zinc</td><td>milligrams per litre</td><td>Every 6 months</td><td>Grab sample</td></tr> </table>	Arsenic	milligrams per litre	Every 6 months	Grab sample	Bicarbonate	milligrams per litre	Every 6 months	Grab sample	Cadmium	milligrams per litre	Every 6 months	Grab sample	Calcium	milligrams per litre	Every 6 months	Grab sample	Carbonate	milligrams per litre	Every 6 months	Grab sample	Chloride	milligrams per litre	Every 6 months	Grab sample	Chromium	milligrams per litre	Every 6 months	Grab sample	Conductivity	microsiemens per centimetre	Quarterly	In situ	Copper	milligrams per litre	Every 6 months	Grab sample	Iron	milligrams per litre	Every 6 months	Grab sample	Lead	milligrams per litre	Every 6 months	Grab sample	Magnesium	milligrams per litre	Every 6 months	Grab sample	Nickel	milligrams per litre	Every 6 months	Grab sample	Nitrate	milligrams per litre	Every 6 months	Grab sample	pH	pH	Quarterly	In situ	Potassium	milligrams per litre	Every 6 months	Grab sample	Sodium	milligrams per litre	Every 6 months	Grab sample	Standing Water Level	metres	Quarterly	In situ	Sulfate	milligrams per litre	Every 6 months	Grab sample	Temperature	degrees Celsius	Quarterly	In situ	Zinc	milligrams per litre	Every 6 months	Grab sample	Non-Compliant (Low Risk)	<p>Non-compliant. 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.</p> <p>For the 2016 - 2017 EPL Annual Return period alone sampling was not undertaken at the following locations - IBC2102 (Point 8), IBC 2013 (Point 9), IBC 2104 (Point 10), IBC 2105 (Point 11), IBC 2139 (Point 14), IBC 2114 (Point 15), IBC2115 (Point 16), IBC2138 (Point 17).</p> <p>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.</p>	<p>SLR notes that an EPL variation has been lodged to address that groundwater bores on EPL are consistent with operational bores in the field.</p> <p>Further liaison with the DPI Water regarding licencing of bores. Updates to the <i>Water Management Plan</i> if required for most up to date monitoring locations.</p>
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G2.1	Completed Programs	Administrative Non-Compliance	<p>The only applicable PRP in this list are the two PRP's dated 15 August 2014 document.</p> <p>PRP for Wheel Generated Dust provided to SLR and is dated 8 August 2014.</p> <p>PRP for Disturbing and Handling of Overburden under Adverse Weather Conditions is dated 18 August 2014. This is just outside the required due date of 15 August 2014, therefore admin non-compliance. No further</p>	No further recommendation. Historical Administrative Non-Compliance																																																																																				

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<b>EA Statement of Commitments</b>																												
Condition 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	<p>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.</p>	<p>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.</p>																								
Condition 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																										
<b>Mining Lease CL368</b>																												
4	<b>Environmental Management Report</b> (a) The lease holder must lodge Environment	Observation	In regards to b) ii), the 2014, 2015 and 2016 AEMRs do not report on progress in respect of rehabilitation	Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.																								

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.</p> <p>(b) The EMR must:</p> <ul style="list-style-type: none"> <li>i. report against compliance with the MOP;</li> <li>ii. report on progress in respect of rehabilitation completion criteria;</li> <li>iii. report on the extent of compliance with regulatory requirements; and</li> <li>iv. (iv) have regard to any relevant guidelines adopted by the Director-General;</li> </ul>		<p>completion criteria.</p> <p>Currently documentation is outlined as AEMR's, not Annual Reviews.</p> <p>Otherwise the AEMRs meet the other requirements:</p> <p>(a) The lease holder has lodged annual Environmental Management Reports (EMR) with the Director-General annually.</p> <p>(b) The annual EMRs:</p> <p>(i) throughout the report against compliance with the MOP;</p> <p>(iv) have regard to relevant guidelines adopted by the Director-General, including and Post-approval Requirements for State Significant Mining Developments - Annual Review Guideline (2015) and EDG03 Guidelines to the Mining, Rehabilitation and Environmental Management Process (2014).</p>	<p>Future AEMRs must be referred to as Annual Reviews in accordance with the October 2015 Annual Review Guideline.</p>
<b>Water Access Licences</b>				
No non-compliances identified based on the information provided to SLR.				

## 7 ADDITIONAL RECOMMENDED ACTIONS

Additional recommendations relating to compliant conditions are outlined within **Table 11**.

**Table 11 Additional Recommendations for BCOPL**

Condition	Aspect	Recommendation
Schedule 3 Condition 16 of Project Approval	Blast Monitoring	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.
Schedule 3 Condition 22 of Project Approval	<i>Blast Management Plan</i>	Section 7 of the Blast Management Plan outlines monitoring. The <i>Blast Management Plan</i> 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 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 <i>Blast Management Plan</i> .
Schedule 3 Condition 31 of Project Approval	<i>Air Quality and Greenhouse Gas Management Plan</i>	<p>Once the <i>AQGHGMP</i> is approved, install and operate the PM2.5 monitor.</p> <p>Ensure there are consistent triggers between the BCOPL <i>AQGHGMP</i> 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.</p> <p>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.</p>
Schedule 3 Condition 55-57 of the Project Approval  Statement of Commitments – No. 27 and 28	<i>Aboriginal Heritage Management</i>	<p>There are several recommendations in relation to these conditions.</p> <p><b>Schedule 3 Condition 55 a)</b> A copy of the DP&amp;E letter of appointment dated 20 January 2016 should be provided as an appendix to the AHCS.</p> <p><b>Schedule 3 Condition 55 b)</b></p> <ul style="list-style-type: none"> <li>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).</li> <li>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.</li> <li>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 parties; and triggering additional/extraordinary meetings.</li> </ul>

Condition	Aspect	Recommendation
		<p><b>Schedule 3 Condition 56 b)</b></p> <ul style="list-style-type: none"> <li>• 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 or justifying inaction. This could be incorporated as an appendix to the CHMP.</li> <li>• 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.</li> </ul> <p><b>Schedule 3 Condition 56 c)</b></p> <p>A copy of the letter from DP&amp;E dated 13 February 2017 should be provided as an appendix to the CHMP.</p> <p><b>Schedule 3 Condition 56 d) and Statement of Commitments – No. 27</b></p> <ul style="list-style-type: none"> <li>• Add the “flow chart for site management” referred to on page 60 of the CHMP.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Schedule 3 Condition 56 e) and Statement of Commitments No. 28</b></p> <ul style="list-style-type: none"> <li>• An archival recording report for the piggery at Daisymede 3 is required to fulfil the CHMP requirements.</li> <li>• Section 5.3.1 should be updated to state that the Daisymede 3 piggery is within the impact area.</li> <li>• Evidence should be provided to show that maintenance of historic heritage buildings is being undertaken in accordance with the Heritage Office maintenance series.</li> <li>• A timeline for the completion of archival recording for The Rock Inn &amp; Cemetery should be provided.</li> <li>• 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.</li> </ul> <p><b>Schedule 3 Condition 57 b)</b></p> <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.</p>
Schedule 3 Condition 67 of Project Approval	Bushfire Management	Recommend a standalone <i>Bushfire Management Procedure</i> . This would include the management of surrounding bushland in the event of a bushfire. This procedure would cover the site



Condition	Aspect	Recommendation
		as well as offset areas.
Schedule 3 Condition 68 of Project Approval and O1.1 of the EPL	Waste	<p>Ensure spills identified during the audit are cleaned up, with material taken to the hydrocarbon remediation area.</p> <p>Ensure there are enough hose clips in the lubricant storage area.</p> <p>Continue waste inspections to ensure correct waste separation.</p>
Schedule 3 Condition 70 of Project Approval and Statement of Commitments – No. 34	Progressive Rehabilitation	<p>Summarise rehabilitation trials in the future AEMR's/Annual Reviews. Consider developing additional rehabilitation trials.</p> <p>There are criteria within the <i>Rehabilitation Management Plan</i> 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.</p>
Schedule 3 Condition 73 of Project Approval	Agricultural Production on Project-Owned Land	Additional detail should be provided in the AEMR regarding the management of agricultural productivity.
Schedule 3 Condition 75 of Project Approval	Housing Strategy	Liaison with the DPE and Council relating to this condition. Agreement on the best outcome for the area based on the housing strategy.
Schedule 5 Condition 3	Management Plan Requirements	<p>Include additional baseline data in the next update to the <i>Surface Water Management Plan</i>.</p> <p>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.</p>
EA Statement of Commitments - No.2 and CL368 – Condition 24.	Barrier Coal Extraction Agreement	Continue to liaise with Whitehaven regarding this condition to ensure an agreement is in place relating to a barrier coal extraction.
EA Statement of Commitments - No.31 and CL368 – Condition 4	Annual Review	<p>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.</p> <p>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.</p> <p>Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.</p>
EPL Condition 04.1	Effluent Application to Land	Future analysis regarding wastewater testing should have a small summary comparing results against the carrying capacity of the utilisation area.
CL368 - Condition 3	Mining Operations Plan	The next MOP should remove references to the 2012 MOP Guidelines as these are now superseded.

## 8 CONCLUSION

### ***Good Performance***

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

- Established rehabilitation is of a good standard with there being diversity of species identified through the site inspection and rehabilitation monitoring. There was evidence of rehabilitation activities providing additional habitat for fauna including installation of stag trees. Additional activities to be undertaken to improve rehabilitation include weed control and thinning of trees;
- There are planned upgrades to the water management system, which include meters and pumps that can be controlled remotely;
- The site was generally compliant for environmental monitoring;
- Few complaints were made during the audit period;
- There were no discharge events occurred during the audit period;
- Blasting methods used at the site have improved since the last audit; and
- The BCOPL and Mine Contractor relationship has generally worked well during the audit period, with defined roles for environmental management.

### ***Areas of Improvement***

- Minor recommendations relating to administrative improvements (minor non – conformances), including minor updates to management plans;
- Some additional consultation with DPE, DPI Water and Council regarding some approvals and conditions;
- Improvements recommended relating to clean water management and additional works at SD11.
- Once the *AQGHGMP* is approved by DPE monitoring of PM<sub>2.5</sub> must commence;
- Implementation of the real time noise management system;
- Completion of monitoring for stream and riparian monitoring for Nagero Creek and the Namoi River as per the *Water Management Plan*;
- Development of standalone Bushfire Management Procedure;
- Some additional rehabilitation trials and topsoil testing has been recommended;
- The process to establish a Barrier Coal Agreement between Indemitsu and Whitehaven should be continued until an Agreement is signed;
- Weed management could be improved in small sections of the site;
- Small improvements relating to hydrocarbon management and waste;
- Recommendations for heritage based on the OzArk report (**Appendix E**); and
- Additional information to be provided in Annual Reviews, including trends.

## **APPENDIX A - PHOTOGRAPHS**



**Photo 1 – Looking into the pit**



**Photo 2 – Dust generation from truck and shovel**



**Photo 3 – Cleared area for rehabilitation**



**Photo 4 – Some weeds are present at site in small patches**



**Photo 5 – Rehabilitation less than two years old**



**Photo 6 – Stockpiled timber to be used in future rehabilitation**



**Photo 7 – Eroded section of a clean water drain**



**Photo 8 – Mulch is placed in cleared areas to reduce dust suppression**



**Photo 9 – Established rehabilitation**



**Photo 10 – Established rehabilitation**





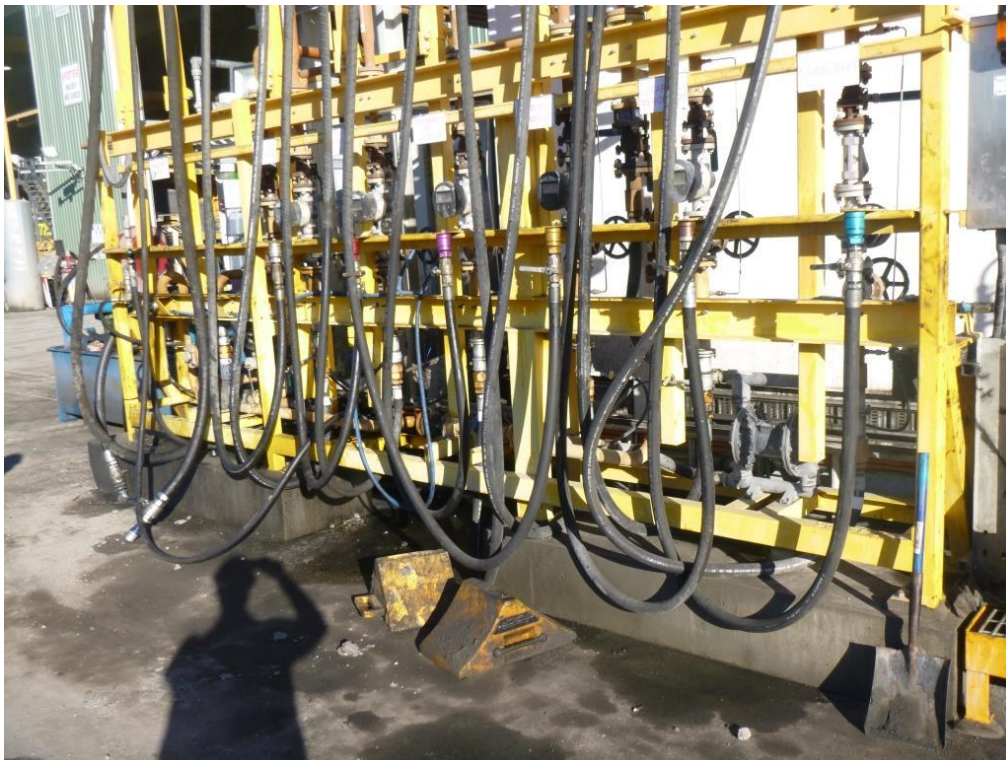
**Photo 11 – Established rehabilitation**



**Photo 12 – Drain collects potential runoff from workshop area**



**Photo 13 - Oily Rags in general waste bin**



**Photo 14 – Hoses in lubricants area that have not been hung up, causing some contamination on the ground. Additional hose latches required**



**Photo 15 – Correct storage of chemicals**



**Photo 16 – Leakage in the fuel storage area. To be remediated.**



**Photo 17 – Dam at TLO Area with large rilling**



**Photo 18 – Erosion of dam caused by incorrect location of pipeline running into the dam**



**Photo 19 – Rilling and erosion of dam at TLO. Remediation work required.**



**Photo 20 – Dust suppression recommended for PS1 Laydown Area**



**Photo 21 – A dam has been built towards the end of the clean water diversion drain. Additional water management work required in this area.**



**Photo 22 – Mulch has been used as an erosion and sediment control**



**Photo 23 – Minor Sediment Fence maintenance required.**

## **APPENDIX B – COMPLIANCE SPREADSHEET**



# Project Approval 09\_0182

**Proponent** Boggabri Coal Pty Limited

**Date of Approval:** 18 July 2012 (Mod 1 withdrawn: Mod 2 approved 17 February 2015: Mod 3 approved: 17 March 2014 Mod 4 approved 23 March 2015: Mod 5 approved 30 August 2016)

**Authority** Department of Planning and Infrastructure

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Schedule 2 Administrative Conditions</b>				
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Compliant	Based on the information provided by BCOPL and evidence during the site inspection, there has been no evidence of material harm. There have been no penalty infringement notices during the audit period, whereas there were several in the previous audit period.	
<b>TERMS OF APPROVAL</b>				
2	The Proponent shall carry out the project: (a) generally in accordance with the EA; and (b) in accordance with the statement of commitments and the conditions of this approval. Notes: • The general layout of the project is shown in Appendix 1 and Appendix 2; and • The Statement of Commitments is reproduced in Appendix 5.	Compliant	Work at the site has been completed generally in accordance with the EA. There are some additional recommendations relating to water management, with this outlined in Schedule 3 Condition 38 of the Project Approval.	
3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Compliant	Work completed generally in accordance with EA and Statement of Commitments.	
4	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and (b) the implementation of any actions or measures contained in these documents	Compliant	Based on documentation provided recommendations from the last audit has been closed out. BCOPL has been working with the DPE regarding the update of several management plans.	
<b>LIMITS ON APPROVAL</b>				
<b>Mining Operations</b>				
5	The Proponent may carry out mining operations on the site until the end of December 2033. Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Secretary and DRE. Consequently, this approval will continue to apply in all other respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.	Compliant	Still within period.	
6	The Proponent may undertake mining operations 24 hours a day, 7 days a week.	Compliant		
7	The Proponent shall not clear native vegetation from any land within 250 metres of the adjoining Maules Creek Coal Mine mining lease boundary, except with the approval of the Secretary, following endorsement of OEH. Notes: The purpose of this condition is to ensure that a 500 metre wide native vegetation corridor is maintained between the open cut pits of the project and the adjoining Maules Creek Project, if it is approved. However, alignment of this corridor directly along the lease boundaries may not be its most efficient location, from either an environmental or economic perspective. Consequently, with the endorsement of OEH, the Secretary may approve substitution of an alternative native vegetation corridor of at least 500 metres width and equivalent or better ecosystem value, within the general vicinity of the lease boundary. See also condition 51 of Schedule 3.	Not Triggered	BCOPL is a long way from this area.	
<b>Coal Extraction and Stockpiles</b>				
8	The Proponent shall not extract more than 3.5 million tonnes of ROM coal from the site in any calendar year (on a pro rata monthly basis) while coal is being transported along the private haul road to the coal loader, unless a road safety audit at the intersections of Leard Forest Road and Therribri Road has been completed in consultation with Council and RMS, and any recommended actions implemented to the satisfaction of the Secretary.	Compliant	Tonnages outlined in the AEMR's. A Road Safety Audit was completed. Dated June 2012 and titled Independent Road Safety Audit for BCOPL (Constructive Solutions).  It was only from July 2014 to March 2015 period during the audit where coal was transported along the private haul road. Tonnages were within this criteria. In 2016 and 2017 the coal has been transported by rail.	
9	The Proponent shall not extract more than 4.5 million tonnes of ROM coal from the site in any calendar year (on a pro rata monthly basis) or undertake mining operations outside the disturbance area approved under DA36/88 MOD 2, unless the Biodiversity Management Plan required under condition 49 of Schedule 3 has been approved by the Secretary.	Compliant	Biodiversity Management Plan approved-letter dated November 2012.	
10	The Proponent shall not extract more than 8.6 million tonnes of ROM coal from the site in any calendar year.	Compliant	Outlined in AEMR's  2014 Calendar Year - 5.6 Mt 2015 Calendar Year - 7.7 Mt 2016 Calendar Year - 7.8 Mt 2017 - within this criteria.	
<b>Coal Processing</b>				
11	The Proponent may process up to 4.2 million tonnes of ROM coal in the CHPP in any calendar year.  Note: For the purpose of this condition, processing does not include bypass coal from either the Boggabri or Tarrawonga coal mines.	Compliant	Evidence from AEMR's.  0 Mt in 2014 - still in construction. 2.379Mt were processed during 2015 3.9 Mt of ROM coal was processed in the CHPP during 2016. Within criteria for 2017.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
11A	The Proponent shall not process any coal from the Tarrawonga coal mine unless it has demonstrated that adequate water license are held to account for the required water use associated with processing this coal, to the satisfaction of the Secretary.	Not Triggered		
<b>Coal Transport</b>				
12	The Proponent may transport up to: (a) 7 million tonnes of product coal from the Boggabri coal mine in any calendar year; and  (b) 3 million tonnes of product coal from the Tarrawonga coal mine in any calendar year.	Compliant	a) 2014 - 5.5 Mt of product coal. No transport from Tarrawonga.  2015 - 6.626Mt of product coal was transported in 2015. No transport from Tarrawonga.  2016 - 6.9 Mt of product coal from the Boggabri Coal Mine was transported in 2016. No coal from the Tarrawonga coal mine was transported in 2016.  b) No coal from Tarrawonga.	
12	The Proponent may only transport coal from the site by road for 22 months following the date of this approval, or for such additional period as may result from delays in construction of the Boggabri Rail Spur Line as agreed by the Secretary. Following expiry of this period, all coal is to be transported from the site via the Boggabri Rail Spur Line unless in exceptional circumstances as agreed with RMS, the Council and approved by the Secretary.	Compliant	Approval dated 18 July 2012. 22 months is 18 May 2014 which fall just outside this audit period.  Transport of coal by road has ceased. The Rail Spur was operational throughout 2016.  Audit evidence from last audit - sighted letter of approval for extending coal haulage	
<b>SURRENDER OF EXISTING DEVELOPMENT CONSENT</b>				
13	Within 12 months of the date of this approval, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing development consent (DA36-88) for the Boggabri Coal Mine in accordance with Section 104A of the EP&A Act.  Prior to the surrender of this development consent, the conditions of this approval shall prevail to the extent of any inconsistency with the conditions of the development consent.	Compliant	Sighted letter dated July 2013 surrendering consent.	
<b>STRUCTURAL ADEQUACY</b>				
14	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: <input type="checkbox"/> Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; and <input type="checkbox"/> Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.	Compliant	The AEMR's outline construction activities.  Evidence provided of construction certificates for the CHPP and switch room construction. Evidence of receipts of payment relating to infrastructure such as the Boggabri Rail Loop and Goonbri Road upgrade.	
15	The Proponent shall ensure that the Boggabri Rail Spur Line and ancillary infrastructure (including rail bridges) are designed and constructed in accordance with the relevant requirements of the current ARTC infrastructure standards, or as otherwise approved by the Secretary.	Compliant	Under the Project Approval, a new rail load-out facility and rail spur has been constructed. Operation of this infrastructure commenced in December 2014.  The 'Track Alignment Boggabri Section Design Report' and the 'Boggabri Maules Creek Rail P2006 Preliminary Design Verification Report – Common & Boggabri Sections' (April 2013) was sighted. This document includes ARTC infrastructure standards as part of the Design Standards for construction of the Spur Line. Evidence of ARTC consultation.  Evidence of Safety Assurance Report for 'Construction of Permanent Way and Related Infrastructure - Prepared by Enno Krueger, Engineer - March 2015. Evidence of ARTC consultation in this report.	
16	The Proponent shall meet the requirements of the ARTC for any rail and associated infrastructure connections, such as signalling equipment, to the ARTC rail network.	Compliant	Evidence of consultation with the ARTC for reports in the condition above.	
<b>DEMOLITION</b>				
17	The Proponent shall ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Not Triggered	No demolition based on site communications. No records of demolition in AEMR's.	
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
18	Unless the Proponent and the applicable authority agree otherwise, the Proponent shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.	Compliant	BCOPL have voluntary planning agreement with council for upkeep of roads. Sighted agreement attached to conditions of consent.  BCOPL paid for Goonbri Road extension to replace the loss of Leard Forest Road. This was a Part 5 determination with evidence of payment for the road.  No damage from blasting to public infrastructure based on discussions with site and records provided.	
<b>OPERATION OF PLANT AND EQUIPMENT</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
19	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	Evidence provided of calibration/maintenance for noise monitoring equipment and meteorological station for the 2017 audit.  Maintenance records for plant & equipment: Sighted maintenance record for 930E from June 2017 sighted and for a Cat loader. Extensive maintenance records were provided to SLR for this audit.  Sighted maintenance schedule dated June 2017. Schedule updated every quarter.  Sighted maintenance competency matrix. Evidence of regular updates.  In 2014 a review of sound power levels indicated that some of the equipment (including dozers) were higher than the levels in the EA. Since then there has been several programs of noise attenuation with the site operating in a proper and efficient manner.	
<b>UPDATING &amp; STAGING STRATEGIES, PLANS OR PROGRAMS</b>				
20	With the approval of the Secretary, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.  To ensure the strategies, plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Proponent may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable condition of this approval. Notes: • While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.	Compliant	Management plans have been prepared. Although BCOPL has not conducted all management plan reviews in accordance with Schedule 5 Condition 5, the site still have a series of approved environmental management plans.	
21	Until they are replaced by an equivalent strategy, plan or program approved under this approval, the Proponent shall implement the existing strategies, plans or programs for the site that have been approved under DA 36/88.	Compliant	Current management plans cover the requirement. DA366/88 has been relinquished. Oldest existing management plan is the 2009 AQMP. An updated Air Quality and Greenhouse Gas Management Plan (AQGHGMP) - Dated July 2017 is currently with DPE.  The 2009 AQMP based on relinquished consent and is not currently reflective of site operations.	
<b>COMMUNITY ENHANCEMENT</b>				
22	By the end of December 2012, unless otherwise agreed by the Secretary, the Proponent shall enter into a planning agreement with Council in accordance with: (a) Division 6 of Part 4 of the EP&A Act; and (b) the terms of the Proponent's offer provided in Appendix 3.	Compliant	Outside the audit period.  There is a signed voluntary planning agreement between BCOPL and Narrabri Shire Council (1/03/2013),	
<b>Schedule 3 - Environmental Performance Conditions</b>				
<b>CONSTRUCTION</b>				
<b>Construction Environment Management Plan - Boggabri Rail Spur Line</b>				
1	Prior to the commencement of construction of the Boggabri Rail Spur Line, or as otherwise agreed by the Secretary, the Proponent shall prepare and implement (following approval by the Secretary) a Construction Environmental Management Plan for the Boggabri Rail Spur Line. The Plan shall outline the environmental management practices and procedures that are to be followed during construction, and shall be prepared in consultation with the relevant government agencies and in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:  (a) a description of activities to be undertaken during construction of the Boggabri Rail Spur Line (including staging and scheduling);  (b) statutory and other obligations that the Proponent is required to fulfil during construction, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies;  (c) identification of relevant guidelines, standards, codes of practice etc. to which the Proponent intends to comply;  (d) a description of the roles and responsibilities for relevant employees involved in the construction of Boggabri Rail Spur Line, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;  (e) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase; and	Compliant	The Construction EMP was prepared outside the reporting period - submission 19 April 2013. The CEMP was approved on 17 May 2013. The approved plan has met requirements a to f of this condition. Appendix D of the Plan outlines environmental procedures during construction.  <u>Implementation:</u>  The rail spur has been constructed and operations of the rail spur commenced in December 2014.  Sighted BCOPL Expansion Project Induction.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action								
	<p>(t) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the construction of the Boggabri Rail Spur Line). In particular, the following environmental performance issues shall be addressed in the Plan:</p> <p>(i) noise and vibration;  (ii) traffic and access;  (iii) soil, water quality, flood and spoil management;  (iv) air quality and dust management;  (v) management of Aboriginal and non-Aboriginal heritage;  (vi) soil contamination, hazardous material and waste management;  (vii) management of ecological impacts; and  (viii) hazard and risk management</p> <p>Notes:  <input type="checkbox"/> Construction work does not include surveys, acquisitions, fencing, investigative drilling or excavation, minor clearing, minor access roads, minor adjustments to services/utilities, works which allow isolation of the site so that access for construction can be provided (including service relocations) and establishing temporary facilities for construction (including for example an office and amenities compound, construction compound, materials storage compound, maintenance workshop, testing laboratory or material stockpile areas).  <input type="checkbox"/> Additional guidance on appropriate content for the Construction Environmental Management Plan can be found</p>		<p>Sighted Induction Records &amp; Completed Assessments dated 2014 &amp; early 2015.</p> <p>Evidence of construction in AEMR's.</p> <p>Evidence of construction noise monitoring with results outlined in AEMR.</p>									
<b>NOISE AND VIBRATION</b>												
<b>Construction Noise and Vibration Criteria</b>												
2	<p>During the hours of:  (a) 7:00 am to 6:00 pm Monday to Fridays, inclusive;  (b) 8:00 am to 1:00 pm on Saturdays; and  (c) at no time on Sundays or public holidays.</p> <p>Noise from activities associated with the construction and/or upgrade of the Boggabri Rail Spur Line, Kamilaroi Highway Access Roads, and Daisymede Laydown Compound shall meet the criteria in Table 1.</p> <p>Table 1: Construction Noise impact assessment criteria – maximum any stage of project life</p> <table border="1"> <thead> <tr> <th>Location Property/ID</th> <th>Construction Noise Impact Assessment Criteria Day dB(A) <math>L_{Aeq}(15 min)</math></th> </tr> </thead> <tbody> <tr> <td>27</td> <td>50</td> </tr> <tr> <td>23</td> <td>45</td> </tr> <tr> <td>All other privately-owned residences</td> <td>40</td> </tr> </tbody> </table> <p>Note: To interpret the locations referred to in Table 1, see the applicable figure in Appendix 4.</p> <p>Vibration from activities associated with the construction and/or upgrade of Boggabri Rail Spur Line, Kamilaroi Highway Access Roads, and Daisymede Laydown Compound shall meet the limits set by:  (a) for structural damage, the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures; and  (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).  Should the Proponent propose to undertake any construction works associated with the Boggabri Rail Spur Line, Kamilaroi Highway Access Roads, and Daisymede Laydown Compound outside of hours specified above then the Proponent must develop an Out of Hours Work (OOHW) protocol consistent with the requirements of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). The OOHW protocol must be developed to the satisfaction of the Secretary in consultation with the EPA and residents likely to be affected and demonstrate how the proposed scheduling would minimise impacts and how local residents' preferences would be accommodated.  Note: For areas where construction noise from the Boggabri Rail Spur Line, Kamilaroi Highway Access Roads, and Daisymede Laydown Compound is predicted to be at or below 35dB(A) and/ or below operational noise criteria at sensitive receptors, this is likely to provide sufficient justification for the need to operate outside of recommended standard hours as specified in the ICNG.</p>	Location Property/ID	Construction Noise Impact Assessment Criteria Day dB(A) $L_{Aeq}(15 min)$	27	50	23	45	All other privately-owned residences	40	Compliant	<p>Construction and/or upgrade of the Boggabri Rail Spur Line, Kamilaroi Highway Access Roads, and Daisymede Laydown Compound</p> <p>Sighted BCOPL Expansion Project Induction that states construction hours.</p> <p>Leightons completed a noise assessment of construction equipment and reviewed noise power levels.</p> <p>Evidence of monitoring undertaken for construction with reports from Spectrum Acoustics. Continuous noise monitoring undertaken at sensitive receptor (a guide). This was completed until March 2015.</p> <p>Residents were notified of construction operations and the out of hours protocol. Sighted letter from May 2013.</p> <p>Some residents signed a noise compensation agreement for the construction period.</p> <p>Sighted evidence of out of hours construction protocol and approval from DPE (18 September 2013).</p>	
Location Property/ID	Construction Noise Impact Assessment Criteria Day dB(A) $L_{Aeq}(15 min)$											
27	50											
23	45											
All other privately-owned residences	40											
<b>Operational Noise - Noise Affected Land</b>												
3	<p>For privately-owned residences identified within the project's 35dB(A) noise impact contour (see Appendix 4A) the owner(s) can make a written request to the Proponent for one of the following:  (a) mitigation (such as double glazing, insulation and air conditioning) at the residence in consultation with the owner(s). These measures must be reasonable and feasible and directed towards reducing the noise impacts of the project on the residence. If within 3 months of receiving this request from the owner(s), the Proponent and owner(s) cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution; or  (b) acquisition of the residence and land in accordance with the procedures in conditions 8-9 of Schedule 4.</p> <p>Upon receiving a written request from the owner(s), the Proponent must undertake whichever option has been requested by the owner(s).  However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Not Triggered	<p>(a) Based on site communications there has not been a written request for mitigation during the audit period.</p>									

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																													
	<p>Notes:</p> <p>1. For the purposes of this condition a privately-owned residence is defined as a residence not owned by a mining company that: is regularly occupied; or is an existing residence that is not regularly occupied but for which a valid development consent exists; or is a proposed residence for which a development application has been lodged with the relevant authority prior to the date of this approval.</p> <p>2. For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise should be considered as part of the land to be acquired. Where the Proponent and the owner(s) cannot agree on whether non-contiguous parcels of land should be included, either party may refer the matter to the Secretary for resolution. The Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 8 and 9 of Schedule 4 shall be final.</p>		(b) Based on site communications there has not been a request of acquisition by a resident.																																														
4	<p>Where the owner(s) of a residence included in condition 3 of this schedule have opted for either an agreement to generate higher noise levels or mitigation under condition 3(a), and the owner(s) have reason to believe that the noise impacts at the residence are more than 3 dB(A) above the predicted noise levels for that residence (see Table 2), the owner(s) can request an independent noise impact assessment for the residence. The request shall be made in writing to the Secretary. If the Secretary considers that a noise impact assessment is warranted, then the Proponent shall commission the assessment.</p> <p>If the noise impact assessment determines that the noise generated by the project causes sustained exceedances, or is likely to cause sustained exceedances, of the predicted noise levels by more than 3 dB(A) the owner(s) may</p> <p>Table 2: Maximum Predicted Noise Levels</p> <table border="1"> <thead> <tr> <th>Location Property/ID</th> <th>Day (L<sub>eq</sub>(15min))</th> <th>Evening (L<sub>eq</sub>(15min))</th> <th>Night (L<sub>eq</sub>(15min))</th> <th>Night (L<sub>eq</sub>(15min))</th> </tr> </thead> <tbody> <tr><td>54</td><td>35</td><td>42</td><td>42</td><td>45</td></tr> <tr><td>52</td><td>35</td><td>41</td><td>41</td><td>45</td></tr> <tr><td>67, 68</td><td>35</td><td>40</td><td>40</td><td>45</td></tr> <tr><td>23</td><td>35</td><td>38</td><td>38</td><td>51</td></tr> <tr><td>27, 48</td><td>36</td><td>38</td><td>38</td><td>48</td></tr> <tr><td>86</td><td>35</td><td>38</td><td>38</td><td>45</td></tr> <tr><td>43, 44</td><td>35</td><td>37</td><td>37</td><td>45</td></tr> <tr><td>32, 33, 79, 90</td><td>35</td><td>36</td><td>36</td><td>45</td></tr> </tbody> </table> <p>Notes:</p> <p>1. To interpret the locations referred to in Table 2, see the applicable figure in Appendix 4.</p> <p>2. The noise assessment must be undertaken by a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary and include either:</p> <ul style="list-style-type: none"> <li>o sufficient monitoring at the affected residence to allow for assessment of the impacts under a range of meteorological conditions (including adverse conditions) likely to be experienced at the residence; or</li> <li>o Sufficient monitoring to allow reliable prediction of the likely impacts under the range of meteorological conditions (including adverse conditions) likely to be experienced at the residence.</li> </ul> <p>3. Monitoring should be conducted in accordance with the requirements of the NSW Industrial Noise Policy.</p> <p>4. Where predictions of likely impacts is to be used, either in substitution for, or in conjunction with, direct measurement of noise impacts at the residence, it must be based on sufficient monitoring data to provide a reliable estimate of the impacts (including under adverse meteorological conditions) and be derived using standard noise modelling techniques accepted by the EPA.</p> <p>5. The Proponent shall ensure that the requested noise impact assessment is submitted to the Secretary within 3 months of the Secretary's decision that the assessment was warranted. The Proponent shall also provide a copy of the assessment to the owner(s) of the residence at the same time it is submitted to the Secretary.</p> <p>6. Note 2 to condition 3 of this Schedule applies to acquisition under this condition.</p>	Location Property/ID	Day (L <sub>eq</sub> (15min))	Evening (L <sub>eq</sub> (15min))	Night (L <sub>eq</sub> (15min))	Night (L <sub>eq</sub> (15min))	54	35	42	42	45	52	35	41	41	45	67, 68	35	40	40	45	23	35	38	38	51	27, 48	36	38	38	48	86	35	38	38	45	43, 44	35	37	37	45	32, 33, 79, 90	35	36	36	45	Not Triggered	Based on site communications this has not been triggered.	
Location Property/ID	Day (L <sub>eq</sub> (15min))	Evening (L <sub>eq</sub> (15min))	Night (L <sub>eq</sub> (15min))	Night (L <sub>eq</sub> (15min))																																													
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5	<p>At any stage of the project, except for the noise-affected 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>Table 3: Noise impact assessment criteria dB(A) – maximum any stage of project life</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day (L<sub>eq</sub>(period))</th> <th>Evening (L<sub>eq</sub>(period))</th> <th>Night (L<sub>eq</sub>(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 <sub>eq</sub> (period))	Evening (L <sub>eq</sub> (period))	Night (L <sub>eq</sub> (period))	All privately-owned land	40	40	40	Non-Compliant (Low Risk)	<p>2017 results - within criteria based on monthly reports provided to SLR for this audit.</p> <p>2016 AEMR- Noise levels assessed as part of the monitoring program were within all operational noise criteria.</p> <p>2015 AEMR stated: 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 BCM for the following reasons: Goonbri was subject to acquisition in August 2015 and is now owned by BCOP. 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 PA.</p>	No additional recommendation. Only one noise non - compliance.																																					
Location	Day (L <sub>eq</sub> (period))	Evening (L <sub>eq</sub> (period))	Night (L <sub>eq</sub> (period))																																														
All privately-owned land	40	40	40																																														

Condition Number	Condition	Compliance Status	Evidence	Recommended Action								
	<p>Notes:</p> <p>1. Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy</p> <p>2. Operational noise generated by the project includes noise generated from use of the private haul road and proposed rail spur.</p> <p>However, these noise criteria do not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>		<p>It should also be noted 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.</p>									
6	<p>If the owner(s) of a privately-owned residence, which is not within the project's 35 dB(A) noise impact contour (see condition 3 and Appendix 4A), have reason to believe that operational noise from the project is causing the criteria in Table 3 to be exceeded at the residence, the owner(s) can request an independent noise impact assessment for the residence. The request shall be made in writing to the Secretary. If the Secretary considers that a noise impact assessment is warranted, then the Proponent shall commission the assessment.</p> <p>If the noise impact assessment determines that the noise generated by the project causes sustained exceedances, or is likely to cause sustained exceedances, of the criteria in Table 3, the owner(s) can make a written request to the Proponent for one of the following:</p> <p>(a) mitigation (such as double glazing, insulation and air conditioning) at the residence in consultation with the owner(s). These measures must be reasonable and feasible and directed towards reducing the noise impacts of the project on the residence. If within 3 months of receiving this request from the owner(s), the Proponent and owner(s) cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution; or</p> <p>(b) acquisition of the residence and land in accordance with the procedures in conditions 8-9 of Schedule 4.</p> <p>Upon receiving a written request from the owner(s), the Proponent must undertake whichever option has been requested by the owner(s).</p> <p>However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p>Notes:</p> <p>1. For the purposes of this condition a privately-owned residence is defined as a residence not owned by a mining company that: is regularly occupied; or is an existing residence that is not regularly occupied but for which a valid development consent exists; or is a proposed residence for which a development application has been lodged with the relevant authority prior to the date of this approval.</p> <p>2. For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise should be considered as part of the land to be acquired. Where the Proponent and the owner(s) cannot agree on whether non-contiguous parcels of land should be included, either party may refer the matter to the Secretary for resolution. The Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 8 and 9 of Schedule 4 shall be final.</p> <p>3. Notes 2, 3, 4 and 5 of condition 4 apply to this condition.</p>	Not Triggered	Based on site communications this has not been triggered.									
<b>Cumulative Noise Criteria</b>												
7	<p>Except for the noise affected land identified in condition 3 as being within the project's 35 dB(A) contour, the Proponent shall ensure that the operational noise generated by the project combined with the noise generated by other mines does not exceed the criteria in Table 4 at any residence on privately-owned land.</p> <p><i>Table 4: Cumulative noise criteria dB(A) L<sub>Aeq</sub> (period)</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day (L<sub>Aeq</sub> (period))</th> <th>Evening (L<sub>Aeq</sub> (period))</th> <th>Night (L<sub>Aeq</sub> (period))</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>40</td> <td>40</td> <td>40</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> <li>Cumulative noise is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.</li> <li>Operational noise includes noise from the mining operations and use of private haul roads and rail spurs</li> </ul>	Location	Day (L <sub>Aeq</sub> (period))	Evening (L <sub>Aeq</sub> (period))	Night (L <sub>Aeq</sub> (period))	All privately-owned land	40	40	40	Compliant	<p>2017 results - within criteria based on monthly reports provided to SLR for this audit.</p> <p>2014, 2015 and 2016 - All attended noise monitoring results were undertaken to assess cumulative noise from the BTM complex and confirmed the noise levels were within the cumulative noise criteria for the PA. Evidence from AEMR's.</p> <p>BTM Noise Management Strategy has been prepared.</p>	
Location	Day (L <sub>Aeq</sub> (period))	Evening (L <sub>Aeq</sub> (period))	Night (L <sub>Aeq</sub> (period))									
All privately-owned land	40	40	40									
<b>Cumulative Noise Acquisition Criteria</b>												
	<p>If the owner(s) of a privately-owned residence, which is not within the project's 35 dB(A) noise impact contour (see condition 3 and Appendix 4A), reasonably believes that the noise limits in Table 4 are being exceeded at the residence and that the exceedance is caused by operational noise from the project and one or more other mines (including use of private haul roads or rail spurs), the owner(s) can request an independent noise impact assessment for the residence. The request shall be made in writing to the Secretary. If the Secretary considers that a noise impact assessment is warranted, then the Proponent shall commission the assessment.</p> <p>Where the noise impact assessment determines that the cumulative noise generated by the project combined with the noise from the other mine(s) causes, or is likely to cause, sustained exceedances of the criteria in Table 4, then the owner(s) can make a written request to the Proponent for one of the following:</p>											

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
8	<p>(a) mitigation (such as double glazing, insulation and air conditioning) at the residence in consultation with the owner(s). These measures must be reasonable and feasible and directed towards reducing the noise impacts of the project on the residence. If within 3 months of receiving this request from the owner(s), the Proponent and owner(s) cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution; or</p> <p>(b) acquisition of the residence and land in accordance with the procedures in conditions 8-9 of Schedule 4.</p> <p>Upon receiving a written request from the owner(s), the Proponent must undertake whichever option has been requested by the owner(s).</p> <p>However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant residence to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p>The Proponent may seek to recover an equitable share of the costs incurred from the other mines contributing to the cumulative impact. Unless otherwise agreed between the mines, the proportional contributions should be based on expert analysis of the monitoring results to assess relative contribution to the impact. In the event of a dispute Notes:</p> <p>1. For the purposes of this condition a privately-owned residence is defined as a residence not owned by a mining company that: is regularly occupied; or is an existing residence that is not regularly occupied but for which a valid development consent exists; or is a proposed residence for which a development application has been lodged with the relevant authority prior to the date of this approval.</p> <p>2. For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise should be considered as part of the land to be acquired. Where the Proponent and the owner(s) cannot agree on whether non-contiguous parcels of land should be included, either party may refer the matter to the Secretary for resolution. The Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 8 and 9 of Schedule 4 shall be final.</p> <p>3. Notes 2, 3, 4 and 5 of condition 4 apply to this condition.</p> <p>4. The noise impact assessment shall include assessment of the relative contribution of the mines to the impact at the residence.</p>	Not Triggered	Based on site communications this has not been triggered.	
9	<p>The Proponent shall:</p> <p>(a) ensure that:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 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;</li> <li><input type="checkbox"/> ensure that 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;</li> <li><input type="checkbox"/> where reasonable and feasible, improvements are made to existing noise suppression equipment as technologies become available; and</li> </ul> <p>(b) monitor and report on the implementation of these requirements annually on its website.</p>	Non-Compliant (Low Risk)	<p>a) Evidence of sound power screening testing. Evidence of actions proposed in the AEMR's to reduce noise. For example:</p> <p>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> <p>b) the AEMR is provided on the website.</p> <p>Global Acoustics report - December 2016. Sound Power Level Report - screening of mobile plant onsite. Readings over 3DB required further assessment of proposed mitigation measures.</p>	No additional recommendation. Sound power level testing is an ongoing management tool for the site.
10	<p>The Proponent shall:</p> <p>(a) conduct an annual testing program of the attenuated plant on site to ensure that the attenuation remains effective;</p> <p>(b) restore the effectiveness of any attenuation if it is found to be defective; and</p> <p>(c) report on the results of any testing and/or attenuation work within the Annual Review.</p>	Compliant	<p>a) Details of attenuation is provided in the AEMR's, including testing program.</p> <p>b) Evidence in AEMR of identified additional attenuation and a proposed strategy to implement actions.</p> <p>c) Reporting of attenuation provided in the AEMR's.</p>	
<b>Boggabri Rail Spur Line and Bridge Design - Noise Impacts</b>				
11	<p>The Proponent shall:</p> <p>(a) ensure all relevant Boggabri Rail Spur Line and rail bridge designs are assessed by suitably qualified and experienced person/s in acoustic engineering for the purpose of providing reasonable and feasible recommendations to minimise noise, including low frequency noise. This acoustic review should consider the EA's relevant recommendations and additional noise attenuation such as acoustic barriers to minimise noise at sensitive receptors;</p> <p>(b) implement reasonable and feasible recommendations made in the acoustic review;</p> <p>(c) undertake commissioning trials of the operation of the Spur Line to optimise train speed to minimise noise impacts: and</p>	Compliant	<p>Works associated with the Boggabri Rail Spur Line were completed prior to this audit period and during late 2014 and early 2015.</p> <p>Sighted Operational Assessment for Rail Spur (July 2013, Aurecon). Suitable qualified company.</p> <p>Rail Spur Assessment, dated 2017, by Global Acoustics outlines the optimal rail speed for noise mitigation-55km/hr</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action														
	(d) following completion and commissioning of the Spur Line, undertake targeted noise monitoring to determine the accuracy of predicted acoustic impacts and effectiveness of any noise reduction measures, including monitoring during adverse inversion conditions, to the satisfaction of the Secretary.		Evidence of targeted noise monitoring by Global Acoustics dated. 9 March 2017.															
<b>Operating Conditions</b>																		
12	<p>The Proponent shall:</p> <p>(a) implement best management practice to minimise the operational, low frequency and road and rail traffic noise of the project;</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> <p>(c) maintain the effectiveness of noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired;</p> <p>(d) ensure that noise attenuated plant is deployed preferentially in locations relevant to sensitive receivers;</p> <p>(e) minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply;</p> <p>(f) ensure that the Boggabri Rail Spur Line is only accessed by locomotives that are approved to operate on the NSW rail network in accordance with the noise limits in ARTC's EPL (No. 3142);</p> <p>(g) use its best endeavours to ensure that rolling stock supplied by service providers on the Boggabri Rail Spur Line is designed and constructed to minimise noise;</p> <p>(h) ensure any new rail rolling stock manufactured specifically for the project is designed and constructed to minimise noise;</p> <p>(i) use its best endeavours to achieve the long term intrusive noise goals for the project in Table 5, where this is reasonable and feasible, and report on the progress towards achieving these goals in the annual review; and</p> <p>(j) co-ordinate the noise management on site with the noise management at other mines within the Leard Forest Mining Precinct to minimise the cumulative noise impacts of these mines.</p> <p>to the satisfaction of the Secretary.</p> <p>Notes:</p> <p><input type="checkbox"/> The comprehensive review can be undertaken as part of independent environmental audits required under condition 10 of Schedule 5.</p> <p>Table 5: Long Term Intrusive Noise Goals – Existing Residences</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L<sub>Aeq</sub> (15 min)</th> <th>L<sub>Aeq</sub> (15 min)</th> <th>L<sub>Aeq</sub> (15 min)</th> <th>L<sub>A1</sub> (1 min)</th> </tr> </thead> <tbody> <tr> <td>All residences on privately owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Notes:</p> <p><input type="checkbox"/> To interpret the locations referred to Table 5, see the applicable figures in Appendix 4; and</p> <p><input type="checkbox"/> Noise generated by the project is to be measured in accordance with condition 14 of this schedule.</p>	Location	Day	Evening	Night		L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)	All residences on privately owned land	35	35	35	45	Non-Compliant (Low Risk)	<p>a) Monitoring and management. Minimal noise complaints.</p> <p>b) Non - Compliance - SentinelX-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> <p>c and d) Noise attenuation in AEMR's and Noise MP.</p> <p>e) Noise monitoring completed. Use of real-time monitoring.</p> <p>f) Only approved locomotives are used.</p> <p>g and h) Design reports completed by engineers. Noise monitoring completed.</p> <p>i) Reporting on noise monitoring completed. Reports also found on website.</p> <p>j) BTM Complex Noise MP developed and approved.</p>	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.
Location	Day		Evening	Night														
	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)														
All residences on privately owned land	35	35	35	45														
<b>Noise Management Plan</b>																		
	<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>(a) be prepared in consultation with the EPA and the CCC, and submitted to the Secretary for approval within 6 months of the date of this approval;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <p><input type="checkbox"/> best management practice is being employed;</p> <p><input type="checkbox"/> the noise impacts of the project are minimised during meteorological conditions when the noise limits in this approval do not apply; and</p> <p>(c) describe the proposed noise management system in detail;</p> <p>(d) 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>(e) include commitments to provide summary reports and specific briefings at CCC meetings on issues arising from noise monitoring;</p>		<p>Preparation:</p> <p>a) Consultation completed within 6 months of approval. CCC consulted for 2016 plan at the CCC meetings on 19 May 2016 and 25 August 2016. Last evidence of consultation is from 2014. As previously stated there is also an unapproved Noise Management Plan (June 2017), with the DPE.</p> <p>b)Section 5</p> <p>c) Section 5-7</p> <p>d) Section 5.3</p> <p>e) Section 7.4</p>															



Condition Number	Condition	Compliance Status	Evidence	Recommended Action																
13	<p>(f) include a monitoring program that:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> uses a combination of real time and supplementary attended monitoring to evaluate the performance of the project;</li> <li><input type="checkbox"/> adequately supports the proactive and reactive noise management system on site;</li> <li><input type="checkbox"/> uses predictive meteorological forecasting to incorporate proactive mitigation measures to manage noise impacts;</li> <li><input type="checkbox"/> includes monitoring of inversion strength at an appropriate sampling rate to determine compliance with noise limits;</li> <li><input type="checkbox"/> evaluates and reports on the effectiveness of the noise management system on site;</li> <li><input type="checkbox"/> provides for the annual validation of the noise model for the project; and</li> </ul> <p>(g) includes a Leard Forest Mining Precinct Noise Management Strategy that has been prepared in consultation with other coal mines in the Precinct to minimise the cumulative noise impacts of all mines within the Precinct, that includes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> systems and processes to ensure that all mines are managed to achieve their noise criteria;</li> <li><input type="checkbox"/> a shared environmental monitoring network and data sharing protocol; and</li> <li><input type="checkbox"/> procedures for identifying and apportioning the source/s and contribution/s to cumulative noise impacts for operating mines and other sources, using the noise and meteorological monitoring network and appropriate investigative tools.</li> </ul> <p>Note: The Leard Forest Mining Precinct Noise Management Strategy can be developed in stages and will need to be subject to ongoing review dependent upon the determination and commencement of other mining projects in the area.</p>	Non-Compliant (Low Risk)	<p>f) Section 6 and 7. The Noise Management Plan states:</p> <p>Ongoing real time noise monitoring and monthly attended noise monitoring will be undertaken throughout Project construction and operational phases. Attended noise monitoring was conducted on a quarterly basis from inception of the Boggabri Coal Mine to the end of 2015. Continued attended monitoring to assess ongoing compliance with individual and cumulative noise criteria is now conducted at monthly intervals.</p> <p>g) BTM-Noise Management Strategy has been approved on 6 June 2017. Sighted approval letter. Meets requirements of this condition.</p> <p>Implementation</p> <ul style="list-style-type: none"> <li>* 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).</li> <li>* Attenuation; and</li> <li>* Minimal complaints.</li> </ul>	As per Schedule 3 Condition 12 recommendation for the implementation of real time noise.																
<b>Noise Measurement</b>																				
14	<p>Where conditions in this approval refer to measurement of noise within the context of the NSW Industrial Noise Policy the inversion class to be applied to the project is Class G.</p> <p>However, the Proponent may undertake an investigation to determine whether a proposal for change in this classification could be considered for approval by the Secretary. Any such investigation must be conducted in consultation with the EPA and be conducted by a suitably qualified person whose appointment has been endorsed by the EPA and approved by the Secretary. The report and recommendation must be submitted to the EPA for endorsement prior to submission to the Secretary. If the Secretary is satisfied that the recommendation is reasonable, then the Secretary may amend the inversion class applying to the project under this approval.</p>	Compliant	<p>Monitoring completed by specialists. Inversions are noted in Noise Monitoring Reports.</p> <p>Meteorological monitoring is undertaken as part of noise monitoring.</p>																	
<b>BLASTING</b>																				
<b>Blasting Criteria</b>																				
15	<p>The Proponent shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 6. Table 6: Blasting Criteria</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>Residence on privately owned land</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td></td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50 or alternatively a specific limit determined to the satisfaction of the Secretary by the structural design methodology in AS 2187.2-2006, or its latest version</td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant owner or infrastructure provider/owner, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately owned land	120	10	0%		115	5	5% of the total number of blasts over a period of 12 months	All public infrastructure	-	50 or alternatively a specific limit determined to the satisfaction of the Secretary by the structural design methodology in AS 2187.2-2006, or its latest version	0%	Compliant	<p>Within criteria during the audit period. Evidence of AEMR's and blasting log.</p>	
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																	
Residence on privately owned land	120	10	0%																	
	115	5	5% of the total number of blasts over a period of 12 months																	
All public infrastructure	-	50 or alternatively a specific limit determined to the satisfaction of the Secretary by the structural design methodology in AS 2187.2-2006, or its latest version	0%																	
<b>Blasting Hours</b>																				
16	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.	Compliant	Evidence of time and dates listed in blasting log. Interview with Downer EDI blasting team.	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.																
<b>Blasting Frequency</b>																				
17	<p>The Proponent may carry out a maximum of:</p> <p>(a) 1 blast a day; unless an additional blast is required following a blast misfire; and</p> <p>(b) 4 blasts a week, averaged over a calendar year; for the project</p> <p>This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blasts required to ensure the safety of the mine or its workers.</p> <p>Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.</p>	Compliant	Evidence of time and dates listed in blasting log. Average of around 2 blasts per week.																	
<b>Property Inspections</b>																				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
18	<p>If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pit on site, for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties, to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> establish the baseline condition of any buildings and/or structures on the land, or update the previous property inspection report; and</li> <li><input type="checkbox"/> identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and</li> </ul> <p>(b) give the landowner a copy of the new or updated property inspection report.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, either party may refer the matter to the Secretary for resolution.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, either party may refer the matter to the Secretary for resolution.</p>	Not Triggered	No private properties within 2kms of mine site.	
<b>Property Investigations</b>				
19	<p>If the owner of any privately-owned land claims that the buildings and/or structures on his/her land have been damaged as a result of blasting on site, then within 2 months of receiving this claim in writing from the landowner the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties, to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report.</p> <p>If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damages to the satisfaction of the Secretary.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, either party may refer the matter to the Secretary for resolution.</p> <p>The timeframe for completion of the inspection and provision of the report is subject to suitable access arrangements being granted by the landowner.</p>	Compliant	<p>a) Evidence of a dilapidation survey for a property. Over 7kms from the site.</p> <p>b) Evidence illustrating a property inspection report was provided to a nearby residence on 25 November 2013.</p>	
<b>Operating Conditions</b>				
20	<p>During mining operations on site, the Proponent shall:</p> <p>(a) implement best management practice to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> protect the safety of people and livestock in the surrounding area;</li> <li><input type="checkbox"/> protect public or private infrastructure/property in the surrounding area from any damage; and</li> <li><input type="checkbox"/> minimise the dust and fume emissions of any blasting; and</li> <li><input type="checkbox"/> minimise blasting impacts on heritage items in the vicinity of the site;</li> </ul> <p>(b) co-ordinate the timing of blasting on site with the timing of blasting at other mines within the Leard Forest Mining Precinct to minimise the cumulative blasting impacts of the mines; and</p> <p>(c) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.</p>	Compliant	<p>a) Discussion with blast co-ordinators regarding blasting process. Evidence of implementation of Blast Management Plan.</p> <p>Extensive blast management system in place. AEMR reports on the progress of the blast results.</p> <p>Fume Management Plan attached to Blast Management Plan-sighted Blast Management Plan.</p> <p>b) Evidence of consultation with the Maules Creek and Tarrawonga Mines regarding blast times.</p> <p>c) Proposing blasting times are published on the BOCPL website,</p>	
21	<p>The Proponent shall not undertake blasting on-site within 500 metres of:</p> <p>(a) any public road without the approval of Council; or</p> <p>(b) any land outside the site not owned by the Proponent, unless:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Department in writing of the terms of this agreement, or</li> <li><input type="checkbox"/> the Proponent has: <ul style="list-style-type: none"> <li>o demonstrated to the satisfaction of the Secretary that the blasting can be carried out closer to the land without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and</li> <li>o updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land.</li> </ul> </li> </ul>	Compliant	<p>a) Leard Forest Rd was previously a public road but has been closed since 2015. See Leard Forest Road letters from council.</p> <p>b) There is a written agreement with NSW Forestry relating to blasting. Compensation Agreement sighted. Approved Blast Management Plan.</p> <p>No other private land within 500 metres.</p>	
<b>Blast Management Plan</b>				
	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval within 6 months from the date of project approval;</p> <p>(b) be prepared in consultation with the EPA, the CCC and interested members of the local community potentially affected by blasting operations;</p> <p>(c) propose any alternative ground vibration limits for public infrastructure in the vicinity of the site;</p> <p>(d) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> best management practice is being employed; and</li> <li><input type="checkbox"/> compliance with the relevant conditions of this approval;</li> </ul> <p>(e) include a road closure management plan for blasting within 500 metres of a public road, that has been prepared in consultation with Council;</p>		<p><u>Preparation:</u></p> <p>a) The Blast Management Plan was originally prepared in January 2013, with this being within six months of the Project Approval. The most recent approved version of the Blast Management Plan is dated 31 July 2013.</p> <p>b) 2013 Blast Management Plan has consultation. Blast Management Plan from June 2017 (unapproved) includes a summary of consultation in appendices. Complex Blast Management Strategy dated 2014 also includes summary of consultation.</p> <p>c) Criteria outlined in Section 5.1 of 2013 approved plan.</p> <p>d) Section 6 of 2013 approved plan</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action									
22	<p>(f) include a specific blast fume management protocol to demonstrate how emissions will be minimised including risk management strategies if blast fumes are generated;</p> <p>(g) include a monitoring program for evaluating the performance of the project including:</p> <ul style="list-style-type: none"> <li>o compliance with the applicable criteria; and</li> <li>o minimising fume emissions from the site; and</li> </ul> <p>(h) include a Leard Forest Mining Precinct Blast Management Strategy that has been prepared in consultation with other mines within the Leard Forest Mining Precinct to minimise cumulative blasting impacts.</p> <p>Note: The Leard Forest Mining Precinct Blast Management Strategy can be developed in stages and will need to be subject to ongoing review dependent upon the determination of and commencement of other mining projects in the area.</p>	Compliant	<p>Section 6.3 of 2013 approved plan.</p> <p>e) Section 6.3. There have been no blasting activities within 500m of a public road.</p> <p>f) Section 6.2 of 2013 approved plan. Minimal issues relating to fume management.</p> <p>g) Section 7 of the 2013 plan. Includes blast monitoring and meteorological conditions.</p> <p>h) Separate to plan - Appendix E of 2013 plan.</p> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Blast results within criteria;</li> <li>* Evidence of consultation with Maules Creek and the Tarrawonga Mines;</li> <li>* Evidence of blasting practices through discussions with the blast contractor;</li> <li>* Evidence of blast contractors review meteorological conditions prior to blasting;</li> <li>* Evidence of blast notification; and</li> <li>* Blast fumes effectively managed.</li> </ul>	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 the Blast Co-ordinators and BCOPPL 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.									
<b>AIR QUALITY &amp; GREENHOUSE GAS</b>													
<b>Odour</b>													
23	Unless otherwise authorised by an EPL, the Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Compliant	AEMR outlines results and performance. No odour issues or complaints. Spontaneous combustion is assessed in the AEMR. There were some events noted in the 2015 AEMR however all incidents appear to have been managed effectively.										
<b>Greenhouse Gas Emissions</b>													
24	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary.	Compliant	BCOPL has trialled bio-diesel. Minimising haulage distance. Collecting relevant data for NGERs reporting. 2016 AEMR reported improvement in burn rate. Decrease in fuel burn through improved use. Evidence of the AQGHGMP.										
<b>Acquisition on request due to Air Quality</b>													
25	<p>Upon receiving a written request for acquisition from an owner of the land listed in Table 7, the Proponent shall acquire the land in accordance with the procedures in Conditions 8-9 of Schedule 4.</p> <p>Table 7: Land subject to acquisition due to dust impacts upon request</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Acquisition Basis</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>Air impacts over land and at residence</td> <td>Residence and landholdings (ID 54,55 and 83)</td> </tr> </tbody> </table> <p>Notes: <input type="checkbox"/> To interpret the locations referred to in Table 7 see the applicable figure(s) in Appendix 4.</p>	Acquisition Basis	Land	Air impacts over land and at residence	Residence and landholdings (ID 54,55 and 83)	Not Triggered	Properties owned by Whitehaven						
Acquisition Basis	Land												
Air impacts over land and at residence	Residence and landholdings (ID 54,55 and 83)												
<b>Additional Air Quality Mitigation upon Request</b>													
26	<p>Upon receiving a written request from the owner of any residence on the land listed in Table 7 or the land listed in Table 8, the Proponent shall implement additional air quality mitigation measures (such as air filters, a first flush roof water drainage system and/or air conditioning) at the residence in consultation with the owner. These measures must be reasonable and feasible and directed towards reducing the air quality impacts of the project on the residence.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p> <p>Table 8: Land subject to additional air quality mitigation measures upon request</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Mitigation Basis</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>Air impacts at private residences</td> <td>52 and 86</td> </tr> </tbody> </table> <p>Note: To interpret the locations referred to in Table 8, see the applicable figure(s) in Appendix 4.</p>	Mitigation Basis	Land	Air impacts at private residences	52 and 86	Not Triggered	Properties owned by BCOPPL and Whitehaven						
Mitigation Basis	Land												
Air impacts at private residences	52 and 86												
<b>Air Quality Assessment Criteria</b>													
	<p>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.</p> <p>Table 9: Long-term criteria for particulate matter</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>90 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td>30 µg/m<sup>3</sup></td> </tr> </tbody> </table>	Pollutant	Averaging Period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m <sup>3</sup>		<p>2016 - within criteria for DDG, TSP and PM10.</p> <p>2015 - PM10 monitoring and DDG monitoring within criteria. No TSP monitoring, with a conversion used to assess compliance. SLR notes that the TSP conversion has been used for the overall BTM complex and this has been approved by the DPE.</p>	
Pollutant	Averaging Period	Criterion											
Total suspended particulate (TSP) matter	Annual	90 µg/m <sup>3</sup>											
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Condition Number	Condition	Compliance Status	Evidence	Recommended Action																										
27	<p>Table 10: Short-term criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th><sup>d</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>a</sup> 50 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p>Table 11: Long-term criteria for deposited dust</p> <p>Table 11: Long-term criteria for deposited dust</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td><sup>c</sup> Deposited dust</td> <td>Annual</td> <td><sup>b</sup> 2 g/m<sup>2</sup>/month</td> <td><sup>a</sup> 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p>Notes to Table 9, Table 10 and Table 11:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);</li> <li><input type="checkbox"/> b Incremental impact (ie incremental increase in concentrations due to the project on its own);</li> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.</li> </ul>	Pollutant	Averaging Period	<sup>d</sup> Criterion	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>a</sup> 50 µg/m <sup>3</sup>	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month	Non-Compliant (Low Risk)	<p>2014 - DDG and PM10 within criteria.</p> <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.</p> <p>According to the 2015 AEMR 'Electricity has been reconnected at Merriown and will be maintained throughout future monitoring periods. A monitoring technician was 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 recommendation. Since mid - 2015, this issue has been fixed.												
Pollutant	Averaging Period	<sup>d</sup> Criterion																												
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>a</sup> 50 µg/m <sup>3</sup>																												
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28	<p>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 occupied residence on any mine owned land (including land owned by adjacent mines) unless:</p> <p>(a) all reasonable and feasible avoidance and mitigation measures have been employed to prevent exceedance of the criteria;</p> <p>(b) the tenant, and landowner (where owned by a mine other than the Proponent), has been notified of health risks in accordance with the notification requirements under Schedule 4 of this approval;</p> <p>(c) the tenant on project owned land can terminate their tenancy agreement without penalty, subject to giving reasonable notice, and the Proponent uses its best endeavours to provide assistance with relocation and sourcing of alternative accommodation;</p> <p>(d) air mitigation measures such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant and landowner (where owned by a mine other than the Proponent); and</p> <p>(e) particulate matter air quality monitoring is undertaken to inform the tenant and landowner (where owned by a mine other than the Proponent) of potential health risks; and</p> <p>(f) the monitoring data are provided to the tenant in an appropriate format, for a medical practitioner to assist the tenant in making an informed decision on the health risks associated with occupying the property,</p> <p>to the satisfaction of the Secretary.</p>	Compliant	<p>No PM10 exceedances at Roma PM10 or Merriown PM10.</p> <p>Evidence of mitigation measures and monitoring through AEMR's, AQHGMP and the site visit.</p>																											
<b>Air Quality Acquisition Criteria</b>																														
29	<p>If particulate matter emissions generated by the project exceed, or contribute to an exceedance of the relevant cumulative criteria, in Table 12, Table 13 or Table 14 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the landowner the Proponent shall acquire the land in accordance with the procedures in conditions 8-9 of schedule 4.</p> <p>Table 12: Long term land acquisition criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th><sup>d</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td><sup>a</sup> 90 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td><sup>a</sup> 30 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p>Table 13: Short term land acquisition criteria for particulate matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th><sup>d</sup> Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>a</sup> 150 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>b</sup> 50 µg/m<sup>3</sup></td> </tr> </tbody> </table> <p>Table 14: Long term land acquisition criteria for deposited dust</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td><sup>c</sup> Deposited dust</td> <td>Annual</td> <td><sup>b</sup> 2 g/m<sup>2</sup>/month</td> <td><sup>a</sup> 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p>Notes to Table 12, Table 13 and Table 14:</p>	Pollutant	Averaging period	<sup>d</sup> Criterion	Total suspended particulate (TSP) matter	Annual	<sup>a</sup> 90 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	<sup>a</sup> 30 µg/m <sup>3</sup>	Pollutant	Averaging period	<sup>d</sup> Criterion	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>a</sup> 150 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>b</sup> 50 µg/m <sup>3</sup>	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month	Not Triggered	No exceedances, therefore not triggered.	
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<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month																											

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	<p>a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);</p> <p>b Incremental impact (ie incremental increase in concentrations due to the project on its own);</p> <p>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;</p> <p>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed by the Secretary.</p>			
<b>Operating Conditions</b>				
30	<p>The Proponent shall:</p> <p>(a) implement best management practice to minimise the odour, fume and dust emissions of the project, including best practice coal loading and profiling and other measures to minimise dust emissions from coal</p> <p>(b) operate a comprehensive air quality management system on site that uses a combination of predictive meteorological forecasting, predictive and real time air dispersion modelling and real-time air quality monitoring data to guide the day to day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this approval;</p> <p>(c) manage PM2.5 levels in accordance with any requirements of an EPL;</p> <p>(d) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d under Table 14 above);</p> <p>(e) minimise any visible air pollution;</p> <p>(f) minimise the surface disturbance of the site generated by the project; and</p> <p>(g) co-ordinate the air quality management on site with the air quality management at other mines within the Leard Forest Mining Precinct to minimise the cumulative air quality impacts of the mines,</p> <p>to the satisfaction of the Secretary.</p>	Compliant	<p>a) Best management practices are being implemented. Several mitigation measures and monitoring in place (including real - time air quality monitoring).</p> <p>b) There is a comprehensive monitoring program, however there is no TSP monitoring. Results from PM10 have been reviewed for this audit. A conversion is used for PM10 to TSP monitoring. PM2.5 monitoring to commence once the AQGHGMP is approved. Evidence of real time dust monitoring provided. Evidence provided of changing operations based on real - time dust results. Evidence provided on four occasions of changes to operations included additional water trucks used.</p> <p>c) There are no PM2.5 levels in the EPL.</p> <p>d) and e) Air quality monitoring and management noted in field inspection and outlined within the AQGHGMP.</p> <p>f) Clearing is kept to a 1 year period. Evidence of mulching used to reduce dust levels on exposed surfaces.</p> <p>g) Evidence of approved BTM Air Quality Strategy.</p>	
<b>Air Quality and Greenhouse Gas Management Plan</b>				
31	<p>The Proponent shall prepare and implement an Air Quality and Greenhouse Gas Management Plan for the project</p> <p>(a) be prepared in consultation with the EPA and the CCC, and be submitted to the Secretary for approval within 6 months from the date of project approval;</p> <p>(b) integrate the recommendations of a Site Specific Best Management Determination and Reactive Dust Management Strategy prepared to the satisfaction of the EPA;</p> <p>(c) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> best management practice is being employed, consistent with the development of the site specific best management determination and reactive dust management strategy;</li> <li><input type="checkbox"/> the air quality impacts of the project are minimised during adverse meteorological conditions and extraordinary events; and</li> <li><input type="checkbox"/> compliance with the relevant conditions of this consent.</li> </ul> <p>(d) describe the proposed air quality management system;</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>(f) include commitments to provide summary reports and specific briefings at CCC meetings on issues arising from air quality monitoring;</p> <p>(g) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project;</li> <li><input type="checkbox"/> adequately supports the proactive and reactive air quality management system;</li> <li><input type="checkbox"/> includes PM2.5 monitoring;</li> <li><input type="checkbox"/> includes monitoring of occupied project-related residences and residences on air-affected land listed in Table 7 and Table 8, subject to the agreement of the tenant and/or landowner;</li> <li><input type="checkbox"/> evaluates and reports on the effectiveness of the air quality management system;</li> <li><input type="checkbox"/> includes a protocol for determining any exceedances of the relevant conditions in this approval; and</li> </ul> <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"> <li><input type="checkbox"/> systems and processes to ensure that all mines are managed to achieve their air quality criteria;</li> <li><input type="checkbox"/> a shared environmental monitoring network and data sharing protocol;</li> <li><input type="checkbox"/> control monitoring site(s) to provide real time data on background air quality levels (ie not influenced by mining from the Leard Forest Mining Precinct and representative of regional air quality);</li> <li><input type="checkbox"/> a shared predictive and real time air dispersion model covering the Leard Forest Mining Precinct to be used for assessment of cumulative impacts, optimising location of the shared real time monitoring network, validation of air predictions and optimising mitigation measures; and</li> <li><input type="checkbox"/> 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.</li> </ul> <p>Notes:</p>	Compliant	<p><u>Preparation:</u></p> <p>The currently approved Air Quality Environmental Management Plan is dated September 2009. This Air Quality Environmental Management Plan is based on a previous, now surrendered consent and it will not meet all the requirements of this condition.</p> <p>There is an unapproved AQGHGMP with the most recent version of this dated July 2017. This plan was first submitted to the DPE in December 2012. As this AQGHGMP will be the plan going forward and the current approved plan is out of date (under a surrendered consent), SLR has reviewed compliance against the July 2017 AQGHGMP.</p> <p>a) Evidence of stakeholder consultation from 2013 with EPA and the CCC. Appendix F outlines a log.</p> <p>b) Section 5.2 and 5.3 outline mitigation measures.</p> <p>c) Section 5.</p> <p>d) Covered in monitoring section - Section 6.</p> <p>e) Appendix E. Also covered within the BCM Air Quality Management Strategy.</p> <p>f) Section 7.3.</p> <p>g) No PM2.5 monitoring currently. However electricity has been installed at the property. The PM2.5 monitor will need to be established once the AQGHGMP is approved.</p> <p>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.</p> <p>h) BCM Air Quality Strategy has been approved. Evidence of implementation.</p> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Evidence of water carts in field;</li> <li>* Mulch used for dust suppression on exposed areas; and</li> <li>* Disturbance minimised.</li> </ul>	<p>Once the AQGHGMP is approved, install and operate the PM2.5 monitor.</p> <p>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.</p> <p>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.</p>

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	<input type="checkbox"/> The requirement for regionally based control sites can be further reviewed if a regional air monitoring network is implemented and operated by the EPA as recommended in the draft Strategic Regional Land Use Plan for New England North West. <input type="checkbox"/> The Leard Forest Mining Precinct Air Quality Management Strategy can be developed in stages and will need to be subject to ongoing review dependent upon the determination of and commencement of other mining projects in the area.			
<b>METEOROLOGICAL MONITORING</b>				
32	<p>For the life of the project, the Proponent shall ensure that there is a meteorological station in the vicinity of the site that</p> <p>(a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and</p> <p>(b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, unless a suitable alternative is approved by the Secretary following consultation with the EPA.</p>	Compliant	<p>Evidence of meteorological monitoring outlined in the AEMR. Evidence of maintenance of station provided. Sighted the station in the field. Evidence of sighting report stating compliance - 21 May 2014.</p> <p>Evidence of meteorological monitoring outlined in the AEMR. Evidence of maintenance of station provided. Sighted the station in the field. Evidence of sighting report stating compliance - 21 May 2014.</p>	
<b>SOIL AND WATER</b>				
<b>Water Licences</b>				
	<p><b>Note:</b> Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the project.</p>	Compliant	<p>Copies of water licences provided by BCOPL.</p> <p>Sighted water access licence table dated 2017.</p> <p>Summary of Water licences and water usage outlined in the AEMR's. See Section 4.5.2.4 of the 2016 AEMR.</p>	
<b>Water Supply</b>				
33	The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations on site, to match its available water supply to the satisfaction of the Secretary.	Compliant	<p>The proponent has had sufficient water during the audit period. A water tracking and availability spreadsheet was provided to the audit team. BCOPL are looking at additional licencing opportunities in the future.</p> <p>Records of dam levels were provided to SLR. Records of water holding capacity at site is reviewed weekly.</p> <p>Site Water Balance regularly updated.</p>	
<b>Compensatory Water Supply</b>				
34	<p>The Proponent shall provide a compensatory water supply to any landowner of privately-owned land whose water supply is adversely and directly impacted (other than an impact that is negligible) as a result of the project, in consultation with DPI Water, and to the satisfaction of the Secretary.</p> <p>The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified.</p> <p>If the Proponent 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 Secretary for resolution.</p> <p>If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide</p>	Not Triggered	Based on site communications this has not been triggered.	
<b>Surface Water Discharges</b>				
35	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	Not Triggered	No discharge from site during the audit period.	
<b>Operating conditions</b>				
36	<p>The Proponent shall:</p> <p>(a) develop a detailed soil management protocol that identifies procedures for</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> comprehensive soil surveys prior to soil stripping;</li> <li><input type="checkbox"/> assessment of top-soil and sub-soil suitability for mine rehabilitation; and</li> <li><input type="checkbox"/> annual soil balances to manage soil handling including direct respreading and stockpiling;</li> </ul> <p>(b) maximise the salvage of suitable top-soils and sub-soils and biodiversity habitat components such as bush rocks, tree hollows and fallen timber for rehabilitation of disturbed areas within the site and for enhancement of biodiversity offset areas;</p> <p>(c) ensure that coal reject or any potentially acid forming interburden materials must not be emplaced at elevations within the Boggabri pit shell where they may promote acid or sulphate species generation and migration beyond the pit shell</p> <p>(d) ensure that any coal barrier between the final void and any future surrounding mining operations must remain intact in order to impede exchange of any contained groundwaters in the Boggabri pit shell.</p>	Compliant	<p>(a) Soil Management Protocol has been developed to meet the requirement of condition a). Dated October 2015.</p> <p>(b) Evidence of stockpiling of topsoil and salvaging materials was noted in the field inspection. Evidence of Soil and Growth Media Inventory for Rehabilitation (September 2014). Also evidence of tree clearing inspections from 2016 and 2017. Use of woodchips for erosion and sediment control and dust suppression.</p> <p>(c) Sighted PAF samples behind LV workshop.</p> <p>(d) Conceptual final landform study dated December 2012 attached to MOP.</p>	
<b>Flood impacts Boggabri Rail Spur Line and Haul Road</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
37	<p>The rail spur line, rail spur bridges and any upgrade to the haul road must be designed and constructed to minimise impacts on flooding. Prior to construction of the rail spur line or any upgrades to the haul road, the Proponent shall undertake a flood assessment of the detailed design to confirm there would be minimal impacts as predicted in the EA.</p> <p>This shall include assessment of impacts of the rail spur line embankment and proposed design of stormwater culverts along the rail spur line to the Namoi River to assess changes to localised flood impacts within the Nagero creek catchment and adjoining Bollol Creek catchment. The assessment must be undertaken in consultation with DPI Water, North West LLS, Council and OEHL, to the satisfaction of the Secretary.</p>	Compliant	<p>Evidence of Track Alignment Boggabri Section design Report - dated 4 April 2013 (Aurecon).</p> <p>Evidence of Preliminary Design Verification Report - Common and Boggabri Sections - dated 13 March 2013 (Aurecon).</p> <p>Evidence of Namoi River Flood Study - Supplementary Report - dated 4 July 2013 (Aurecon).</p> <p>Evidence of Drainage Hydrology and Hydraulic Assessment - Common and Boggabri - dated 3 May 2013 (Aurecon).</p> <p>Section 5.7.2 states: It is noted within Ministers Conditions of Approval Schedule 3 Condition 37 that the flood assessment must be undertaken in consultation with the NSW Office of Water, Namoi CMA, Councils and OEHL. The responsibility to undertake this consultation with the stakeholders using this assessment to obtain final approval for Schedule 3 Condition 37 is undertaken by the Principal.</p> <p>Evidence of consultation email dated 14 May 2013 with Flood Impact Study sent to DPE, DPI Water, OEHL, Narrabri Council, Local Land Services.</p>	
<b>Water Management Plan</b>				
	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with OEHL, DPI Water, North West LLS and the CCC, by suitably qualified and experienced person/s whose appointment has been approved by the Secretary, and be in addition to the standard requirements for management plans (see condition 3 of Schedule 5), this plan must include:</p> <p>(a) a Site Water Balance, that:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> includes details of: <ul style="list-style-type: none"> <li>o sources and security of water supply, including contingency for future reporting periods;</li> <li>o prioritisation strategy for water sources</li> <li>o water use on site;</li> <li>o water management on site;</li> <li>o any off-site water discharges;</li> <li>o reporting procedures, including the preparation of a site water balance for each calendar year;</li> <li>o a program to validate the surface water model, including monitoring discharge volumes from the site and comparison of monitoring results with modelled predictions; and</li> <li>o methodologies used in the preparation of the site water balance, including provision of data sources, measurement type (direct sample / mass balance / engineering calculations / factors) and formulas used for all inflows, processes and outflows.</li> </ul> </li> <li><input type="checkbox"/> is supported by an annual improvement program to identify and address deficiencies and improvements within monitoring, measurement and calculation methods;</li> <li><input type="checkbox"/> includes an action plan and schedule to implement annual water efficiency initiatives, and the recommendations in the Advisory peer review report titled "Peer Review of Site Water Use Aspects of Boggabri Coal MOD 5 Project, 22 July 2016", as set out in Appendix 6A; and</li> <li><input type="checkbox"/> is supported by an annual improvement program to identify and address deficiencies and improvements</li> <li><input type="checkbox"/> includes an action plan and schedule to implement annual water efficiency initiatives.....</li> </ul> <p><input type="checkbox"/> describes the measures that would be implemented to minimise clean water use on site.</p>	Compliant	<p><u>Preparation:</u></p> <p>The most recent approved Water Management Plan is dated May 2017. For much of the audit period the site was approved to operate under the former 2013 documentation.</p> <p>a) Site Water Balance includes the details of this sub condition. Updates and details of revisions relating to the water balance are outlined in the AEMR. Evidence of water balance tracking spreadsheet.</p> <p><u>Implementation</u></p> <p>Site water balance updated in May 2017 and re-approved DPI-water;</p> <p>Evidence of water balance spreadsheets;</p> <p>Evidence of Annual Groundwater Review - GHD March 2017; and</p> <p>Evidence of BTM Complex Numerical Model Update - AGE April 2017.</p>	
38	<p>(b) a Surface Water Management Plan, which includes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> detailed baseline data on surface water flows and quality in the water-bodies that could potentially be affected by the project;</li> <li><input type="checkbox"/> detailed baseline data on soils within the irrigation management area;</li> <li><input type="checkbox"/> detailed baseline data on hydrology across the downstream drainage system of the Namoi River floodplain from the mine site to the Namoi River;</li> <li><input type="checkbox"/> a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> <li>o clean water diversion systems;</li> <li>o erosion and sediment controls (dirty water system);</li> <li>o mine water management systems including irrigation areas;</li> <li>o discharge limits in accordance with EPL requirements;</li> <li>o water storages;</li> <li>o haul road and Boggabri Rail Spur Line and bridge flood and water diversions;</li> </ul> </li> <li><input type="checkbox"/> detailed plans, including design objectives and performance criteria for: <ul style="list-style-type: none"> <li>o design and management of final voids;</li> <li>o design and management for the emplacement of reject materials, sodic and dispersible soils and acid or sulphate generating materials;</li> <li>o design and management for construction and operation of the Boggabri Rail Spur Line and bridge across the Namoi River floodplain and upstream adjoining Nagero/Bollol creek catchments;</li> <li>o reinstatement of drainage lines on the rehabilitated areas of the site; and</li> <li>o control of any potential water pollution from the rehabilitated areas of the site;</li> </ul> </li> <li><input type="checkbox"/> performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the project: <ul style="list-style-type: none"> <li>o the water management system;</li> <li>o soils within the irrigation area;</li> <li>o downstream surface water quality;</li> <li>o downstream flooding impacts, including flood impacts due to the construction and operation of the Boggabri Rail Spur Line and rail bridge; and</li> </ul> </li> </ul>	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <p>b) Details provided within the Surface Water Management Plan. An irrigation management area is not currently planned for the Boggabri Coal Mine.</p> <p>Section 4 provides a detailed description of the water management system.</p> <p>Section 7 outlines performance criteria and includes trigger levels.</p> <p>Section 6 provides a detailed Water Monitoring Program.</p> <p><u>Implementation</u></p> <ul style="list-style-type: none"> <li>* Evidence of clean water and dirty water management;</li> <li>* 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;</li> <li>* Evidence of correct management of 'contaminated water' around the workshop area;</li> <li>* 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;</li> <li>* Rilling and erosion of dam and pipeline at SD11;</li> <li>* Mulch material used at site to assist with erosion and sediment control including along road to MW5 and the area around MW5;</li> <li>* Results of water monitoring outlined in AEMR's:</li> </ul>	<p><u>Field Improvements:</u></p> <ul style="list-style-type: none"> <li>* 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. Consultation with government agencies as required.</li> <li>* 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.</li> <li>* Completion of monitoring for stream and riparian monitoring for Nagero Creek and the Namoi River as per the Water Management Plan.</li> </ul> <p><u>Administrative Improvements:</u></p> <ul style="list-style-type: none"> <li>* Tarrawonga Drainage Area - protocol. Develop a protocol to review the capacity of SD6 if the Tarrawonga drain is close to discharging (Tarrawonga drain flows to SD6). BCOPPL should obtain samples of surface water when water enters the Boggabri site from the Tarrawonga Drainage Area.</li> <li>* 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</li> </ul>

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	<ul style="list-style-type: none"> <li>o stream and riparian vegetation health, including the Namoi River;</li> <li><input type="checkbox"/> a program to monitor: <ul style="list-style-type: none"> <li>o the effectiveness of the water management system;</li> <li>o soils within the irrigation area; and</li> <li>o surface water flows and quality in the watercourses that could be affected by the project;</li> <li>o downstream flooding impacts; and</li> </ul> </li> <li><input type="checkbox"/> reporting procedures for the results of the monitoring program;</li> <li><input type="checkbox"/> a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project; and</li> </ul>		<p>* Section 8 of the Surface Water Management Plan refers to an Annual Water Monitoring appendix. Monitoring also outlined in the AEMR's; and</p> <p>* 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 BCOPPL 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>	<p>next update. This has not been updated in the 2017 update.</p>
	<p>(c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> detailed baseline data of groundwater levels, yield and quality in the region, and privately-owned groundwater bores including a detailed survey/schedule of groundwater dependent ecosystems (including stygo-fauna), that could be affected by the project;</li> <li><input type="checkbox"/> the monitoring and testing requirements specified in the PAC recommendations for groundwater management as set out in Appendix 6;</li> <li><input type="checkbox"/> detailed plans, including design objectives and performance criteria, for the design and management of the proposed final void;</li> <li><input type="checkbox"/> groundwater assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts;</li> <li><input type="checkbox"/> a program to monitor and assess: <ul style="list-style-type: none"> <li>o groundwater inflows to the open cut mining operations;</li> <li>o the seepage/leachate from water storages, backfilled voids and the final void;</li> <li>o interconnectivity between the alluvial and bedrock aquifers;</li> <li>o background changes in groundwater yield/quality against mine-induced changes;</li> <li>o the impacts of the project on: <ul style="list-style-type: none"> <li>- regional and local (including alluvial) aquifers;</li> <li>- groundwater supply of potentially affected landowners;</li> <li>- aquifers potentially affected by the mine irrigation area;</li> <li>- groundwater dependent ecosystems (including potential impacts on stygo-fauna) and riparian vegetation.</li> </ul> </li> </ul> </li> <li><input type="checkbox"/> a program to validate the groundwater model for the project, including an independent review of the model every 3 years, and comparison of monitoring results with modelled predictions; and</li> </ul> <p><input type="checkbox"/> a plan to respond to any exceedances of the performance criteria; and</p>	<p>Non-Compliant (Low Risk)</p>	<p><u>Preparation:</u></p> <p>c) SLR reviewed approved Groundwater Management Plan (Feb 2014).</p> <p>Baseline data included in Section 4.2</p> <p>Monitoring requirements outlined in Section 4.1</p> <p>Criteria and trigger levels outlined in Section 5.</p> <p><u>Implementation</u></p> <p>* Evidence of monitoring with this provided on the website and AEMR's, with this including the components in this condition.</p> <p>* Evidence of a review of groundwater triggers with this reported in the AEMR.</p> <p>* Non compliant. 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.</p> <p>For the 2016 - 2017 EPL Annual Return period alone sampling was not undertaken at the following locations - IBC2102 (Point 8), IBC 2013 (Point 9), IBC 2104 (Point 10), IBC 2105 (Point 11), IBC 2139 (Point 14), IBC 2114 (Point 15), IBC2115 (Point 16), IBC2138 (Point 17).</p> <p>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.</p>	<p>Further liaison with the DPI Water regarding licencing of bores. Updates to the Water Management Plan if required for most up to date monitoring locations.</p>
	<p>(d) a Leard Forest Mining Precinct Water Management Strategy that has been prepared in consultation with other mines within the Precinct to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> minimise the cumulative water quality impacts of the mines;</li> <li><input type="checkbox"/> review opportunities for water sharing/water transfers between mines;</li> <li><input type="checkbox"/> co-ordinate water quality monitoring programs as far as practicable;</li> <li><input type="checkbox"/> undertake joint investigations/studies in relation to complaints/exceedances of trigger levels where cumulative impacts are considered likely; and</li> <li><input type="checkbox"/> co-ordinate modelling programs for validation, re-calibration and re-running of the groundwater and surface water models using approved mine operation plans.</li> </ul> <p>Note: The Leard Forest Mining Precinct Water Management Strategy can be developed in stages and will need to be subject to ongoing review dependent upon the determination of and commencement of other mining projects in the area.</p>	<p>Compliant</p>	<p><u>Preparation:</u></p> <p>d) Evidence of BTM Water Management Strategy. Completed as per this condition.</p> <p><u>Implementation:</u></p> <p>Evidence of some coordination of results; and</p> <p>Regular meetings between BTM.</p>	
<p><b>Biodiversity Schedule 3 Condition 39 to 54 not included in the scope of this audit.</b></p>				
<p><b>HERITAGE</b></p>				
<p><b>Aboriginal Heritage Conservation Strategy</b></p>				
	<p>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:</p> <p>(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</p>	<p>Compliant</p>	<p>AHCS Section 1.1 states that the NSW Department of Planning and Environment (DP&amp;E) have approved the appointment of Dr Andrew Sneddon and Dr Matthew Whincop as suitably qualified and experienced persons. A letter from DP&amp;E dated 20 January 2016 confirms the approval of this appointment (UQCHU endorsement.pdf; additional audit documents).</p>	<p>A copy of the DP&amp;E letter of appointment dated 20 January 2016 should be provided as an appendix to the AHCS.</p>



Condition Number	Condition	Compliance Status	Evidence	Recommended Action
55	(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	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.	<ul style="list-style-type: none"> <li>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).</li> <li>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.</li> <li>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 parties; and triggering additional/extraordinary meetings.</li> </ul>
	(c) identify the Aboriginal cultural heritage values of the Biodiversity Offset Strategy areas;	Compliant	AHCS Section 3 outlines the known Aboriginal cultural heritage values of the biodiversity offset areas. Section 4 develops a predictive model for identifying areas with potential Aboriginal cultural heritage value within biodiversity offset areas. Section 5 outlines the proposed field survey methodology and Section 6 outlines the proposed cultural values assessment methodology. This approach is considered appropriate and sufficient for identifying the cultural heritage values of the biodiversity offset areas.	
	(d) identify areas of high Aboriginal cultural heritage significance within both the site and the Leard Forest Mining Precinct;	Compliant	AHCS Section 3 outlines the known Aboriginal cultural heritage values of the Boggabri Coal Mine disturbance area and other mine disturbance areas in the Leard Forest mining precinct. AHCS Sections 4, 5 and 6 outline the proposed field survey methodology and cultural values assessment methodology of these areas. This approach is considered appropriate and sufficient for identifying areas of high Aboriginal cultural heritage significance.	
	(e) identify a range of options for enhancing and conserving Aboriginal cultural heritage values, with specific consideration of the potential for the long-term protection and management of significant sites within either the site, the Biodiversity Offset Strategy areas or other lands within the Leard Forest Mining Precinct identified as having high cultural heritage significance to the Aboriginal community; and	Compliant	Section 7 states that options for enhancing and conserving Aboriginal cultural heritage values will undergo additional consideration and development after the field surveys and cultural values assessment are complete. A number of options are outlined for the various areas.	
	(f) consider cumulative impacts and potential for developing joint initiatives with other mines within the Leard Forest Mining Precinct for enhancing and conserving Aboriginal cultural heritage values.  Notes: Known Aboriginal sites are shown on the plans in Appendix 8.	Compliant	Section 7 includes a discussion about the potential for developing joint initiatives with other mines to enhance and conserve Aboriginal cultural heritage values. Section 7.3 considers the cumulative impacts and potential for joint initiatives between Whitehaven (Maules Creek Coal Mine and Tarawonga Coal Project) and Idemitsu (Boggabri Coal Mine).	
<b>Heritage Management Plan</b>				
	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:			
	(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;	Compliant	The letter of appointment has now been provided (CHMP Appendix I).	
	(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.	<ul style="list-style-type: none"> <li>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 or justifying inaction. This could be incorporated as an appendix to the CHMP.</li> <li>*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.</li> </ul>
	(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.
	(d) include the following for the management of Aboriginal heritage: <input type="checkbox"/> a detailed plan for the implementation of the approved Aboriginal Heritage Conservation Strategy; <input type="checkbox"/> a description of the measures that would be implemented for:		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	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
56	<p>o protecting, monitoring and managing Aboriginal sites on the site which are outside of the approved disturbance area;</p> <p>o maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on the site and within the Biodiversity Offset Strategy areas;</p> <p>o 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;</p> <p>o 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;</p> <p>o 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;</p> <p><input type="checkbox"/> a strategy for the storage and management of any heritage items salvaged on site, both during the project and long term;</p> <p>(e) include the following for the management of historic heritage:</p> <p><input type="checkbox"/> 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;</p> <p><input type="checkbox"/> 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;</p> <p><input type="checkbox"/> a description of the measures that would be implemented for:</p> <p>o managing the discovery of human remains or previously unidentified heritage items on site; and</p> <p>o 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> <p>Notes:</p> <p><input type="checkbox"/> The Department acknowledges that the initial Heritage Management Plan may not include a detailed plan for the implementation of the Aboriginal Heritage Conservation Strategy. If this occurs, the Proponent will be required to update the plan as soon as practicable following the Secretary's approval of the Aboriginal Heritage Conservation Strategy.</p>	Compliant	<p>the development of the AHCSP until the 30 June 2017. It is not clear why the AHCSP was not developed to meet this deadline, or whether additional extensions have been granted.</p> <ul style="list-style-type: none"> <li>Description of measures for: <ul style="list-style-type: none"> <li>o 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. CHMP Section 4.1 outlines how Aboriginal sites outside the approved disturbance area will be identified in accordance with the generic due diligence process outlined in the DECCW (2010) Due Diligence Code of Practice (CHMP Section 4.1), with recommendations about the management of sites at risk from natural processes (e.g. erosion) to be included in these reports. This is considered sufficient for the identification of new Aboriginal sites, and some provisions for Aboriginal site management are included here. Three assessment reports incorporating the due diligence process were provided for this audit (treeplanting-clearing DD_12042017_cleanv2.pdf; MOD 3 EA - Appendix E.pdf; Due Diligence Assessment NV48 200314.pdf; ID13). These reports demonstrate that the due diligence process is being undertaken, although these reports were not reviewed as part of this audit.</li> <li>o Maintaining reasonable access to heritage items for Aboriginal stakeholders: CHMP Section 3.7.4 outlines the protocol. The protocol is considered appropriate and reasonable.</li> <li>o 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.</li> <li>o 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.</li> <li>o Heritage inductions for workers: CHMP Section 3.3.2 outlines how cultural heritage inductions are part of the standard site induction for all workers. This is considered appropriate and sufficient, although no site induction materials or participation records were provided for review.</li> </ul> </li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>* Add the "flow chart for site management" referred to on page 60 of the CHMP.</li> <li>* 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.</li> <li>* 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.</li> </ul>
		Not Verified	<ul style="list-style-type: none"> <li>* 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: Demolition of Daisymede Piggery (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) Photographic Recording of Heritage Items Using Film or Digital Capture. Section 5.3.1 states that the Daisymede 3 piggery is outside of the impact area, which is incorrect.</li> <li>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 an archival recording report has not been provided. Although not required unless impacts of identified, an archival recording report would provide a baseline condition assessment of the Heathcliffe residence. Section 5.3.4 states that archival recording for a baseline assessment of The Rock Inn &amp; Cemetery will occur, but no timeline for 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.</li> <li>A description of measures for: <ul style="list-style-type: none"> <li>o The discovery of unidentified heritage items: CHMP Section 5.3.6. The discovery of human remains: CHMP Section 3.5. These measures are considered appropriate and sufficient.</li> <li>o Ensuring workers receive suitable heritage inductions: CHMP Section 3.3.2. These measures are considered appropriate and sufficient. No site induction materials or participation records were provided for review.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>* An archival recording report for the piggery at Daisymede 3 is required to fulfil the CHMP requirements.</li> <li>* Section 5.3.1 should be updated to state that the Daisymede 3 piggery is within the impact area.</li> <li>* Evidence should be provided to show that maintenance of historic heritage buildings is being undertaken in accordance with the Heritage Office maintenance series.</li> <li>* A timeline for the completion of archival recording for The Rock Inn &amp; Cemetery should be provided.</li> <li>* 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.</li> </ul>
<b>Archaeological Salvage Program</b>				
	The Proponent shall prepare and implement an Archaeological Salvage Program for the project to the satisfaction of the Secretary. This Program must:	Compliant	It is noted that the CHMP Appendix I contains a letter approving Angela Besant (and Chris Carter) to prepare the CHMP, which includes undertaking the salvage program.	
	(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.
	(c) incorporate methodology including:		The salvage methodology includes subsurface testing (CHMP Section 4.3.3 and 4.3.4; ACHSR Section 5.1)	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
57	<input type="checkbox"/> sub-surface testing; <input type="checkbox"/> staged salvage, based on anticipated mine planning; <input type="checkbox"/> pre-disturbance monitoring; <input type="checkbox"/> site assessment and reporting protocols; <input type="checkbox"/> research objectives to inform knowledge of Aboriginal occupation; <input type="checkbox"/> protection, storage and management of salvaged Aboriginal objects; <input type="checkbox"/> addressing relevant statutory requirements under the National Parks and Wildlife Act 1974; and  <input type="checkbox"/> proposed long term plan for protection of salvaged Aboriginal objects.	Non-Compliant (Low Risk)	<p>Section 3.1.</p> <ul style="list-style-type: none"> <li>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.</li> <li>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 2017 Arch 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.</li> <li>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&amp;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.</li> <li>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.</li> <li>A proposed plan for the protection of salvaged Aboriginal objects is outlined in the CHMP Section 4.4.1, 4.4.3 and 4.4.5.</li> <li>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 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.</li> <li>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).</li> <li>An outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs is not provided.</li> </ul>	<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> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>Site assessment protocols should be outlined in the CHMP.</li> <li>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.</li> <li>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 these datasets match, which is vital to ensuring no inadvertent impacts.</li> <li>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.</li> </ul>
<b>TRANSPORT</b>				
<b>Road Upgrade and Maintenance</b>				
58	<p>Notes: Council as the appropriate roads authorities prior to construction of, closure of or conducting mining operations within public roads.</p> <p>The Proponent shall construct, operate and maintain the bridges over the Kamilaroi Highway for the Boggabri Rail Spur Line and the haul road bridge to the satisfaction of RMS, and shall bear all costs associated with the construction and maintenance of these bridges.</p>	Compliant	<ul style="list-style-type: none"> <li>Construction for the haul road bridge over the Kamilaroi Highway was completed in November 2006. Evidence of deed for 2006 was provided.</li> <li>Evidence of 'Notice of Practical Completion from RMS. Letter from 2013 for Construction and removal of temporary intersection for access to BCOPL Haul Road.</li> <li>Evidence of Kamilaroi Highway Access Road Bridge Inspection Report - WSP 2016. The design and inspection consultant (PB) and contractor were also pre-approved by RMS. Based on site communications there is no formal sign-off from RMS as it is not an RMS asset.</li> <li>Evidence of RMS Deed for maintenance of bridge.</li> </ul>	
58A	The Proponent shall design and construct the intersections with the Kamilaroi Highway for access to the haul road to the satisfaction of RMS.			
59	The Proponent shall meet the requirements of the RMS in respect of road access from the Kamilaroi highway for temporary construction traffic, road intersection upgrades and maintenance of RMS roads used in respect of the project.	Compliant		
<b>Traffic Management Plan</b>				
60	<p>The Proponent shall prepare and implement a Traffic Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the RMS, Council and Gunnedah Council;</p> <p>(b) be submitted to the Secretary for approval within 6 months of the date of this approval;</p> <p>(c) propose an appropriate program and schedule of works for any intersection upgrades to be undertaken or contributed to by the Proponent arising from conditions 58 and 59 of Schedule 3;</p> <p>(d) include:</p> <p>(i) a code of conduct for drivers of heavy vehicles;</p> <p>(ii) nominated heavy vehicle access routes for construction and operational stages, including details on volumes and nature of heavy/over size and over/mass vehicles;</p> <p>(iii) measures to minimise traffic impacts at school bus pick up and drop off times;</p> <p>(iv) consideration of measures to minimise dust from unsealed roads that may be used for access to the mine site; and</p> <p>(v) a monitoring program to audit vehicle movements against predictions in the EA.</p>	Compliant	<p>Modified for construction and then operations. Approved 3 January 2013. There was also an unapproved June 2017 version of this management plan which was provided to SLR for this audit.</p> <p>a) Record of consultation outlined in Appendix B - Stakeholder Consultation. Required consultation appears to have been completed.</p> <p>b) Evidence provided - letter from DP&amp;I approved the plan on 21 December 2012.</p> <p>c) Intersection upgrades completed. Also evidence of documentation outlined in conditions 58-59.</p> <p>d) i - Section 7.1 and App A.  ii Section 5,2 and 7.1.  iii Section 6.  iv Section 7.2. Roads are sealed.  v Section 8.1.</p>	
<b>Leard Forest Road Closure</b>				
61	<p>The Proponent shall prepare and submit a Leard Forest Road Closure Strategy for approval by the Secretary in consultation with Council, Forests NSW, MCCC, CCC and the local community affected by the road closure. The strategy must:</p> <p>(a) provide a similar level of road access from Maules Creek to Manilla Road during flood events compared to the existing Leard Forest Road, following the closure of Leard Forest Road;</p> <p>(b) investigate options for a road realignment to join onto Goonbri Road to the east of Leard State Forest;</p> <p>(c) be funded by the Proponent for the capital cost of any upgrades or road realignment and identify allocation of ongoing maintenance costs;</p>	Compliant	<p>Preparation:</p> <p>Strategy was approved by the DPE on 31 January 2014.</p> <p>a) Approved Strategy for proposed alignment of road. Evidence of road.</p> <p>b) Options for realignment outlined in Attachment 1.</p> <p>c) Funded by BCOPL.</p> <p>d) Road designed approved prior to construction. Evidence of flood markers.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	(d) include ongoing review of the effectiveness of the road closure strategy and provision of additional mitigation measures as necessary to maintain a similar level of access during flood events; and (e) be implemented prior to the closure of Leard Forest Road.		e) Road finished prior to closure of Leard Forest Road.  Implementation: * Road completed; * Road is maintained.	
<b>Monitoring of Coal Transport</b>				
62	The Proponent shall: (a) keep records of the: <input type="checkbox"/> amount of coal transported from the site (on a monthly basis); and <input type="checkbox"/> date and time of each train movement generated by the project; and (b) make these records available on its website at the end of each calendar year.	Compliant	Website outlines train loaded summary from 2014 to 2016. Daily summary was provided.	
<b>Rail Transport</b>				
63	The Proponent shall liaise with Gunnedah Shire Council regarding the recommendations made in the Gunnedah Traffic Study for mitigating impacts of coal rail transportation on road safety and congestion in the Gunnedah LGA due to closures of rail level crossings.	Compliant	Gunnedah Traffic Study commissioned in 2012. However there is no documentation outlining consultation. Report states some details of consultation including:  <i>Council requested that the intersection be re-analysed using traffic count data collected by Council on 27th June, 2012.</i>	
64	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.  Note: Any contribution by the Proponent should be on an equitable basis with other coal project rail users.	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 recommendation.
<b>VISUAL</b>				
<b>Operating Conditions</b>				
65	The Proponent shall: (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project; (b) ensure no outdoor lights shine above the horizontal; (c) wherever possible, ensure that mobile equipment is appropriately designed and/or retrofitted to prevent light being directed above the horizontal; (d) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting or its latest version; (e) provide for the establishment of trees and shrubs and/or the construction of mounding or bunding: <input type="checkbox"/> along the access road to the mine site; <input type="checkbox"/> along the private haul road; <input type="checkbox"/> along the Boggabri Rail Spur Line; <input type="checkbox"/> around the water storage dams; and <input type="checkbox"/> at other areas identified as necessary for the maintenance of satisfactory visual amenity; (f) ensure that the visual appearance of all buildings, structures (including the rail spur bridge over the Namoi river floodplain and Kamilaroi highway), facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape.  to the satisfaction of the Secretary.	Compliant	Evidence provided included Environmental Management Plan for Downer EDI (includes Lighting management section).  a) There have been no lighting complaints at site during the audit period.  b - d) No evidence of non-compliance from field inspection. Standard Work Practice for Downer EDI. Daily inspection checklists.  e) visual screening has generally been effective. Some screening observed during field inspection. The operation is difficult to see from most locations in the vicinity.  f) LV & HV workshops, CHPP and train line painted green.	
<b>Additional Visual Impact Mitigation</b>				
66	Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the mining operations and infrastructure on site during the project, the Proponent shall implement additional visual impact mitigation measures (such as landscaping treatments or vegetation screens) to reduce the visibility of these mining operations and infrastructure from the residences on their properties. These mitigation measures must be reasonable and feasible, and must be implemented within a reasonable timeframe.  If the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution. Notes: <input type="checkbox"/> The additional visual impact mitigation measures must be aimed at reducing the visibility of the mining operations on site from significantly affected residences, and do not require measures to reduce the visibility of the mining operations from other locations on the affected properties; <input type="checkbox"/> The additional visual impact mitigation measures do not necessarily have to include the implementation of measures on the affected property itself (i.e. the additional measures could involve the implementation of measures outside the affected property boundary that provide an effective reduction in visual impacts); and <input type="checkbox"/> Except in exceptional circumstances, the Secretary will not require additional visual impact mitigation to be undertaken for residences that are more than 7.5 kilometres from the mining operations.	Not Triggered		

Condition Number	Condition	Compliance Status	Evidence	Recommended Action										
<b>BUSHFIRE MANAGEMENT</b>														
67	The Proponent shall: (a) ensure that the project is suitably equipped to respond to any fires on site; and (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.	Compliant	a) 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. b) BCOPL would liaise with these authorities in the event of a fire.	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.										
<b>WASTE</b>														
68	The Proponent shall: (a) implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the project; (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; (c) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review.	Compliant	a) Waste has been minimised. Evidence of waste tracking spreadsheet. Evidence of site inspections by Downer EDI and BCOPL. b) Generally waste management has been undertaken well. There are some comments from the site inspection including: o Area of hydrocarbon spill near above ground tanks – diesel unloading area. Noticeable spill and needs to be cleaned. o Spill near water fill point; o Oily rags in the general waste bin; o Hoses in lubricant area hanging down and not being effectively stored. Ensure all hydrocarbon hoses are stored within clips. c) Waste management and total waste has been reported in the AEMR. There were some large improvements in waste management in terms of volumes in 2015.	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.										
<b>REHABILITATION</b>														
<b>Rehabilitation Objectives</b>														
69	The Proponent shall rehabilitate the site to the satisfaction of DRE. This rehabilitation must be generally consistent with the proposed Rehabilitation Strategy described in the EA (and depicted conceptually in Appendix 9) and comply with the objectives in Table 16. Table 16: Rehabilitation Objectives <table border="1" data-bbox="261 972 1015 1220"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine site (as a whole), including the final void.</td> <td>Safe, stable and non-polluting Minimise the size and depth of the final void as far as is reasonable and feasible and ensure that the void contains no retained surface water (ie no pit lake).</td> </tr> <tr> <td>Surface infrastructure</td> <td>Constructed landforms drain to the natural environment. To be decommissioned and removed, unless the DRE agrees otherwise.</td> </tr> <tr> <td>Other land</td> <td>Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: • local native plant species (unless DRE agrees otherwise); and a landform consistent with the surrounding environment.</td> </tr> <tr> <td>Community</td> <td>Ensure public safety Minimise the adverse socio-economic effects associated with mine closure</td> </tr> </tbody> </table>	Feature	Objective	Mine site (as a whole), including the final void.	Safe, stable and non-polluting Minimise the size and depth of the final void as far as is reasonable and feasible and ensure that the void contains no retained surface water (ie no pit lake).	Surface infrastructure	Constructed landforms drain to the natural environment. To be decommissioned and removed, unless the DRE agrees otherwise.	Other land	Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: • local native plant species (unless DRE agrees otherwise); and a landform consistent with the surrounding environment.	Community	Ensure public safety Minimise the adverse socio-economic effects associated with mine closure	Not Triggered	These are final landform objectives, with rehabilitation ongoing.	
Feature	Objective													
Mine site (as a whole), including the final void.	Safe, stable and non-polluting Minimise the size and depth of the final void as far as is reasonable and feasible and ensure that the void contains no retained surface water (ie no pit lake).													
Surface infrastructure	Constructed landforms drain to the natural environment. To be decommissioned and removed, unless the DRE agrees otherwise.													
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Community	Ensure public safety Minimise the adverse socio-economic effects associated with mine closure													
<b>Progressive Rehabilitation</b>														
70	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.  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.	Compliant	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.	Recommendation as per Statement of Commitment 34.  Summarise rehabilitation trials in the future AEMR's/Annual Reviews. Consider developing additional rehabilitation trials.  There are 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.										
<b>Rehabilitation Management Plan</b>														
	The Proponent shall prepare and implement a Rehabilitation Management Plan to the satisfaction of DRE. This plan must:  (a) be prepared in consultation with the Department, Forests NSW, NOW, OEH, North West LLS, Council and the CCC; (b) be submitted DRE within 6 months from the date of this approval; (c) be prepared in accordance with any relevant DRE guideline; (d) describe how the rehabilitation of the site would be integrated with the implementation of the biodiversity management plan; (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);		A Rehabilitation Management Plan has been prepared for the site. There is also a MOP which outlines rehabilitation. A separate Rehabilitation MP has been prepared due to the specific requirements of the EPBC Consent.  <u>Preparation:</u> a) Evidence of consultation provided by BCOPL with consultation completed with these agencies in December 2014. 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. c) Prepared to meet the general requirements of the MOP Guideline. There is a separate MOP as well for											

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
71	(f) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, and address all aspects of rehabilitation including mine closure, final landform, and final land use; (g) include interim rehabilitation where necessary to minimise the area exposed for dust generation; (h) include a program to monitor, independently audit and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; and (i) build to the maximum extent practicable on the other management plans required under this approval. Note: In particular the Biodiversity Management Plan and Rehabilitation Management Plan need to be substantially integrated for achieving biodiversity objectives for the rehabilitated mine-site.	Administrative Non-Compliance	the site. d) Section 1.2. e) Detailed criteria in Appendix A. f) Section 5 and 6. g) Some detail in several sections. Included in criteria. h) Section 5 and 8. i) Linked to other plans including Biodiversity Management Plan and AQGHGMP.  <u>Implementation:</u> Evidence of progressive rehabilitation through a review of an aerial photo and rehabilitation outlined in the AEMR. Field inspection noted rehabilitation from recent to five years plus. Generally rehabilitation was of a good quality. Rehabilitation monitoring is ongoing.  <u>Summary of rehabilitation in AEMR:</u>	A copy of the Rehabilitation Management Plan should be sent to the DRG.
<b>Final Void Design and Closure</b>				
72	The Proponent shall prepare and implement an updated Final Void and Mine Closure Plan (as a component of the overall Rehabilitation Management Plan required under condition 71 of Schedule 3) to the satisfaction of DRE. This plan must: (a) be submitted to DRE by the end of December 2025; (b) address future stability of the proposed landforms, long term groundwater recovery and void groundwater quality characteristics; (c) include a detailed assessment of the hydrochemistry, hydrogeology and hydrology components of the final void and landform design that has been subject to independent review and verification by suitably qualified, experienced and independent person/s whose appointment has been approved by the Secretary. (d) demonstrate that: (i) the long term landform will not generate a pit lake; (ii) emplaced spoil has the capacity to drain to the natural environment; and (iii) drained waters do not adversely affect the downstream environment (e) identify opportunities for integrated mine planning with adjoining mines to minimise environmental impacts of the final landform.	Not Triggered	Not within time period.	
<b>SOCIAL IMPACTS</b>				
<b>Agricultural Production on Project-Owned Land</b>				
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.  Note: This does not include land where disturbance is permitted under the conditions of this approval, or land that forms part of the biodiversity offset area. However, the corridor enhancement zone that forms part of the Biodiversity Offset Area will need to be further assessed for agricultural suitability and management may include both agricultural and conservation outcomes identified as part of an approved biodiversity management plan.	Complaint	AEMR's summarise the management of agricultural land at BCOPL. Biodiversity management is outside the scope of this audit. Evidence of Agricultural Land Options Report - URS December 2013. Evidence of licence agreements/deeds for individuals to manage the land dated April 2014, October 2014 and November 2015.	Additional detail should be provided in the AEMR regarding the management of agricultural productivity.
<b>Agricultural Production on land acquired due to impacts on residential receivers</b>				
74	The Proponent shall ensure that any properties primarily used for agricultural production that are acquired by the Proponent due to impacts on residential receivers continue to be operated and maintained for sustainable agricultural production, unless they have been incorporated into an approved biodiversity offset area. This condition ceases to have effect if the Proponent disposes of the property.	Compliant	BCOPL leases agricultural land to individuals. There are a series of conditions in these leases about maintaining the land. Evidence of Agricultural Land Options Report - URS December 2013. Evidence of licence agreements/deeds for individuals to manage the land dated April 2014, October 2014 and November 2015.	
<b>Housing Strategy</b>				
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).  If there is any dispute between Council and the Proponent regarding the timing of construction, then either party may refer the matter to the Secretary for resolution, whose decision shall be final.	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.
<b>Construction Workforce Accommodation</b>				
	Prior to construction activities commencing, the Proponent shall prepare and implement a Construction Workforce Accommodation Plan, in consultation with Council, and to the satisfaction of the Secretary. The plan must:		Most construction activities were outside the audit period. Evidence of Construction Workforce Accommodation Plan (dated 25 June 2013).	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
76	(a) provide details of the construction workforce numbers throughout all stages of construction including local vs. non-local hiring; and (b) for off-site accommodation options, demonstrate that the construction workforce can be suitably housed in approved accommodation facilities.	Compliant	Approval of Construction Workforce Accommodation Plan dated 27 June 2017. a) Section 1.5 and 2.1. b) Section 2.2.	
<b>Social Impact Management Plan</b>				
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:  (a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with Council, Gunnedah Shire Council, the CCC, Aboriginal stakeholders and other relevant Government agencies and service providers, other mine operators in the Leard Forest Mining Precinct and submitted to the Secretary for approval within 12 months of project approval; (c) take into consideration relevant actions related to social impacts identified in the Strategic Regional Land Use Plan for New England North West; (d) identify the social impacts resulting from the various stages of the project (including construction, operational and decommissioning stages) in both the local and regional context, including but not limited to: <input type="checkbox"/> soft infrastructure such as housing, medical, education, childcare and emergency services; <input type="checkbox"/> hard infrastructure such as local and regional roads and rail; <input type="checkbox"/> economic/business development; and <input type="checkbox"/> workforce demand/supply factors, such as training needs; and <input type="checkbox"/> labour availability impacts on other sectors, such as agricultural enterprises; (e) incorporate the housing availability and affordability initiatives identified in the EA, including the Boggabri Coal Housing Commitment; (f) identify proposed initiatives for promoting workforce opportunities for residing in the area/region as opposed to FIFO/DIDO; (g) include a management and mitigation program to minimise and/or mitigate social impacts; and (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>Preparation:</u> a) There is a letter from DP&I dated 10/10/2012 approving Elton Consulting to prepare the SIMP.  b) The SIMP was submitted for approval to DP&I in January 2013 which is within 12 months of the date of this project approval. The SIMP stated that the "draft SIMP has been distributed to the CCC, Narrabri Shire Council and Gunnedah Shire Council for review and feedback". Evidence of consultation to DPE (30 June 2016), GSC (16 December 2016) and NSC (16 December 2016). Evidence of the SIMP circulated to the CCC in May 2016 CCC meeting.  c) Section 3 d) Section 3.4 e) Section 3.4 f) Section 3.4 and 3.5 g) Section 4.1 h) Section 4.2 <u>Implementation:</u> Updates provided in AEMR. There are non-compliances in relation to the SIMP monitoring requirements with these outlined in the 2015 AEMR.. The issues with the SIMP which were identified in 2015 were rectified in the 2016 AEMR.	Ensure monitoring requirements relating the SIMP are completed.  Include evidence of the liaison with relevant stakeholders as part of the SIMP update (copy of consultation letters).  Continue liaison with the Council relating to housing commitments as per recommendation in Schedule 3 Condition 75.
<b>Schedule 4 Additional Procedures</b>				
<b>NOTIFICATION OF LANDOWNERS/TENANTS</b>				
1	Within 3 months of the date of this approval, the Proponent shall: (a) notify in writing the owner(s) of: <input type="checkbox"/> the land identified in conditions 3 and 25 of schedule 3 that they have the right to require the Proponent to acquire their land at any stage during the project; <input type="checkbox"/> any residence on the land listed in conditions 3 and 26 of schedule 3 that they have the right to request the Proponent for additional noise and/or air quality mitigation measures to be installed at their residence at any stage during the project; and <input type="checkbox"/> any privately-owned land within 2 kilometres of the approved open cut mining pit/s that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated; (b) notify the tenants of any mine-owned land of their rights under this approval; and (c) send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the EA identify that dust emissions generated by the project are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the project.	Not triggered	Outside the audit period,  There are now no private residences within 2 kilometres of the site.  In the previous audit period letters were sent out, with an example letter provided to SLR for this audit (dated 11 September 2012).	
2	Prior to entering into any tenancy agreement for any land owned by the Proponent that is predicted to experience exceedances of the recommended dust criteria, the Proponent shall:  (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land; (b) advise the prospective tenants of the rights they would have under this approval; and (c) provide the prospective tenants with a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and (d) request the prospective tenants consult their medical practitioner to discuss the air quality monitoring data and predictions and potential health impacts arising from this information, to the satisfaction of the Secretary.	Not triggered	No tenancy agreements in place for land to 'exceed dust criteria'.	
3	As soon as practicable after obtaining monitoring results showing: (a) an exceedance of the relevant criteria in schedule 3, the Proponent shall notify the affected landowner in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is complying with the relevant criteria again; and (b) an exceedance of the relevant air quality criteria in schedule 3, the Proponent shall send a copy of: <input type="checkbox"/> the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and <input type="checkbox"/> the air quality monitoring data, in an appropriate format so that a medical practitioner can assist the resident in making an informed decision on the health risks associated with occupation of the property, to the landowner/s and/or existing tenants of the land.	Not triggered	No exceedance of air quality criteria during the audit period. Evidence of monitoring from the AEMR.	
<b>INDEPENDENT REVIEW</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Landowners</b>				
4	<p>If an owner of privately-owned land considers the project to be exceeding the criteria in schedule 3 (other than the noise criteria), then he/she may ask the Secretary in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> consult with the landowner to determine his/her concerns;</li> <li><input type="checkbox"/> conduct monitoring to determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and</li> <li><input type="checkbox"/> if the project is not complying with these criteria then: <ul style="list-style-type: none"> <li>i. determine if the more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land;</li> <li>ii. identify the measures that could be implemented to ensure compliance with the relevant criteria; and</li> </ul> </li> </ul> <p>(b) give the Secretary and landowner a copy of the independent review.</p>	Not triggered	Based on discussions with BCOPL. Although there have been community queries and complaints during the audit period, no queries have resulted in this condition being triggered.	
5	<p>If the independent review determines that the project is complying with the relevant criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant criteria, and that the project is primarily responsible for this non-compliance, then the Proponent shall:</p> <p>(a) acquire the land in accordance with the procedures in conditions 8-9 below; or if preferred by the landowner,</p> <p>(b) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until the project complies with the relevant criteria; or</p> <p>(c) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant acquisition criteria, and that the project is primarily responsible for this non-compliance, then upon receiving a written request from the landowner, the Proponent shall acquire all or part of the landowner's land in accordance with the procedures in condition 8-9 below.</p>	Not triggered		
6	<p>If the independent review determines that the relevant criteria are being exceeded, but that more than one mine is responsible for this exceedance, then together with the relevant mine/s the Proponent shall:</p> <p>(a) acquire the land in accordance with the procedures in conditions 8-9 below; or if preferred by the landowner,</p> <p>(b) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until there is compliance with the relevant criteria; or</p> <p>(c) secure a written agreement with the landowner and other relevant mine/s to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Secretary.</p>	Not triggered		
<b>Biodiversity &amp; Heritage</b>				
7	<p>If a person has good reason to believe the Proponent is not implementing the biodiversity and/or heritage conditions in schedule 3 satisfactorily, then he/she may ask the Secretary in writing for an independent review of the matter.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> consult with the person and/or any relevant agencies;</li> <li><input type="checkbox"/> investigate the person's complaints/claims;</li> <li><input type="checkbox"/> review the environmental performance of the Proponent;</li> <li><input type="checkbox"/> determine whether the Proponent's performance is satisfactory or not; and if necessary</li> <li><input type="checkbox"/> recommend measures to improve the Proponent's performance; and</li> </ul> <p>(b) give the Secretary and complainant a copy of the independent review.</p>	Not triggered	Based on discussions with BCOPL this condition was not triggered,	
<b>LAND ACQUISITION</b>				
	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a</p> <p>(a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and</li> <li><input type="checkbox"/> presence of improvements on the land and/or any approved building or structure which has been physically</li> </ul> <p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> relocating within the Tamworth, Narrabri, Gunnedah or Moree local government area, or to any other local government area determined by the Secretary; and</li> <li><input type="checkbox"/> obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and</li> </ul>			



Condition Number	Condition	Compliance Status	Evidence	Recommended Action
8	<p>(c) reasonable compensation for any disturbance caused by the land acquisition process. However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> consider submissions from both parties;</li> <li><input type="checkbox"/> determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;</li> <li><input type="checkbox"/> prepare a detailed report setting out the reasons for any determination; and</li> <li><input type="checkbox"/> provide a copy of the report to both parties.</li> </ul> <p>Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.</p> <p>Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.</p> <p>If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land shall cease, unless the Secretary determines otherwise.</p>	Not triggered	A letter from the resident was dated 7 May 2013 (outside the audit period). Letter from BCOPL to the resident was sent on 27 June 2013. Not triggered during this audit period.	
9	The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 6 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	Not triggered	Not triggered during audit period.	
<b>Schedule 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b>				
<b>ENVIRONMENTAL MANAGEMENT</b>				
<b>Environmental Management Strategy</b>				
1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. The strategy must:</p> <ul style="list-style-type: none"> <li>(a) be submitted to the Secretary for approval within 6 months of the date of this approval;</li> <li>(b) provide the strategic framework for environmental management of the project;</li> <li>(c) identify the statutory approvals that apply to the project;</li> <li>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</li> <li>(e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li><input type="checkbox"/> keep the local community and relevant agencies informed about the operation and environmental performance of the project;</li> <li><input type="checkbox"/> receive, handle, respond to, and record complaints;</li> <li><input type="checkbox"/> resolve any disputes that may arise during the course of the project;</li> <li><input type="checkbox"/> respond to any non-compliance;</li> <li><input type="checkbox"/> respond to emergencies; and</li> </ul> </li> <li>(f) include: <ul style="list-style-type: none"> <li><input type="checkbox"/> copies of any strategies, plans and programs approved under the conditions of this consent; and</li> <li><input type="checkbox"/> a clear plan depicting all the monitoring to be carried out in relation to the project.</li> </ul> </li> </ul>	Compliant	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>a) Environmental Management Strategy dated January 2013 and was submitted within six months of the Project Approval date. A 2016 Environmental Management Strategy has been prepared. This is still draft for consultation and has not yet been approved.</li> <li>b) Section 2.3. Covered in entire document.</li> <li>c) Section 2.1</li> <li>d) Section 3.1</li> <li>e) Section 3 and 5.</li> <li>f) Appendix B lists structure of the EMS, including plans. Appendix A outlines environmental monitoring locations.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Evidence of logging of complaints and incidents;</li> <li>* Evidence of community liaison;</li> <li>* Evidence of monitoring program;</li> <li>* Evidence of inspections from BCOPL and Downer EDI.</li> </ul>	
<b>Adaptive Management</b>				
2	<p>The Proponent must assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&amp;A Act or EP&amp;A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Proponent must at the earliest opportunity:</p> <ul style="list-style-type: none"> <li>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur ;</li> <li>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other courses of action; and</li> <li>(c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.</li> </ul>	Compliant	<p>The only breach of Project Approval Criteria in Schedule 3 related to the breaching of noise criteria for night time noise level at Goonbri property on 11 September 2014. Based on a review of information provided by site there have been no criteria non-compliances relating to water or air quality during the audit period.</p> <p>For the noise non-compliance this was reported in the AEMR and actions were immediately taken to reduce the likelihood of this occurring again. For noise management there are a series of controls including monitoring, noise attenuation and controlling of activities.</p>	
<b>Management Plan Requirements</b>				
	<p>The Proponent shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none"> <li>(a) detailed baseline data;</li> <li>(b) a description of: <ul style="list-style-type: none"> <li><input type="checkbox"/> the relevant statutory requirements (including any relevant consent, licence or lease conditions);</li> <li><input type="checkbox"/> any relevant limits or performance measures/criteria;</li> <li><input type="checkbox"/> the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</li> </ul> </li> </ul>		<p>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</p>	Include additional baseline data in the next update to the Surface Water Management

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
3	(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits or performance measures; and (d) a program to monitor and report on the: <input type="checkbox"/> impacts and environmental performance of the project; <input type="checkbox"/> effectiveness of any management measures (see c above); (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a program to investigate and implement ways to improve the environmental performance of the project over time; (g) a protocol for managing and reporting any: <input type="checkbox"/> incidents; <input type="checkbox"/> complaints; <input type="checkbox"/> non-compliances with statutory requirements; and <input type="checkbox"/> exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan.	Compliant	relating to specific aspects of this condition, such as the EIR (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.	Plan.  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.
<b>Annual Review</b>				
4	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: (a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year; (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the: <input type="checkbox"/> relevant statutory requirements, limits or performance measures/criteria; <input type="checkbox"/> monitoring results of previous years; and <input type="checkbox"/> relevant predictions in the EA; (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the project; (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.	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.  a) Covered in AEMR's  b) A review of monitoring results has been completed. There is generally a comparison of results against the previous AEMR period. Discussion of results against criteria. There is some discussion of performance against the EA.  c) Evidence of discussing discussions of non-compliances.  d) 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.  e) There is a discussion on the performance against the EA.  f) In AEMR's. Section 9.1 of the 2016 AEMR.	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.  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.  Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.
<b>Revision of Strategies, Plans and Programs</b>				
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 (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.	Administrative Non-Compliance	It is acknowledged that BCOPPL 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.  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.	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.
<b>Management of Cumulative Impacts</b>				
6	In conjunction with the owners of the nearby mines in the Leard Forest Mining Precinct, the Proponent shall use its best endeavours to minimise the cumulative impacts of the project on the surrounding area to the satisfaction of the Secretary.	Compliant	There are a series of complex wide management plans developed. Evidence of regular consultation with neighbouring mines. Cumulative impacts assessed for noise.	
<b>Community Consultative Committee</b>				
7	The Proponent shall operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must be operated in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version), and be operating within 6 months of the date of this approval.  The CCC must include one member representing the MCCC (if the MCCC is still operating and agreed to by the MCCC), one member from Aboriginal stakeholder groups, and seek to include some joint membership with CCCs for other operating coal mines within the Leard Forest Mining Precinct, unless otherwise agreed by the Secretary.  Notes: <input type="checkbox"/> The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval; and <input type="checkbox"/> In accordance with the Department's guideline, the CCC should be comprised on an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.	Compliant	Evidence of CCC meetings on website. CCC consists of relevant structure as per this condition including an independent chair.  CCC minutes are provided on the website.	
<b>REPORTING</b>				
<b>Incident Reporting</b>				
8	The Proponent shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the project, the Proponent shall notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Compliant	A copy of the PIRMP was provided for the audit is outlined on the website. Environmental incidents/non-compliances have been reported in the AEMR. Based on the information provided to SLR, no incident has caused or threatened to cause material harm to the environment. Therefore immediate reporting has not been triggered.	
<b>Regular Reporting</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
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.	
<b>AUDITING</b>				
<b>Independent Environmental Audit</b>				
10	<p>By the end of June 2014 and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval, and any other relevant approvals, relevant EPL/s and/or Mining Lease (including any assessment, plan or program required under these approvals);</p> <p>(d) assess whether the Proponent is implementing best noise, blasting and air quality management practice;</p> <p>(e) investigate and report on the measures taken to minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply, including:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the effectiveness of these measures in maintaining noise impacts within the relevant noise criteria in this approval and/or the limits in the relevant EPL; and</li> <li><input type="checkbox"/> any additional measures available to mitigate noise impacts under such meteorological conditions</li> </ul> <p>(f) investigate and report on the measures taken to minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see condition 30(d) of Schedule 3), including:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the effectiveness of these measures in maintaining air quality impacts within the criteria in Table 9, Table 10 and Table 11 of Schedule 3; and</li> <li><input type="checkbox"/> any additional measures available to mitigate air quality impacts under such conditions;</li> </ul> <p>(g) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and</p> <p>(h) recommend measures or actions to improve the environmental performance of the project and/or any strategy, plan or program required under these approvals.</p> <p>Note: This audit team must be led by a suitably qualified auditor, and include experts in noise, air quality, ecology, Aboriginal heritage and any other fields specified by the Secretary.</p>	Compliant	<p>a) The 2014 audit was completed by Graham A Brown and Associates - Report dated 19 August 2014. They were commissioned by BCOPL in April 2014. The approval letter from the then DP&amp;I was dated 11 February 2014.</p> <p>This 2017 audit was prepared by SLR Consulting who were endorsed by the DPE on 27 June 2017.</p> <p>b) Consultation was completed for the 2014 and 2017 audits.</p> <p>c) Performance against statutory requirements was assessed for the 2014 and 2017 audits.</p> <p>d) The 2014 and 2017 audits assessed this requirement;</p> <p>e) Both the 2014 and 2017 audits included specialists in noise;</p> <p>f) Both the 2014 and 2017 audits included specialists in air quality;</p> <p>g) The approved management plans were reviewed for both the 2014 and 2017 audits; and</p> <p>h) Both the 2014 and 2017 audits outlined recommendations. It is noted that the 2017 audit does not require an assessment of biodiversity specialists as per the letter from the DPE dated 27 June 2017.</p>	
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 further recommendation.
<b>ACCESS TO INFORMATION</b>				
12	<p>The Proponent shall:</p> <p>(a) within 3 months of the date of this approval, make the following information publicly available on its website:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the EA;</li> <li><input type="checkbox"/> all current statutory approvals for the project;</li> <li><input type="checkbox"/> approved strategies, plans and programs required under the conditions of this consent;</li> <li><input type="checkbox"/> a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;</li> <li><input type="checkbox"/> a complaints register, which is to be updated on a monthly basis;</li> <li><input type="checkbox"/> minutes of CCC meetings;</li> <li><input type="checkbox"/> the last five annual reviews;</li> <li><input type="checkbox"/> any independent environmental audit, and the Proponent's response to the recommendations in any audit;</li> <li><input type="checkbox"/> any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up to date, to the satisfaction of the Secretary.</p>	Compliant	The website has detailed environmental information as per this condition.	
<b>Online Communication of Onsite Activities and Monitoring of Noise and Air Quality</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
13	<p>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 on line and includes:</p> <p>(a) timely publication of validated monitoring data in a clearly understandable form;</p> <p>(b) identification of mine operational responses to monitoring data and weather forecasts; and</p> <p>(c) provision for on-line input /response by members of the community and real time engagement with regionally-based regulatory compliance staff, to the satisfaction of the Secretary.</p>	Non-Compliant (Low Risk)	<p>The Noise Management Plan and AQGHGMP are available online.</p> <p>a) Evidence sighted of real-time air quality monitoring - PM10. No evidence of real-time noise monitoring available online.</p> <p>b) No evidence online of mine responses. Evidence of weather data.</p> <p>c) The website does contain provision for input from members of public.</p> <p><a href="https://www.idemitsu.com.au/operations/boggabri-coal/operational-information-and-monitoring/">https://www.idemitsu.com.au/operations/boggabri-coal/operational-information-and-monitoring/</a></p>	<p>Ensure real-time noise monitoring is available on the website as real-time air is available.</p> <p>Additional information should be provided in the AEMR regarding real time noise and air monitoring including responses to triggers.</p>

# EA Statement of Commitments 2016

Reference	Commitment	Section	Compliance Status	Evidence	Recommended Action
<b>Mining Operations</b>					
1	Upon the Receipt of Project Approval, Boggabri Coal will relinquish DA 36/88 at the appropriate time as agreed between Boggabri Coal and DP&I	Section 4.0 of the Boggabri EA & Section 5 of the Response to Submissions	Compliant	Old DA has been relinquished.	
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.	Section 2.1.1 of the Residual Matters Report	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 a barrier coal extraction.
<b>Environmental Management and Monitoring</b>					
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.	Section 8.0 of the Boggabri EA	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.
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		
<b>Air Quality</b>					
5	Boggabri Coal will utilise technologies and initiatives as required to ensure that the air quality outcomes described in the EA are achieved.	Section 8.1.3 of the Boggabri EA	Compliant	Evidence of air quality mitigation. Evidence of monitoring including real time monitoring. Results within criteria for TSP, PM10 and depositional dust gauges.	
6	Boggabri Coal will undertake regular monitoring of greenhouse gas emissions and energy efficiency initiatives to ensure that greenhouse gas emissions per tonne of product coal are kept to the minimum practicable level.		Compliant	AQGHGMP. GHG emissions reported in AEMR. Also NGRS and NPI Reporting.	
7	Boggabri Coal will install a TEOM air quality monitoring unit(s).		Compliant	TEOM currently measures PM10. Once the AQGHGMP is approved there will be a requirement to monitor PM2.5.	
<b>Noise and Blasting</b>					
8	Boggabri Coal will implement the necessary noise control and management measures to ensure that the EA predicted noise levels at private receivers as listed in Table 25 of the EA are not exceeded.	Section 8.2.4 of the Boggabri EA	Compliant	Noise controls generally in place. Evidence of noise attenuation of plant. There was only one occasion when noise monitoring results were above criteria.	
9	Boggabri Coal will manage its blasting practices such that the recommended DECCW guidelines, existing at the time of approval; will be met at all privately owned receivers.		Compliant	Blast monitoring and mitigation. Results within criteria for audit period.	
10	Boggabri Coal will install a real time noise monitoring system and a real time meteorological monitoring system with predictive software capabilities.	Section 8.2.4 of the Boggabri EA	Compliant	Real-time noise monitoring system has been established.	
11	Boggabri Coal will use its reasonable endeavours to establish negotiated agreements with near neighbours as described in Section 2.4.3 of the Residual Matters report.	Section 2.4.3 of the Residual Matters Report	Compliant	There is evidence of consultation relating to negotiated agreements.	
12	Boggabri Coal will install a system for monitoring inversion strengths.	Section 2.4.2 of the Residual Matters Report	Compliant	The meteorological station has a system to monitor inversions.	
<b>Water Resources</b>					

13	Boggabri Coal will continue to monitor groundwater ingress and impacts on surrounding privately owned bores. In the event that monitoring confirms a deleterious impact on any privately owned water bore Boggabri Coal will meet the cost of modifying the bore or replace any water loss.	Section 8.10.4 of the Boggabri EA	Compliant	Detailed groundwater monitoring by specialists. Reporting in AEMR and website. Annual report provides additional information relating to trends.	
14	Boggabri Coal will use best endeavours to acquire additional water entitlements to ensure maximum operational capabilities in extreme dry years.		Compliant	BCOPL have a series of Water Access Licences. The AEMR provides an outline of these licences.	
<b>Traffic</b>					
15	To offset the closure of a section of Leard Forest Road Boggabri Coal will upgrade Harparary Road including three culverts and a new bridge over the Namoi River as described in its VPA with NSC.	Section 8.19 of the Boggabri EA	Compliant	Funding to complete this work was outlined in the 2014 AEMR.	
16	Boggabri Coal will continue to investigate alternative road access options to the Maules Creek Community to mitigate the closure of a section of Leard Forest Road in consultation with the NSC and MCCC.	Section 4.12.2 of the Response to Submissions	Compliant	Goonbri Road upgrade was constructed to provide an alternative to the closure of Leard Forest Road. Executed agreement for Goonbri Road upgrade was sighted - dated 16 April 2017.	
17	Boggabri Coal will construct an overpass on Therribri Road across the Private Coal Haul Road should road coal haulage reach 5.5 Mtpa.	Section 8.19 of the Boggabri EA	Compliant	Road coal haulage did not equate to 5.5Mt.	
18	Boggabri Coal will commit to a financial contribution to the upgrade of the intersections identified in the road safety audit commensurate with the impacts of the Project.		Compliant	Upgrades to intersections completed.	
19	Prior to the construction of the rail spur overpass within the easement of the Kamilaroi Highway Boggabri Coal will consult with all relevant regulatory authorities and will develop a rail construction and traffic management plan in consultation with the RMS.		Compliant	Evidence of consultation in relation to the rail spur overpass. Evidence of Rail Spur Construction EMP with consultation from 19 April 2013.	
<b>Ecology</b>					
20	To offset impacts on fauna and flora from the Project, Boggabri Coal will establish a Regional East-West Wildlife Corridor which will be proactively managed to enhance its ecological values as detailed in Section 8.5 of the EA.	Section 8.5 of the Boggabri EA	N/A	Biodiversity offset conditions not applicable to this audit.	
21	The mine rehabilitation program will focus on the re-establishment of Box Gum Woodland.		N/A		
22	Boggabri Coal will establish a 186 ha hardwood commercial forest in consultation with Forest NSW.		N/A		
23	Boggabri Coal will maintain a natural vegetation corridor link between its operations and the Maules Creek Coal Project until further assessments are undertaken, relevant approvals are received and appropriate offset measures are put in place.	Section 2.1.1 of the Residual Matters Report	N/A		
24	Boggabri Coal will acquire an additional offset property(s) consisting of 1,000 ha of remnant vegetation including 650 ha of Box Gum Woodland ('like for like') and 350 ha of Derived Native Grassland to add to its biodiversity offset strategy within 3 years of the grant of Project Approval one of the following local areas: 1. Nandewar Corridor – north-south Mt Kaputar National Park to Kelvin State Forest; 2. Pilliga Corridor – east-west Mt Kaputar National Park to Pilliga East State Forest; and 3. Leard Corridor – west-east Leard State Forest to Nandewar Range.	Section 2.2.3 of the Residual Matters Report	N/A		
<b>Visual</b>					
25	Boggabri Coal will progressively rehabilitate the mining and OEAs to minimise visual impact.	Section 8.3 of the Boggabri EA	Compliant	Evidence of progressive rehabilitation.	
<b>Aboriginal Archaeology and Cultural Heritage</b>					
26	The salvage and the protection of all known Aboriginal objects within the Project Boundary will continue to be managed in accordance with a revised Aboriginal Archaeology and Cultural Heritage Management Plan in consultation with the local Aboriginal community and EPA.		Compliant	The audit has found that, from the documents provided, the salvage and protection of all known Aboriginal objects within the project boundary appears to be occurring in accordance with the CHMP in consultation with RAPs and OEH.	

27	Boggabri Coal will establish a keeping place for the purpose of housing salvaged Aboriginal artefacts from the mine site.	Section 8.6.3 of the Boggabri EA	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 the CHMP, for instance, as a table with descriptions of points raised by RAPs and responses provided.
<b>Non Aboriginal Heritage</b>					
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.	Section 8.7 of the Boggabri EA	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 Monitoring Report: Demolition of Daisymede Piggery (Monitoring_V1_030614: ID13). This report does not fulfil the requirements of an archival photograph recording report as outlined in NSW Heritage Office (2006) Photographic Recording of Heritage Items Using Film or Digital Capture. 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.	Oz Ark noted - The archival recording report for the Daisymede 3 piggery should be provided. SLR note following finalisation of the audit - There is no 'archival report'. The monitoring report is the only report.
<b>Community</b>					
29	Boggabri Coal will enter into a Voluntary Planning Agreement with NSC with regard to the Project including a commitment of up to \$9.67 Million to be contributed to NSC for the purpose of funding the following upgrades of works to NSC infrastructure: <ul style="list-style-type: none"> <li>• Upgrades to the Boggabri Caravan Park;</li> <li>• Erection of a monument in recognition of the achievements of Ben Lexcen;</li> <li>• Improve public seating throughout Boggabri;</li> <li>• Support for the Boggabri Home and Community Care organisation;</li> <li>• Upgrades to Harparary Road and Bridge over the Namoi River; and</li> <li>• In full satisfaction of any requirements under Section 94 of the EP&amp;A Act.</li> </ul>	Section 8.13.8 of the Boggabri EA	Compliant	Community programs and investment is outlined in the AEMR - Section 7.1 of 2016 AEMR. There is a wide range of programs across the area.	
<b>Housing</b>					
30	Boggabri Coal will implement the strategies outlined in Section 2.6.2 of the Residual Matters Report to ensure the Project does not have a material impact on housing availability and affordability in the Narrabri and Gunnedah LGA's.	Section 2.6.2 of the Residual Matters Report	Compliant	Evidence of SIMP. AEMR outlines the status of the Social Impact Monitoring Summary. This is still an ongoing project.	
<b>Reporting</b>					
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.	Section 8.0 of the Boggabri EA	Compliant	The AEMR's have been completed, however SLR recommends some updates in future documentation.	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.  Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.
<b>Rail</b>					
32	Boggabri Coal will actively coordinate with ARTC to ensure environmental impacts on the ARTC rail network are minimised as far as practical.	Section 2.4.5 of the Residual Matters Report	Compliant	Evidence of consultation with the ARTC. Including evidence of Report from ARTC dated December 2015 - Boggabri Maules Creek Rail Project - Site Acceptance Test Sheet.	
33	Boggabri Coal will continue to work with the GSC in the development of a solution to potential cumulative rail impacts on traffic in Gunnedah.	Section 2.4.6 of the Residual Matters Report	Compliant	GSC are regularly consulted as part of the project. This includes the consultation for the CCC, audits and management plans. The GSC are sent a copy of the AEMR.	
<b>Rehabilitation</b>					

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.	Section 2.3.1 of the Residual Matters Report	Compliant	<p>Rehabilitation monitoring is being undertaken, with this including a review of the rehabilitation success criteria.</p> <p>Most recent Rehabilitation Management Plan dated October 2015.</p> <p>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.</p>	<p>Summarise rehabilitation trials in the future AEMR's/Annual Reviews. Consider developing additional rehabilitation trials.</p> <p>There are 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.</p>
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# EPL 12407

Anniversary Date: 11 January  
 Authority Office of Environment and Heritage

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																								
<b>1 ADMINISTRATIVE CONDITIONS</b>																												
<b>A1 What the Licence Authorises and Regulates</b>																												
A1.1	<p>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.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal Works</td> <td>Coal works</td> <td>&gt; 5000000 T handled</td> </tr> <tr> <td>Crushing, Grinding or Separating</td> <td>Crushing, grinding or separating</td> <td>&gt; 500000 - 2000000 T processed</td> </tr> <tr> <td>Mining for Coal</td> <td>Mining for coal</td> <td>&gt; 5000000 T produced</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal Works	Coal works	> 5000000 T handled	Crushing, Grinding or Separating	Crushing, grinding or separating	> 500000 - 2000000 T processed	Mining for Coal	Mining for coal	> 5000000 T produced	Compliant	Works completed within this scale.													
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Mining for Coal	Mining for coal	> 5000000 T produced																										
<b>A2 Premises or Plant to which this Licence applies</b>																												
A2.1	<p>The licence applies to the following premises:</p> <table border="1"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>BOGGABRI COAL MINE</td> </tr> <tr> <td>386 LEARD FOREST ROAD</td> </tr> <tr> <td>BOGGABRI</td> </tr> <tr> <td>NSW 2382</td> </tr> <tr> <td>THE LAND BOUND WITHIN THE "BOGGABRI EA PROJECT BOUNDARY" IDENTIFIED IN THE MAP TITLED "FIGURE 1: LAND WITHIN PROJECT BOUNDARY" OF APPENDIX 1 OF THE PROJECT APPROVAL (APPLICATION NUMBER 09_0182) DATED 18 JULY 2012 (DOC13/87413).</td> </tr> </tbody> </table>	Premises Details	BOGGABRI COAL MINE	386 LEARD FOREST ROAD	BOGGABRI	NSW 2382	THE LAND BOUND WITHIN THE "BOGGABRI EA PROJECT BOUNDARY" IDENTIFIED IN THE MAP TITLED "FIGURE 1: LAND WITHIN PROJECT BOUNDARY" OF APPENDIX 1 OF THE PROJECT APPROVAL (APPLICATION NUMBER 09_0182) DATED 18 JULY 2012 (DOC13/87413).	Compliant	The Audit reviewed compliance within the Project Approval boundary.																			
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<b>A3 Other Activities</b>																												
A3.1	<p>This licence applies to all other activities carried on at the premises, including:</p> <table border="1"> <thead> <tr> <th>Ancillary Activity</th> </tr> </thead> <tbody> <tr> <td>Chemical storage</td> </tr> </tbody> </table>	Ancillary Activity	Chemical storage	Compliant	Chemical storage noted during site inspection.																							
Ancillary Activity																												
Chemical storage																												
<b>A4 Information supplied to the EPA</b>																												
A4.1	<p>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:</p> <p>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</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Compliant	Work carried out generally in accordance with this licence.																									
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>																												
<b>P1 Location of Monitoring/discharge points and areas</b>																												
P1.1	<p>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.</p> <table border="1"> <thead> <tr> <th colspan="4">Air</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>24</td> <td>Ambient air quality monitoring</td> <td></td> <td>Deposited dust gauge located on property Greenhills labelled D4 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.</td> </tr> <tr> <td>25</td> <td>Ambient air quality monitoring</td> <td></td> <td>Deposited dust gauge located on property Goonbri labelled D5 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.</td> </tr> <tr> <td>26</td> <td>Ambient air quality monitoring</td> <td></td> <td>Deposited dust gauge located to the north east of the premises labelled D6 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.</td> </tr> <tr> <td>45</td> <td>Ambient air quality monitoring</td> <td></td> <td>High Vol Sampler on Merriown labelled as "PM10" on map titled "Environmental Monitoring Locations" and received by the EPA on 18 July 2013 (DOC13/36313).</td> </tr> </tbody> </table>	Air				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	24	Ambient air quality monitoring		Deposited dust gauge located on property Greenhills labelled D4 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.	25	Ambient air quality monitoring		Deposited dust gauge located on property Goonbri labelled D5 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.	26	Ambient air quality monitoring		Deposited dust gauge located to the north east of the premises labelled D6 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.	45	Ambient air quality monitoring		High Vol Sampler on Merriown labelled as "PM10" on map titled "Environmental Monitoring Locations" and received by the EPA on 18 July 2013 (DOC13/36313).	Compliant	<p>The AQGHGMP (July 2017) outlines the monitoring locations at site.</p> <p>Real-time air monitoring is also completed.</p> <p>Results outlined in the AEMR.</p>	
Air																												
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																									
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Condition Number	Condition			Compliance Status	Evidence	Recommended Action
P1.2	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.			Noted		
P1.3	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.					
	<b>Water and land</b>					
	<b>EPA Identification no.</b>	<b>Type of Monitoring Point</b>	<b>Type of Discharge Point</b>	<b>Location Description</b>		
	1	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge point from Nagero dam as shown on map titled Figure 11 in report titled "Water balance analysis of existing water management system" dated March 2008 and on DECC file LIC07/1428-02	Non-Compliant (Low Risk)	According to the most recent Surface Water Management Plan (2017) there is no SD2.  For the 2016 - 2017 EPL Annual Return period alone sampling was not undertaken at the following locations - IBC2102 (Point 8), IBC 2013 (Point 9), IBC 2104 (Point 10), IBC 2105 (Point 11), IBC 2139 (Point 14), IBC 2114 (Point 15), IBC2115 (Point 16), IBC2138 (Point 17).
	2	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge point from sediment dam for controlled drainage from crusher and stockpile areas labelled SD2 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.		
	3	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge point from sediment dam for controlled drainage from coal mining emplacements labelled SD3 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.		
	4	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge point from sediment dam for controlled drainage from Coal Train Loading Facility labelled SD4 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.		
	5	Ambient Water Quality Monitoring		Nagero Creek downstream of discharge from premises labelled SW1 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.		
	6	Ambient water quality monitoring		Nagero Creek upstream of discharge from premises labelled SW2 on Plan No. 3 titled "Proposed Monitoring Locations" in report "Application for Environmental Protection Licence Boggabri Coal Project, Nov 05.		
	7	Groundwater monitoring		Monitoring bore GW003115 on property "Merriown" downgradient of minesite as shown on map titled "Idemitsu Boggabri Coal" dated 08/08/2007 and on DECC file LIC07/1428		
	8	Groundwater monitoring		Monitoring bore IBC2102 within Mine Lease Area located in		SLR notes that an EPL variation has been lodged to address this issue. Further liaison with the DPI Water regarding licencing of bores. Updates to the Water Management Plan if required for most up to date monitoring locations.

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
9	Groundwater monitoring			
10	Groundwater monitoring			
11	Groundwater monitoring			
12	Groundwater monitoring			
13	Groundwater monitoring			
14	Groundwater monitoring			
15	Groundwater monitoring			
16	Groundwater monitoring			

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
17	Groundwater monitoring	Yellow		
18	Groundwater monitoring			
19	Surface water quality monitoring			
20	Surface water quality monitoring			
36	Surface water quality monitoring			
37	Surface water quality monitoring	Yellow		
38	Surface water quality monitoring			
39	Surface water quality monitoring			

Condition Number	Condition		Compliance Status	Evidence	Recommended Action																							
40	Wet Weather Discharge	Wet Weather Discharge	Compliant																									
	Discharge water quality monitoring	Discharge water quality monitoring																										
41	Surface water quality monitoring	Surface water quality monitoring																										
42	Surface water quality monitoring	Surface water quality monitoring																										
P1.4	Weather monitoring The following point(s) in the table are identified in this licence for the purpose of the monitoring of weather parameters at the point.		Compliant	Meteorological station sighted during the site inspection. Results outlined in the AEMR. Monitoring methodology is outlined in the AQGHGMP.																								
	<b>EPA Identification Number</b>	<b>Type of Monitoring Point</b>				<b>Description of Location</b>																						
	W1	Weather Analysis				Weather station located on the property "Nagero" labelled "MS" on map titled "Environmental Monitoring Locations" dated 11 July 2013* and provided to the EPA on 4 September 2013 (DOC13/50877).																						
<b>3 LIMIT CONDITIONS</b>																												
<b>L1 Pollution of Waters</b>																												
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.		Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period. No evidence that the site did not meet the requirements of the POEO Act.																								
<b>L2 Concentration Limits</b>																												
L2.1	For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.		Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period. No evidence that the site did not meet the requirements of the POEO Act.																								
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.		Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period.																								
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table(s).		Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period.																								
L2.4	Water and/or Land Concentration Limits POINT 1,2,3,4,40		Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period. Monitoring of sites (creeks and dams) is undertaken as per the Water Management Plan.																								
	<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>-</td> <td>-</td> <td>-</td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>-</td> <td>-</td> <td>-</td> <td>6.5-8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>-</td> <td>-</td> <td>-</td> <td>50</td> </tr> </tbody> </table>	Pollutant				Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and Grease	milligrams per litre	-	-	-	10	pH	pH	-	-	-	6.5-8.5	Total suspended solids	milligrams per litre	-	-	-	50
Pollutant	Units of Measure	50 percentile concentration limit				90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																				
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Total suspended solids	milligrams per litre	-	-	-	50																							
L2.5	The Total Suspended Solids concentration limits specified for Points 1, 3, 4 and 40 may be exceeded for water discharged provided that: (a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and (b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5 day rainfall event. Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunneah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.		Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period. Monitoring of sites (creeks and dams) is undertaken as per the Water Management Plan.																								
<b>L3 Noise Limits</b>																												

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																														
L3.1	<p>Noise generated at the premises must not exceed the noise limits in the table below.</p> <table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day- LAeq(15 minute)</th> <th>Evening- LAeq(15 minute)</th> <th>Night- LAeq(15 minute)</th> <th>Night- LA1(1 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> <td>45 dB(A)</td> </tr> </tbody> </table>	Locality and Location	Day- LAeq(15 minute)	Evening- LAeq(15 minute)	Night- LAeq(15 minute)	Night- LA1(1 minute)	All privately owned residences	35 dB(A)	35 dB(A)	35 dB(A)	45 dB(A)	Non-Compliant (Low Risk)	<p>2017 results - within criteria based on monthly reports provided to SLR for this audit.</p> <p>2016 Annual Review - Noise levels assessed as part of the monitoring program were within all operational noise criteria.</p> <p>2015 Annual Review stated: 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 BCM 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 TCM. The 35 dB(A) criterion is therefore not applicable to these properties and the surveyed noise levels comply with the PA.</p> <p>It should also be noted there was a missed noise monitoring event in December 2015.</p> <p>2014 Annual Review - 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. Investigations were completed at the time of the non-compliances.</p>																					
Locality and Location	Day- LAeq(15 minute)	Evening- LAeq(15 minute)	Night- LAeq(15 minute)	Night- LA1(1 minute)																														
All privately owned residences	35 dB(A)	35 dB(A)	35 dB(A)	45 dB(A)																														
L3.2	<p>The noise limits identified in the above table do not apply at privately owned residences that are:</p> <p>a) identified as residences subject to acquisition or noise mitigation on request within the Project Approval Conditions (09_0182); or</p> <p>b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.</p>	Noted																																
L3.3	<p>For the purpose of condition L3.2(a) above, those properties identified as residences subject to acquisition or noise mitigation on request within the Project Approval Conditions (PA 10_0138) are:</p> <table border="1"> <thead> <tr> <th>Property No.</th> <th>Lot/ DP</th> </tr> </thead> <tbody> <tr><td>54</td><td>Lot 121/ DP 754926</td></tr> <tr><td>52</td><td>Lot 2/ DP 716002</td></tr> <tr><td>67</td><td>Lot 2/ DP 754927</td></tr> <tr><td>68</td><td>Lot 3/ DP 754927</td></tr> <tr><td>23</td><td>Lot 1/ DP 754926</td></tr> <tr><td>27</td><td>Lot 41/ DP 754926</td></tr> <tr><td>48</td><td>Lot 22/ DP 618032</td></tr> <tr><td>86</td><td>Lot 2/ DP 1131282</td></tr> <tr><td>43</td><td>Lot 1/ DP 509312</td></tr> <tr><td>44</td><td>Lot 11/ DP 775513</td></tr> <tr><td>32</td><td>Lot 1/ DP 1099042</td></tr> <tr><td>33</td><td>Lot 1/ DP 1092050</td></tr> <tr><td>79</td><td>Lot 132/ DP 754926</td></tr> <tr><td>90</td><td>Lot 143/ DP 754926</td></tr> </tbody> </table>	Property No.	Lot/ DP	54	Lot 121/ DP 754926	52	Lot 2/ DP 716002	67	Lot 2/ DP 754927	68	Lot 3/ DP 754927	23	Lot 1/ DP 754926	27	Lot 41/ DP 754926	48	Lot 22/ DP 618032	86	Lot 2/ DP 1131282	43	Lot 1/ DP 509312	44	Lot 11/ DP 775513	32	Lot 1/ DP 1099042	33	Lot 1/ DP 1092050	79	Lot 132/ DP 754926	90	Lot 143/ DP 754926	Compliant	The most current ownership figure was provided to SLR.	
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L3.4	<p>For the purpose of the table above:</p> <p>a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;</p> <p>b) Evening is defined as the period from 6pm to 10pm;</p> <p>c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</p>	Compliant	Noise monitoring is completed as per this condition.																															
L3.5	<p>Determining Compliance</p> <p>To determine compliance:</p> <p>a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or</p> <p>ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable</p> <p>iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.</p> <p>b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.</p> <p>c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) at the most affected point at a location where there is no dwelling at the location; or</p> <p>ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.</p>	Compliant	<p>Noise monitoring completed by specialists. Evidence of noise reports provided by BCOPL.</p> <p>Evidence of calibration of equipment.</p>																															
L3.6	<p>The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following:</p> <p>a) Wind speeds greater than 3 metres/second at 10 metres above ground level.</p> <p>For the purposes of this condition:</p> <p>a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 must be used to determine meteorological conditions; and</p> <p>b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.</p>	Noted	Noise monitoring completed by specialists. Monitoring outlines the meteorological conditions.																															

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
L3.7	For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.	Compliant	Noise monitoring completed by specialists. Monitoring outlines the meteorological conditions. Evidence provided of calibrated noise monitoring equipment.	
<b>L4 Blasting</b>				
L4.1	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant	Within criteria during the audit period. Evidence of AEMR's and blasting log.	
L4.2	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant		
L4.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant		
L4.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Compliant		
L4.5	Blasting operations at the premises may only take place between 9:00am-5:00pm Monday to Saturday. Blasting is not permitted on public holidays. Blasting outside the hours specified above can only take place with the written approval of the EPA.	Compliant		
L4.6	Blasting at the premises is limited to 1 blast on each day on which blasting is permitted. Note: Additional blasts are permitted where it is demonstrated to be necessary for safety reasons and the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired.	Compliant		
L4.7	Condition L4.6 does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately- owned land, or to blasts required to ensure the safety of the mine or its workers. Note: For the purpose of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.	Compliant		
<b>4 OPERATING CONDITIONS</b>				
<b>O1 Activities must be carried out in a competent manner</b>				
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: o Area of hydrocarbon spill near above ground tanks – diesel unloading area. Noticeable spill and needs to be cleaned. o Spill near water fill point; o Oily rags in the general waste bin; o Hoses in lubricant area hanging down and not being effectively stored. Ensure all hydrocarbon hoses are stored within clips.  Waste management and total waste has been reported in the AEMR. There were some large improvements in waste management in terms of volumes in 2015.	Ensure spill 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.
<b>O2 Maintenance of Plant and Equipment</b>				
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.	Compliant	Evidence provided of calibration/maintenance for noise monitoring equipment and meteorological station for the 2017 audit.  Maintenance records for plant & equipment: Sighted maintenance record for 930E from June 2017 sighted and for a Cat loader. Extensive maintenance records were provided to SLR for this audit.  Sighted maintenance schedule dated June 2017. Schedule updated every quarter.  Sighted maintenance competency matrix. Evidence of regular updates.  In 2014 a review of sound power levels indicated that some of the equipment (including dozers) were higher than the levels in the EA, with this being a non-compliance. Since then there has been several programs of noise attenuation. Continuation of noise attenuation program.	
<b>O3 Dust</b>				
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	Evidence of real-time dust monitoring provided. Evidence provided of changing operations based on real - time dust results. Evidence provided on four occasions of changes to operations included additional water trucks used.	
O3.2	Trucks transporting coal from the premises must be covered immediately after loading to prevent wind blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.	Compliant	Coal was transported earlier in the audit period, but transport by road has ceased. No reason to determine non-compliance.	
<b>O4 Effluent application to Land</b>				
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 regarding wastewater testing should have a small summary comparing results against the carrying capacity of the utilisation area.
O4.2	Effluent application to the utilisation area(s) must not occur in a manner that causes surface run-off from the utilisation area(s).	Compliant	Effluent area sighted during inspection. No reason to determine runoff. Maintenance of area and sewage system is undertaken.	
O4.3	Spray from effluent application to the utilisation area(s) must not drift beyond the boundary of the utilisation area(s) to which it has been applied.	Compliant	Effluent area sighted during inspection. No reason to determine runoff. Maintenance of area and sewage system is undertaken.	
<b>O5 Other Operating Conditions</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																
O5.1	<p><b>Blast Fume</b></p> <p>Offensive blast fume must not be emitted from the premises.            Definition: Offensive blast fume means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:            (i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or            (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</p>	Compliant	<p>Blast fume management outlined in the Blast Management Plan. BCOPL has a Blast Fume spreadsheet, with this provided to SLR for the audit.</p> <p>2017 - 2 blast flume events (spreadsheet last updated 29 July 2017).</p> <p>2016 - Eight fume events occurred between 1 January 2016 and 31 December 2016, none of which were categorised as a Level 3 fume event or higher.</p> <p>2015 - Eight fume events occurred between 1 January 2015 and 31 January 2016, none of which were categorised as a Level 3 fume event or higher.</p> <p>2014 - Sixteen fume events occurred between June 2014 - December 2014. A single Level 3 fume event (with fume breaching the exclusion zone), occurred on 24 February 2014 (outside of audit period) and was determined to be a reportable incident. An appropriate incident investigation was undertaken including timely notification of the incident to the EPA and DPI regional office.</p> <p>The Blast Management Plan (Unapproved 2017 version) notes "In the event that a blast produces fume that rates a 3C at its highest extent and leaves site, or any blast that rates 4 or 5 (refer to section 3.1), the BCOPL will report to the Department of Planning and the Environment (DP&amp;E) compliance officer.</p> <p>No evidence of Level 3 blasts leaving site. No Level 4 or 5 fume events occurred during the audit period. Noted a reduction in blast fume events since 2014.</p>																	
O5.2	<p><b>Pollution Incident Response Management Plan</b></p> <p>The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.</p>	Compliant	A PIRMP has been prepared. There is a version on the website.																	
O5.3	The licensee must keep the PIRMP on the premises at all times.	Compliant	A copy of the PIRMP is kept at the premises.																	
<b>5 MONITORING AND RECORDING CONDITIONS</b>																				
<b>M1 Monitoring Records</b>																				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant																		
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	Evidence of monitoring records including spreadsheets and COC's. Review of key data for surface water, groundwater, air, noise, blasting. Over four years of data provided.																	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant																		
<b>M2 Requirement to monitor concentration of pollutants discharged</b>																				
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:	Noted	Noted																	
M2.2	<p>Air Monitoring Requirements  <b>POINT 24,25,26</b></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>Continuous</td> <td>AM-19</td> </tr> </tbody> </table> <p><b>POINT 45</b></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> </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-Compliant (Low Risk)	<p>NC for sampling frequency for PM10. Missed events.</p> <p>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.</p> <p>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.</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>	
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M2.3	<p><b>POINT 1, 2, 3, 4, 40</b></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>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Nitrate</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Nitrogen (total)</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Phosphorus (total)</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Reactive Phosphorus</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 1	In situ	Nitrate	milligrams per litre	Special Frequency 1	Grab sample	Nitrogen (total)	milligrams per litre	Special Frequency 1	Grab sample	Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample	pH	pH	Special Frequency 1	In situ	Phosphorus (total)	milligrams per litre	Special Frequency 1	Grab sample	Reactive Phosphorus	milligrams per litre	Special Frequency 1	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample	Non-Compliant (Low Risk)	No surface water discharge event during audit period.																																																				
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M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after a discharge and in any case not more than 12 hours after a discharge commences.	Not Triggered	No discharges during the audit period, therefore this condition was not enacted.																																																																																								

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																													
M2.5	For the purposes of the table(s) above Special Frequency 2 means the collection of samples as soon as practicable after a wet weather discharge from points 1, 2, 3, 4 and 40 and in any case not more than 12 hours after a discharge commences. Note: The frequency of monitoring and the pollutant/s to be monitored may be varied by the EPA once the variability of the monitoring results is established. Note: Groundwater monitoring points BC2185, BC2186, BC2187, BC2188, BC2189, BC2190 and BC2191 have not been formally included in the licence. However, the licensee is required to undertake groundwater monitoring in accordance with a Department of Planning approved Irrigation Management Plan required under section 26 and 27 of the Approved Modification Consent DA79/1443 MOD1 dated 22 July 2009. The licensee has submitted the document "Boggabri Coal Project – Irrigation Environmental Management Plan – Irrigation EMP." The results of this monitoring are required to be reported in the Annual Environmental Management Report (AEMR).	Not Triggered	No discharges during the audit period, therefore this condition was not enacted.																																														
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 that testing.	Compliant	Air quality monitoring completed in accordance with the AQGHGMP. Air quality monitoring completed by specialists with laboratory testing from NATA accredited laboratories.																																														
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.	Compliant	Based on the information provided and discussions with site, there have been no discharges during the audit period. Monitoring of sites (creeks and dams) is undertaken as per the Water Management Plan.																																														
<b>M4 Weather monitoring</b>																																																	
M4.1	For each monitoring point specified below in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency specified opposite in the other columns. Point W1 <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Temperature @ 2 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Wind direction @ 10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Wind speed @ 10 metres</td> <td>m/s</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Sigma theta @ 10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Rainfall</td> <td>mm/h</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Solar Radiation</td> <td>W/m2</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Temperature @ 10 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Additional requirements - Siting - Measurement</td> <td></td> <td></td> <td></td> <td>AM-1 &amp; AM-4 AM-2 &amp; AM-4</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Temperature @ 2 metres	°C	Continuous	15 minute	AM-4	Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4	Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4	Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4	Rainfall	mm/h	Continuous	1 hour	AM-4	Solar Radiation	W/m2	Continuous	15 minute	AM-4	Temperature @ 10 metres	°C	Continuous	15 minute	AM-4	Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4	Compliant	Meteorological station sighted during the site inspection. Results outlined in the AEMR. Monitoring methodology is outlined in the AQGHGMP.	
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																													
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Temperature @ 10 metres	°C	Continuous	15 minute	AM-4																																													
Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4																																													
M4.2	The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.	Compliant	Evidence of calibration of meteorological station provided. Monitoring is outlined in the AEMR's.																																														
<b>M5 Recording of pollution complaints</b>																																																	
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	Complaint log sighted. This provides sufficient detail on complaints including information relating to complaint investigation. Complaints outlined in the AEMR.																																														
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	Evidence of complaints log which has these requirements. Evidence of complaints summary on the BCOPL website.																																														
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Records of complaints provided back to mine commencement.																																														
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Noted																																															
<b>M6 Telephone Complaint line</b>																																																	
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Compliant	Community hotline number is provided on the website. This is a 24 hour hotline. <a href="https://www.idemitsu.com.au/operations/boggabri-coal/community/">https://www.idemitsu.com.au/operations/boggabri-coal/community/</a>																																														
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	The complaints line is available on the website.																																														
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Noted																																															
<b>M7 Blasting</b>																																																	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
M7.1	To determine compliance with limit condition(s) for blasting: a) Airblast overpressure and ground vibration levels experienced at the following noise sensitive locations must be measured and recorded for all blasts carried out in or on the premises; - Identified on "Goonbri" and "Jeralong" identified on the map titled "Environmental Monitoring Locations" received by the EPA on 18 July 2013 (DOC13/36313). b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.  Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in conditions L3.1 to L3.4 at any noise sensitive locations" other than the locations identified in the above condition.	Compliant	Blast locations outlined in the Blast Management Plan and are classified as MP1 and MP2. Results are outlined within the AEMR.	
<b>M8 Other monitoring and recording conditions</b>				
M8.1	To assess compliance with the noise limits presented in the Noise Limits table, attended noise monitoring must be undertaken in accordance with the condition titled Determining Compliance, outlined above, and: a) at noise monitoring locations N2, N3, N4, N6 and N7 as shown on the map titled "Noise Management Strategy Boggabri Coal Pty Ltd" in the Boggabri Coal Operations Pty Ltd Noise Management Plan, Rev.9, dated January 2016, and approved by the OPE (DOC15/528364-31 ); b) occur monthly in a reporting period; and c) occur during each night period as defined in the NSW Industrial Noise Policy for a minimum of 15 minutes	Compliant	Monitoring methodology outlined in the Noise Management Plan. Monitoring completed by specialists, with evidence of monthly monitoring.  Monitoring as per this condition. Including evidence of attended environmental noise monitoring in monthly noise reports.  Note, the frequency of attended noise monitoring was altered so that it is conducted at monthly (rather than quarterly) intervals from January 2016 onwards.	
<b>6 REPORTING CONDITIONS</b>				
<b>R1 Annual return documents</b>				
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data, 7. a Statement of Compliance- Environmental Management Systems and Practices; and 8. a Statement of Compliance - Environmental Improvement Works.  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.	Compliant	Annual Returns completed for the audit period. Sighted signed documents prepared as per this condition.	
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.	Compliant	Annual Returns completed for the audit period. Sighted signed documents prepared as per this condition.	
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.	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').	Compliant	The Annual Reviews provided to SLR from 2014 to 2016 were within the 60 day period.	
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Compliant	BCOPL has copies of the EPL Annual Returns since commencement of operations.	
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	Annual Returns completed for the audit period. Sighted signed documents prepared as per this condition.	
<b>R2 Notification of environmental harm</b>				
	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.	Not Triggered	Although there have been some non-compliances during the audit period there have been no incidents resulting in material harm of threaten to cause material harm. PIRMP is in place.	
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not Triggered	Although there have been some non-compliances during the audit period there have been no incidents resulting in material harm of threaten to cause material harm. PIRMP is in place. No notification required as per this condition. Notification of non-compliances outlined in the Annual Return and AEMR.	
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.	Not Triggered		

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>R3 Written Report</b>				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Not Triggered	Based on discussions with site this has not been 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.	Not Triggered	Based on discussions with site this has not been triggered.	
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Not Triggered	Based on discussions with site this has not been triggered.	
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not Triggered	Based on discussions with site this has not been triggered.	
<b>R4 Other Reporting Conditions</b>				
R4.1	Noise Monitoring Report A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the monthly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits presented in this licence; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in this licence.	Compliant	Evidence provided of Noise Monitoring Reports provided to the EPA. Evidence from several emails during the audit period.	
R4.2	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	Not Triggered	There have been no blasting exceedances during the audit period.	
<b>7 GENERAL CONDITIONS</b>				
<b>G1 Copy of Licence kept at the premises or plant</b>				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Copy of EPL was provided at the site. Copies available for employees and contractors when required.	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Compliant		
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant		
<b>G2 Other general conditions</b>				
G2.1	Completed Programs	Administrative Non-Compliance	The only applicable PRP in this list are the two PRP's dated 15 August 2014 document. PRP for Wheel Generated Dust provided to SLR and is dated 8 August 2014. PRP for Disturbing and Handling of Overburden under Adverse Weather Conditions is dated 18 August 2014. This is just outside the required due date of 15 August 2014, therefore admin non-compliance. No further recommendations. Evidence of PRP - Coal Mine Wind Erosion of Exposed Land Assessment (dated 14 July 2015).	No further recommendation. Historical Administrative Non-Compliance
<b>* POLLUTION STUDIES AND REDUCTION PROGRAMS</b>				
<b>8 SPECIAL CONDITIONS</b>				
<b>E1 Noise Management</b>				
E1.1	Noise impacts where wind speed exceeds 3 metres per second at 10 metres above the ground must be addressed by: a) documenting noise complaints received to identify any higher level of impacts or wind patterns; where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts where wind speed exceeds 3 metres per second at 10 metres above the ground should be developed and implemented.	Compliant	Meteorological conditions are monitored. The site also has a real-time noise monitoring system. Details of complaints include a review of meteorological conditions.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E1.2	<p>The noise limits set by condition L3.1 of this licence apply to noise generated solely from the premises. Where the limits are exceeded solely due to cumulative noise impacts from the premises and off premise operations (not under control of the licensee), the licensee must:</p> <p>a) Identify significant contributing noise sources and/or meteorological conditions on the premises contributing to the cumulative noise impacts;</p> <p>b) Liaise with the occupier(s) of all off premise operations contributing to the cumulative noise impact to identify the source(s) and/or cause(s) of cumulative noise impacts causing the exceedance;</p> <p>c) Develop a joint noise reduction strategy in conjunction with all off site contributors to the cumulative noise impacts; and</p> <p>d) Implement all noise mitigation measures that relate solely to the premises identified in the joint noise reduction strategy.</p> <p>A copy of the joint noise reduction strategy must be provided to the DECC's Armidale office within 30 days of any cumulative noise impacts exceeding the limits set by condition L3.1 of this licence.</p>	Compliant	There was one noise non-compliance during the audit period. This was not a non-compliance relating to cumulative impacts. An investigation was completed for this non-compliance.	
<b>E2 Water Capacity Management</b>				
E2.1	The licensee must maintain at all times, air capacity of 1000ML for mine water storage on the premises.	Compliant	Evidence provided of weekly water level summary. This includes a summary of current water storages as well as capacities. The greatest capacity for water storage is Strip 9, with over 3000ML available in this area alone. The report dated 3/8/2017 states there is approximately 3286.90 ML of potential storage at site.	
E2.2	The requirements of condition E2.1, do not take effect until the 1 January 2013.	Noted	Noted	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Notice to Landholders</b>				
1	<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>	Not triggered	Outside the audit period.	
<b>Environmental Harm</b>				
2	<p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</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,</p> <p>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>	Compliant	<p>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.</p> <p>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.</p>	<p>Recommendation as per Schedule 3 Condition 38.</p> <p>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. Consultation with government agencies as required.</p>
<b>Mining Operations Plan</b>				
3	<p>(a) Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General.</p> <p>(b) The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations ;</p> <p>(ii) detail the staging of specific mining operations;</p> <p>(iii) identify how the mine will be managed to allow mine closure;</p> <p>(iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;</p> <p>(v) reflect the conditions of approval under:</p> <ul style="list-style-type: none"> <li>the Environmental Planning and Assessment Act 1979</li> <li>the Protection of the Environment Operations Act 1997</li> <li>and any other approvals relevant to the development including the conditions of this lease; and</li> <li>have regard to any relevant guidelines adopted by the Director-General.</li> </ul> <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 I Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007 I 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>	Compliant	<p>The MOP dated January 2017:</p> <ul style="list-style-type: none"> <li>Has regard to relevant guidelines adopted by the Director-General, including the draft ESG3 Mining Operations Plan</li> </ul> <p>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 to the draft 2012 guidelines (including the references section).</p> <p>Otherwise the MOP meets all other requirements including:</p> <p>(i) identifies areas that will be disturbed by mining operations, within the MOP text and the MOP Plans;</p> <p>(ii) details the staging of specific mining operations in the MOP text and also the MOP Plans;</p> <p>(iii) identifies how the mine will be managed to allow mine closure, by providing details regarding rehabilitation and has a Conceptual final landform study dated December 2012 attached to the MOP;</p> <p>(iv) identifies how mining operations will be carried out in order to prevent and or minimise harm to the environment, by including a section on environmental risk management which includes management measures originating from the 8 July 2014 Risk Assessment;</p> <p>(v) Section 4.1, Table 4.1 (Regulatory Requirements) reflects the conditions of approval under:</p> <ul style="list-style-type: none"> <li>the Environmental Planning and Assessment Act 1979;</li> <li>the Protection of the Environment Operations Act 1997; and</li> <li>and other approvals relevant to the development including the conditions of this lease.</li> </ul>	<p>The next MOP should remove references to the 2012 MOP Guidelines as these are now superseded.</p>
<b>Environment Management Report</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
4	<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>	Observation	<p>In regards to b) ii), the 2014, 2015 and 2016 AEMRs do not report on progress in respect of rehabilitation completion criteria.</p> <p>Currently documentation is outlined as AEMR's, not Annual Reviews.</p> <p>Otherwise the AEMRs meet the other requirements:</p> <p>(a) The lease holder has lodged annual Environmental Management Reports (EMR) with the Director-General annually.</p> <p>(b) The annual EMRs:</p> <p>(i) throughout the report against compliance with the MOP;</p> <p>(iv) have regard to relevant guidelines adopted by the Director-General, including and Post-approval Requirements for State Significant Mining Developments - Annual Review Guideline (2015) and EDG03 Guidelines to the Mining, Rehabilitation and Environmental Management Process (2014).</p>	<p>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.</p> <p>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.</p> <p>Future Annual Reviews must report on progress in respect of rehabilitation completion criteria.</p>
<b>Environmental Incident Report</b>				
5	<p>(a) The lease holder must report any environmental incidents. The report must:</p> <p>(i) be prepared according to any relevant Departmental guidelines;</p> <p>(ii) be submitted within 24 hours of the environmental incident occurring;</p> <p>(b) For the purposes of this condition, environmental 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>	Not Triggered	<p>A copy of the PIRMP was provided for the audit is outlined on the website. Environmental incidents/non compliances have been reported in the AEMR. Based on the information provided to SLR, no incident has caused or threatened to cause material harm to the environment and immediate reporting has not been triggered.</p>	
<b>Additional Environmental Reports</b>				
6	Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.	Not Triggered	Based on information provided by BCOPL this has not been triggered.	
<b>Rehabilitation</b>				
7	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	Not Triggered	<p>Evidence of progressive rehabilitation through a review of an aerial photo and rehabilitation outlined in the AEMR.</p> <p>Field inspection noted rehabilitation from recent to five years plus. Generally rehabilitation was of a good quality. Rehabilitation monitoring is ongoing. Exposed surfaces are kept to a minimum. Mulched woodchip is spread across some disturbed lands to reduce dust generation.</p> <p>No rehabilitation is at a stage for signoff, hence this condition has not been triggered.</p>	
<b>Subsidence Management</b>				


Condition Number	Condition	Compliance Status	Evidence	Recommended Action
8	<p>(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (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 &amp; 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>	Not Triggered	There is no underground mining at the site.	
<b>Working Requirement</b>				
9	<p>The lease holder must:</p> <p>(a) ensure that at least 138 competent people are efficiently employed in relation to the mining process or mining operations on the lease area OR (b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$2,415,000 per annum whilst the lease is in force . The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	Compliant	The 2014 to 2016 AEMR's indicate that between 586 to 694 staff were employed in relation to the mining process or mining operations on the lease area.	
<b>Blasting</b>				
10	<p>(a) Ground Vibration The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.</p> <p>(b) Blast Overpressure The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.</p>	Compliant	Within criteria during the audit period. Evidence of AEMR's and blasting log.	
<b>Safety</b>				
11	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.	Not Triggered	Safety outside the scope of the audit.	
<b>Prevention of soil erosion and pollution</b>				
12	Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.	Compliant	<p>This condition refers to the exploration program.</p> <p>Management measures for the prevention of harm to the natural environment (land, air and water) are included in Management Plans prepared for site. These include the Air Quality Environmental Management Plan, Surface Water Management Plan and Groundwater Management Plan.</p> <p>Exploration summary provided in the AEMR's, including Section 3.4 of the 2016 AEMR. All exploration disturbance within the approved limits. Evidence of pre clearance permits.</p>	
<b>Transmission lines, Communication lines and Pipelines</b>				



Condition Number	Condition	Compliance Status	Evidence	Recommended Action
13	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions stipulated .	Compliant	No damage from blasting to any utilities based on discussions with site and records provided and a review of AEMRs.	
<b>Roads and Tracks</b>				
14	<p>(a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the 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>	Compliant	<p>This condition covers roads and tracks associated with the site, including roads for haulage of materials.</p> <p>(a) BCOPL have a voluntary planning agreement with council for upkeep of roads. Sighted agreement attached to conditions of consent.</p> <p>BCOPL paid for Goonbri Road extension to replace the loss of Leard Forest Road-This was a Part 5 determination. Evidence of payment for the road.</p> <p>No damage from blasting to public infrastructure based on discussions with site and records provided.</p> <p>b) During the site inspection roads within the site appeared to be well maintained. details in the Water Management Plan. including management of the 'haul road'.</p> <p>(c) Existing access tracks have been used for the operations except for the Goonbri Road extension which was constructed to replace the loss of Leard Forest Road.-This required a Part 5 determination, ensuring that minimal damage occurred when the road was constructed.</p> <p>(d) The MOP requires prompt rehabilitation of temporary disturbance areas (including temporary access tracks) as they become available.</p>	
<b>Trees and Vegetation</b>				
15	<p>(a) The lease holder must not fell trees, strip bark or cut timber on any land subject of this lease without the consent of the landholder who is entitled to the use of the timber.</p> <p>(b) The lease holder must contact Forests NSW and obtain any required permit, licence or approval before taking timber from any Crown land within the lease area.</p> <p>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>	Compliant	Based on discussions with site personnel before clearing can take place the required approvals are obtained. A Clearing and Fauna Management Procedure is also in place. Evidence of pre clearance permits provided for cleared areas in 2015 and 2016.	
<b>Resource Recovery</b>				
17	<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>	Not Triggered	Based on the information provided to SLR, a notice regarding resource recovery has not been issued to BCOPL. The 2017 MOP provides details regarding the recovery of the mineral resources (material production) from the lease area.	
<b>Indemnity</b>				
18	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.	Not Triggered	Environmental incidents/non - compliances have been reported in the AEMR. Based on the information provided to SLR, no incident has caused or threatened to cause material harm to the environment and immediate reporting has not been triggered.	
<b>Security</b>				

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
19	A security in the sum of \$10,100,000 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 this lease .	Compliant	The site has a provided a security for the site in accordance with the Rehabilitation Cost Estimate (RCE).	
<b>Suspension of Mining Operations</b>				
23	The holder of a mining lease may not suspend mining operations in the mining area other than in accordance with the consent of the Minister.	Not Triggered	The site was operational during the audit period.	
<b>Cooperation Agreement</b>				
24	<p>The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> <li>• access arrangements</li> <li>• operational interaction procedures</li> <li>• dispute resolution</li> <li>• information exchange</li> <li>• well location</li> <li>• timing of drilling</li> <li>• potential resource extraction conflicts and</li> <li>• rehabilitation issues.</li> </ul>	Compliant	BCOPL and Whitehaven are currently in the process of establishing a Barrier Coal Agreement.	Continue to liaise with Whitehaven regarding this condition to ensure an agreement is in place relating to a barrier coal extraction.

## APPENDIX C – AUDIT CERTIFICATION FORM

Independent Audit Certification Form	
Development Name	Boggabri Coal Project
Development Consent No.	PA 09_0182
Description of Development	Open Cut Mining Operation
Development Address	Leards Forest Road, Boggabri, NSW 2382
Operator	Boggabri Coal Operations Pty Ltd
Operator Address	Leards Forest Road, Boggabri, NSW 2382
Independent Audit	
Title of Audit	Boggabri Coal 2017 Independent Environmental Audit
<p><i>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <p><i>The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i></p> <p><i>The findings of the audit are reported truthfully, accurately and completely;</i></p> <p><i>I have exercised due diligence and professional judgement in conducting the audit;</i></p> <p><i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i></p> <p><i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i></p> <p><i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></p> <p><i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i></p> <p><i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></p> <p><i>Note.</i></p> <p><i>The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead / Principal Auditor	Chris Jones
Address	10 Kings Road, New Lambton NSW 2305, Australia
Email Address	cjones@slrconsulting.com
Auditor Certification (if relevant)	Principal Environmental Auditor
Date:	24 October 2017

## **APPENDIX D – ENDORSEMENT OF SLR**



Daniel Martin  
Environmental Superintendent  
Boggabri Coal  
PO Box 12  
Boggabri NSW 2382

Contact: Heidi Watters  
Phone: 65753401  
Email: [Heidi.Watters@Planning.nsw.gov.au](mailto:Heidi.Watters@Planning.nsw.gov.au)  
[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)  
Our ref: P11\_0047, as modified

Dear Mr Martin

**Boggabri Coal Project (PA 09\_0182)  
Independent Environmental Audit 2017**

I refer to your email dated 22 June 2017 seeking the endorsement of the Secretary of the Department of Planning and Environment (the Department) of a suitably qualified, experienced and independent team to undertake an independent environmental audit (IEA) for the Boggabri Coal Mine, required by Project Approval 09\_0182 as modified (the Approval).

In accordance with Schedule 5, Condition 10 of the Approval, the Secretary has approved the following audit team to conduct the 2017 IEA of the Boggabri Coal Mine:

- Christopher Jones – Lead Auditor;
- Tracey Ball – Assistant Auditor;
- Martin Davenport – Noise quality specialist;
- Ali Naghizadeh – Air quality specialist;
- Jodie Benton – Heritage specialist; and
- Andrew Hutton – quality assurance.

The Department also approves Boggabri Coal Operation's request to remove the biodiversity aspects (Schedule 3, Condition 39 to 54) from this IEA. The Department requires these conditions to be audited as part of the Independent Biodiversity Audit required under Schedule 3 Condition 53 of the Approval. The Independent Biodiversity Audit is required to be commissioned by the end of December 2017, by an audit team whose appointment has been approved by the Secretary.

In preparing the IEA, the audit team must ensure the IEA is conducted in accordance with Schedule 5, Condition 10 of the Approval, and the Department's *Post-approval requirements for State Significant Developments – Independent Audit Guideline* (October 2015).

In accordance with Schedule 5, Condition 11 of the Approval, a copy of the audit report must be submitted to the Secretary, together with responses to any recommendations (RAR) contained in the audit report within three months of commissioning of this audit. As such, please submit the audit report and RAR to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) by **27 September 2017**, unless otherwise agreed by the Secretary.

Should you wish to discuss the above please contact Heidi Watters on details above.

Yours sincerely

 27/06/2017

Leah Cook  
**Team Leader – Compliance**  
As nominee for the Secretary

## **APPENDIX E – OzArk Specialist Report**



18 October 2017

SLR Consulting  
10 Kings Road,  
New Lambton, 2305

**Attention: Tracey Ball**

*RE: Heritage specialist review towards the Independent Environmental Audit for Boggabri Coal, Gunnedah Basin, NSW*

Dear Tracey,

OzArk Environmental & Heritage Management was engaged by SLR Consulting to complete a heritage specialist review toward the independent environmental audit for Boggabri Coal, Gunnedah Basin, NSW. The Project Approval PA (no. 09\_0182) requires that an independent environmental audit be commissioned to assess the environmental performance of the project and compliance with all approval conditions including all required strategies, plans or programs. This includes a review of the adequacy of any strategy, plan or program required under the approvals, and recommendations to improve the environmental performance of the project and/or any required strategy, plan or program.

This letter report provides the results of the audit findings in relation to environmental (heritage) performance and compliance with the PA 09\_0182 heritage conditions 55, 56 and 57 and statement of commitments, reference 26, 27 and 28.

**Summary**

Overall, the audit shows that Boggabri Coal continue to exhibit a good level of regulatory compliance and a strong commitment to the ongoing management of Aboriginal and historic cultural heritage. The audit has identified a number of areas for improvement in practices and documentation, which are detailed below (recommendations). These improvements are intended to strengthen the existing practices and documentation, which are generally compliant with the project approval conditions and statement of commitments and in accordance with accepted Aboriginal cultural heritage management practices in NSW. Several issues with compliance verification and non-compliance were identified, as summarised below.

Compliance was unable to be verified for Condition 55(b) as it could not be established why the Aboriginal Heritage Conservation Strategy submission deadline was not met and whether additional extensions had been granted. Compliance was unable to be verified for Condition 56(e) as an archival recording report for the piggery at Daisymede 3 was not provided. In addition, evidence should be provided to show that maintenance of historic heritage buildings is being undertaken in accordance with the Heritage Office maintenance series and that the plan for the management/mitigation for historic sites outside of the disturbance area is being implemented for unassessed historic heritage assets.

Non-compliance (low risk) with Condition 57(c) was primarily due to discrepancies identified between the Aboriginal Heritage Information Management System (AHIMS) database and the mine administered Aboriginal site status database (e.g. site status and location), which could result in inadvertent impacts to Aboriginal sites.



Verification of compliance with Condition 57(c) would be assisted by providing evidence showing that the CHMP requirement to monitor all sites annually (or more frequently for those located within 100m or proposed works) is occurring and evidence (e.g. program/schedule) showing that the actions identified during monitoring are being implemented. Compliance with Condition 57(c) would also be improved by outlining site assessment protocols in the CHMP.

### Referring to the audit documents

The following abbreviations are used to refer to the key audit documents:

ACHSR	<i>Stage One – Aboriginal Cultural Heritage Salvage Report: Boggabri Coal Expansion Project</i> [June 2015]
AHCS	<i>Aboriginal Heritage Conservation Strategy: Mauls Creek Coal Mine, Tarrawonga Coal Project, Boggabri Coal Mine, and Related Biodiversity Offset Areas</i> [July 2016]
CHMP	<i>Boggabri Coal Part 3A – Cultural Heritage Management Plan (CHMP)</i> [November 2016]

Other audit documents are referred to by providing the filename and associated folder ID number.

### Condition 55

#### Condition 55(a)

Compliance status: Compliant

Findings: AHCS Section 1.1 states that the NSW Department of Planning and Environment (DP&E) have 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 (UQCHU endorsement.pdf; additional audit documents).

Recommendations: A copy of the DP&E letter of appointment dated 20 January 2016 should be provided as an appendix to the AHCS.

#### Condition 55(b)

Compliance status (risk): Not verified

Findings: 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.

Recommendations:

- 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).
- 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.
- 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 parties; and triggering additional/extraordinary meetings.

**Condition 55(c)**

Compliance status: Compliant

Findings: AHCS Section 3 outlines the known Aboriginal cultural heritage values of the biodiversity offset areas. Section 4 develops a predictive model for identifying areas with potential Aboriginal cultural heritage value within biodiversity offset areas. Section 5 outlines the proposed field survey methodology and Section 6 outlines the proposed cultural values assessment methodology. This approach is considered appropriate and sufficient for identifying the cultural heritage values of the biodiversity offset areas.

Recommendations: None

**Condition 55(d)**

Compliance status: Compliant

Findings: AHCS Section 3 outlines the known Aboriginal cultural heritage values of the Boggabri Coal Mine disturbance area and other mine disturbance areas in the Leard Forest mining precinct. AHCS Sections 4, 5 and 6 outline the proposed field survey methodology and cultural values assessment methodology of these areas. This approach is considered appropriate and sufficient for identifying areas of high Aboriginal cultural heritage significance.

Recommendations: None

**Condition 55 (e)**

Compliance status: Compliant

Findings: Section 7 states that options for enhancing and conserving Aboriginal cultural heritage values will undergo additional consideration and development after the field surveys and cultural values assessment are complete. A number of options are outlined for the various areas.

Recommendations: None

**Condition 55 (f)**

Compliance status: Compliant

Findings: Section 7 includes a discussion about the potential for developing joint initiatives with other mines to enhance and conserve Aboriginal cultural heritage values. Section 7.3 considers the cumulative

impacts and potential for joint initiatives between Whitehaven (Maules Creek Coal Mine and Tarrawonga Coal Project) and Idemitsu (Boggabri Coal Mine).

Recommendations: None

### **Condition 56**

The CHMP was reviewed in relation to condition 56 for the 2014 audit. The following provides an update to this review, including an assessment of whether the issues raised in the 2014 heritage audit were addressed and resolved.

#### **Condition 56(a)**

Compliance status: Compliant

Findings: The letter of appointment has now been provided (CHMP Appendix I).

Recommendations: None

#### **Condition 56(b)**

Compliance status: Compliant

Findings: 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.

Recommendations:

- 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 or justifying inaction. This could be incorporated as an appendix to the CHMP.
- 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.

#### **Condition 56(c)**

Compliance status: Compliant

Findings: 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).

Recommendations: A copy of the letter from DP&E dated 13 February 2017 should be provided as an appendix to the CHMP.

**Condition 56(d)**

Compliance status: Compliant

Findings: CHMP inclusions for the management of Aboriginal heritage:

- 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:
  - 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. CHMP Section 4.1 outlines how Aboriginal sites outside the approved disturbance area will be identified in accordance with the generic due diligence process outlined in the DECCW (2010) *Due Diligence Code of Practice* (CHMP Section 4.1), with recommendations about the management of sites at risk from natural processes (e.g. erosion) to be included in these reports. This is considered sufficient for the identification of new Aboriginal sites, and some provisions for Aboriginal site management are included here. Three assessment reports incorporating the due diligence process were provided for this audit (treeplanting-clearing DD\_12042017\_cleanv2.pdf; MOD 3 EA - Appendix E.pdf; Due Diligence Assessment NV48 200314.pdf; ID13). These reports demonstrate that the due diligence process is being undertaken, although these reports were not reviewed as part of this audit.
  - Maintaining reasonable access to heritage items for Aboriginal stakeholders: CHMP Section 3.7.4 outlines the protocol. The protocol is considered appropriate and reasonable.
  - 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.
  - Heritage inductions for workers: CHMP Section 3.3.2 outlines how cultural heritage inductions are part of the standard site induction for all workers. This is considered appropriate and sufficient, although no site induction materials or participation records were provided for review.
- 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.

Recommendations:

- 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.

**Condition 56(e)**

Compliance status: Not verified

Findings: 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: Demolition of Daisymede Piggery* (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) *Photographic Recording of Heritage Items Using Film or Digital Capture*. Section 5.3.1 states that the Daisymede 3 piggery is outside of the impact area, which is incorrect.
- 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 an archival recording report has not been provided. Although not required unless impacts of identified, an archival recording report would provide a baseline condition assessment of the Heathcliffe residence. Section 5.3.4 states that archival recording for a baseline assessment of The Rock Inn & Cemetery will occur, but no timeline for 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.
- A description of measures for:
  - The discovery of unidentified heritage items: CHMP Section 5.3.6. The discovery of human remains: CHMP Section 3.5. These measures are considered appropriate and sufficient.
  - Ensuring workers receive suitable heritage inductions: CHMP Section 3.3.2. These measures are considered appropriate and sufficient. No site induction materials or participation records were provided for review.

Recommendations:

- 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.
- 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.

## Condition 57

### Condition 57(a)

Compliance status: Compliant

Findings: It is noted that the CHMP Appendix I contains a letter approving Angela Besant (and Chris Carter) to prepare the CHMP, which includes undertaking the salvage program.

Recommendations: None

### Condition 57(b)

Compliance status: Compliant

Findings: 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.

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.

Recommendations: 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.

### Condition 57(c)

Compliance status (risk): Non-compliance (low)

Findings: The salvage methodology is outlined in CHMP Section 4.

- The salvage methodology includes subsurface testing (CHMP Section 4.3.3 and 4.3.4; ACHSR Section 5.1).
- 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 ACHSR 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.
- A proposed plan for the protection of salvaged Aboriginal objects is outlined in the CHMP Section 4.4.1, 4.4.3 and 4.4.5.
- 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 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).
- An outline of progress being made toward the establishment of a long-term Keeping Place in consultation with RAPs is not provided.

#### Recommendations:

- 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.
- 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 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.

### **Statement of commitments, reference 26**

Compliance status: Compliant

Findings: The audit has found that, from the documents provided, the salvage and protection of all known Aboriginal objects within the project boundary appears to be occurring in accordance with the CHMP in consultation with RAPs and OEH.

Recommendations: None

### **Statement of commitments, reference 27**

Compliance status: Compliant

Findings: 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.

Recommendations: 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.

### **Statement of commitments, reference 28**

Compliance status: Not verified

Findings: Archival recording of the Daisymede 3 piggery and the Heathcliffe 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 *Monitoring Report: Demolition of Daisymede Piggery* (Monitoring\_V1\_030614: ID13). This report does not fulfil the requirements of an archival photographic recording report as outlined in NSW Heritage Office (2006) *Photographic Recording of Heritage Items Using Film or Digital Capture*. Impacts to the Heathcliffe 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.

Recommendations: The archival recording report for the Daisymede 3 piggery should be provided.



Please do not hesitate to contact me to discuss the audit findings.

Yours sincerely,



**Dr Chris Lovell**  
Senior Archaeologist

**OzArk Environmental & Heritage Management Pty Ltd**

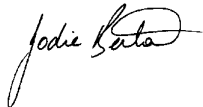
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OzArk and staff respectfully acknowledge the Traditional Owners and Custodians of the country on which we work.



**Dr Jodie Benton**  
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Environmental & Heritage Management P/L

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