Austar Independent Environmental Audit

Report Number 630.12258-R01

27 February 2018

Austar Coal Mine Pty Ltd
1 Middle Road Paxton, NSW 2325

Version: -v0.3
Austar Independent Environmental Audit

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

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DOCUMENT CONTROL

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<th>Date</th>
<th>Prepared</th>
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<td>Chris Jones</td>
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<tr>
<td>630.12258-R01--v0.1</td>
<td>21 February 2018</td>
<td>Tracey Ball</td>
<td>Chris Jones</td>
<td>Chris Jones</td>
</tr>
</tbody>
</table>
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1 INTRODUCTION

1.1 Background to the Site

The history of the Austar Coal Mine Pty Limited (Austar) operations are outlined within the Annual Environmental Management Reports for the site.

Austar is an aggregate of the former Pelton, Ellalong, Cessnock No.1 (Kalingo) Colliery and Bellbird South Collieries. Austar is owned by Yancoal Australia Limited (Yancoal). Austar is located on Middle Road, Paxton, NSW

Underground mining commenced in 1916 at Pelton Colliery and continued until 1992. Kalingo Colliery began as an underground mine in 1921 and ceased operations in 1961. In the late 1960’s the Kalingo Colliery was amalgamated into the Pelton Colliery. Longwall production commenced at the Pelton Colliery in 1983 and continued until the mine, then known as Ellalong Colliery, was closed in May 1998 by Oakbridge. Southland Coal then acquired the assets of Ellalong and Pelton Collieries and amalgamated those with Bellbird South, which was also owned by Southland Coal.

Southland Coal developed a longwall operation that mined the substantial Bellbird South coal reserves utilising the existing Ellalong facilities and infrastructure.

In December 2003, spontaneous combustion in longwall panel SL4 resulted in Southland Coal ceasing mining activities. The site of the underground fire was sealed and the mine was placed on a ‘care and maintenance’ program for 18 months. Yancoal purchased the mine in December 2004 and changed the name to Austar Coal Mine.

Yancoal introduced an enhanced form of the conventional retreat longwall system to the Australian Coal Mining Industry at the Austar Coal Mine in 2006 called Longwall Top Coal Caving (LTCC). To allow for the introduction of LTCC to Austar Stage 1 panels A1 and A2 in the Bellbird South area, a modification to DA 29/95 under section 96(2) of the Environmental Planning and Assessment Act 1979 was sought in 2006. The Minister for Planning approved the modification which permitted the extraction of up to 6.5 metres of coal in panels A1 and A2. In 2008, consent was granted for extraction in panels A3, A4 and A5 under a second modification, and for slightly longer and wider panels in A4 and A5 under a subsequent modification. In December 2010 approval was granted for extraction of additional longwall panel A5a in the Stage 2 area, and a modification to lengthen panel A5a was granted on 27 April 2012.

Approval for Stage 3 operations (PA 08_0111) was granted on 6 September 2009 by the Minister for Planning. A minor administrative modification was granted on 4 May 2010, and a modification to allow reorientation of Stage 3 longwall panels was granted by the Minister for Planning and Infrastructure on 13 March 2012. A further modification to allow extension of longwall panels A7 to A10 to the west by between 100m and 300m was granted under delegated authority of the Minister for Planning and Infrastructure on 17 December 2013.

The Stage 3 Project (as modified) involves mining of known coal resources within areas of Consolidated Mining Lease 2 (CML2) and Mining Leases ML1661 and ML1666. Mining in the second Stage 3 panel (Longwall A8) commenced on 16 June 2014 and was completed on 24 June 2015. Austar made a business decision to relocate development operations to the Bellbird South and Ellalong Colliery areas in 2015. However, the Stage 3 Project remains central to the long term future of Austar Coal Mine and the aim is to return to mining in the Stage 3 area in the medium term, with mining in this area approved until 2030.

Mining within the Bellbird South and Ellalong Colliery recommenced in June 2015 with development of first workings of existing approved coal reserves to allow future extraction of longwall panels LWB1 to LWB3. A modification to DA 29/95 extending the area and life of the consent and permitting transfer and processing of coal from panels LWB1 to LWB3 was approved under delegation of the Minister for Planning on 29 January 2016. The modified consent contemporised subsidence management conditions requiring an approved Extraction Plan to be in place prior to longwall extraction of panels LWB1 to LWB3. Longwall extraction of LWB2 commenced 7 July 2016.
The approved Mining Operations Plan (MOP) in place at the start of this AEMR period, covered the period November 2015 to November 2022, which was endorsed by the Division of Resources and Geosciences (DRG) on 27 November 2015. A new MOP was submitted in August 2016, in response to the modification approval to DA29/95, which covers the period 9 September 2016 to 1 June 2023, and was approved by DRG on 9 September 2016. The new MOP identifies that mining will continue within existing approved coal reserves of the Bellbird South and Ellalong Colliery areas to allow future extraction of longwall panels prior to returning to the Stage 3 area.

1.2 Audit Scope

1.2.1 Audit Conditions

The scope of the audit will be from **15 November 2014 to 23 November 2017**. This is the date of the previous audit site visit, until the final day of the 2017 audit completed by SLR. The audit covers the Austar Mine Complex, as outlined within **Figure 1.1** (Umwelt 2017).

Schedule 7 Condition 7 and 8 of the Stage 3 Development Consent (08_0111) is outlined below:

**Condition 7.**
By end of December 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the mine complex. This audit must:

(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;

(b) include consultation with the relevant agencies;

(c) assess the environmental performance of the mine complex and assess whether it is complying with the requirements in relevant project approvals and development consents and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);

(d) review the adequacy of strategies, plans or programs required under these approvals; and

(e) recommend appropriate measures or actions to improve the environmental performance of the mine complex, and/or any assessment, plan or program required under these approvals.

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

**Condition 8.**
Within 6 weeks of the completing of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.

Schedule 5 Condition 5 of the Bellbird South Development Consent (DA 29/95) is outlined below:

Prior to 31 December 2008, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:

(a) be conducted by suitably qualified, experienced, and independent expert/s whose appointment has been endorsed by the Secretary;

(b) include consultation with the relevant agencies and the CCC;
(c) assess, in respect of the requirements of this consent and any relevant mining lease or environment protection licence, the environmental performance of the development and its effects on the surrounding environment;

(d) assess whether the development is complying with relevant standards and performance measures specified in these approvals (including under any strategy, plan or program required under this consent) and with other statutory requirements;

(e) review the adequacy of strategies, plans or programs required under this consent; and, if necessary, recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent; and

(f) be conducted and reported to the satisfaction of the Secretary.

Note: This audit team must be led by a suitably qualified auditor and include experts in the fields of subsidence, surface water, groundwater, noise and air quality.

SLR was endorsed by the DPE to complete the independent environmental audit in the letter dated 26 October 2017. Correspondence was undertaken between Austar and the DPE regarding the submission date. In an email dated 23 November 2017, Leah Cook from the DPE granted an extension to the audit submission until 27 February 2018.

1.2.2 Approval Documentation

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

- Stage 3 Development Consent (08_0111);
- Bellbird South Development Consent (DA 29/95);
- Environment Protection Licence;
- Environmental Assessment (EA) Modification 5 (MOD 5) Consolidated Statement of Commitments;
- Consolidated Mining Lease No 2 (Act 1992); and
- Water Access Licences.

The physical boundaries of the audit are defined by the Development Consent areas.

1.3 Key Site Contacts

The key contact details for the key main Austar contact is outlined below:

Gary Mulhearn

Environment and Community Manager

+61 2 4993 7334

Gary.Mulhearn@yancoal.com.au
1.4 Audit Methodology

The Independent Environmental Audit was undertaken on site by the following personnel:

- Chris Jones (SLR Lead Auditor) – Present at site for four days;
- Tracey Ball (SLR Assistant Auditor) – Present at site for four days;
- Nathan Archer (SLR Noise Specialist) – Present onsite for Day 1;
- Paul Delaney (SLR Surface Water Specialist) - Present onsite for Day 1;
- Ali Naghizadeh (SLR Air Quality Specialist) – Desktop Assistance;
- Tim Wilkinson (SLR Groundwater Specialist) – Desktop Assistance; and
- Steve Ditton (DGS Subsidence Specialist) – Present onsite for Day 3.

The SLR audit team are independent of Austar as defined under Section 3.3 of the NSW Government’s (2015) Independent Audit Guideline.

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

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

- Introductory and close out meetings;
- Reviewing key documents provided by Austar prior to the audit;
- Consultation with relevant government agencies as per the audit requirements prior to the site component;
- Site component of the audit from 20 to 23 November 2017 – including inspections and discussions with key Austar personnel;
- Review of additional relevant documentation obtained while on site during the inspection or provided by Austar 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 Close Out 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 1 lists those present at these meetings.

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Gary Mulhearn</td>
<td>Environment &amp; Community Manager</td>
<td>Present at both meetings and site inspections.</td>
</tr>
<tr>
<td>Josh Chadwick</td>
<td>Environment &amp; Community Coordinator</td>
<td>Present at both meetings.</td>
</tr>
<tr>
<td>Lloyd Jeston</td>
<td>Acting CHPP Superintendent</td>
<td>Present at both meetings.</td>
</tr>
<tr>
<td>Mark Murray</td>
<td>Mine Surface &amp; Logistics Coordinator</td>
<td>Present at the opening meeting.</td>
</tr>
<tr>
<td>Heath Sowter</td>
<td>Senior Site Engineer</td>
<td>Present at the opening meeting.</td>
</tr>
<tr>
<td>Bill Farnworth</td>
<td>Technical Services Manager</td>
<td>Present at the opening meeting.</td>
</tr>
<tr>
<td>Brian Wesley</td>
<td>Mine Operations Manager</td>
<td>Present at the opening meeting.</td>
</tr>
<tr>
<td>Justin Peterkin</td>
<td>Mining Engineering Manager</td>
<td>Present at the opening meeting.</td>
</tr>
<tr>
<td>Chris Jones</td>
<td>SLR Lead Auditor</td>
<td>Present at both meetings and all site inspections.</td>
</tr>
<tr>
<td>Tracey Ball</td>
<td>SLR Assistant Auditor</td>
<td>Present at both meetings and all site inspections.</td>
</tr>
<tr>
<td>Nathan Archer</td>
<td>SLR Noise Specialist</td>
<td>Present at the opening meeting.</td>
</tr>
<tr>
<td>Paul Delaney</td>
<td>SLR Water Specialist</td>
<td>Present at the opening meeting.</td>
</tr>
</tbody>
</table>

Meetings/interviews with operations staff were also held for the audit. At these meetings/interviews aspects including water management and spontaneous combustion were discussed.
1.5 Consultation Requirements

Table 2 outlines the stakeholder consultation completed for Austar, undertaken in accordance with the Audit Guidelines.

<table>
<thead>
<tr>
<th>Regulatory Authority</th>
<th>Contact Details (name, phone and email please)</th>
<th>Consultation Details</th>
</tr>
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</table>
| Department of Planning and Environment (DPE) | Ann Hagerthy  
Senior Compliance Officer - Compliance 6575 3407, 0428 976 540  
ann.hagerthy@planning.nsw.gov.au | Email sent to contact on 14 November 2017.  
In a return email on 14 November 2017, the DPE stated:  
“The Department requested Austar utilise experts in the fields of subsidence, surface water, groundwater, noise and air quality, to review those areas in greater detail for the audit”.  
Correspondence was undertaken between Austar and the DPE regarding the submission date. In an email dated 23 November 2017, Leah Cook from the DPE granted an extension to the audit submission until 27 February 2018. |
| Environment Protection Authority (EPA) | Lisa Richards  
Operations Officer – North  
4908 6826,  
Lisa.richards@epa.nsw.gov.au | Email sent to contact on 14 November 2017.  
The EPA responded on 20 November 2017 stating “the EPA does not provide input to these as our role is to set environmental objectives for environmental/conservation management and manage outcomes. |
| Division of Resources and Geosciences (DRG) | Neil McElhinney  
Environmental Sustainability Unit - Inspector Environment  
4931 6522, 0429 154 075  
neil.mcelhinney@industry.nsw.gov.au | Email sent to contact on 14 November 2017.  
No response. |
| Department of Primary Industries – Water (DPI Water) | Hannah Grogan  
Water Regulation Officer  
02 4904 2516  
hannah.grogan@dpi.nsw.gov.au | Email sent to contact on 14 November 2017.  
SLR received a phone call from DPI Water on 19 December 2018 to discuss the audit. DPI Water did not provide any additional comments. |
| Council | Austar CCC - Councillor Mark Lyons  
0417 083 073  
mark.lyons@cessnock.nsw.gov.au | Email sent to contact on 14 November 2017.  
No response. |
| CCC Chairperson | Margaret MacDonald Hill  
0448 414 888  
mmacdonald-hill@bigpond.com | Email sent to contact on 14 November 2017.  
Margaret stated in return email on 22 November 2017 - The audit was discussed at the CCC meeting and have nothing further to add or any specific concerns. |
2 DOCUMENTS REVIEWED AND REFERENCED

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

- Stage 3 Development Consent (08_0111);
- Bellbird South Development Consent (DA 29/95);
- Environment Protection Licence;
- Environmental Assessment (EA) Modification 5 (MOD 5) Consolidated Statement of Commitments;
- Consolidated Mining Lease No 2 (Act 1992);
- Water Access Licences;
- Approved Environmental Management Plans, including:
  - Environmental Management Strategy – May 2013;
  - Site Water Management Plan – April 2013;
  - Stage 3 Surface Infrastructure Site – Shaft Construction Environmental Management Plan – June 2012;
  - Landscape Management Plan – June 2013;
  - Aboriginal Cultural Heritage Management Plan – May 2013;
  - Pollution Incident Response Management Plan;
  - Historic Heritage Management Plan.
- Mining Operations Plan – 2016 – 2024 (dated August 2016);
- 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, 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 3 and Table 4. These are requirements of the DPE Independent Environmental Audit Guidelines (October 2015).

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<td>Compliant</td>
<td>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.</td>
</tr>
<tr>
<td>Not verified</td>
<td>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.</td>
</tr>
<tr>
<td>Non-compliant</td>
<td>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.</td>
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<td>Administrative non-compliance</td>
<td>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).</td>
</tr>
<tr>
<td>Not triggered</td>
<td>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.</td>
</tr>
<tr>
<td>Observation</td>
<td>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.</td>
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<tr>
<td>Note</td>
<td>A statement or fact, where no assessment of compliance is required.</td>
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<tr>
<td>High</td>
<td>Red</td>
<td>Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.</td>
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</tbody>
</table>
| Medium              | Yellow      | Non-compliance with:  
|                     |             | • potential for serious environmental consequences, but is unlikely to occur; or  
|                     |             | • potential for moderate environmental consequences, but is likely to occur. |
| Low                 | Green       | Non-compliance with:  
|                     |             | • potential for moderate environmental consequences, but is unlikely to occur; or  
|                     |             | • potential for low environmental consequences, but is likely to occur. |
| Administrative Non-Compliance | Blue     | 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 Independent Environmental Audit for Austar was led by Trevor Brown & Associates during November 2014, with the final audit report completed on 16 July 2015. The Independent Environmental Audit indicates Austar Coal operations have generally demonstrated a high degree of compliance with Development Consent DA29/95, Project Approval 08_0111, Environment Protection Licence No. 416, and mining lease conditions.

Recommendations relating to the audit and the response from Austar Coal were outlined within the 2014-15 AEMR. Based on a review of status update on proposed actions within the 2014-15 AEMR, it appears that Austar have completed the required actions.

4.2 Stage 3 Project Approval

The Project Approval for the Stage 3 Project (PA08_01111) was assessed as part of the audit. PA08_01111 has been modified on three occasions, with the last being outside the audit period in December 2013. Key conditions assessed have been separated into the following aspects:

- Construction;
- Noise;
- Air Quality and Greenhouse Gas;
- Meteorological;
- Surface and Ground Water;
- Heritage;
- Transport;
- Visual;
- Waste;
- Notification of Landowners;
- Independent Review;
- Land Acquisition;
- Environmental Management;
- Incident Reporting;
- Independent Environmental Audit; and
- Access to Information.

4.3 Bellbird South Development Consent

The Development Consent for the DA29/95 was assessed as part of the audit. DA29/95 has been modified on seven occasions, with the last being in August 2017. Mining is currently completed within the Bellbird South area.

Key conditions assessed have been separated into the following aspects:

- General conditions;
- Acquisition;
- Subsidence;
• Offset area management;
• Water;
• Noise and vibration;
• Air quality;
• Meteorological monitoring;
• Reject emplacement;
• Flora and fauna;
• Heritage;
• Traffic and transport;
• Rehabilitation objectives;
• Environmental management strategy;
• Incident reporting;
• Annual reporting;
• Auditing;
• Management plans;
• Community consultative committee; and
• Website.

4.4 Environmental Assessment – Statement of Commitments

The Statement of Commitments is attached to the Stage 3 Project (PA08_01111) and includes commitments relating to:
• Life of mine plan;
• Subsidence;
• Ecology;
• Heritage;
• Surface water and drainage;
• Groundwater;
• Noise and blasting;
• Air quality;
• Energy and greenhouse gas;
• Visual;
• Transport;
• Community; and
• Decommissioning and rehabilitation.
4.5 Management Plans and Programs

The following management plans and programs were assessed as part of this Independent Environmental Audit:

- Environmental Management Strategy – May 2013;
- Site Water Management Plan – April 2013;
- Stage 3 Surface Infrastructure Site – Shaft Construction Environmental Management Plan – June 2012;
- Landscape Management Plan – June 2013;
- Aboriginal Cultural Heritage Management Plan – May 2013;
- Pollution Incident Response Management Plan; and
- Historic Heritage Management Plan.

It should be noted that these management plans cover the Austar Complex. AEMR reports during the audit period indicate that updated management plans were submitted to regulators in 2015 and 2017, however it is understood that these were not approved by the relevant regulators. Several management plans are in the process of being updated by Austar in consultation with the DPE and other relevant government agencies. SLR assessed compliance against approved environmental management plans, as well as reviewing the unapproved updated management plans to gain an understanding on proposed changes in the future.

4.6 Environment Protection Licence

Austar operates under the Environment Protection Licence (EPL 416). The EPL contains conditions relating to:

- Administrative Conditions;
- Discharges to Air and Water and Applications to Land;
- Limit Conditions;
- Operating Conditions;
- Monitoring and recording conditions;
- Reporting conditions;
- General conditions; and
- Pollution studies and reduction programs.

4.7 Mining Leases

Consolidated Mining Lease No. 2 was assessed as part of the audit. This included a variety of conditions relating to environmental performance and reporting.
4.8 Water Licences

The Austar AEMR’s outline the performance of the site relating to water licence entitlements. Water licences 20BL171481, 20BL173349 and 20BL173350 have a combined extraction limit of 770ML in any 12 month period, commencing 1 July. The amount of groundwater intercepted as calculated from monthly flow rates and volumes for the audit period are outlined below:

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<tbody>
<tr>
<td>20BL171481</td>
<td>North Coast Fractured and Porous Rock Groundwater Sources</td>
<td>699.7</td>
<td>280.15</td>
<td>357.1</td>
<td>770</td>
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<tr>
<td>20BL173349</td>
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<td>20BL173350</td>
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4.9 Complaints

Complaints are summarised in AEMR’s and the complaint log. Based on a review of the complaints log most complaints related to noise and odour from spontaneous combustion. Follow up actions have been recorded within the complaints log.

4.10 Incident / Non-Compliance Management

Environmental incidents during the audit period are outlined within the AEMR’s. Incidents that required PIRMP notifications included:

- LDP001 discharge event on 21 and 22 April 2017;
- Leak of mine water pipelines on 26 March 2015, 24 February 2017;
- Kitchener Surface Infrastructure Site (SIS) Sediment Dam discharge 6 January 2015 and 4 May 2015; and
- Orange staining in cleanwater drain - 7 June 2017. Investigation did not find the source of the staining. Material cleaned up. No further actions directed by the EPA.

Incident investigations and reporting were completed with evidence provided to the audit team.
5 ENVIRONMENTAL PERFORMANCE - SPECIALIST ASSESSMENTS

5.1 Air Quality

Air quality has generally been a low level environment and community risk for Austar. A review of performance over the audit period indicates:

- There are limited sources of dust at site, compared to many other coal mines;
- Air quality monitoring as per the Air Quality and Greenhouse Gas Management Plan;
- No exceedances of air quality criteria; and
- No air quality complaints.

There was several incidences of spontaneous combustion/odour complaints during the audit period, however there have been no odour complaints since October 2016. Recommendations relating to air quality and spontaneous combustion are outlined in Section 6 and 7.

5.2 Noise

Noise is a significant risk for Austar due to the proximity of the site to the community. A review of the performance over the audit period indicates:

- There have been some low level noise non-compliances relating to the low frequency modifying factor;
- There have been improvements in noise management at site with a reduction in complaints during the audit period, compared to the two previous audit periods; and
- Austar have participated in a program to reduce noise levels. This will continue into the next audit period.

5.3 Surface Water

Surface water is a key aspect for Austar, with erosion and sediment control and pumping of water across site requiring ongoing management. There have been incidents within the Audit period relating to discharge and pipeline leakages. There are some recommendations relating to surface water and erosion and sediment control under Section 6 and 7.

5.4 Groundwater

The Groundwater Monitoring Program was assessed by SLR’s Groundwater specialist as part of this audit. Key recommendations relating to groundwater are outlined within Section 6 and 7.

5.5 Subsidence

The subsidence component of this audit was completed by Steve Ditton from DGS, with the specialist assessment included as Appendix C to this report. A full methodology of the subsidence component is outlined within Appendix C. DGS stated that overall, the current strategies, plans and programs for managing mine subsidence impacts to the environment, man-made developments and public safety are considered to be performing adequately. Recommendations relating to subsidence are outlined within Section 6 and 7.
6 AUDIT FINDINGS

Table 6 provides a summary of the key recommendations for conditions which are non-compliant. Recommendations have been provided a distinct recommendation identifying number (eg. REC 1), as several recommendations are repeated across different approval conditions.

Table 6 Summary of Audit Findings – Non – Compliant Conditions

<table>
<thead>
<tr>
<th>Schedule and Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Approval – PA 08_0111</td>
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</tr>
<tr>
<td>Schedule 3 Condition 7</td>
<td>Meteorological</td>
<td>Non-Compliant (Low Risk)</td>
<td>Meteorological data outlined in the AEMR; Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain. The 2016-2017 AEMR states: During the end of month download of February 2017, an issue was identified with the data storage which included rainfall and temperature. The meteorological station had stored data up to the 17/02/2017 then ceased storing data for a period of 11 days. The meteorological station commenced downloading data as of the 1 March 2017 after the Environment and Community Coordinator routinely checked the station and it was found to be operating normally after that time during the 2016-2017 reporting. Since this issue data is now downloaded on a fortnightly basis. Letter approving extension to metrological station time from the DPE dated 2/2/2009.</td>
<td>REC 1 Continue to download data on a fortnightly basis.</td>
</tr>
<tr>
<td>Schedule 3 Condition 8</td>
<td>Discharge Limits</td>
<td>Non-Compliant (Medium Risk)</td>
<td>Evidence of PIRMP notifications during the audit period. Evidence of consultation with EPA following PIRMP notifications. All PIRMP notifications are also outlined in the AEMR’s and include:</td>
<td>REC 2</td>
</tr>
<tr>
<td>Schedule and Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
<td>Recommendation</td>
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</table>
|                               | The Proponent shall not discharge any water from the site except as may be expressly provided by an EPL, or in accordance with section 120 of the Protection of the Environment Operations Act 1997. |                   | • LDP001 discharge event on 21 and 22 April 2017;  
  • Leak of mine water pipelines on 26 March 2015, 24 February 2017;  
  • Kitchener SIS Sediment Dam discharge 6 January 2015 and 4 May 2015; and  
  • Orange staining in cleanwater drain - 7 June 2017.  
  Austar has a comprehensive Environmental Management System to identify and minimise risk of harm to the environment. These are the management plans required by the project approval and development consent. | Review and if possible reduce the 'leak detection' level for pipelines with the aim of minimising volume that could potentially leak without triggering alarms and the automatic shut down. |
Each year, the Proponent shall review the environmental performance of the mine complex to the satisfaction of the Director-General. This review must:

(a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year;
(b) include a comprehensive review of the monitoring results and complaints records of the mine complex over the past year, which includes a comparison of these results against the:
   · the relevant statutory requirements, limits or performance measures/criteria;
   · the monitoring results of previous years; and
   · the relevant predictions in the EA and Extraction Plan;
(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 mine complex;
(e) identify any discrepancies between the predicted and actual impacts of the mine complex, and analyse the potential cause of any significant discrepancies; and
(f) describe what measure will be implemented over the next year to improve the environmental performance of the mine complex.

<table>
<thead>
<tr>
<th>Schedule and Condition Number</th>
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<th>Evidence</th>
<th>Recommendation</th>
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</thead>
</table>
| Schedule 5 Condition 3        | Each year, the Proponent shall review the environmental performance of the mine complex to the satisfaction of the Director-General. This review must: | Administrative Non-Compliance | a) Works undertaken at Austar are outlined in Section 2 of the AEMR; b) Monitoring results are reviewed within Section 3 of the AEMR's. Monitoring results compare against statutory requirements. Results for key aspects such as surface water and air. Some minor comparison against groundwater results. Admin NC: There is a lack of a comparison of predictions for key aspects against the Environmental Assessment (EA) and Extraction Plans; c) Non compliances have been identified. In the 2016-2017 AEMR these are outlined in Appendix H; d) Admin NC: There is little information relating to trends in key aspects over a number of years. Key aspects such as surface water and air are graphically displayed but little trends provided over a five year period; e) There is a lack of discussion for a comparison of predicted impacts for aspects such as surface water and air. There is some comparison of predicted impacts for groundwater, noise and subsidence; and f) Proposed improvements are outlined in current AEMRs. | REC 3
- SLR recommends renaming the document an Annual Review and completing it in accordance with the Annual Review Guidelines;
- Future Annual Reviews should compare results against EA predictions and assess trends in data (e.g. over a five year period);
- It is suggested that tilt and strain profiles be provided in the Annual Review reports and a sub-section provided in the text that compares the measured v. predicted values and discusses whether the overburden is behaving as expected or otherwise. Curvatures may be then able to be estimated from the strain profiles through a locally derived ratio between maximum strain and peak curvatures (excluding disturbed survey pegs). The main purpose of this exercise would be to provide technical information to stakeholders that do not have access to the DRG portal;
- The amount of rehabilitation and disturbance undertaken during the reporting period vs that included in the MOP should be included in future Annual Reviews;
- Future Annual Reviews should report compliance with the MOP; and |
<table>
<thead>
<tr>
<th>Schedule and Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td></td>
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<td></td>
<td>• Future Annual Reviews should report progress in respect of rehabilitation completion criteria.</td>
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<td>Schedule 5 Condition 4</td>
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<td>Within 3 months of:</td>
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<td>(a) the submission of an annual review under Condition 3 above;</td>
<td>Administrative Non-Compliance</td>
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<td></td>
<td>(b) the submission of an incident report under Condition 6 below;</td>
<td></td>
<td>(a) <strong>Admin NC</strong>: Historic Heritage Management Plan doesn’t include mechanism for reviewing the management plan after an Annual Review/AEMR has been submitted. The Site Water Management Plan, AHCMP, Landscape Management Plan, AQGHGMP, EMS and NMP are reviewed after an AEMR is submitted;</td>
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<td>(c) the submission of an audit report under Condition 7 below; or</td>
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<td>(b) There have been several PIRMP water management incidents. It would not be practical for the site to update the Site Water Management Plan following each PIRMP incident;</td>
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<td>(d) any modification to the conditions of this approval,</td>
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<td>(c) <strong>Admin NC</strong>: The Management Plans weren’t updated within 3 months of the submission of the prior audit report; and</td>
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<td></td>
<td>unless the conditions require otherwise), the Proponent shall review the strategies, plans, and programs required under this approval, to the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Director- General.</td>
<td></td>
<td>(d) Currently updating plans in accordance with the latest MOD that was approved August 2017.</td>
<td>REC 4</td>
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<td><strong>Note</strong>: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the project.</td>
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<tr>
<td>Statement of Commitments – Stage 3</td>
<td></td>
<td>Administrative Non-Compliance</td>
<td></td>
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<tr>
<td>SOC – 1.7.2</td>
<td>The results of groundwater monitoring and a comparison of measured and predicted impacts will be reported annually in the Annual Environmental Management Report.</td>
<td></td>
<td>* Groundwater monitoring results are reported in the AEMRs.</td>
<td>REC 5</td>
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<td>Schedule and Condition Number</td>
<td>Condition</td>
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| Schedule 3 Condition 5 | **Discharge Limits**  
Except as may be expressly provided by a EPA Environment Protection Licence, or in accordance with section 120 of the Protection of the Environment Operations Act 1997, the Applicant must not discharge any water from the site. | Non-Compliant (Medium Risk) | Evidence of PIRMP notifications during the audit period. Evidence of consultation with EPA following PIRMP notifications. All PIRMP notifications are also outlined in the AEMR’s and include:  
- LD0P01 discharge event on 21 and 22 April 2017;  
- Leak of mine water pipelines on 26 March 2015, 24 February 2017;  
- Kitchener SIS Sediment Dam discharge 6 January 2015 and 4 May 2015; and  
- Orange staining in cleanwater drain - 7 June 2017.  
Austar has a comprehensive Environmental Management System to identify and minimise risk of harm to the environment. These are the management plans required by the project approval and development consent. | **REC 2**  
Review and if possible reduce the ‘leak detection’ level for pipelines with the aim of minimising volume that could potentially leak without triggering alarms and the automatic shut down. |
| Schedule 3 Condition 13 | **Noise and Vibration**  
Table 2: Noise impact assessment criteria dB(A).  
<table>
<thead>
<tr>
<th>Day/Eve/Resident</th>
<th>Night/Resident</th>
<th>Land</th>
</tr>
</thead>
</table>
| 65              | 35            | All privately owned land | Non-Compliant (Low Risk) | Noise compliance is reported within the AEMR’s. Outlined within AEMR’s for;  
- 2014 - 2015 (covers June 2014 - June 2015);  
- 2016 - 2017 (covers July 2016 - June 2017). | **REC 6**  
Continue program to reduce noise. Complete sound power level testing of equipment in isolation in an attempt to reduce noise levels. |
SLR also reviewed noise monitoring reports from the period. Noise monitoring is completed on a quarterly basis. It should be noted that there have been improvements in noise management at site with a reduction in complaints during the audit period, compared to the two previous periods.

2014-2015 - Activities from Austar complied with the relevant noise limits during the survey at all monitoring locations, with the exception of C3. On 21 July 2014 (Q3 2014), the LA90 criteria was exceeded by 1 dB at C3 (Bimbadeen Road, Mt View). This is compliant as it's not more than 2dB above (EPA Industrial Noise Policy). When the INP low frequency modifying factor correction was applied a further seven exceedances of project specific noise criteria were recorded.

2015-2016 - Activities from Austar complied with the relevant noise limits during at all monitoring locations during the 2015-2016 reporting period. There were reduced operations at the CHPP site with only development mining operations producing coal during the reporting period, however, the Kitchener Surface Infrastructure Site and the Kalingo Infrastructure Area were operating normally.

2016-17 - All recorded exceedances of noise limits from the CHPP or KIA were due to the addition of the low frequency modifying factor. Noise levels measured from the CHPP and KIA were 1-2dB over the noise limit on a total of six (6) occasions, which do not class as a non-compliances. As per the Industrial Noise Policy (INP), the nature of the measured noise indicated that C2 and C5 in quarter 3 of 2016, and C2, C3, C4, C5 in quarter 2 2017 were classified as low frequency and attracted the 5dB modifying factor. When the modifying factor was applied the resultant noise level exceeded the relevant EPL or the adopted Noise and Vibration Management Plan L A90 noise limit.
<table>
<thead>
<tr>
<th>Schedule and Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule 3 Condition 20</td>
<td>Meteorological Monitoring</td>
<td>Non-Compliant</td>
<td>Meteorological data outlined in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain. 2016-2017 AEMR states: “During the end of month download of February 2017, an issue was identified with the data storage which included rainfall and temperature. The meteorological station had stored data up to the 17/02/2017 then ceased storing data for a period of 11 days, the meteorological station commenced downloading data as of the 1 March 2017 after the Environment and Community Coordinator routinely checked the station and it was found to be operating normally after that time during the 2016-2017 reporting”. No further issues have been identified since there have been more regular data downloads.</td>
<td>REC 1</td>
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<td><strong>REC 1</strong> Continue to download data on a fortnightly basis.</td>
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<tr>
<td>Schedule and Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
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<tr>
<td>Annual Review</td>
<td>By the end of September each year, unless the Secretary agrees otherwise, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</td>
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<td></td>
<td>(a) describe the development (including any rehabilitation) that was carried out in the previous year to 30 June, and the development that is proposed to be carried out over the current year to 30 June;</td>
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<td>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous year to 30 June, which includes a comparison of these results against the:</td>
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<td>* relevant statutory requirements, limits or performance measures/criteria;</td>
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<td></td>
<td>* requirements of any plan or program required under this consent;</td>
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<td></td>
<td>* monitoring results of previous years; and</td>
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<td></td>
<td>* relevant predictions in the documents listed in condition 2 of Schedule 2;</td>
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<td>(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</td>
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<td></td>
<td>(d) identify any trends in the monitoring data over the life of the development;</td>
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<td></td>
<td>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</td>
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<tr>
<td></td>
<td>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.</td>
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<tr>
<td></td>
<td>Administrative Non-Compliance</td>
<td>a) Works undertaken at Austar are outlined in Section 2 of the AEMRs;</td>
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<tr>
<td></td>
<td></td>
<td>b) Monitoring results are reviewed within Section 3 of the AEMRs. Monitoring results compare against statutory requirements. Results for key aspects such as surface water and air. Some minor comparison against groundwater results.</td>
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<tr>
<td></td>
<td></td>
<td>Admin NC - there is a lack of a comparison of predictions for key aspects against the EA and Extraction Plans;</td>
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<td></td>
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<td>c) Non compliances have been identified. In the 2016/17 Annual Review these are outlined in Appendix H;</td>
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<td></td>
<td>d) Admin NC - There is little information relating to trends in key aspects over a number of years. Key aspects such as surface water and air are graphically displayed but little detail for trends over a five year period;</td>
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<tr>
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<td></td>
<td>e) There is a lack of discussion for a comparison of predicted impacts for aspects such as surface water and air. There is some comparison of predicted impacts for groundwater, noise and subsidence; and</td>
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<td></td>
<td></td>
<td>f) Proposed improvements are outlined in the AEMRs.</td>
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<tr>
<td>REC 3</td>
<td>SLR recommends renaming the document an Annual Review and completing it in accordance with the Annual Review Guidelines;</td>
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<tr>
<td></td>
<td>Future Annual Reviews should compare results against EA predictions and assess trends in data (eg. over a five year period);</td>
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<tr>
<td></td>
<td>It is suggested that tilt and strain profiles be provided in the Annual Review reports and a sub-section provided in the text that compares the measured v. predicted values and discusses whether the overburden is behaving as expected or otherwise. Curvatures may be then able to be estimated from the strain profiles through a locally derived ratio between maximum strain and peak curvatures (excluding disturbed survey pegs);</td>
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<tr>
<td></td>
<td>The main purpose of this exercise would be to provide technical information to stakeholders that do not have access to the DRG portal;</td>
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<td></td>
<td>The amount of rehabilitation and disturbance undertaken during the reporting period vs that included in the MOP should be included in future Annual Reviews; and</td>
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<tr>
<td></td>
<td>Future Annual Reviews should report compliance with the MOP. Future Annual Reviews should report progress in respect of rehabilitation completion criteria.</td>
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<tr>
<td>Schedule and Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
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<tr>
<td>Schedule 5 Condition 8</td>
<td>Updating and Staging of Strategies, Plans or Programs</td>
<td>Administrative Non-Compliance</td>
<td>(a) <strong>Admin NC</strong>: Historic Heritage Management Plan doesn’t include mechanism for reviewing the management plan after an Annual Review/AEMR has been submitted. The Site Water Management Plan, AHCMP, Landscape Management Plan, AQGHGMP, EMS and NMP are reviewed after an AEMR is submitted; (b) There have been several PIRMP water management incidents. It would not be practical for the site to update the Site Water Management Plan following each PIRMP incident; (c) <strong>Admin NC</strong>: The Management Plans weren’t updated within 3 months of the submission of the prior audit report; and (d) Currently updating plans in accordance with the latest MOD that was approved August 2017.</td>
<td>REC 7 All Management Plans are to be updated to meet this timing, including updating the Plans with any recommendations from this audit.</td>
</tr>
</tbody>
</table>

**EPL 416**

<table>
<thead>
<tr>
<th>L1.1</th>
<th>Pollution of Waters</th>
<th>Non-Compliant (Medium Risk)</th>
<th>Evidence of PIRMP notifications during the audit period. Evidence of consultation with EPA following PIRMP notifications. All PIRMP notifications are also outlined in the AEMR's and include:</th>
<th>REC 2 Review and if possible reduce the 'leak detection' level for pipelines with the aim of minimising volume that could potentially leak without triggering alarms and the automatic shut down.</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>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.</td>
<td>LDP001 discharge event on 21 and 22 April 2017; Leak of mine water pipelines on 26 March 2015, 24 February 2017; Kitchener SIS Sediment Dam discharge 6 January 2015 and 4 May 2015; and</td>
<td>Evidence of PIRMP notifications during the audit period. Evidence of consultation with EPA following PIRMP notifications. All PIRMP notifications are also outlined in the AEMR's and include:</td>
<td>Evidence of PIRMP notifications during the audit period. Evidence of consultation with EPA following PIRMP notifications. All PIRMP notifications are also outlined in the AEMR's and include:</td>
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<td></td>
<td></td>
<td></td>
<td>• LDP001 discharge event on 21 and 22 April 2017;</td>
<td>• LDP001 discharge event on 21 and 22 April 2017;</td>
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<td></td>
<td>• Leak of mine water pipelines on 26 March 2015, 24 February 2017;</td>
<td>• Leak of mine water pipelines on 26 March 2015, 24 February 2017;</td>
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<td>• Kitchener SIS Sediment Dam discharge 6 January 2015 and 4 May 2015; and</td>
<td>• Kitchener SIS Sediment Dam discharge 6 January 2015 and 4 May 2015; and</td>
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### Schedule and Condition Number

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<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>L2.2 Non-Compliant (Medium Risk)</td>
<td>Discharge occurred on 21 and 22 April 2015 (see Condition L1.2 for details). pH outside the range. pH value of 3.55 recorded on 22 April 2015 from LDP001. EPA provided a letter response to this incident dated 10/9/15 indicating the EPA does not intend to take regulatory action regarding this matter.</td>
<td>No further action recommended.</td>
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<tr>
<td>L2.4 Non-Compliant (Medium Risk)</td>
<td>Discharge from LDP001 outlined in incident report, AEMR and Annual Return. Discharge occurred on 21 and 22 April 2015. pH outside the range. pH value of 3.55 recorded on 22 April 2015 from LDP001. Iron recorded well above criteria at 10.7 mg/L. EPA provided a letter response to this incident dated 10/9/15 indicating the EPA does not intend to take regulatory action regarding this matter. It should be noted that this was a regional flooding event, above design criteria. Evidence of maintenance of dam levels during the audit. No further recommendations.</td>
<td>No further action recommended.</td>
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<tr>
<td>Schedule and Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
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<tr>
<td>M2.1</td>
<td><strong>Requirement monitor concentration of pollutants discharged</strong></td>
<td>Non-Compliant (Low Risk)</td>
<td>In the 2016 Annual Return it was reported by Austar that monthly grab samples to comply with this condition were not obtained at monitoring point 2 and 5 due to dry conditions in the creek at the time of sampling. This also occurred during the 2015 and 2014 Annual Return periods. The discharge from LDP001 in April 2015 was monitored.</td>
</tr>
<tr>
<td>M4.1</td>
<td><strong>Weather Monitoring</strong></td>
<td>Non-Compliant (Low Risk)</td>
<td>Meteorological data outlined in the Annual Review - Section 3.2 of the 2016-17 Annual Review. Summary includes temperature, wind and rain. 2016-17 AEMR states: During the end of month download of February 2017, an issue was identified with the data storage which included rainfall and temperature. The meteorological station had stored data up to the 17/02/2017 then ceased storing data for a period of 11 days, the meteorological station commenced downloading data as of the 1 March 2017 after the Environment and Community Coordinator routinely checked the station and it was found to be operating normally after that time during the 2016-2017 reporting period.</td>
</tr>
<tr>
<td>M5.2</td>
<td><strong>Recording of Pollution Complaints</strong></td>
<td>Administrative Non-Compliance</td>
<td>Evidence of complaints register with this published on the Austar website. Evidence of internal register. Contains a) to e) with the exception of time of the complaint. It’s noted that some complaints logged have the time, however many complaints do not register the time.</td>
</tr>
<tr>
<td>Schedule and Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------</td>
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<td>----------</td>
</tr>
</tbody>
</table>
| U2.1                          | 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. | Non-Compliant (Low Risk) | 2016-17 Annual Return - As per the Industrial Noise Policy (INP), the nature of the measured noise indicated that C2 and C5 in quarter 3 of 2016, and C2, C3, C4, C5 in quarter 2 2017 were classified as low frequency and attracted the 5dB modifying factor. When the modifying factor was applied the resultant noise level exceeded the relevant EPL or the adopted Noise and Vibration Management Plan L A90 noise limit.  
2016 Annual Return - exceedance of noise from Pelton Village in July and August 2016 based on the low frequency modifying factor.  
2015 Annual Return - exceedance of noise from residence in January 2015 based on the low frequency modifying factor.  
2014 Annual Return - all exceedances relating to the 2014 Annual Return dated prior to this audit period (this audit period commenced 15 November 2014). | REC 9  
Continue to investigate noise mitigation measures, including additional sound power level testing. |

Premises Noise Limits  
Noise generated at the premises must not exceed the noise limits below:

<table>
<thead>
<tr>
<th>Source</th>
<th>Noise Level (dB(A))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom</td>
<td>42</td>
</tr>
<tr>
<td>Fatu 33</td>
<td>41</td>
</tr>
<tr>
<td>Privet 20</td>
<td>42</td>
</tr>
</tbody>
</table>

Note: These noise limits apply until new noise limits, determined through the “Premises Noise Assessment” pollution reduction program, condition U1 of this licence, are applied to the licence.
### Schedule and Condition Number

<table>
<thead>
<tr>
<th>Schedule and Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Premises Noise Limits</strong></td>
<td></td>
<td>Evidence of quarterly reporting since October 2016 to November 2017. In the letter dated 6 October 2016 there was an oversight in providing the quarterly reports to the EPA between Quarter 3 2014 and Quarter 2 2016. No further recommendations as this is now being completed. Based on site communications, Austar has scheduled provision of compliance monitoring reports to EPA on a quarterly basis on compliance action tool program to minimise risk of further administrative non-compliance.</td>
<td>No further action recommended.</td>
</tr>
<tr>
<td></td>
<td><strong>Consolidated Mining Lease No. 2</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Condition 5</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) report against compliance with the MOP;</td>
<td>Administrative Non-Compliance</td>
<td>a) Admin NC; The AEMRs do not report compliance with the MOP; b) Admin NC; The AEMRs do not report on progress in respect of rehabilitation completion criteria; c) The AEMRs report on the extent of compliance with regulatory requirements; and d) Admin NC; The AEMRs have been prepared in accordance with the former AEMR Guideline. That has been replaced with an Annual Review Guideline. There is a different document structure required.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) report on progress in respect of rehabilitation completion criteria;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) report on the extent of compliance with regulatory requirements;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>d) have regard to any relevant guidelines adopted by the Director-General;</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**REC 3**
- SLR recommends renaming the document an Annual Review and completing it in accordance with the Annual Review Guidelines;
- Future Annual Reviews should compare results against EA predictions and assess trends in data (e.g., over a five year period);
<table>
<thead>
<tr>
<th>Schedule and Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• It is suggested that tilt and strain profiles be provided in the Annual Review reports and a sub-section provided in the text that compares the measured v. predicted values and discusses whether the overburden is behaving as expected or otherwise. Curvatures may be then able to be estimated from the strain profiles through a locally derived ratio between maximum strain and peak curvatures (excluding disturbed survey pegs). The main purpose of this exercise would be to provide technical information to stakeholders that do not have access to the DRG portal;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• The amount of rehabilitation and disturbance undertaken during the reporting period vs that included in the MOP should be included in future Annual Reviews;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Future Annual Reviews should report compliance with the MOP;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Future Annual Reviews should report progress in respect of rehabilitation completion criteria.</td>
</tr>
</tbody>
</table>
## Condition 11

The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:

- (a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;
- (b) Details of expenditure incurred in conducting that exploration;
- (c) A summary of all geological findings acquired through mining or development evaluation activities;
- (d) Particulars of exploration proposed to be conducted in the next twelve months period;
- (e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.

### Evidence

Evidence of 'Indexing Title DSL89 Group Report's. Anniversary period is April 4 to April 4. Reports covering:
- April 4th, 2016 - April 4th 2017 (submitted May 4th 2017);
- April 4th, 2015 - April 4th 2016 (submitted May 4th 2016); and

Reports cover these requirements. There is a minor non-compliance as the reports are dated 30 days after the anniversary date, not 28 days.

### Recommendation

**REC 10**
Ensure Exploration Reports are dated and sent to the DRG within 28 days of the anniversary date.

## Water Access Licences

No non-compliances identified based on the information provided to SLR.
## 7 ADDITIONAL RECOMMENDATIONS

Additional recommendations relating to compliant conditions are outlined within **Table 7**. Recommendations have been provided a distinct recommendation identifying number, with this carried over from **Section 6**.

### Table 7 Additional Recommendations for Austar Coal Mine

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition/Hazardous Substances</td>
<td>REC 11</td>
</tr>
<tr>
<td></td>
<td>Complete the ‘Progress Assessments for demolition of existing structures and foundations at Bellbird, Pelton &amp; Cessnock No 1 shaft. This should include a review of historical heritage significance as well as hazardous substances.</td>
</tr>
<tr>
<td>Erosion and Sediment Control</td>
<td>REC 12</td>
</tr>
<tr>
<td></td>
<td>- Remove sediment collected in sediment fence to the north of the Surface Infrastructure Site (SIS);</td>
</tr>
<tr>
<td></td>
<td>- Perimeter fence along the northern boundary of the SIS is being underscoured by a drainage channel. Maintenance required;</td>
</tr>
<tr>
<td></td>
<td>- Water management required in laydown area 1 at the pit top. There was evidence of coal material leaving the disturbance footprint of the site (remains within site boundaries). Clean up this area;</td>
</tr>
<tr>
<td></td>
<td>- Erosion and sediment control areas around rail spur of the CHPP. Steep sides, highly erodible. Based on site discussions Douglas Partners have been engaged to assist; and</td>
</tr>
<tr>
<td></td>
<td>- Some sections of the dirty water drain at the CHPP (internal through site) have been eroded. Maintenance required.</td>
</tr>
<tr>
<td>Water quality testing – LDP001</td>
<td>REC 13</td>
</tr>
<tr>
<td></td>
<td>Recommend testing a greater suite of analytes when sampling discharge events from LDP001.</td>
</tr>
<tr>
<td>Water Spreadsheet</td>
<td>REC 14</td>
</tr>
<tr>
<td></td>
<td>Austar to liaise with CITEC to ensure LDP001 is added as a line item in the ‘Site Water Monthly Data’ spreadsheet. Discharges rarely occur from this location, however it should be recorded in this spreadsheet.</td>
</tr>
<tr>
<td>Noise Monitoring</td>
<td>REC 15</td>
</tr>
<tr>
<td></td>
<td>Continue to implement actions to reduce noise. As discussed at the audit, complete additional sound power level testing program around the CHPP.</td>
</tr>
<tr>
<td>Spontaneous Combustion Management Plan</td>
<td>REC 16</td>
</tr>
<tr>
<td></td>
<td>Update Spontaneous Combustion Management Plan with details regarding monthly pushing of material to reduce spontaneous combustion risks.</td>
</tr>
<tr>
<td>General Management Plans</td>
<td>REC 17</td>
</tr>
<tr>
<td></td>
<td>- Update figures in management plan, to include more up-to-date aerial photos, including those that are in the 2017 version of the Site Water Management Plan;</td>
</tr>
<tr>
<td></td>
<td>- Recommend continued liaison with the DPE regarding the approval of the revised management plans;</td>
</tr>
<tr>
<td></td>
<td>- All management plans are to be updated to meet this timing (as per S5 C8 of DA29/95), including updating with any recommendations from this audit; and</td>
</tr>
<tr>
<td></td>
<td>- Although it has been noted that consultation has been completed, some plans provide little detail regarding consultation dates and outcomes. Include additional detail including dates for consultation, outcomes and where it has been covered within the management plans.</td>
</tr>
<tr>
<td>Aspect</td>
<td>Recommendation</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Groundwater Reporting         | **REC 18**  
  - Recommend to remove data from when a logger was pulled out, which is evident on the graphs with large ‘reverse or downward’ spikes from the lines;  
  - In AEMR - comments regarding trends are generally limited to the 12 month reporting period only. Suggest longer term discussion is included future reviews; and  
  - In AEMR - no comparison to predicted results or discussion comparing model estimates to actual readings.                                               |
| Kitchener SIS/Lighting        | **REC 19**  
  If there are changes to the site such as finalising works at the Kitchener SIS then a lighting assessment should be completed to determine compliance with the Australian Standard AS4282 (INT) 1995. |
| Waste Minimisation            | **REC 20**  
  - Waste bins at the pit top need to be labelled, to ensure waste is sorted into the right containers;  
  - Compare waste volumes in the AEMR across the previous AEMR periods; and  
  - Provide additional detail in the AEMRs regarding waste minimisation and management.                                                               |
| Subsidence                    | **REC 21**  
  It is suggested that tilt and strain profiles be provided in the Annual Review reports and a sub-section provided in the text that compares the measured v. predicted values and discusses whether the overburden is behaving as expected or otherwise. Curvatures may be then able to be estimated from the strain profiles through a locally derived ratio between maximum strain and peak curvatures (excluding disturbed survey pegs). |
| Photographic Monitoring – Creek Surveys | **REC 22**  
  There is no discussion within the Photographic Survey Reports prepared by Carbon Based relating to creek stability. A conclusion should be added within these reports outlining if there were any creek stability issues. |
| Ecological Monitoring         | **REC 23**  
  - Outline fauna work in 2017-2018 AEMR;  
  - Send Ecological Monitoring report to OEH; and  
  - Based on site communications Austar are planning to cease ecological monitoring in Stage 2 as it’s been 5 years since monitoring. Undertake consultation with OEH to obtain approval to cease this monitoring. |
| REA Capping                   | **REC 24**  
  Recommend formal trials for capping the REA are undertaken. Justify capping depth and obtain approval from the DRG.                                                                                       |
| Rehabilitation Phasing        | **REC 25**  
  Update with the correct rehabilitation phasing in MOP Plans in the next MOP.                                                                                                                                   |
8 CONCLUSION

Good Performance
The following areas of good environmental performance were identified:

- Austar staff were very well prepared for the audit and were readily available to assist prior to, during and post audit;
- Austar had excellent record keeping during the audit period;
- There has been the continuity of Environmental Manager for over two audit periods which has resulted in excellent site environmental knowledge;
- Noise management has been generally effective during the audit and a significant amount of work has been completed relating to noise mitigation over successive audit periods. There has been a noticeable drop in complaints in this audit period compared to previous periods;
- The site was generally kept in a clean and tidy condition;
- Incident investigation and reporting has been completed with reporting outlined within the AEMR;
- Records of staff training were provided;
- The site has had minimal impacts to subsidence, with the site generally in compliance with Extraction Plan requirements; and
- Based on information provided the site has a good relationship with the community. Evidence through community notifications, complaints management and the Community Consultative Committee.

Areas of Improvement
The main areas of improvement which were identified, include:

- There are some minor improvements relating to water management and erosion and sediment control identified during the site inspection;
- There continues to be some leakages relating to pipelines. SLR understands Austar will be investigating ways to reduce the likelihood of leakages;
- There are some minor recommendations relating to improvements in waste management;
- Minor administrative updates are required to management plans;
- Recommendations relating to improving reporting within the Annual Review; and
- Completion of formal capping trial for REA.
APPENDIX A – PHOTOGRAPHS
Photo 1  Small Amount of Coal Material at Laydown Area. To be removed

Photo 2  Fully bunded workshop area meets the required standards
Photo 3  Small area of weeds at the pit top

Photo 4  Small amount of cardboard in the general waste bin
Photo 5  Tank not within bunded area

Photo 6  Pit top rubbish sorting areas have generally been effective for managing underground waste
Photo 7  Austar Dam

Photo 8  Lantana along Bellbird Creek
Photo 9   Old paint tins to be removed from CHPP

Photo 10   Rehabilitation of Abedare REA
Photo 11  Reject stockpiles at Abedare REA

Photo 12  Stable rehabilitation area at Kitchener SIS
Photo 13  Evidence of erosion outside the boundary fence

Photo 14  Feral goat at Kitchener SIS
Photo 15  Subsidence Area. No impacts observed during the inspection.
APPENDIX B – COMPLIANCE REGISTER
# Austar Coal Mine Pty Ltd - Kitchener

**Application No.: 08_0111**

**Approval Authority:** Minister for Planning

**Land:** See Appendix 1

**Austar Coal Mine Project - Stage 3**

## SCHEDULE 2 ADMINISTRATIVE CONDITIONS

### PROTECTION OF THE ENVIRONMENT

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the project.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>The Proponent shall carry out the project generally in accordance with the:</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) EA; (b) EA (MOD 1); (c) EA (MOD 2); (d) restatement of commitments; and (e) conditions of this approval.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>The general layout of the project is shown in Appendix 2; (a) EA; (b) EA (MOD 1); (c) EA (MOD 2); (d) statement of commitments; and (f) conditions of this approval.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) any strategies, plans, programs, reviews, audits, or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these documents.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structure, are constructed in accordance with:</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) the relevant requirements of the BCA; and (b) any additional requirements of the MSB in areas where subsidence effects are likely to occur.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; Part 8 of the EP&amp;A Regulation sets out the requirements for the certificates of the project.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain demolition certificates for the demolition of structures, and in addition to Subsections 103 and 142 of the EP&amp;A Act.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## CONSTRUCTION/HYDROGEOLOGY

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>The Proponent shall not extract more than 3.6 million tonnes of ROM coal a year from the Austar Mine Complex.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Based on AEMRs and discussion with Environment and Community Manager there has been no new construction during audit period.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## DEMOLITION

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain demolition certificates for the demolition of structures, and in addition to Subsections 103 and 142 of the EP&amp;A Act.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## PROTECTION OF PUBLIC INFRASTRUCTURE

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>The Proponent shall not transport a maximum of 60,000 tonnes of coal (including coal reject) per calendar year from the mine complex by road. All other coal shall be transported from the site by rail.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Email from Austar Environment and Community Manager dated 20 September 2017 to Cessnock City Council (CCC) outlines road haulage. All years of road haulage will within the set limit.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## OPERATIONS OF PLANT AND EQUIPMENT

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>The Proponent shall ensure that all mine water is disposed of in accordance with the Water Management Plan.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Under the EP&amp;A Act, mine water is defined as any water which is or is likely to be produced in the extraction or processing of coal, and water which is produced as a result of a mining operation.</td>
<td></td>
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</tr>
</tbody>
</table>

## OPERATIONS OF AIR AND NOISE

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>The Proponent shall ensure that all mine water is disposed of in accordance with the Water Management Plan.</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td>Under the EP&amp;A Act, mine water is defined as any water which is or is likely to be produced in the extraction or processing of coal, and water which is produced as a result of a mining operation.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## NOTE

- Environmental Assessments (EA) are provided on the Austar website. Most recent EA is MOD 3 dated October 2013. Works completed at Austar have generally been in accordance with the EA, Statement of Commitments and Conditions of Approval.
- The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these documents.
- The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structure, are constructed in accordance with: (a) the relevant requirements of the BCA; and (b) any additional requirements of the MSB in areas where subsidence effects are likely to occur.
- Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works; Part 8 of the EP&A Regulation sets out the requirements for the certificates of the project.
- The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.
- Under Part 4A of the EP&A Act, the Proponent is required to obtain demolition certificates for the demolition of structures, and in addition to Subsections 103 and 142 of the EP&A Act.
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- Under Part 4A of the EP&A Act, the Proponent is required to obtain demolition certificates for the demolition of structures, and in addition to Subsections 103 and 142 of the EP&A Act.
**Condition Number** | **Condition** | **Compliance Status** | **Evidence** | **Recommended Action**
--- | --- | --- | --- | ---
11 | Reversing beepers removed from bulldozers. Bulldozers just now use flashing lights. Evidence provided for maintenance activities. Evidence of pipeline maintenance structure on work environment from November 2017. Evidence of several maintenance records on plant and equipment from the CHPP and pit. | Compliant | Evidence of consultation with OPE regarding management plans during the audit period. Management Plans to be resubmitted again in early 2018. | 
12 | With the approval of the Director-General, the Proprietor may submit any strategies, plans or programs required by the approval on a progressive basis. | Compliant | Evidence of consultation with OPE regarding management plans during the audit period. Management Plans to be resubmitted again in early 2018. | 
13 | With the approval of the Director-General, the Proprietor may adopt any strategies, plans or programs in the application of the approval required under another development consent or approval relating to the Aurarre Mine Complex. | Compliant | Evidence of consultation with OPE regarding management plans during the audit period. Management Plans to be resubmitted again in early 2018. | 

**SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS - MINING**

**1. PERFORMANCE - MINING**

- **Note:** The Proprietor will be required to define more detailed performance indicators for these performance measures in the various management plans that are required under this approval if condition 5 is met.

**2. ACQUISITION OF AFFECTED RESIDENCES**

- The subsidence generated by the project results in damages to any residence on privately-owned land that in the opinion of the MSB exceeds its safe, serviceable and repairable criteria, the Proprietor shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5 to 7 of schedule 5.

**3. SECOND WORKINGS**

- The Proprietor shall prepare and implement an Extension Plan for all second workings in the mining area to the satisfaction of the Director-General. This plan must:
  - be prepared by a team of suitably qualified and experienced experts whose appointment has been endorsed by the Director-General, and/or approved by the Director-General prior to the commencement of any second workings covered by the Extension Plan;
  - include a detailed plan for the second workings, which has been prepared to the satisfaction of OPE, and provides for adaptive management;
  - include detailed plans of any associated surface construction works;
  - include the following to the satisfaction of ORE:
    - a Watercourse Management Plan, which has been prepared in consultation with OEH and ORE, to manage the potential environmental consequences of second workings on watercourses (including flooding and ponding) and alluvial aquifers;
    - a Biodiversity Management Plan, which has been prepared in consultation with OEH, to manage the potential environmental consequences of second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species;
    - a Land Management Plan, to manage the potential environmental consequences of second workings on steep slopes and land in general;
    - a Heritage Management Plan, which has been prepared in consultation with OEH and the relevant Aboriginal groups, to manage the potential environmental consequences of second workings on heritage sites and values;
    - a Built Features Management Plan prepared and approved. Consultation noted in the plan.

- If the landowner has not made a written request for acquisition within 12 months of the date of being notified of the criteria exceedance and his/her acquisition rights by the Proprietor, then the Proprietor’s obligations to acquire the land shall cease, unless the Director-General determines otherwise.

**4. SCHEDULE 4 SPECIFIC ENVIRONMENTAL CONSIDERATIONS**

- Not Triggered

- **Note:** Specialist consultants listed in A7-A10 EP Report and endorsed by OPE.

- **Guidelines:**
  - Built Features Management Plan prepared and approved. Consultation noted in the plan.

---

**Table 1: Subsidence Impacted Performance Measures**

<table>
<thead>
<tr>
<th>Water Resource and Flooding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flooding</td>
</tr>
</tbody>
</table>

**Note:**

- The Proprietor will be required to define more detailed performance indicators for these performance measures in the various management plans that are required under this approval if condition 5 is met.
<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Shaft Construction Management</td>
<td>Not Triggered</td>
<td>* Shaft construction management plan was submitted 5/6/2012 (outside the audit period). Letter approving shaft construction plan dated 15/6/2012. Original shaft Environmental Management Plan was approved 13/11/2009. The management plan was prepared in accordance with the requirements a) and b) of this condition.</td>
<td>* Remove sediment collected is sediment berm to the north of the SIS. * Perimeter fence along the northern boundary of the SIS is being undertaken by a damage contractor.</td>
</tr>
</tbody>
</table>

### Noise

The Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in:

- Table 2: Noise Impact assessment criteria – Surface Infrastructure Site, dBA

**Table 2: Noise Impact assessment criteria – Surface Infrastructure Site, dBA**

<table>
<thead>
<tr>
<th>Day/Evening/Night</th>
<th>Night</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>(6 a.m. to 9 p.m.)</td>
<td>(9 p.m. to 1 a.m.)</td>
<td>All privately owned land</td>
</tr>
<tr>
<td>35</td>
<td>45</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

- The location of the Surface Infrastructure Site is shown in the figures in Appendix 2.
- 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.
- The noise levels in Table 2 do not apply if the Proponent has an agreement with the relevant owners of these residences to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.
- The noise limits in Table 2 do not apply if the Proponent has an agreement with the relevant owners of these residences to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

### Notes:

- In accordance with condition 12 of schedule 2, the preparation and implementation of Extraction Plans for second workings may be staged, with each plan covering a defined area of second workings. In addition, these plans are only required to contain management plans that are relevant to the specific second workings that are being carried out.

- The Surface Infrastructure Management Plan must be integrated with all relevant aspects of the Site-Wide Management Plan required under condition 9 of schedule 4.

- In addition to the standard requirements for management plans (see condition 2 of schedule 4), the Proponent shall ensure that the management plans required under condition 4 alone include:
  - a program to collect sufficient baseline data for future Extraction Plans
  - a revised assessment of the potential environmental consequences of the Extraction Plans, incorporating any relevant information that has been obtained since this approval
  - a detailed description of the measures that would be implemented to remediate predicted impacts
  - a contingency plan that expressly provides for adaptive management.

- The Proponent shall pay all reasonable costs incurred by the Department to engage independent experts to review the adequacy of any aspect of the Extraction Plan.
Dust reported in the 2014-15 Annual Review was within criteria.
Dust reported in the 2015-16 Annual Review was within criteria.
Dust reported in the 2016-17 Annual Review was within criteria.
All dust records are within criteria up to the end of September 2017, according to monitoring data.

**Implementation:**

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Compliant</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**AIR QUALITY AND GREENHOUSE GAS Impact Assessment Criteria Operating Conditions**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Compliant</td>
<td></td>
<td>Include additional details of consultation within the Noise Management Plan, as it is currently not clear.</td>
</tr>
</tbody>
</table>

**NOISE AND VIBRATION MANAGEMENT**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**IMPLEMENTATION:**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Compliant</td>
<td></td>
<td>Update Spontaneous Combustion Management Plan with details regarding monthly pushing of material to reduce spontaneous combustion risks.</td>
</tr>
</tbody>
</table>

**Air quality and greenhouse gas management**
### Condition Number | Condition | Compliance Status | Evidence | Recommended Action
---|---|---|---|---
6 | The Proponent shall prepare and implement an Air Quality and Greenhouse Gas Management Plan for the mine complex, to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with EPA, and be submitted to the Director-General for approval prior to the commencement of construction of the Surface Infrastructures (other than shaft construction referred to in Condition 1 above); and (b) include, in addition to the standards requirements for management plans (see Condition 2 of schedule 7): the air quality monitoring program providing for a combination of continuous monitoring, high volume samplers and dust deposition gauges; an energy auditing action plan including a feasibility study into the capture and beneficial utilisation of sub-methane gas emissions from the project; and a detailed continuous improvement program for investigating, implementing and reporting on all reasonable and feasible measures to reduce dust generated by the mine complex. | Non-Compliant | Evidence: a) Proponent had reconsulted with EPA regarding management plans. Letter from EPA (dated 4/5/2017) stated the Department did not feedback on the management plans. b) Continuous improvement outlined in Section 3.3.2.4 of the AQGHGMP. Regarding monthly pushing of material to reduce spontaneous combustion risks. | Update Spontaneous Combustion Management Plan with details regarding monthly pushing of material to reduce spontaneous combustion risks. |
6 | The Proponent shall prepare and implement a Site Water Management Plan for the mine complex to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with EPA, NOW and DRE, and be submitted to the Director-General for approval prior to the commencement of second workings in Stage 3 and after appending the management plan dated 17/5/2013, 'Air management plans and being updated to seek to the DOE in early 2018 based on the recent modification. | Compliant | Evidence: - Evidence of management plan updates being sent to EPA-Water and the EPA, letters and emails dated 2/3/2015 and 24/4/2017. - Complete preparation of management plan dated 17/5/2013. | * Update figures in management plan, to include more up-to-date aerial photos, including those that are in the 2017 version of the AEMR. Site Water Management Plan.
6 | The Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the project in accordance with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales and to the satisfaction of the Director-General. | Non-Compliant | Evidence of PMPM test stations during the audit period. Evidence of consultation with EPA following PMPM notifications. All PMPM notifications are also outlined in the AEMRs and include: - UPRSP discharge event on 21 and 22 April 2017. - Letter of mine water pipelines dated 26 March 2015, 24 February 2017. - Letter re Surface Water Discharge 6 February 2015 and 8 May 2015. - Orange diesel in deepwater drain - 7 June 2017. | Continue to download data in a fortnightly basis. |
7 | The Proponent shall not discharge any water from the site except as may be expressly provided by an EPA, or in accordance with section 126 of the Protection of the Environment Operations Act 1997. | Non-Compliant | Evidence: - Erosion and Sediment Control Plan includes: (a) Section 6 erosion and sediment control as per the Bluebook. Dams and drainage channels designed in accordance with the Bluebook. (b) Section 6.2 and 6.3 identifies activities that could cause soil erosion and generate sediment. (c) Section 5.2 describes the location, function and capacity of erosion and sediment control structures. (e) Section 5.3 describes the design of the erosion and sediment control structures. | Review and if possible reduce the ‘leak detection’ level for pipelines with the aim of minimising volume that could potentially leak without triggering alarms and the automatic shut down.
9 | The Proponent shall prepare and implement a Surface Water Monitoring Program, including programs to monitor: surface water flows and quality, stream health and channel stability in Black Creek, Core Creek, Sandy Creek and Quorrobolong Creek; and impacts on water users and water levels in farm dams. | Compliant | Evidence: - Surface Water Flows and Quality, stream health and channel stability in Black Creek, Core Creek, Sandy Creek and Quorrobolong Creek. - Impacts on water users and water levels in farm dams. | Water monitoring outlined in the AEMRs and current data provided. |
**Condition Number** | **Condition** | **Compliance Status** | **Evidence** | **Recommended Action**
--- | --- | --- | --- | ---
1 | A Ground Water Monitoring Program, including programs to monitor groundwater volumes and quality seeping into the underground mine workings, impacts on regional aquifers, impacts on the groundwater supply of potentially affected landowners, impacts on the aboriginal heritage area at Black Creek, Cony Creek, Sandy Creek and Guantamot Creek, and impacts on groundwater dependent ecosystems and riparian vegetation (including the River Rill Eucalypt Forest GEC); and | Compliant | The Department acknowledges that certain monitoring requirements under this plan may be subject to the granting of access on privately-owned land. | The Proponent has received the Ground Water Monitoring Program, monitoring reports and the AEMR. |
2 | A Surface and Ground Water Response Plan, which describes the measures and procedures that would be implemented to respond to any exceedances of the relevant performance parameters; | Compliant | The Proponent has not provided any evidence regarding the implementation of the Ground Water Monitoring Program. | The Proponent has submitted the Ground Water Monitoring Program to the Director-General for approval. |
3 | The Proponent shall undertake the following road upgrade works generally in accordance with the recommendations in the EA, and to the satisfaction of Council and/or the LGA: | Compliant | The Proponent has not provided any evidence regarding the implementation of the Road Safety Audit. | The Proponent shall undertake the following road upgrade works generally in accordance with the recommendations in the EA, and to the satisfaction of Council and/or the LGA. |
4 | From the end of 2008, the Proponent shall make an appropriate annual contribution to Council for the maintenance of local roads that are used as haulage routes by the Proponent. | Not verified | The Proponent has not provided any evidence regarding the annual contribution. | The Proponent shall make an appropriate annual contribution to Council for the maintenance of local roads that are used as haulage routes by the Proponent. |
The Proponent shall:
applied at least 12 months before reject emplacement in to existing operational emplacement areas is complete, after consultation with the Executive Director, Mineral Resources, and to the satisfaction of the Director-General.

16.5 (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; and

16.5 (c) report on waste management and minimisation in the Annual Review, to the satisfaction of the Director-General.

Note: The existing operational reject emplacement areas are shown on the Aster anomaly map in Figure 2. Both the existing operational and additional (formerly approved) reject emplacement areas are shown on the figure in Appendix 4.

SCHEDULE 5 ADDITIONAL PROCEDURES

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>(a) prepare waste management plans to ensure that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the Director-General, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 4.</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(b) during the site inspection it was noted that waste management was being undertaken at site. Sorting of waste (a detailed breakdown on waste management is outlined in the AEMR, however the 2016-17 AEMR only outlines the waste during that period. There is no comparison against previous periods. Additional data could also be provided in the AEMR relating to waste minimisation and management.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(c) prepare the Environmental Impact Statement and submit it to the Director-General for an independent review of the impacts of the project on aforesaid land.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(d) if the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 4, then the Proponent may discontinue the independent review with the approval of the Director-General.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(e) if the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 4, then the Proponent shall:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(f) consult with the landowner to determine whether the project is complying with the relevant impact assessment criteria in schedule 4, and identify the source(s) and scale of any impact on the land, and the project’s contribution to this impact; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(g) if the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 4, then the Proponent shall:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(h) ensure that all necessary and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria, and conduct further monitoring to determine whether these measures ensure compliancy; or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(i) prepare a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Director-General.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If any changes to the site such as finalising works at the Kitchener SIS then a lighting assessment should be completed to determine compliance with the Australian Standard AS4282 (1995).
Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:

- the current market value of the landowner’s interest in the property at the date of the written request, as if the property was unaffected by the project the subject of the application, having regard to the existing and permissible use of the land, its location and proximity to any approved building or structure which has been physically commenced at the date of the landowner’s written request, and power-of-approach providing for the property and any approved building or structure which has been physically commenced at the date of the landowner’s written request, and having due to be completed subsequent to that date;

- the reasonable costs associated with:
  - extinguishing the landowner’s interest in the property at the date of the written request, as if the property was unaffected by the project the subject of the application and in accordance with the applicable planning instruments at the date of the written request; and
  - reasonable compensation for any disturbance caused by the land acquisition process.

However, if following this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which it is to be acquired, then either party may refer the matter to the Director-General for resolution.

Upon receiving such a request, the Director-General shall request the President of the NSW Division of the Australian Property Institute (the API) to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a) and (b); and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer’s report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer’s determination.

However, if either party disputes the independent valuer’s determination, then within 14 days of receiving the independent valuer’s report, they may refer the matter to the Director-General 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 Director-General shall 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) and (b) of this condition, and provide a copy of the determination to both parties. 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 Director-General’s determination.

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 Director-General determines otherwise.

The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 5 above.

7. If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall also pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.

**SCHEDULE 6: REHABILITATION AND OFFSETS**

**REHABILITATION AND BIODIVERSITY OFFSETS**

**Landscape Management Plan**

The Proponent shall achieve the rehabilitation objectives in Table 6 to the satisfaction of the Executive Director, Mineral Resources.

<table>
<thead>
<tr>
<th>Type of Rehabilitation Objective</th>
<th>Objective</th>
<th>Measures taken at Kitchener SIS to meet the objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surficial Infrastructure Site</td>
<td>Reconnoiter the current part of the site with a structural surficial vegetation community to fill the existing voids, or otherwise allowed by the Director-General</td>
<td>Minimum 8,000m² to be set aside to meet the objective</td>
</tr>
<tr>
<td>Biodiversity offset area</td>
<td>Maintain the offset strategy identified in the EA and shown in Appendix 3</td>
<td>Add additional habitat to be set aside to meet the objective</td>
</tr>
</tbody>
</table>

**Programme Implementation**

2. To the extent that mining operations permit, the Proponent shall carry out rehabilitation progressively, that is, as soon as reasonably practicable following the disturbance.

**Long-term stability of offsets**

3. Within 2 years of the date of the approval, the Proponent shall make suitable arrangements to provide appropriate long-term conservation security for the offset area to the satisfaction of the Director-General.

**Management Plan**

- The date of approval for PA 08_0111 was 6 September 2009, therefore two years from the date of approval is 6 September 2011.

- *NSW Government Gazette No. 24 that is a Notice of Reservation of a State Conservation Area, which refers to Lot 500/75220 as part of the Werakata State Conservation Area.

- *No monitoring of offsets at site as it's been transferred to a national park.
### Management Plan Requirements

The Proponent shall prepare and implement a Landscape Management Plan for the project to the satisfaction of the Director-General and the Executive Director, Mineral Resources. This Plan shall:

1. Be prepared in consultation with the relevant stakeholders by suitably qualified experts whose appointment has been endorsed by the Director-General.
2. Be submitted to the Director-General for approval prior to the commencement of second workings in Stage 3 and construction of the Surface Infrastructure Site (other than shaft construction referred to in condition 1 of Schedule 4).
3. Include the following:
   - A description of the short, medium, and long-term measures that would be implemented to:
     - rehabilitate the site;
     - manage the adjacent vegetation and habitat on the site and in the offset area;
     - manage the site to prevent visual impacts;
     - set and manage the site for rehabilitation work;
     - manage and maintain the site after rehabilitation work.
4. Comply with the relevant statutory requirements (including any relevant approval, licence or lease condition).
5. Include a contingency plan to manage any unexpected impacts and their consequences.
6. Include a detailed baseline data.
7. Include a description of:
   - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
   - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
   - the relevant stakeholders who have been consulted and/or collaborated on the plan.
8. Include a detailed description of:
   - a program to monitor and report on:
     - the impacts and environmental performance of the project;
     - the effectiveness of any management measures (see (c) above);
   - a contingency plan to manage any unexpected impacts and their consequences.

### Environmental Management Strategy

The Proponent shall prepare and implement an Environmental Management Strategy for the Austar Mine Complex, to the satisfaction of the Director-General. The strategy shall:

1. Be submitted to the Director-General in writing prior to the commencement of second workings in Stage 3 and construction of the Surface Infrastructure Site (other than shaft construction referred to in condition 1 of Schedule 4).
2. Include:
   - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
   - a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
   - a program to monitor and report on:
     - the impacts and environmental performance of the project;
     - the effectiveness of any management measures (see (c) above);
   - a contingency plan to manage any unexpected impacts and their consequences.

### SCHEDULE 7: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

#### Environmental Management Strategy

- **Preparation:**
  - The Proponent shall prepare and implement an Environmental Management Strategy for the Austar Mine Complex, to the satisfaction of the Director-General. The strategy must:
    - be submitted to the Director-General for approval prior to the commencement of second workings in Stage 3 and construction of the Surface Infrastructure Site (other than shaft construction referred to in condition 1 of Schedule 4);
    - include:
      - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
      - a description of:
        - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
        - the relevant stakeholders who have been consulted and/or collaborated on the plan.

- **Implementation:**
  - Evidence of recording of complaints and incidents in the AEMR.
  - Evidence of monitoring to be carried out to establish the mine complex.

#### Environmental Management Plans

- **Preparation:**
  - The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
    - a detailed baseline data;
    - a description of:
      - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
      - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
    - a description of:
      - the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
    - a program to monitor and report on:
      - the impacts and environmental performance of the project;
      - the effectiveness of any management measures (see (c) above);
    - a contingency plan to manage any unexpected impacts and their consequences.

- **Compliance Status:**
  - Compliance:
    - Environmental Management Plans reviewed/received.
<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
</table>
| 3                | (a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year; (b) include a comprehensive review of the monitoring, results and compliance records of the mine complex over the past year, which includes a comparison of these results against the relevant statutory requirements, limits or performance measures/criteria; (c) monitoring results of previous years, and the monitoring predictions in the EA and Rehabilitation Plan. | Non-Compliance | * SLR recommends renaming the document an Annual Review Guidelines. * Future Annual Reviews should compare results against EA predictions and assess trends in compliance, over a five-year period. | **SLR recommends renaming the document an Annual Review and completing it in accordance with the Annual Review Guidelines.**   
**Future Annual Reviews should compare results against EA predictions and assess trends in compliance, over a five-year period.** |
<p>| 4                | (a) the submission of an annual review under Condition 3 above; (b) the submission of an incident report under Condition 6 below; (c) the submission of an audit report under Condition 7 below; (d) the submission of any other reports or information required under this condition (conditions require otherwise); the Proponent shall review the strategies, plans, and programs required under this approach, for the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 10 weeks of the review the revised document must be submitted for the approval of the Director-General. | Non-Compliance | * Future Annual Reviews should report progress in respect of rehabilitation completion criteria. <strong>Future Annual Reviews should report compliance with the MOD.</strong> | <strong>Future Annual Reviews should report compliance with the MOD.</strong> |
| 5                | The Proponent shall maintain a Community Consultative Committee (CCC) for the mine complex to the satisfaction of the Director-General. The 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). | Compliant | CCC includes on the Auster website. | <strong>Citizen engagement plans are to be updated to meet the criteria, including updating the Plans with any recommendations from the audit.</strong> |
| 6                | The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the mine complex 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 Director-General and any relevant agencies with a detailed report on the incident. | Compliant | Incident reports dated 3/9/2015 and 15/3/2015. Evidence of consultation from incident reports, including the incident report dated 26/4/2015. | <strong>Evidence of consultation from incident reports, including the incident report dated 26/4/2015.</strong> |
| 7                | By end of December 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an independent Environmental Audit of the mine complex. This audit must: (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the mine complex and assess whether it is complying with the requirements in relevant project approvals and development consents and any relevant EPA or Mining Lease (including any assessment, plan or program required under these approaches); (d) review the adequacy of strategies, plans or programs required under these approaches; (e) recommend appropriate measures or actions to improve the environmental performance of the mine complex, and/or any assessment, plan or program required under these approaches. | Compliant | Audits from 2006, 2011 and 2017 were provided on the website. | <strong>Evidence of consultation with DPE, CME, EPA, DFW in letters dated 20 November 2014. There was no evidence of the outcomes of consultation in the 2014 audit report. SLR completed consultation for 2017 Audit.</strong> |
| 6                | Within 6 weeks of the completion of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General together with a response to any recommendations contained in the audit report. | Passed to Management | The audit inspection was completed between 10 to 14 November 2014. The final report from Trevor Brown and Associates was dated 2 July 2015. The Action Plan from Auster was dated 26 July 2015 which is within 6 weeks of completion of the audit report. | The audit inspection was completed between 10 to 14 November 2014. The final report from Trevor Brown and Associates was dated 2 July 2015. The Action Plan from Auster was dated 26 July 2015 which is within 6 weeks of completion of the audit report. |</p>
<table>
<thead>
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<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>From the end of 2009, the Proponent shall make the following information publicly available on its website:&lt;br&gt;&lt;br&gt;(a) a copy of all current statutory approvals for the mine complex;&lt;br&gt;(b) a copy of the current environmental management strategy and associated plans and programs;&lt;br&gt;(c) a summary of the monitoring results of the mine complex, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;&lt;br&gt;(d) a complaints register, which is to be updated on a monthly basis;&lt;br&gt;(e) a copy of the minutes of CCC meetings;&lt;br&gt;(f) a copy of any Annual Reviews (over the last 5 years);&lt;br&gt;(g) a copy of any Independent Environmental Audit, and the Proponent’s response to the recommendations in any audit; and&lt;br&gt;(h) any other matter required by the Director-General.</td>
<td>Compliant</td>
<td>The website contains:&lt;br&gt;(a) Copies of all current statutory approvals for the mine complex.&lt;br&gt;(b) Copies of the current environmental management strategy and associated plans and programs.&lt;br&gt;(c) A summary of the monitoring results of the mine complex, which have been reported in accordance with the various plans and programs approved under the conditions of this approval.&lt;br&gt;(d) A complaints register, which is to be updated on a monthly basis.&lt;br&gt;(e) Copies of the minutes of CCC meetings.&lt;br&gt;(f) Copies of Annual Reviews (over the last 5 years).&lt;br&gt;(g) Copies of Independent Environmental Audits, and the Proponent’s response to the recommendations in any audit.&lt;br&gt;(h) Not applicable.</td>
<td></td>
</tr>
</tbody>
</table>
### Statement of Commitments - Stage 3

#### 1. Life of Stage 3 Concept Mine Plan

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Operation of the Stage 3 development will be undertaken in accordance with the environmental controls and commitments as described in the EA or as specified in this Statement of Commitments.</td>
<td>Compliant</td>
<td>Operations generally completed in accordance with the environmental controls and commitments as described in the EA or as specified in this Statement of Commitments.</td>
<td></td>
</tr>
<tr>
<td>1.2.1</td>
<td>The project approval life will be until 31 December 2030. Closure and rehabilitation activities may continue beyond this period and will be undertaken in accordance with an approved Mining Operations Plan.</td>
<td>Compliant</td>
<td>End of mine life has not yet been reached.</td>
<td>Mining Operations Plan (MOP) in place. MOP approved by DPE on 9 September 2016.</td>
</tr>
<tr>
<td>1.2.2</td>
<td>Underground mining in Stage 3 will produce up to 3.6 Mtpa ROM coal by LTCC methods. This coal will be conveyed, handled, processed and transported using Austar Mine Complex infrastructure.</td>
<td>Compliant</td>
<td>Mining within the Stage 3 area has been completed using LTCC methods. No current mining in the Stage 3 area. Tonnages produced by the mine are within the 3.6 Mtpa ROM coal limit.</td>
<td></td>
</tr>
<tr>
<td>1.2.3</td>
<td>Mining and associated activities for the Stage 3 Project may be undertaken 24 hours a day, seven days a week.</td>
<td>Compliant</td>
<td>Mine operates 24/7.</td>
<td></td>
</tr>
<tr>
<td>1.2.4</td>
<td>Any material changes to the concept mine plan outlined in this EA report will be detailed and assessed as part of Extraction Plans (EPs) and Mining Operations Plan (MOP) prepared by Austar Coal Mine.</td>
<td>Compliant</td>
<td>Material changes to the concept mine plan in the EA were brought across to the MOP (Section 7) and Extraction Plans.</td>
<td></td>
</tr>
<tr>
<td>1.2.5</td>
<td>Mining parameters for the proposed mine plan as detailed in the EP will be designed to ensure that predicted systemic subsidence in terms of subsidence, tilt, tensile strain and compressive strain will comply with or be less than the Upper Bound predictions detailed in the EA. Those being:</td>
<td>Compliant</td>
<td>Subsidence management is covered in Section 3.2.1.4 of the MOP.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3000 mm subsidence; 11 mm/m tilt; 0.09km^-1 total conventional hogging curvature; and 0.15km^-1 total conventional sagging curvature.</td>
<td></td>
<td>The 2014-2015 AEMR reported that the End of Panel Report for Stage 3 Longwall A8 stated that extraction of this LW was completed on 24/6/2015. Nothing abnormal was reported in this report.</td>
<td></td>
</tr>
<tr>
<td>1.2.6</td>
<td>The locations of any minor surface infrastructure that may be required to implement the project will be detailed and assessed as part of MOP’s prepared by Austar Coal Mine.</td>
<td>Compliant</td>
<td>Details regarding surface infrastructure is included in the MOP text and shown on the MOP plans.</td>
<td></td>
</tr>
</tbody>
</table>

#### 1.2 Subsidence

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3.1</td>
<td>Austar Coal Mine will manage the impacts of mining subsidence as required by the conditions of the consent, conditions of the ML and other Oil conditions.</td>
<td>Compliant</td>
<td>Austar LW A7-A10 Extension Plan (dated 19/12/13); Modified Subsidence Management Plan / Extraction Plan Approval for Stage 3 Longwalls A7 to A10 (DPE, dated 06/01/14 and DRG, dated 19/02/14).</td>
<td></td>
</tr>
<tr>
<td>1.3.2</td>
<td>The Mine Plan submitted as part of the EP for longwall extraction will take into consideration monitoring results from previous Austar Mine Complex operations and will be designed to ensure that subsidence as a result of mining does not exceed Upper Bound predictions as set out in the EA for subsidence, tilt, tensile and compressive strain. Those being: Maximum Upper Bound subsidence ranges from approximately 825 mm for LW A7 to approximately 3000 mm for LW A19. Maximum Upper Bound conventional hogging curvature ranges from approximately 0.2 mm/m for LW A7 to approximately 0.68km^-1 for LW A19. Maximum Upper Bound conventional sagging curvature ranges from approximately 0.18km^-1 for LW A7 to approximately 0.36km^-1 for LW A19.</td>
<td>Compliant</td>
<td>Title: Stems and Curvatures not validated against SoC in AEMR or End of Panel Reports for Stage 3. However based on reason with site, results relating to tilt and strain are provided to the Department.</td>
<td>It is suggested that tilt and strain profiles be provided in the Annual Review reports and a subsection provided in the text that compares the measured vs. predicted values and discusses whether the overburden is behaving as expected or otherwise. Curvatures may be then able to be estimated from the strain profiles through a locally derived ratio between maximum strain and peak curvatures (excluding disturbed survey pegs).</td>
</tr>
<tr>
<td>1.3.3</td>
<td>Austar Coal Mine will prepare a Bulid Features Management Plan in consultation with the property owner. This plan will clearly outline impacts of mining on the property and the management and remediation measures to be implemented.</td>
<td>Compliant</td>
<td>Build Features Management Plan in Austar LW A7-A10 Extension Plan (dated 19/12/13); Modified Subsidence Management Plan / Extraction Plan Approval for Stage 3 Longwalls A7 to A10 (DPE, dated 06/01/14 and DRG, dated 19/02/14).</td>
<td></td>
</tr>
<tr>
<td>Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
<td>Recommended Action</td>
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<tr>
<td>1.3.4</td>
<td>Subsidence management measures to be implemented as part of the project will include:</td>
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<tr>
<td></td>
<td>· subsidence monitoring lines to be located as determined as part of the EP process where access is granted;</td>
<td>Compliant</td>
<td>Auster LW A7-A10 Subsidence Monitoring Program (dated 4/12/13). Evidence of subsidence monitoring provided.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>· visual assessment of all natural features and items of surface infrastructure before, during and following mining to detect subsidence impacts such as surface cracking, irregularities in the subsidence profile, erosion, damage to structures, changes in drainage patterns or loss of water from drainage structures where access is granted;</td>
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<td></td>
<td>· detailed subsidence monitoring in accordance with DRE requirements. This data will be utilized to regularly update the subsidence predictions for Stage 3;</td>
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<td></td>
<td>· remeasurement and rehabilitation of subsidence impacts will be carried out, where required, as soon as practicable following subsidence using methods specified in the EP where access is granted;</td>
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<td></td>
<td>· building structures located within the subsidence affectation area will be inspected by a structural engineer prior to and after undermining and appropriate management measures implemented where access is granted;</td>
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<td></td>
<td>· informing all relevant service providers of the potential impacts of mining subsidence on services;</td>
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<td></td>
<td>· farm dams within the subsidence affectation area will be monitored during and following undermining where access is granted, to ensure they remain in a safe and serviceable condition. Remediation works will be undertaken as required;</td>
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<td></td>
<td>· in the event of any significant loss of water from a privately-owned farm dam, Auster Coal Mine will provide an alternative source of water, as required, until the dam is repaired where access is granted; and</td>
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<td></td>
<td>· any privately-owned bores within the subsidence affectation area will be monitored during and following undermining where access is granted. If the capacity of any affected bore is reduced to unacceptable level as a result of subsidence, Auster Coal Mine will provide an alternative supply of water until such time as the MSB re-establishes or replaces the bore.</td>
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<tr>
<td>1.3.5</td>
<td>Auster Coal Mine will, prior to undermining of Goonoo-Bulgo Road, Noah Lane and Cooby Creek Lane prepare and implement a Traffic Management Plan to manage any subsidence impacts on the roads and associated culverts and bridges in consultation with Cessnock City Council and DRE and to the satisfaction of the Director-General.</td>
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<tr>
<td>1.3.6</td>
<td>Auster Coal Mine will prepare management plans in consultation with relevant service providers, for the protection of infrastructure and services within the potential Stage 3 mine subsidence area to ensure these remain in a safe and serviceable condition throughout the mining period. These plans will be submitted to the Director-General for approval as part of the EP prior to undermining of the services.</td>
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</table>

### 1.4 Ecology

<table>
<thead>
<tr>
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<th>Compliance Status</th>
<th>Evidence</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1.4.1</td>
<td>Auster Coal Mine will establish and manage the proposed Biodiversity Offset Area (refer to Figure 7.1 of the EA) to protect and enhance its ecological values in perpetuity, to the satisfaction of the Director-General.</td>
<td>Compliant</td>
<td>NSW Government Gazette No. 24 that is a Notice of Reservation of a State Conservation Area, which refers to Lot 3 DP755225 as part of the Werakata State Conservation Area.</td>
<td></td>
</tr>
<tr>
<td>1.4.2</td>
<td>A Weed Management Plan will be developed for the Surface Infrastructure Site.</td>
<td>Compliant</td>
<td>The Weed Management Plan is incorporated in the Landscape Management Plan.</td>
<td></td>
</tr>
<tr>
<td>1.4.3</td>
<td>The Austar bushfire management strategy will be revised to include the specific requirements of the Surface Infrastructure Site during the construction and operation phases.</td>
<td>Compliant</td>
<td>The Bushfire Management Plan, dated 2012, includes the Surface Infrastructure Site (SIS). Auster Coal Mine Bushfire Management Plan: Supporting Documentation document, dated 2 April 2015, supports the bushfire Management Plan.</td>
<td></td>
</tr>
<tr>
<td>1.4.4</td>
<td>Prior to the commencement of construction of the Surface Infrastructure Site (other than for those works identified in the Shaft Construction Management Plan), an Auster Mine Complex Ecological Management Plan which integrates management of ecological issues associated with construction of 25 the Surface Infrastructure Site, Stage 3 underground mining and with the remainder of Auster Coal Mine operations will be submitted to the Director-General for approval. This plan will include:</td>
<td>Not Triggered</td>
<td>Clearing outside the audit period.</td>
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<tr>
<td></td>
<td>· clearing procedures for establishment of the Surface Infrastructure Site and associated access roadworks elements, replacement of affected habitat within surrounding areas or within the Biodiversity Offset Area, should the need for any felling of trees be required;</td>
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<td></td>
<td>· extension of the existing Auster Coal Mine ecological monitoring program to include monitoring of vegetation condition within subsidence affected areas.</td>
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<tr>
<td>1.4.5</td>
<td>Clearing of vegetation will be restricted to the minimum area necessary to construct the proposed infrastructure and provide adequate fire protection and will be undertaken in accordance with the tree felling procedure outlined in Section 7.2.3 of the EA.</td>
<td>Compliant</td>
<td>No clearing was undertaken during the audit period.</td>
<td></td>
</tr>
<tr>
<td>1.4.6</td>
<td>An appropriate speed limit on access roads will be implemented to minimize the risk of vehicle collision with ground-dwelling fauna dispersing between adjacent habitat.</td>
<td>Compliant</td>
<td>Speed limit signs installed at site. 30km/hour limit.</td>
<td></td>
</tr>
<tr>
<td>1.4.7</td>
<td>An appropriately designated nest box will be erected (either within remaining bushland areas or within the Biodiversity Offset Area) for the compensation of each tree hollow removed as a result of clearing required for construction of the proposed Surface Infrastructure Site.</td>
<td>Not Triggered</td>
<td>Clearing for the SIS occurred outside of the audit period.</td>
<td></td>
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<tr>
<td>1.4.8</td>
<td>Any outbreaks of invasive weeds observed on the property boundary will be appropriately controlled to avoid their escape into the surrounding Wolakala State Conservation Area and subsequently competing with threatened flora species. Early detection will ensure the management required is not extensively onerous.</td>
<td>Compliant</td>
<td>Ongoing site weed management noted in AEMRs.</td>
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<tr>
<td>Condition Number</td>
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<td>Compliance Status</td>
<td>Evidence</td>
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<tr>
<td>1.4.9</td>
<td>Species to reduce the risk of invasive plant species escaping into the adjacent reserve and competing with threatened flora species. Particular care will be taken to avoid planting species which are known to escape and naturalise into native bushland.</td>
<td>Compliant</td>
<td>- In accordance with the Landscape Management Plan Austar use locally endemic native plant species in revegetation areas, where possible.</td>
<td></td>
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</tbody>
</table>
| 1.5 Heritage     | An Aboriginal Cultural Heritage Management Plan (ACHMP) will be prepared for the Austar Mine Complex to outline all Aboriginal heritage management strategies for the project, responsibilities of all parties and the timeframe for required heritage works. | Compliant | - The ACHMP provides:  
  - Aboriginal heritage management strategies in Section 3.0  
  - Responsibilities of all parties in Section 4.0  
  - Timeline for required heritage works in Section 4.0.  
  - Ongoing consultation with registered Aboriginal Party.  
  - Monitoring of Aboriginal cultural heritage sites undertaken according to the ACHMP. | |
| 1.5.2            | Austar will make a monetary contribution of $100,000 to an Aboriginal project or program (to be decided by Aboriginal stakeholders) as an offset for any subsidence impacts that affect the grinding groove site. Austar will make this contribution when all necessary government approvals for the Project have been obtained. | Compliant | - Letter dated 15 June 2017 from Austar to Lower Hunter Wonnarua Cultural Services regarding Aboriginal program funds. $7,362 in funds were provided. Since 2013 $88,344 has been donated according to spreadsheet supplied by Austar.  
  - Prior Audit Report reported that an account was created on 21/2/2012 for distribution of funds for Aboriginal projects and programs. $10,000 was transferred to this project. | |
| 1.5.3            | No Aboriginal archaeological site be visited, or have works done there, without Aboriginal stakeholders in attendance. | Compliant | - On-going consultation with registered Aboriginal Party in accordance with ACHMP & AEMRs. | |
| 1.5.4            | Known sites on accessible properties will be included in a monitoring program. This will involve recording each site before and after subsistence to identify any impacts. This will be done by an archaeologist and Aboriginal stakeholders. | Compliant | - Section 3.1 of ACHMP includes requirement for cultural heritage awareness training.  
  - According to site communications Aboriginal stakeholders were invited to training. | |
| 1.5.5            | Aboriginal stakeholders (and an archaeologist if requested by Aboriginal stakeholders) will provide relevant Austar personnel with a cultural heritage awareness briefing session. | Compliant | - On-going consultation with registered Aboriginal Party regarding Aboriginal program funds. | |
| 1.5.6            | If any additional sites are found within the Project area, these will be inspected by an archaeologist and Aboriginal stakeholders where access is granted to assess the site and decide on how it should be managed. | Compliant | - ACHMP includes protocols for new finds. The Protocol details how new finds will be inspected by an archaeologist and Aboriginal stakeholders. | |
| 1.5.7            | Historic Heritage Management Plan incorporating all of Austar Mine Complex will be developed. | Compliant | - Historic Heritage Management Plan, dated March 2013, has been developed for the site. | |
| 1.6.1            | Austar will develop a detailed Soil and Water Management Plan for the Surface Infrastructure Site prior to commencement of construction. | Compliant | - Outside audit period:  
  - A Site Water Management Plan was prepared as part of the Construction Environmental Management Plan for the SSE.  
  - Section 6.2.2 of the ESM describes the location, function and capacity of erosion and sediment control structures.  
  - Erosion and sediment control per Bluebook. * Dams and drainage channels are designed in accordance with Bluebook.  
  - Erosion and sediment control per Bluebook. | |
| 1.6.2            | Erosion and sediment control measures will be designed and implemented for construction of surface infrastructure to a standard consistent with Managing Urban Stormwater Storms and Construction (NSW Landcom 2004)(the Blue Book) and Guidelines for Establishing Drainage Lines on Rehabilitated Mine sites (Draft) (DLWC, 1999). | Compliant | - Section 6.1 of the ESM describes the location, function and capacity of erosion and sediment control structures.  
  - Erosion and sediment control per Bluebook. * Dams and drainage channels are designed in accordance with Bluebook. | |
| 1.6.3            | Any subsidence impacts on drainage lines will be effectively remediated where access is granted such that there is no significant impact on downstream water users and environmental flows. Drainage line monitoring and remediation protocols will be developed as part of the ESM process, and in consultation with NOW, to guide the management of subsidence impacts and drainage line remediation works on surface water systems. The drainage line monitoring and remediation protocols will include:  
  - detailed monitoring protocols;  
  - a program to complete drainage remediation works in a timely manner;  
  - post-subidence to limit the potential for surface water capture;  
  - the design of drainage line remediation works such that the rehabilitated drainage lines maintain a similar channel form and sinuosity to the pre-mining environment;  
  - that the overall power of the creek system is consistent with that existing pre-mining;  
  - assessment of the viability and benefits of applying protective measures such as the installation of liners or geo-textiles in drainage lines prior to subsidence;  
  - the existing Austar Site Water Management Plan will be extended to include the Surface Infrastructure Site and Stage 3 underground mining. The plan will be updated in consultation with NOW and DRE and submitted to the Director-General prior to the commencement of construction of the Surface Infrastructure Site. | Compliant | - Surface water monitoring results will be reported annually in the Annual Review. | |
| 1.6.4            | Surface water monitoring results will be reported annually in the Annual Review. | Compliant | - Surface water monitoring results are reported annually in the AEMRs. | |
### Condition Number | Condition | Compliance Status | Evidence | Recommended Action
--- | --- | --- | --- | ---
1.7.1 | A groundwater monitoring program will be implemented for the project as outlined in Appendix 14, or as otherwise agreed by the Director-General in consultation with NOW. | Preparatory | * Section 8.2.1 and 8.2.2 of the Site Water Management Plan provides a program to monitor groundwater levels and quality. Section 3.6 of the Management Plan notes SWMP prepared in consultation with DPI-Water (formerly NOW). Evidence of Management Plan updates being sent to DPI-Water, with letters and emails dated 23/10/2015. OPE Letter dated 17/5/2015, reporting Management Plan. | Provide analysis eg. Graphing comparing key monitoring sites with long term trends (eg. Last five years).
1.7.2 | The results of groundwater monitoring and a comparison of measured and predicted impacts will be reported annually in the Annual Environmental Management Report | Administration Non-Compliance | Groundwater monitoring results are reported in the AEMRs. Administration Non-Compliance: A comparison of measured and predicted impacts is not provided in the two most recent AEMRs. The 2014-2015 AEMR included such a comparison. | Provide a comparison of measured and predicted impacts in future Annual Review.
1.7.3 | Impact on privately-owned bores will be assessed by monitoring where access is granted and in the event that any utilised privately-owned bore is significantly affected, an alternative water supply will be provided by Austar Coal Mine and such time as the bore is re-established or replaced. | Compliant | * Section 8.2.5 of the SWMP includes management of privately owned bores. | *
1.7.4 | An annual analysis of surface and groundwater monitoring data will be undertaken and will include: | Compliant | * Comparison of groundwater levels with rainfall information is included in the AEMRs. * Visual inspection of creeks and drainage lines undertaken as part of subsidence monitoring. * Recommendation to remove data from when logger was pulled out, which is evident on the graphs with large 'reverse or downward' spikes from the line. | * In AEMR - comments regarding trends are generally limited to the 12-month reporting period only. Suggest longer term discussion is included future reviews. * In AEMR - no comparison to predicted results or discussion comparing model estimates to actual readings.
1.7.5 | The monitoring results and analysis findings will be reported in the Annual Review | Compliant | * Surface water and groundwater monitoring results and analysis are reported annually in the AEMRs. | *
### 1.8 Noise and Blasting

Unless otherwise agreed with the landowner, Austar Coal Mine will manage operations associated with the Stage 3 underground mining and Surface Infrastructure Site such that the noise emissions from these operations comply with the noise criteria included in Table 1.1 at surrounding residences for the range of meteorological conditions modeled in the EA.

#### Table 1.1 - Project Neighbour Noise Outcomes

<table>
<thead>
<tr>
<th>Location</th>
<th>Period</th>
<th>Intrusive Noise Criteria</th>
<th>Annoyance Criteria</th>
<th>Project Specific Noise Criteria</th>
<th>Compliant/Triggered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kirteen Residences</td>
<td>Day</td>
<td>55 dBA</td>
<td>45 dBA</td>
<td>35 dBA</td>
<td>Compliant</td>
</tr>
<tr>
<td></td>
<td>Evening</td>
<td>55 dBA</td>
<td>45 dBA</td>
<td>35 dBA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Night</td>
<td>55 dBA</td>
<td>45 dBA</td>
<td>35 dBA</td>
<td></td>
</tr>
<tr>
<td>Gertitippa Palisades, Kus deer Residences, Jeremy and Liulik Property</td>
<td>Day</td>
<td>37 dBA</td>
<td>25 dBA</td>
<td>15 dBA</td>
<td>Compliant</td>
</tr>
<tr>
<td></td>
<td>Evening</td>
<td>37 dBA</td>
<td>25 dBA</td>
<td>15 dBA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Night</td>
<td>37 dBA</td>
<td>25 dBA</td>
<td>15 dBA</td>
<td></td>
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</tbody>
</table>

SLR has noted that the Noise Management Plan is being reviewed to take into account Aug 2017 Mod and also new noise policy.

1.8.1 | Unless otherwise agreed with the landowner, Austar Coal Mine will manage the construction phase of the Surface Infrastructure Site in accordance with the requirements of DECCW’s Interim Construction Noise Guidelines (2006). | Not Triggered | No construction during audit period. | |
1.8.2 | Acoustic bunding will be constructed to a height of 3.5 metres above ground level along the northern boundary adjacent to the car park and bathhouse. | Not Triggered | Car park and bathhouse at the Stage 3 area has not been constructed. | |
1.8.3 | The ventilation fan outlet will be directed to the west. | Compliant | The ventilation fan is directed to the west. | |
1.8.4 | Man and materials winner and second stages winner motors will be enclosed. | Not Triggered | No construction during audit period. | |
1.8.5 | Blasting will generally take place only once per day and will be undertaken between the hours of 9:00 am to 5:00 pm Monday to Saturday with no blasting on Sundays or Public Holidays. | Not Triggered | No blasting undertaken during the reporting period. | |
1.8.6 | Airblast overpressure from blasting associated with shaft development at the Surface Infrastructure Site when measured at residential not associated with the development will not exceed a maximum of 120 dBL. Linear Peak at any time and will not exceed 115 dBL for more than 5% of blasts over a 12 month period. | Not Triggered | Construction of shaft outside of the audit period. | |
1.8.7 | Peak particle velocity from blasting associated with shaft development at the Surface Infrastructure Site when measured at residences not associated with the development will not exceed a maximum of 10 m/s at any time and will not exceed 5 m/s for more than 5% of blasts over a 12 month period. | Not Triggered | Construction of shaft outside of the audit period. | |
### 1.9 Air Quality

Austar Coal Mine will manage operations associated with the operation of the Surface Infrastructure Site so that dust deposition as a result of the development does not exceed levels set out in Table 1.2 at nearest non-project related residences.

### Condition Number: 1.9.1
**Condition:** Dust Deposition

**Compliance Status:** Compliant

**Evidence:**
- Limited dust sources at the site.
- Biggest dust source is the CHPP.
- Based on site communications dust has not been a big issue.
- No dust complaints.
- Haul roads are watered.
- Sprinklers are also used for dust suppression.

**Recommended Action:**
- Dust monitoring network has been expanded to include dust deposition gauges at locations to the south and north of the proposed Surface Infrastructure Site. Dust monitoring findings relating to the Surface Infrastructure Site will be reported annually in the Annual Review.

### Condition Number: 1.10.1
**Condition:** Energy and Greenhouse Gas

**Compliance Status:** Compliant

**Evidence:**
- Austar has purchased energy efficient lighting, including lighting activated by sensors.
- Recording of energy usage and reporting under NGERS.

**Recommended Action:**
- Austar Coal Mine will develop and maintain an internal energy and GHG management plan for Stage 3 operations in accordance with Austar Coal Mine requirements. This will include reviewing:
  - energy efficiency in plant and equipment procurement, consideration be given to the life cycle costs advantages obtained by using energy efficient components;
  - the opportunity to install additional sub-metering for offices, workshops and winders;
  - operational initiatives such as turning off idle plant equipment;
  - control and temperature settings for air conditioning units in offices and switchrooms;
  - automatic control of external and internal lighting;
  - potential energy efficiency opportunities in water pumping and dust suppression systems (for example, variable speed drive pumps);
  - review changes in power consumption with installation of new equipment and install power factor correction equipment to suit; and
  - review workshop and bathhouse lighting and office and high bay lighting.

### Condition Number: 1.11.1
**Condition:** Visual

**Compliance Status:** Compliant

**Evidence:**
- The Kitchener SIS was reviewed as part of the site inspection. The current site is stable with clearing minimised, vegetative screens and the ventilation facility being of a natural tone. There have been no lighting or visual complaints associated with the Kitchener SIS.

**Recommended Action:**
- Austar Coal Mine will implement the following visual controls to screen or reduce the visual impact from views of the Surface Infrastructure Site from residential areas and public road locations:
  - Maintain a vegetative screen along the edges of the access road to the Surface Infrastructure Site.
  - Limit clearing on the Surface Infrastructure Site to that required for construction and bushfire protection purposes.
  - Use appropriate natural tones on the winder building to ensure that it blends into the backdrop of native forest when viewed from Kitchener and sections of Quorrobolong Roads.
  - Direct night-time security lights into the site and ensure that all lighting is located and directed so as to not directly impact on residential or road locations. Lighting will be designed to minimise excessive night glow in a manner consistent with AS 4282 Control of the Obtrusive Effects of Outdoor Lighting.
  - All buildings potentially visible to the public to be coloured in suitable natural tones.

### Condition Number: 1.12.1
**Condition:** Transport

**Compliance Status:** Compliant

**Evidence:**
- Intersection upgrade to be completed in stages with agreement from Council, and as described in the SCEMP s9.1, with full construction for staff construction and ancillary services construction. AUR and lighting will be triggered by construction of the SIS Pit Top.

**Recommended Action:**
- To mitigate potential traffic impacts associated with the development of the Surface Infrastructure Site, Austar Coal Mine will:
  - Construct an Austroads type AUR intersection treatment with an auxiliary passing lane for through traffic on Quorrobolong Road around right turning traffic at the proposed Surface Infrastructure Site access.
  - Provide lighting at the proposed pit top facility access intersection on Quorrobolong Road.
  - Erect a left side road junction (W2-4) warning sign for northbound traffic approaching the proposed Surface Infrastructure Site access intersection to compensate for less than desirable Safe Intersection Site Distance (SISD).

### Condition Number: 1.13.1
**Condition:** Community

**Compliance Status:** Compliant

**Evidence:**
- Evidence of the Community Consultative Committee (CCC).

**Recommended Action:**
- Austar Coal Mine will work with Cessnock City Council, the Department and Community Consultative Committee to incorporate representatives from the Stage 3 Project area. Austar Coal Mine will provide the Community Consultative Committee with regular information regarding the environmental management performance of the Stage 3 Project and any relevant matters regarding community relations.

**Evidence:**
- Regular updates of the mine development and monitoring is provided on the Austar Coal Mine website.
<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.13.4</td>
<td>Austar Coal Mine will in consultation with Cessnock City Council contribute to the upgrade of the Wollombi Road/West Avenue intersection prior to commissioning of the Surface Infrastructure Site to provide a designated right turn lane into West Avenue to formalise traffic movements in this area and improve existing traffic problems associated with the right turn movement using the through lane and through vehicles passing in the bicycle lane/parking area.</td>
<td>Not Triggered</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.13.5</td>
<td>Install a type F flashing light control at the Vincent Street railway level crossing</td>
<td>Compliant</td>
<td>Obtained flashing lights in the field.</td>
<td></td>
</tr>
<tr>
<td>1.13.6</td>
<td>Provide support to Kitchener Public School through the provision of sporting equipment and contributions to school/community projects.</td>
<td>Compliant</td>
<td>Evidence provided in the form of a spreadsheet indicating monetary support provided to Kitchener Public School over 2016 and 2017.</td>
<td></td>
</tr>
<tr>
<td>1.13.7</td>
<td>Contribute to the ongoing maintenance of Poppet Head Reserve, Kitchener.</td>
<td>Compliant</td>
<td>Donations by “Austar Summary.pdf” states that in December 2016 education signage at Kitchener Park was installed.</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>1.14 Decommissioning and Rehabilitation</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1.14.1</td>
<td>A decommissioning plan will be prepared for the Surface Infrastructure Site as part of the MOP process and submitted to the DRE for approval approximately five years prior to the commencement of decommissioning works.</td>
<td>Not Triggered</td>
<td>Greater than 5 years to decommissioning the site.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Covered by MOP and Landscape Management Plan.</td>
<td></td>
</tr>
<tr>
<td>1.15 Continuous Improvement of Existing Operations</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.15.1</td>
<td>Austar Coal Mine will review and extend its current Site Water Management Plan for Austar Mine Complex to include Stage 3 operations and operation of the Surface Infrastructure Site. The water performance of the water management system will be reported in the Annual Review.</td>
<td>Compliant</td>
<td>SWMP prepared for the entire complex.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Water management is outlined in the ADNRs.</td>
<td></td>
</tr>
<tr>
<td>1.15.2</td>
<td>Activities within Austar Mine complex will be undertaken in accordance with approved Mining Operation Plan that will be reviewed and updated at least every seven years.</td>
<td>Compliant</td>
<td>General activities appear to be compliant with the MOP.</td>
<td></td>
</tr>
<tr>
<td>1.15.3</td>
<td>Austar Coal Mine will continue to implement the voluntary Noise Pollution Reduction Program for Pelton CHPP in consultation with OEH.</td>
<td>Compliant</td>
<td>Noise Pollution Reduction Program is being implemented. Will continue to be implemented.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Continue to implement actions to reduce noise. As discussed at the audit, complete additional sound power level testing program around the CHPP.</td>
<td></td>
</tr>
<tr>
<td>1.15.4</td>
<td>Austar Coal Mine will commit to a Noise Management Plan that incorporates current noise monitoring, the voluntary Noise Pollution Reduction Program and associated noise management for Austar Mine Complex operations and will investigate reasonable and feasible noise mitigation strategies where appropriate.</td>
<td>Compliant</td>
<td>Noise Management Plan for the Austar Complex has been prepared.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Currently the Noise Management Plan is being updated.</td>
<td></td>
</tr>
<tr>
<td>1.15.5</td>
<td>Austar Coal Mine will investigate opportunities for reduction in energy use and greenhouse gas emissions from the Austar Mine Complex. This will include ongoing review of emissions monitoring and management technology, review of coal operations and potential for improvement as part of producing clean coal through coal preparation to reduce moisture and ash content, sulphur, nitrogen and other contaminants. This results in reduced emissions of greenhouse gases and other pollutants when the coal is used, and consider the application of the in-force National Greenhouse and Energy Reporting System (NGERS) and the Carbon Pollution-Reduction System (CPRS) on Austar operations.</td>
<td>Compliant</td>
<td>Austar has purchased energy efficient lighting, including lighting activated by sensors.</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Austar has purchased more efficient compressors.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>No review into clean coal technology has been undertaken. This is a corporate decision, not a site decision.</td>
<td></td>
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<tr>
<td></td>
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<td>Report through NGERS.</td>
<td></td>
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<tr>
<td>1.16 Environmental Management, Monitoring, Auditing and Reporting</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.16.1</td>
<td>Austar Coal Mine will incorporate the Stage 3 Project into the Annual Review for Austar Mine Complex.</td>
<td>Compliant</td>
<td>The Stage 3 project is included in ADNRs.</td>
<td></td>
</tr>
<tr>
<td>1.16.2</td>
<td>Three years after commencement of the Stage 3 Project, and every three years thereafter, Austar Coal Mine will commission and pay the full cost of an Independent Environmental Audit of the project in consultation with the Director-General of the Department. A copy of the audit report will be provided to the Director-General of the Department and DRE, OEH, NOW, Cessnock City Council, and members of the Community Consultative Committee for the Stage 3 Project. This audit may be combined with other independent environment audits required by the Director-General of the Department.</td>
<td>Compliant</td>
<td>Prior audit undertaken 10 - 14 November 2014.</td>
<td></td>
</tr>
</tbody>
</table>
**Application No.:** DA 29/95  
**Proprietor:** Newcastle Wallsend Coal Company Pty Limited ("The Applicant")  
**Approach Authority:** The Minister for Urban Affairs and Planning ("The Minister")

<table>
<thead>
<tr>
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<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must 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.</td>
<td>Compliant</td>
<td>There were PIRMP notifications required during the audit period. There are nil noted to surface water management. Although there were incidents, the site has implemented measures to prevent and/or minimise harm to the environment. These measures included: * Water management design, * Monitoring and reporting, * LDP001 discharge event on 21 and 22 April 2017 – above Blue Book design, * Level of night water pipelines on 23 March 2016, 24 February 2017 – inspections are completed. There are no recommendations within Schedule 9 Condition 6 of the Consent. * Orange staining in diesel water – 7 June 2017 – investigation did not find the source of the staining, bilaterial cleaned up. See letter above disclosed by the EPA.</td>
<td>Review and if possible reduce the 'first detection' level for pipelines with the use of monitoring volume that could potentially leak without triggering alarms and the automatic shut down.</td>
</tr>
<tr>
<td>2</td>
<td>The Applicant must carry out the development generally in accordance with the: (a) DA 29/95 and accompanying Environmental Impact Statement prepared by HLA Environics Pty Limited, dated August 1995 (August 1995 EIS); (b) modification application DA 29/95 – MOD 3 and the accompanying Statement of Environmental Effects prepared by ERM and dated July 2009; (c) modification application DA 29/95 – MOD 4 and the accompanying Statement of Environmental Effects prepared by ERM and dated April 2006; (d) modification application DA 29/95 – MOD 5 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated April 2010; (e) modification application DA 29/95 – MOD 6 and the accompanying Statement of Environmental Effects prepared by ERM and dated July 2009; (f) modification application DA 29/95 – MOD 7 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2010; (g) modification application DA 29/95 – MOD 8 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2011; (h) modification application DA 29/95 – MOD 9 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2012; (i) modification application DA 29/95 – MOD 10 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2013; (j) modification application DA 29/95 – MOD 11 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2014; (k) modification application DA 29/95 – MOD 12 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2015; (l) modification application DA 29/95 – MOD 13 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2016; (m) modification application DA 29/95 – MOD 14 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2017; (n) modification application DA 29/95 – MOD 15 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2018; (o) modification application DA 29/95 – MOD 16 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2019; (p) modification application DA 29/95 – MOD 17 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2020; (q) modification application DA 29/95 – MOD 18 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2021; (r) modification application DA 29/95 – MOD 19 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2022; (s) modification application DA 29/95 – MOD 20 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2023; (t) modification application DA 29/95 – MOD 21 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2024; (u) modification application DA 29/95 – MOD 22 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2025; (v) modification application DA 29/95 – MOD 23 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2026; (w) modification application DA 29/95 – MOD 24 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2027; (x) modification application DA 29/95 – MOD 25 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2028; (y) modification application DA 29/95 – MOD 26 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2029; (z) modification application DA 29/95 – MOD 27 and the accompanying Statement of Environmental Effects prepared by Umwelt (Australia) Pty Ltd and dated July 2030.</td>
<td>Compliant</td>
<td>Evidence provided on the Austar website. Based on the site inspection and review of documentation, works completed at Austar have generally been in accordance with the EA (MOD3) and Conditions of Approval.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The Applicant must carry out the development generally in accordance with the conditions of this consent.</td>
<td>Compliant</td>
<td>Activities generally completed in accordance with the consent.</td>
<td>Evidence of compliance with the OPE, including environmental criteria. Note: The condition does not affect the operation of section 80 of the EP&amp;A Act. Under this consent, the Applicant is required to rehabilitate the site and carry out additional requirements. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations, until the rehabilitation of the site and those requirements and undertakings have been carried out to the required standard.</td>
</tr>
<tr>
<td>4</td>
<td>The Applicant must ensure that all equipment used at the site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.</td>
<td>Compliant</td>
<td>Evidence of noise management upgrades at preparation plant and other areas at the site, including double cladding. Plant and equipment are serviced. There has been a large amount of work completed across many years to reduce noise exposure for all workers at the site. Evidence of communication with the Department regarding compliance with this consent; and to the implementation of any actions or measures contained in these documents.</td>
<td>Evidence of noise management upgrades at preparation plant and other areas at the site, including double cladding.</td>
</tr>
<tr>
<td>5</td>
<td>The consent lapses on 14 February 2022. Note: This condition does not reflect the operation of section 80 of the EP&amp;A Act. Under this consent, the Applicant is required to rehabilitate the site and carry out additional requirements. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations, until the rehabilitation of the site and those requirements and undertakings have been carried out to the required standard.</td>
<td>Compliant</td>
<td>Condition has not lapsed.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Deleted</td>
<td>Note</td>
<td>Deleted</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Deleted</td>
<td>Note</td>
<td>Deleted</td>
<td></td>
</tr>
</tbody>
</table>

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**SCHEDULE 2 ADMINISTRATIVE CONDITIONS**

- **Limits on Approval Compliance**
- **Compliance with the Conditions of this Consent**
- **Maintenance of Public Infrastructures**
- **Compliance**
The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities. Compliant

Upon receiving a written request for acquisition from the landowner of land listed in Table 1, the Applicant must acquire the land in accordance with the procedures in conditions 3 to 5 of Schedule 4. However, the Applicant is not required to acquire the land listed in Table 1 if:

(a) the Applicant has a current written negotiated agreement with the landowner in regard to the management of subsidence-related impacts, and a copy of this agreement has been forwarded to the Department by the Applicant; or
(b) the landowner has agreed to the SA NSW purchasing the land under the Mine Subsidence Compensation Act 1961; or
(c) a request for acquisition has not been made following completion of mining in longwalls A3 to A5, and the SA NSW determines that the residence/s on the land listed in Table 1 remains to be safe, serviceable and repairable.

Notes:
1. To avoid any uncertainty in relation to condition 1(c), the Applicant is required to act on any request for acquisition by a landowner listed in Table 1 unless the residence on the land has been determined to be safe, serviceable and repairable by the SA NSW after mining has been completed in longwalls A3 to A5.

2. For more information on the references to longwalls A3 to A5, see Figure 9 of Appendix C to the September 2007 SEE prepared for longwalls A3 to A5.

3. To avoid any uncertainty in relation to condition 1(c), the Applicant is required to act on any request for acquisition by a landowner listed in Table 1 unless the residence on the land has been determined to be safe, serviceable and repairable by the SA NSW after mining has been completed in longwalls A3 to A5.

4. For more information on the references to longwalls A3 to A5, see Figure 9 of Appendix C to the September 2007 SEE prepared for longwalls A3 to A5.

5. To avoid any uncertainty in relation to condition 1(c), the Applicant is required to act on any request for acquisition by a landowner listed in Table 1 unless the residence on the land has been determined to be safe, serviceable and repairable by the SA NSW after mining has been completed in longwalls A3 to A5.

6. For more information on the references to longwalls A3 to A5, see Figure 9 of Appendix C to the September 2007 SEE prepared for longwalls A3 to A5.

7. To avoid any uncertainty in relation to condition 1(c), the Applicant is required to act on any request for acquisition by a landowner listed in Table 1 unless the residence on the land has been determined to be safe, serviceable and repairable by the SA NSW after mining has been completed in longwalls A3 to A5.

8. For more information on the references to longwalls A3 to A5, see Figure 9 of Appendix C to the September 2007 SEE prepared for longwalls A3 to A5.

9. To avoid any uncertainty in relation to condition 1(c), the Applicant is required to act on any request for acquisition by a landowner listed in Table 1 unless the residence on the land has been determined to be safe, serviceable and repairable by the SA NSW after mining has been completed in longwalls A3 to A5.

10. For more information on the references to longwalls A3 to A5, see Figure 9 of Appendix C to the September 2007 SEE prepared for longwalls A3 to A5.

11. To avoid any uncertainty in relation to condition 1(c), the Applicant is required to act on any request for acquisition by a landowner listed in Table 1 unless the residence on the land has been determined to be safe, serviceable and repairable by the SA NSW after mining has been completed in longwalls A3 to A5.

12. For more information on the references to longwalls A3 to A5, see Figure 9 of Appendix C to the September 2007 SEE prepared for longwalls A3 to A5.
(f) include a Public Safety Management Plan, which has been prepared in consultation with DRG, to ensure public safety in the mining area; and

* program to undertake monitoring prior to, during and after undermining;
* detailed description of remediation and rehabilitation measures to be implemented, should adverse impacts occur; and
* contingency plan to manage any unpredicted adverse impacts and their environmental consequences and to provide for adaptive management.

The Applicant must implement the approved plan as approved from time to time by the Secretary.

Note: The Water Management Plan must be integrated with all relevant aspects of the Site Water Management Plan required under condition 6 of Schedule 4.

### Impacts on Water Management

**3a** The Applicant must pay all reasonable costs incurred by the Department to engage independent experts to review the adequacy of any aspect of the Water Management Plan.

**Compliance Status**

- **Not Triggered**
- **Not Triggered within Audit Period**

### Soil Management

**4** The Applicant must:

(a) before carrying out any underground mining that will potentially impact the subsidence within the Werakata State Conservation Area, the Applicant must ensure and following approval implement a Public Safety Management Plan for the Werakata State Conservation Area;

(b) before carrying out any underground mining that will potentially lead to subsidence at Nash Lane, the Applicant must prepare (and following approval implement) a Public Safety Management Plan for Nash Lane;

(c) before carrying out any underground mining that will potentially lead to subsidence impacts to Sandy Creek Road, the Applicant must prepare, in consultation with Council, (and following approval implement) a Public Safety Management Plan for Sandy Creek Road in the submission of the DGS.

**Evidence**

- Extraction Plan approved for B1-B3 (dated 4/7/2016) was in place before mining at B1 commenced. The Public Safety Management Plan is included as part of the Extraction Plan.

### Water Management

**Evidence**

- An offset required under this condition must be proportionate with the significance of the impact or environmental consequence.

### Water Water Management

- Evidence of DWSW publications during the audit period. Evidence of compliance with EPA following DWSW publications. All DWSW publications are also outlined in the ADMAAs and outline the DWSW discharge on 21 and 22 July 2017. Costs of any piped water supplied on 29 March 2010, 21 October 2017. Excessor port 30:1 ratio for Port 30:1 ratio. Types of overflow points and port 34:1 ratio for Port 34:1 ratio. Sites A: Site 34:1 ratio. Port 34:1 ratio. Sites A: Site 34:1 ratio.

**Compliance Status**

- **Non-CMPL**

### Water Use

- The Applicant must ensure that it has sufficient water supply for the development, and if necessary, adjust the scale of the development to match its water supply.

**Evidence**

- Evidence provided of consultation in 2015 and 2017 for the SWMP, in consultation with DPE, DPI-Water and EPA.

**Compliance Status**

- **Compliant**

### Water Balance

- The Site Water Balance must include all details of:
  - Sources of water and water licences;
  - Water use on site;
  - Water management site;
  - Off-site water transfers or discharges;
  - Reporting procedures, and
  - a description of measures to minimise water use by the development.

**Evidence**

- Water licences in Section 3.3.
- Water use and management-no state includes dust suppression; emergency control points and discharge. Reporting section in the Water Management Plan.

**Compliance Status**

- **Compliant**

### Waste and Sediment Control

- There is no water shortage at site. Excess water. No need to minimise water usage at site.

**Evidence**

- Water recording records; and
- Austar has CITEC system that provides live readings of the water management system.
<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
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<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Condition 8</td>
<td>Compliant</td>
<td>Section 6 describes measures to minimize soil erosion and the potential for transport of sediment downstream; Section 6.3 describes measures to control erosion and sediment downstream.</td>
<td>From the site inspection and sediment control is generally undertaken per the Bluebook. Some improvements observed (see next paragraph).</td>
</tr>
<tr>
<td>9</td>
<td>Condition 9</td>
<td>Compliant</td>
<td>Section 6.3 describes measures to minimize soil erosion and the potential for transport of sediment downstream.</td>
<td>From the site inspection and sediment control is generally undertaken per the Bluebook. Some improvements observed (see next paragraph).</td>
</tr>
<tr>
<td>10</td>
<td>Condition 10</td>
<td>Compliant</td>
<td>Section 7.2 provides a program to monitor ground water levels and quality;</td>
<td>From the Surface and Ground Water Response Plan.</td>
</tr>
</tbody>
</table>

**Surface and Ground Water Response Plan**

- The Surface and Ground Water Response Plan must include:
  - Section 9.1 provides the procedures that would be followed in the event of any exceedance of the surface or groundwater impact assessment criteria, or other identified impact on surface or groundwater.
  - Section 9.2 & 9.3 provides procedures to mitigate and/or compensate any identified impacts (including measures to mitigate and/or compensate potentially affected downstream events for any loss of surface water flows in local creeks or farm dams); and
  - Section 9.4 covers all authorized permits for the event, including all permitted activities and operations.

**Groundwater Study**

- By the end of February 2018, the Applicant must review the groundwater impacts of the development. This review must:
  - Evaluate the impact prediction in DA (MOD 4) and DA (MOD 7) against measured groundwater impacts, including a comparison of groundwater levels and quality at both existing and potential locations; and
  - Review water inflow sources and volumes; and
  - Evaluate the effectiveness of the existing groundwater management plan for use in current and future mining operations; and

**Groundwater Study**

- The Applicant must, in the event it selects the Cessnock No. 1 Shaft as the ventilation shaft site for the mine, submit a report to the Secretary and the DRG which includes a groundwater study and mine water disposal plan prepared in accordance with the requirements of the DRG and EPA. Compliant Ventilation fans have been installed in areas other than Cessnock No. 1 Shaft. **Not triggered Not within audit period.**

**Groundwater Study**

- The Applicant must, in the event it selects the Cessnock No. 1 Shaft as the ventilation shaft site for the mine, submit a report to the Secretary and the DRG which includes a groundwater study and mine water disposal plan prepared in accordance with the requirements of the DRG and EPA. Compliant Ventilation fans have been installed in areas other than Cessnock No. 1 Shaft. **Not triggered Not within audit period.**

**Groundwater Study**

- The Applicant must, in the event it selects the Cessnock No. 1 Shaft as the ventilation shaft site for the mine, submit a report to the Secretary and the DRG which includes a groundwater study and mine water disposal plan prepared in accordance with the requirements of the DRG and EPA. Compliant Ventilation fans have been installed in areas other than Cessnock No. 1 Shaft. **Not triggered Not within audit period.**
The Applicant must ensure that the noise generated by the Infrastructure Upgrade Area identified in Figure 1.3 of the April 2006 SEE does not exceed the noise impact assessment criteria in Table 2.

Table 2: Noise impact assessment criteria dB(A)

<table>
<thead>
<tr>
<th>Day/Evening/Night</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>65</td>
<td>35</td>
</tr>
<tr>
<td>All privately owned land</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
- Noise from the development is to be measured at the most affected point or within the residential boundary, or at the most affected point within 30 meters of a dwelling (not situationally) where the dwelling is more than 30 meters from the boundary, to determine compliance with the LA90 borderline noise levels in the above table. Where it can be demonstrated that direct measurement of noise from the development is impractical, the Department and the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy may be used to apply the measured noise levels when applicable.

- The noise emission limits identified in the above table apply under meteorological conditions of:
  - wind speeds of up to 2 m/s at 10 metres above ground level
  - temperature inversion conditions of up to 3ºC/100 m, and wind speeds of up to 2 m/s at 10 metres above ground level.

- The noise monitoring program shall include the following:
  - Noise monitoring undertaken for the site.
  - Noise monitoring reported in the AEMR.
  - Evidence of consultation with landowners prior to undermining areas.
  - Evidence of vibration monitoring in the field.
  - Evidence of equipment maintenance.

- The Applicant must prepare a Noise Monitoring Program for the development to the satisfaction of the Secretary. This program must be capable of evaluating ground vibrations on the surface extending from underground mining activities.

- The Applicant must remove the noise monitoring equipment in the field.

- The evidence of vibration monitoring is included in the Noise and Vibration Management Plan of the mine.
The Applicant must ensure that the dust emissions generated by the Infrastructure Upgrade Area identified in Figure 1.3 of the April 2006 SEE do not cause additional exceedances of the air quality impact assessment criteria listed in Tables 3, 4 and 5 at any residence or, so more than 25 percent of any privately-owned land.

### Table 3: Long term impact assessment criteria for particulate matter

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>The Applicant must ensure that the dust emissions generated by the Infrastructure Upgrade Area identified in Figure 1.3 of the April 2006 SEE do not cause additional exceedances of the air quality impact assessment criteria listed in Tables 3, 4 and 5 at any residence or, so more than 25 percent of any privately-owned land.</td>
<td>Compliant</td>
<td>2016-2017 AEMR - Within criteria. 2015-2016 AEMR - Within criteria. 2015-2016 AEMR - Within criteria.</td>
<td>All dust records are within criteria up to the end of December 2017 monitoring data.</td>
</tr>
</tbody>
</table>

### Table 4: Short term impact assessment criteria for particulate matter

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Average period</th>
<th>Maximum increase in deposited dust level</th>
<th>Maximum total deposited dust level</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total suspended particulate (TSP) matter</td>
<td>Annual</td>
<td>90 µg/m³</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Particulate matter &lt; 10 µm (PM10)</td>
<td>Annual</td>
<td>30 µg/m³</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 5: Long term impact assessment criteria for deposited dust

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Average period</th>
<th>Maximum increase in deposited dust level</th>
<th>Maximum total deposited dust level</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deposited dust</td>
<td>Annual</td>
<td>2 g/m²/month</td>
<td>4 g/m²/month</td>
<td></td>
</tr>
</tbody>
</table>

### Notes

Deposited dust is assessed as insoluble solids as defined by Standards Australia, 2003, AS 2880.10.1-2003 Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

### Implementation:

17

Compliant

Limited dust sources at site.
- The biggest dust source is the CHPP.
- Based on site communications dust has not been a big issue.

Deposited dust is assessed as insoluble solids as defined by Standards Australia, 2003, AS 3580.10.1-2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

* No visible air pollution during the field inspection.
* Regular inspection and dust monitoring completed.
* Evidence of mitigation measures undertaken.
* Evidence of spontaneous combustion through complaints and inspections.
* During October 2016 - 3 odour complaints were received. Evidence of mitigation measures undertaken following complaints. Evidence of spontaneous Combustion through complaints and inspections.
* During October 2015 - 8 complaints were received.
* Since the odour complaints have occurred there have been changes to the way the reject stockpiles are managed. They are now maintained in a manner that results in no odour complaints.

### Preparation:

* Update Spontaneous Combustion Management Plan with details regarding monthly pushing of material to reduce spontaneous combustion.
* Evidence of consultation with the EPA for April 23017 update. All management plans will again be updated in late 2017 based on the current AQGHGMP.

The Applicant must prepare an Air Quality Monitoring Program for the development to the satisfaction of the Secretary. This program must include an air quality monitoring protocol for assessing compliance with the air quality impact assessment criteria in this condition.

The Applicant must implement the approved program as approved from time to time by the Secretary.

### Meteorological Data

* Evidence of implementation in nearby dust reports and AEMRs.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

The Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the development in accordance with the requirements in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

### Project Implementation

The Applicant must undertake reject emplacement in accordance with the current Mining Operations Plan as updated and approved by DRG from time to time. Reject emplacement in Areas 1, 3 and 4 is described in the August 1985 GIS is proposed. The Applicant must:

* Provide a report on the geological investigations and engineering specifications for emplacement areas 1, 3 and it is the CRG, and the Secretary will not approve prior to commencement of reject emplacement in these areas. and
* Continue use of emplacement areas 1, 3 and 4 only after consultation with the Council and approval by the CRG.

### Project Completion

The Applicant must undertake reject emplacement in accordance with the current Mining Operations Plan as updated and approved by DRG from time to time. Reject emplacement in Areas 1, 3 and 4 is described in the August 1985 GIS is proposed. The Applicant must:

* Provide a report on the geological investigations and engineering specifications for emplacement areas 1, 3 and 4 is the CRG, and the Secretary will not approve prior to commencement of reject emplacement in these areas. and
* Continue use of emplacement areas 1, 3 and 4 only after consultation with the Council and approval by the DRG.

### Meteorological Data

* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Monthly push of reject material to reduce spontaneous combustion.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

### Recommended Action

* Monitoring and reporting of reject stockpiles.
* Evidence of implementation in nearby dust reports and AEMRs.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

### Recommended Action

* Monitoring and reporting of reject stockpiles.
* Evidence of implementation in nearby dust reports and AEMRs.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
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* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

### Recommended Action

* Monitoring and reporting of reject stockpiles.
* Evidence of implementation in nearby dust reports and AEMRs.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
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* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

### Recommended Action

* Monitoring and reporting of reject stockpiles.
* Evidence of implementation in nearby dust reports and AEMRs.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
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* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.

### Recommended Action

* Monitoring and reporting of reject stockpiles.
* Evidence of implementation in nearby dust reports and AEMRs.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
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* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Meteorological data entered in Section 3.2 of the 2016-2017 AEMR. The summary includes temperature, wind and rain.
* Evidence of data storage in Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and to the satisfaction of the Secretary.
The Applicant must: (a) undertake fauna surveys for bat species at undisturbed sites proposed for reject emplacement as required by the OEH; (b) report results of any fauna surveys to the OEH; (c) undertake a monitoring program of riparian vegetation along Quorrobolong and Con Creeks in the area of longwalls A3 to A5a with particular reference to River Flat Eucalypt Forest EEC; and (d) carry out any necessary mitigation measures prescribed by the OEH in relation to the findings of the fauna surveys and riparian vegetation monitoring program. To the satisfaction of the OEH.

b) OEH receives AEMR. Evidence of submission letters.

Compliant

The Applicant must: (a) undertake fauna surveys for bat species at undisturbed sites proposed for reject emplacement as required by the OEH; (b) report results of any fauna surveys to the OEH; (c) undertake a monitoring program of riparian vegetation along Quorrobolong and Con Creeks in the area of longwalls A3 to A5a with particular reference to River Flat Eucalypt Forest EEC; and (d) carry out any necessary mitigation measures prescribed by the OEH in relation to the findings of the fauna surveys and riparian vegetation monitoring program. To the satisfaction of the OEH.

The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Secretary. The plan must: (a) be prepared by a suitably qualified archaeologist in consultation with OEH and Registered Aboriginal Parties, and be submitted to the Secretary for approval prior to the commencement of evaluation of longwalls A3 and A5a; (b) include a program/procedures for: * salvage and management of Aboriginal sites within the active mining areas; * recording and management of Aboriginal sites within the active mining areas; * managing the discovery of any new Aboriginal objects or skeletal remains discovered during the project; * undertaking additional archaeological surveys on any areas subject to extension or remediation activities; * engaging in consultation with and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage in the vicinity of longwalls A3 and A5a; * training personnel on Aboriginal cultural heritage awareness; and * undertaking recording of Aboriginal site impacts. The Applicant must implement the approved plan as approved from time to time by the Secretary.

Heritage due diligence for the proposed modifications. Proposed works include clearance activities for track construction as well as fencing boronite locations.

Heritage due diligence for the proposed modifications. Proposed works include clearance activities for track construction as well as fencing boronite locations.

The Applicant must: (a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: (a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: 14 June 2013. b) Key aspects of this sub-condition are outlined within Section 2 and 3 of the ACHMP.

The Applicant must: prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: (a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: (a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: 14 June 2013. b) Key aspects of this sub-condition are outlined within Section 2 and 3 of the ACHMP.

The Applicant must: (a) undertake any activities on or under Lot 1, DP 87087 and Part Lot 1, DP 69968 County Northumberland, Parish Heddon; and (b) make application under section 132 of the Heritage Act 1977 for any works proposed to be undertaken on or under Lot 1, DP 87087 and Part Lot 1, DP 69968 County Northumberland, Parish Heddon; and (c) take all reasonable measures to protect the ring-barked tree referenced in the April 2006 SEE, to the satisfaction of the Secretary.

The Applicant must: (a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: a) prior to the commencement of operations in reject emplacement areas 3 and 4 (as described in the August 1995 EIS), provide to the satisfaction of the Council and the RMS: 14 June 2013. b) Key aspects of this sub-condition are outlined within Section 2 and 3 of the ACHMP.

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The Applicant must rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the documents listed in condition 2 of Schedule 2, and comply with the objectives in Table 6.
### Schedule 4: Additional Procedures for Subsidence Management

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Progressive Rehabilitation</td>
<td>Compliant</td>
<td>The inspection viewed areas of current rehabilitation. The inspection confirmed that there is progressive rehabilitation that is stable. Rehabilitation inspections have been completed.</td>
<td></td>
</tr>
</tbody>
</table>

#### SCHEDULE 4 ADDITIONAL PROCEDURES FOR SUBSIDENCE MANAGEMENT

**NOTIFICATION OF LANDOWNERS**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>Compliance</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Prior to 31 June 2008, the Applicant must notify the landowners of land listed in Table 1 in writing that they have the right to require the Applicant to acquire their land in accordance with condition 1 of Schedule 3 and conditions 3 to 5 below. The Applicant must also notify the landowners of land on which works are proposed to be carried out that may cause subsidence.</td>
<td>Not triggered</td>
<td>Outside of audit period.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>The Applicant must notify all landowners whose land may be subject to subsidence as a result of the development about the procedures for rectification and compensation for subsidence effects on residences, farm buildings, agricultural land and other infrastructure under the Mining Act 1992 and the Mine Subsidence Compensation Act 1961.</td>
<td>Compliant</td>
<td>Collection of consultations with landowners provided consultation letters dated 22/9/2017, 22/6/2016 and 28/9/2017.</td>
<td></td>
</tr>
</tbody>
</table>

### Schedule 1: Additional Procedures for Subsidence Management

**NOTIFICATION OF LANDOWNERS**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>Compliance</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Prior to 31 June 2008, the Applicant must notify the landowners of land listed in Table 1 of the date of the date of this written request, as if the property was unaffected by the development. The Applicant must notify all landowners whose land may be subject to subsidence as a result of the development about the procedures for rectification and compensation for subsidence effects on residences, farm buildings, agricultural land and other infrastructure under the Mining Act 1992 and the Mine Subsidence Compensation Act 1961.</td>
<td>Not triggered</td>
<td>Not acquired during the audit period.</td>
<td></td>
</tr>
</tbody>
</table>

### Table 6: Management Objectives

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Objective</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>All areas affected by the rehabilitation of areas affected by mining activities</td>
<td>Protect, rehabilitate, and stabilize areas disturbed by mining activities.</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>All areas affected by the rehabilitation of housing developments</td>
<td>Protect, rehabilitate, and stabilize areas disturbed by mining activities.</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>All areas affected by the rehabilitation of areas affected by mining activities</td>
<td>Protect, rehabilitate, and stabilize areas disturbed by mining activities.</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Additional Notes

- These rehabilitation objectives apply to all subsidence impacts and environmental consequences caused by the development and to all surface infrastructure components of the development. Where remediation of watercourses is likely to cause environmental consequences greater than those that require rehabilitation, alternative equivalent actions may be undertaken within the affected watercourse.
However, if at the end of this period, the Applicant 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.

Within 14 days of receiving the independent valuer's determination, the Applicant must make a written offer to purchase the land at a price not less than the independent valuer's determination. If the landowner refuses to accept this offer within 6 months of the date of the Applicant's offer, the Applicant's obligations to acquire the land must cease unless otherwise agreed by the Secretary.

The Applicant must bear the costs of any valuation or survey assessment requested by the independent valuer, or the Secretary and the costs of determination referred above. Not triggered Land not acquired during the audit period.

If the Applicant and landowner agree that only part of the land must be acquired, then the Applicant must pay all reasonable costs associated with obtaining Council approval for any plans of subdivision (where permissible), and registration of the plan at the Office of the Registrar General.

**SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING**

**Environmental Management Strategy**

The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This Strategy must:

1. Comply with the strategic context for environmental management of the development;
2. Identify the statutory requirements that apply to the development;
3. Describe the procedures that would be implemented to keep the local community and relevant agencies informed about the operation and environmental performance of the development;
4. Receive complaints and respond to any non-compliance; respond to any emergencies;
5. Describe any procedures that may arise during the course of the development;
6. Describe any new requirements and any amendments to the conditions of this consent.

The Applicant must implement the approved strategy as approved from time to time by the Secretary.

**Environmental Monitoring Program**

The Applicant may consolidate the various monitoring requirements of this consent into a single Environmental Monitoring Program for the development. Compliant

* Evidence of complaints and incidents in the AEMR.
* Evidence of inspections.

Within 7 days of detecting an exceedance of the levels/limits/performance criteria in this consent, the Applicant must report the exceedance/incident to the Department (and any relevant agency). The report must:

1. Describe the date, time, and nature of the exceedance/incident;
2. Identify the cause (or likely cause) of the exceedance/incident;
3. Describe what action has been taken to date;
4. Describe the proposed measures to address the exceedance/incident.

The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

**Regulatory Reporting**

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Conditions</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Numerical Values**

- **Condition Number**: The unique identifier for each condition.
- **Conditions**: The specific condition or requirement.
- **Compliance Status**: Whether the condition is triggered or not.
- **Evidence**: Details of the evidence submitted.
- **Recommended Action**: Action for non-compliance or recommended action.

**Table Notes**

- **Not triggered**: Indicates that the condition is not triggered.
- **Land not acquired during the audit period**: Indicates land acquisition not occurring during the audit period.
- **Compliant**: Indicates compliance with the condition.
by 31 December 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an independent Environmental Audit of the development. This audit must:

1. be conducted by suitably qualified, experienced, and independent experts whose appointment has been endorsed by the Secretary;
2. assess, on request of the Secretary, the relevant statutory requirements, limits or performance measures/criteria, and the overburden is behaving as expected or otherwise. Curvatures may be then able to be calculated and used in the analysis.
3. be conducted and reported to the satisfaction of the Secretary.
4. be completed within 6 weeks of completion of the audit and prior to the expiration of the conditions.

The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the development.

To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required under this consent on a staged basis.

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<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>8c</td>
<td>Where consultation with any public authority is required by the conditions of this consent, the Applicant must:</td>
<td>Compliant</td>
<td>a) Evidence of consultation with DPE and the EPA, including Management Plan consultation dated May 2017.</td>
<td>Although it has been noted that consultation has been completed, some plans provide little detail regarding consultation dates and outcomes. Include additional detail including dates for consultation, outcomes and where it has been covered within the management plans.</td>
</tr>
<tr>
<td></td>
<td>(a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;</td>
<td></td>
<td>b) Appendix 1 of the ADMP outlines consultation. Table 1.5 outlines evidence of consultation for this management plan in 2011 and 2012.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) submit evidence of this consultation as part of the relevant document;</td>
<td></td>
<td>c) Evidence of consultation from incident report dated 204/2015.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) describe how matters raised by the authority have been addressed and any matters not resolved; and</td>
<td></td>
<td>d) Details of consultation relating to incident reports and AEMR’s have been provided.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>The Applicant must operate a CCC for the development to the satisfaction of the Secretary. This CCC must be operated in accordance with the Department's Community Consultative Committee Guidelines, November 2016 (or later version).</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Notes:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent; and</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council and the local community.</td>
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<tr>
<td>10</td>
<td>Deleted</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Deleted</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>The Applicant must: (a) make copies of the following publicly available on its website:</td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The website contains:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>the documents listed in condition 2 of Schedule 2;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>current statutory approvals for the development;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>approved strategies, plans and programs required under the conditions of this consent;</td>
<td></td>
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<tr>
<td></td>
<td>a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs;</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>a summary of the progress of the development;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>contact details as are required for the development or to make a complaint;</td>
<td></td>
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<tr>
<td></td>
<td>a complaints register, which is to be updated on a monthly basis;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>minutes of CCC meetings;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>the last five annual reviews;</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>any independent environmental audits of the development, and the Applicant’s response to the recommendations in any audit;</td>
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<tr>
<td></td>
<td>any other matter requested by the Secretary; and</td>
<td></td>
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<tr>
<td></td>
<td>to keep the information up-to-date, to the satisfaction of the Secretary.</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
### Condition A1: Compliance of Conditions

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 identification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

<table>
<thead>
<tr>
<th>Scheduled Activity</th>
<th>Fee Based Activity</th>
<th>Scale</th>
<th>Compliance Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coal works</td>
<td>Coal works</td>
<td>0 - 20,000,000 T annual mining capacity</td>
<td>Compliant</td>
</tr>
<tr>
<td>Mining for coal</td>
<td>Mining for coal</td>
<td>&gt; 50,000 T annual production capacity</td>
<td>Compliant</td>
</tr>
</tbody>
</table>

Production limits are measured as per the EPL Annual Return period. Within the criteria for this audit period.

### Condition A2: Premises Details

The licence applies to the following premises:

- **Premises Details**
  - **Premises Details**
  - **NO. 2201**
  - **NO. 2401**

Compliant: The EPL covers the entire Austar Complex.

### Condition A3: Information Supplied to the EPA

Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly prescribed by a condition of this licence. In this condition the reference to “the licence application” includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Management and Transitional) Regulation 1998, and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

Works generally carried out in accordance with this condition.

### Condition P1: Location of Monitoring/Discharge Points and Areas

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.

Compliant: There is a meteorological station sighted at the CHPP. Meets the approved methods.

### Condition P1.1

<table>
<thead>
<tr>
<th>EPA Identification no.</th>
<th>Type of Monitoring Point</th>
<th>Type of Discharge Point</th>
<th>Emission Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>Weather monitoring</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>Emissions monitoring</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Condition P1.2

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 any application of solids or liquids to the utilisation area.

Noted

### Condition P1.3

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 discharges of pollutants to water from the point.

Locations are noted within the Environmental Monitoring Program, with locations recorded as "SW". Also outlined in the Water Management Plan.

Compliant: 

---

Page 1
### Evidence of PIRMP notifications during the audit period
- Evidence of consultation with EPA following PIRMP notifications. All PIRMP notifications are outlined in the AEHRs and include:
  - LDP001 discharge event on 21 and 22 April 2015.
  - Change in operations due to water loss - 7 June 2017.

### Review and if possible reduce the ‘leak detection’ level for pipelines

- No further action recommended.

### Background

Austar has a comprehensive Environmental Management System to identify and minimise risk of harm to the environment. These are the management plans required by the project approval and development consent.

#### 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.

#### L2.1 For each monitoring/discharge point or utilisation area specified in the tables 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.

#### L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

#### L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the tables.

#### L2.4 For each monitoring/discharge point or utilisation area specified in the tables below (by a point number), the volume/mass of:

<table>
<thead>
<tr>
<th>Point</th>
<th>Units of Measure</th>
<th>95 percentile concentration limit</th>
<th>95 percentile mass concentration limit</th>
<th>25 percentile concentration limit</th>
<th>25 percentile mass concentration limit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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</tbody>
</table>

#### L3 Volume and Mass Limits

#### O1 Activities must be carried out in a competent manner

- No discharges occurred at Licensed Discharge Point No. 1 (LDP1) during 2016-17 and 2015-16 AEHRs.

#### LDP001 discharge event on 21 and 22 April 2015

- Discharge occurred on 21 and 22 April 2015 (see Condition L1.2 for details).
- pH outside the range. pH value of 3.55 recorded on 22 April 2015 from LDP001.

#### LDP006 is the 1ML tank

- All samples were within the criteria based on the data provided. This is a controlled discharge system.

### Discharge from Point 1 is permitted only when the discharge occurs solely as a result of rainfall at the premises exceeding:

- a) a total of 168 millimetres over any consecutive five day period; or
- b) 48 millimetres in less than any consecutive 12 hour period.

#### Discharge occurred from Point 1 on 21 and 22 April 2015

- A discharge occurred from LDP1 on 21 to 22 April 2015 at Austar’s CHPP, during the intense east coast low storm event occurring which occurred in the Hunter Region during April 2015. Details are outlined in the 2014-15 AEHR.

#### Discharge occurred from LDP1 on 21-22 April 2015

- A discharge occurred from LDP1 on 21-22 April 2015. The discharge was the result of the high volume of rainfall received at the CHPP from a significant east coast low storm event. A total of 178mm was received over 5 days between 19 April and 23 April 2015. In addition, during one consecutive 12 hour period on 21 April 2015 between 4:30am and 4:30pm, 77.8mm rainfall was received. Both the 5 day rainfall and the 12 hour rainfall figures are greater than the minimum rainfall required before discharge is permitted from LDP1 by the SPL. 1981kL of water was discharged from LDP1 to Bellbird Creek on 21-22 April 2015, which is less than the LDP1 volume limit of 2000kL per day.

### Compliance Status

- Compliance status relating to monitoring parameters is outlined in Condition L2.4.

### Evidence of incident reports and investigations

- EPA provided a letter response to this incident dated 10/9/15 indicating the EPA does not intend to take regulatory action regarding this matter.

### EPA provided a letter response to this incident dated 10/9/15 indicating the EPA does not intend to take regulatory action regarding this matter

- Non-Compliant

- Evidence of incident reports and investigations.
- No discharges occurred at Licensed Discharge Point No. 1 (LDP1) during 2016-17 and 2015-19 AEHRs.

### Discharge occurred from LDP001 on 21-22 April 2015

- Discharge occurred on 21 and 22 April 2015. pH outside the range. pH value of 3.55 recorded on 22 April 2015 from LDP001.

### Iron recorded well above criteria at 10.7 mg/L

- EPA provided a letter response to this incident dated 10/9/15 indicating the EPA does not intend to take regulatory action regarding this matter. It should be noted that this was a regional flooding event, above design criteria. Evidence of maintenance of dam levels during the audit. No further recommendations.

### For each discharge point or utilisation area specified in the tables below (by a point number), the volume/mass of:

#### Non-Compliant

- Compliance status relating to monitoring parameters is outlined in Condition L2.4.

### For each discharge point or utilisation area specified in the tables below (by a point number), the volume/mass of:

#### Non-Compliant

- Compliance status relating to monitoring parameters is outlined in Condition L2.4.
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<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
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<td>01.1</td>
<td>Licensed activities must be carried out in a competent manner.</td>
<td>O1.1</td>
<td>Licensed activities must be carried out in a competent manner.</td>
<td>Evidence: Generally the site was in a clean and tidy condition. Activities completed in a competent manner.</td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
<td>02.1</td>
<td>All plant and equipment installed at the premises or used in connection with the licensed activity:</td>
<td>O2.1</td>
<td>All plant and equipment installed at the premises or used in connection with the licensed activity:</td>
<td>Evidence: Reversing beepers removed from bulldozers. Bulldozers now use flashing lights.</td>
</tr>
<tr>
<td></td>
<td>a) must be maintained in a proper and efficient condition;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) must be operated in a proper and efficient manner.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>03.1</td>
<td>The premise must be maintained in a condition which minimises or prevents the emission of dust from the premises.</td>
<td>O3.1</td>
<td>The premise must be maintained in a condition which minimises or prevents the emission of dust from the premises.</td>
<td>Evidence: All air quality results are within criteria.</td>
</tr>
<tr>
<td></td>
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<td></td>
</tr>
<tr>
<td>04.1</td>
<td>All records required to be kept by this licence must be:</td>
<td>O4.1</td>
<td>All records required to be kept by this licence must be:</td>
<td>Evidence: Records of monitoring provided by Austar through monthly summary sheets, monthly reports. Evidence of sampling sheets and laboratory reports with these records outlined. Evidence of environmental reports provided to the audit team. Evidence for soil, water, noise.</td>
</tr>
<tr>
<td></td>
<td>a) in a legible form, or in a form that can readily be reduced to a legible form;</td>
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<tr>
<td></td>
<td>b) kept for at least 5 years after the monitoring or event to which they relate took place, and</td>
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<tr>
<td></td>
<td>c) produced in a legible form to any authorised officer of the EPA who asks to see them.</td>
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</tr>
</tbody>
</table>

**Water and/or Land Sampling Requirements**

<table>
<thead>
<tr>
<th>Method</th>
<th>Parameters</th>
<th>Units of Measurement</th>
<th>Frequency</th>
<th>Sampling Method</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Conductivity</td>
<td>ppm</td>
<td>Monthly</td>
<td>Gridded sample</td>
</tr>
<tr>
<td></td>
<td>pH</td>
<td></td>
<td>Monthly</td>
<td>Gridded sample</td>
</tr>
<tr>
<td></td>
<td>Total Alkalinity</td>
<td>ppm</td>
<td>Monthly</td>
<td>Gridded sample</td>
</tr>
<tr>
<td></td>
<td>Sodium</td>
<td>ppm</td>
<td>Monthly</td>
<td>Gridded sample</td>
</tr>
</tbody>
</table>

Note: Covered under Condition M2.1.
Note: Special Frequency 1 means daily collected at a minimum of twelve hourly intervals when a discharge is occurring.
Special Frequency 2 means three times per week during any period of discharge from Point 1 at a minimum of 4 8 hour intervals commencing as soon as practical after discharge has commenced. Once per month during any period of discharge from Point 6 at a minimum of 4 weekly intervals.

M3.1 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.

M4.1 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in condition M4.2.

M4.2 For each monitoring point specified 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 size as specified in the other columns.

M4.3 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

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.

M5.2 The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made; and
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reason why no action was taken.

M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

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.

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.

M6.3 The preceding two conditions do not apply until 3 months after the date of the issue of this licence.

Administrative Non-Compliance

M3.1 Monitoring is completed by Carbon Based Environmental. Trained staff, with results sent in a NATA accredited laboratory.

Administrative Non-Compliance

M4.1 Special frequencies are not implemented.

Administrative Non-Compliance

M5.3 Sometimes the time of the complaint is not known. Where this is the case, this should be recorded.
For each discharge point or utilisation area specified below, the licensee must monitor:

a) the volume of liquids discharged to water or applied to the area;

b) the mass of solids applied to the area;

c) the mass of pollutants emitted to the air;

at the frequency and using the method and units of measure specified below.

**Evidence**

Evidence sighted in the field of discharge points and in Water Works which meet the monitoring/sampling method requirements for this condition. Work orders are issued via the Water Management System.

The volume of liquid is recorded with evidence provided in the EPL, Monitoring Reports as well as the AEMR.

**Recommendation**

To liaise with CITEC to ensure LDP001 is added as a line item in the Site Water Monthly Data spreadsheet. Discharges are not recorded from this location, however, it should be reviewed in the spreadsheet.

**Compliance Status**

Not Triggered

**Condition Number**

R1.1

**Condition**

An Annual Return must be prepared in respect of each reporting period, except as provided below.

**Evidence**

An Annual Return is sighted for 2014, 2015 and 2016. Completed as per EPA forms.

**Compliance Status**

Not Triggered

**Condition Number**

R1.2

**Condition**

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.

**Evidence**

Not sighted.

**Compliance Status**

Triggered

**Condition Number**

R1.3

**Condition**

Where the 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 ending on the date the application for surrender or revocation of a licence is granted.

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R1.4

**Condition**

Where a licence holder or an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.1

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.2

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.3

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.4

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.5

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.6

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.7

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.8

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.9

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.10

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.11

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.12

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.13

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.14

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.15

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.16

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.17

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.18

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.19

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.

**Compliance Status**

Triggered

**Condition Number**

R2.20

**Condition**

Where an authorised officer of the EPA suspects on reasonable grounds that:

a) a statement of compliance has been falsely certified; or

b) the licence holder or an authorised officer has failed to supply an Annual Return within 60 days after the end of each reporting period;

**Evidence**

Evidence of PIRMP notification forms and reporting.
### Compliance Status

<table>
<thead>
<tr>
<th>No.</th>
<th>Condition</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>U1</td>
<td>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; f) details of any measure taken or proposed to prevent or mitigate against a recurrence of such an event; g) any other relevant matters.</td>
<td>Not Triggered</td>
<td>Based on the site communication that has not been triggered.</td>
</tr>
<tr>
<td>U2</td>
<td>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; f) details of any measure taken or proposed to prevent or mitigate against a recurrence of such an event; g) any other relevant matters.</td>
<td>Not Triggered</td>
<td>Outside the audit period.</td>
</tr>
<tr>
<td>U3</td>
<td>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; f) details of any measure taken or proposed to prevent or mitigate against a recurrence of such an event; g) any other relevant matters.</td>
<td>Not Triggered</td>
<td>Outside the audit period.</td>
</tr>
</tbody>
</table>

### Noise Limits

The licensee must conduct a noise assessment in accordance with the document, "NSW Industrial Noise Policy (INP), 2000". The assessment must be carried out in the current premises and submitted to the Manager, Hunter Region, by no later than 31 August 2014.

The report referred to in condition U1 must include, but is not limited to the following:

1. Project Specific Noise Levels for the assessment area, time and location, if applicable. The report must include a statement of the project specific noise levels, the extent to which the noise levels are expected to be reduced by the proposed project, and the methods used to determine the extent.
2. Noise levels measured during the construction or operation of the project or other activities at the site.
3. Details of any measure taken or proposed to prevent or mitigate against a recurrence of such an event.
4. Any other relevant matters.

The report referred to in condition U1 must include, but is not limited to the following:

1. Project Specific Noise Levels for the assessment area, time and location, if applicable. The report must include a statement of the project specific noise levels, the extent to which the noise levels are expected to be reduced by the proposed project, and the methods used to determine the extent.
2. Noise levels measured during the construction or operation of the project or other activities at the site.
3. Details of any measure taken or proposed to prevent or mitigate against a recurrence of such an event.
4. Any other relevant matters.

Noise generated at the premises must not exceed the noise limits below:

<table>
<thead>
<tr>
<th>Receiver</th>
<th>Noise Limit (LAeq)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>50</td>
</tr>
<tr>
<td>Side</td>
<td>50</td>
</tr>
<tr>
<td>Rear</td>
<td>50</td>
</tr>
<tr>
<td>Pumice</td>
<td>50</td>
</tr>
<tr>
<td>Access Road</td>
<td>50</td>
</tr>
</tbody>
</table>

Noise levels resulting from noise levels at the premises, as determined through the "Premiers Noise Assessment" pollution reduction program, as per the NSW Industrial Noise Policy, are applied to the licence.

The licensee must maintain a system acceptable to water users on Black Creek for advising those water users registered with the company of the discharge of waters from discharge point 1. Where possible, water users will be advised within the 24 hour period immediately prior to the commencement of any discharge. Where prior advice is not possible, advice will be given as soon as practicable after discharge commencement.

The licensee will advice water users of the conductibility of water being discharged. The conductivity of the waters of Bolder Creek at the intersection of Black Creek and Lomas Lane will be advised on water users are requested.

### Evidence

- Evidence of consultation during April 2015 discharge from LDP001. No other times this was triggered. Residents contacted via express post.
- Evidence of consultation during April 2015 discharge from LDP001. No other times this was triggered. Residents contacted via express post.
- Evidence of Government Information (Public Access) records provided from Industry and Investment dated 8 August 2012. SLR sighted the licenced users.
- Evidence of consultation during April 2015 discharge from LDP001. No other times this was triggered. Residents contacted via express post.
**Consolidated Mining Lease No 2 (Act 1992)**

**Lease:** Consolidated Mining Lease No 2 (Act 1992)

**Holder:** Austar Coal Mine Pty Limited

**CAN:** 111 910 822

**Date of Lease:** 28 Mar 93

**Expiry Date of Lease:** 15 May 25

---

### Condition

<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance Status</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td>Not Triggered</td>
<td>Not triggered in reporting period.</td>
<td></td>
</tr>
<tr>
<td><strong>2</strong></td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3</strong></td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>4</strong></td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5</strong></td>
<td>Compliant</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>6</strong></td>
<td>Not Triggered</td>
<td>Not triggered.</td>
<td></td>
</tr>
<tr>
<td><strong>7</strong></td>
<td>Not Triggered</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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**Evidence Required:**

- **Condition 1:** There were PIRMP notifications required during the audit period. These all relate to surface water management. Although there were incidents, the site has implemented measures to prevent and/or minimise harm to the environment. These measures included:
  - Water management design
  - Monitoring and reporting
- **Condition 2:** The proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development. Compliant
- **Condition 3:** Mining Operations Plan (MOP) prepared and approved. Review and provide notice to landholders. Failure to comply with conditions could result in potential harm to the environment. These are the management plans required by the project approval and development consent.
- **Condition 4:** Evidence of submission to DRG and DPE.
- **Condition 5:** Failure to report. Noted. Austar report incidents to relevant government agencies through incident reports and AEMRs.
- **Condition 6:** Ongoing rehabilitation. Landuse discussed in the MOP.

---

**Additional Environmental Reports:**

- **Condition 5:** SLR recommends renaming the document an Annual Review and completing it in accordance with the Annual Review Guidelines.
  - All future Annual Reviews should compare results against EA guidelines and assess trends in the data. This requires careful planning.

---

**Administrative Non-Compliance:**

- **Condition 6:** Operational Non-Compliance
  - AEMRs do not report compliance with the MOP.
  - AEMRs do not report on progress in respect of rehabilitation completion criteria.
  - AEMRs do not report on progress in respect of rehabilitation completion criteria.

---

**Administrative Non-Compliance:**

- **Condition 7:** Operational Non-Compliance
  - AEMRs do not report on progress in respect of rehabilitation completion criteria.

---

**Administrative Non-Compliance:**

- **Condition 8:** Operational Non-Compliance
  - AEMRs do not report on progress in respect of rehabilitation completion criteria.
<table>
<thead>
<tr>
<th>Condition</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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. This plan shall include the following: 1. A geological and geotechnical study of the area to be mined and the surrounding area. 2. A subsidence risk assessment. 3. A monitoring plan. 4. A corrective action plan.</td>
<td>Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023.</td>
<td></td>
</tr>
<tr>
<td>The lease holder must ensure that at least 137 competent people are efficiently employed on the lease area on each working day.</td>
<td>According to site communications, 205 people are employed at site.</td>
<td></td>
</tr>
<tr>
<td>If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to: (i) cease working the lease; or (ii) cease that part of the working of the lease.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date the lease has come into operation, to the Director-General.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 15 mm/s at any occupied premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (A) at any occupied premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The lease holder must ensure that all exploratory drilling operations are carried out in a manner which ensures the safety of persons or stock in the vicinity of the operations.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Condition Details

- **Condition 8**: 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. This plan shall include the following:
  1. A geological and geotechnical study of the area to be mined and the surrounding area.
  3. A monitoring plan.
  4. A corrective action plan.

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023.

- **Recommended Action**: Ensure Exploration Reports are dated and sent to the DRG within 28 days of the anniversary date.

- **Condition 9**: The lease holder must ensure that at least 137 competent people are efficiently employed on the lease area on each working day. This must be submitted to the Director-General and the following must be observed:

- **Evidence**: According to site communications, 205 people are employed at site.

- **Recommended Action**: Ensure a compliant number of people are employed at site.

- **Condition 10**: If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:
  1. Cease working the lease.
  2. Cease that part of the working of the lease.

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure compliance with all conditions.

- **Condition 11**: If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:
  1. Cease working the lease.
  2. Cease that part of the working of the lease.

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure compliance with all conditions.

- **Condition 12**: The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date the lease has come into operation, to the Director-General. This report shall be submitted to the Director-General and the following must be observed:

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure Exploration Reports are dated and sent to the DRG within 28 days of the anniversary date.

- **Condition 13**: The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 15 mm/s at any occupied premises. This must be submitted to the Director-General and the following must be observed:

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure compliance with all conditions.

- **Condition 14**: The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (A) at any occupied premises. This must be submitted to the Director-General and the following must be observed:

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure compliance with all conditions.

- **Condition 15**: The lease holder must ensure that all exploratory drilling operations are carried out in a manner which ensures the safety of persons or stock in the vicinity of the operations. This must be submitted to the Director-General and the following must be observed:

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure compliance with all conditions.

- **Condition 16**: The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (A) at any occupied premises. This must be submitted to the Director-General and the following must be observed:

- **Evidence**: Evidence of 'Indexing Title DSL89 Group Report'. Anniversary period is April 4 to April 4. Reports covering:- April 4th, 2023. | | |

- **Recommended Action**: Ensure compliance with all conditions.
<table>
<thead>
<tr>
<th>Condition</th>
<th>Compliance State</th>
<th>Evidence</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>(a) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Environmental Regulator of the intentions to drill exploratory drill holes together with information as to the location of the proposed holes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including groundwaters). The lease holder must observe and perform any instructions given by the Director-General in this regard.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, or pipeline.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Nature of access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Access tracks must be in accordance with specifications fixed by the Department of Environment and Climate Change.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder. The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>The lease holder must not affect the discharge of mining effluent or mining waste to the extent that such affect is likely to cause any pollution of water or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>The lease holder must not interfere with or affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may impose.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>All drilling of holes shall cease and be included in the waste of the lease if in the opinion of the landholder in any other way on the lease area if notified prior written approval of the Director-General and subject to any conditions he may impose.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Activities on the lease must not interfere with or affect any watercourse or water course or river.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Activities on the lease must not interfere with or affect any rock or soil or to the extent that any rock or soil or is likely to cause any pollution of the air or groundwaters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Activities on the lease must not interfere with or affect any well or any water course or river or any other water or water course or river.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>The lease holder must not interfere with or affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may impose.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Activities on the lease must not interfere with or affect any watercourse or water course or river.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Activities on the lease must not interfere with or affect any rock or soil or to the extent that any rock or soil or is likely to cause any pollution of the air or groundwaters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Activities on the lease must not interfere with or affect any well or any water course or river or any other water or water course or river.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Activities on the lease must not interfere with or affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may impose.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condition Number</td>
<td>Condition</td>
<td>Compliance Status</td>
<td>Evidence</td>
</tr>
<tr>
<td>------------------</td>
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</tr>
<tr>
<td>29</td>
<td>(a) Notwithstanding any Mining Operations Plan, the lease holder must not mine within any part of the lease area which is within the rehabilitation area of the Kataga Dam without the prior written approval of the Minister and subject to any conditions he may impose.</td>
<td></td>
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<td></td>
<td>(b) At least [ ] days before mining at such lease area as the Minister may decide, notify the Minister of the details to be so.</td>
<td></td>
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<tr>
<td>30</td>
<td>The holder of a consolidated mining lease may not suspend mining operations in the mining area other than in accordance with the consent of the Minister.</td>
<td></td>
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<tr>
<td></td>
<td>Not Triggered</td>
<td>Operations ongoing</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>The lease holder must make every reasonable attempt, and be able to demonstrate that attempts, to enter into a cooperation agreement with the holder(s) of any adjoining or contiguous mining lease(s) that might be affected thereby.</td>
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<td></td>
<td>Not Triggered</td>
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<tr>
<td>32</td>
<td>A person must not remove, damage, destroy, obliterate or deface any marks in connection with any geolocational datum, personnel mark or survey control point or surface improvement or feature.</td>
<td></td>
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<td></td>
<td>Compliant</td>
<td></td>
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</tr>
<tr>
<td>33</td>
<td>Unless with the consent of the Minister first had and obtained and subject to such conditions as the Minister may impose, the registered holder shall not work or cause to be worked any seam of coal within the subject area without leaving, if the subject area is a coal bearing area, a mark at each end of the seam at the surface or at such other points as may be directed by the Minister in writing.</td>
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<td></td>
<td>Not Triggered</td>
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<td></td>
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<tr>
<td>34</td>
<td>Any approval or consent given by the Minister including any approval or consent given pursuant to any condition or term of any condition of that approval or consent and any other condition subject to which mining or mining operations are to be carried out under the said approval or consent, is not a consent for the purposes of the said Condition.</td>
<td></td>
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<tr>
<td></td>
<td>Not Triggered</td>
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<tr>
<td>35</td>
<td>The registered holder shall not work or cause to be worked any coal seam at any location within the subject area of a coal mining lease that is not specified in the lease, or any condition attached to it, against any surface improvement or any surface feature whether natural or artificial.</td>
<td></td>
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<td></td>
<td>Not Triggered</td>
<td></td>
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</tr>
</tbody>
</table>

Note: The conditions include provisions for mining operations, cooperation agreements, and conditions related to the protection of marks and surveying marks.
APPENDIX C – DGS SPECIALIST REPORT
26 February 2018

Christopher Jones
Associate - Env Man Permitting & Compliance
SLR Consulting Australia Pty Ltd
10 Kings Road, New Lambton, NSW, 2305

Report No. AUS-003/1

Dear Christopher,

Subject: Subsidence Impact Management Compliance Assessment for the Fourth Triennial Independent Environmental Audit of the Austar Coal Mine, Ellalong

1.0 Introduction

This report presents the outcomes of the Fourth Triennial Independent Review on the performance of the Subsidence Management Plans and Extractions Plans prepared by the Austar Coal Mine, Ellalong.

The audit covers the period between November 2014 and November 2017. Mining activities during this period included the completion of longwall A8 (Stage 3 Area) in June 2015 and longwalls B2 and B3 in the Bellbird South Area. The mine commenced longwall B4 on 4/10/17. All mining activities occurred in the Greta Seam of the Greta Coal Measures.

This report forms part of the “Independent Environmental Audit” required by the NSW Planning & Environment’s (DPE) as specified in the following modified project approval or development consent conditions granted for Longwalls A8 (Stage 3 Area) and B1 to B7 (Bellbird South) respectively:

- Schedule 7, Condition 7 Modified Project Approval for Stage 3 (Mod 3, PA No. 08_0111 dated 17/12/13); and
- Schedule 5, Condition 6 Modified Development Consents (Mod 6 and 7, DA No. 29/1995 dated 29/1/16 (Mod 6, B1-3) and 25/8/17 (Mod 7, B4-7)).

The report has been prepared in accordance with NSW Independent Audit Guidelines 2015 for submission with the Independent Environmental Audit Report as requested by SLR Pty Ltd.

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1 Longwall B1 has not been extracted yet due to the decision by the mine to commence with B2 in July 2016.
2.0 Scope of Work

The scope of the audit has included the following items of work:

(i) A desktop review of the following documents:

Approvals

- Modified Project Approval (Mod 3 PA No. 08_0111) for Stage 3 Longwalls A7 to A10 (dated 17/12/13);
- Modified Development Consents (Mod 6 and 7, DA No. 29/95) for Bellbird South Longwalls B1-B3 (Mod 6, dated 29/1/16) and Longwalls B4-B7 (Mod 7, dated 25/8/17);
- Modified Subsidence Management Plan / Extraction Plan Approval for Stage 3 Longwalls A7 to A10 (DPE, dated 06/01/14 and DRG, dated 19/02/14); and
- Extraction Plan Approvals for Longwalls B1-B3 (DPE, dated 04/07/16) and B4-B7 (DPE, dated 20/09/17).

Subsidence Management / Extraction Plans and Appendices (TARPS & Specific Management Plans)

- Austar LW A7-A10 Extraction Plan (dated 19/12/13);
- Austar LW B1-B3 Extraction Plan (dated 16/5/16);
- Austar LW B4-B7 Extraction Plan (dated 15/9/17);
- Austar LW A7-A10 Subsidence Monitoring Program (dated 4/12/13);
- Austar LW B1-B3 Subsidence Monitoring Program (dated 9/5/16); and
- Austar LW B4-B7 Subsidence Monitoring Program (dated 21/9/17).

Annual Environmental Management Reports / End of Panel Reports

- Annual Environmental Monitoring Reports for 1 July 2014-30 June 2015, 1 July 2015-30 June 16 and 1 July 2016-30 June 17 that were submitted to DPE; and
- End of Panel Report for LW A8 dated 29/9/15 that was submitted to DRG (Department of Resources and Geosciences).
(ii) A brief walk over / drive by inspection of the surface above the extracted South Bellbird longwalls B2 and B3. 2

(iii) Provide an assessment of the effectiveness of the Extraction Plans / Subsidence Management Plans in place and possible avoidance of remediation measures or strategies; and

(iv) Provide recommendations on any changes to the overall reporting process such that it may improve the effectiveness, transparency and performance of the management plans.

3.0 Surface Conditions and Mining Geometry

3.1 Stage 3

The Stage 3 area (LW A7 - A10) includes undeveloped woodland of the Werakata State Conservation Area (previously known as the Aberdare State Forest), rural residential properties and several creeks with alluvium (Coney and Sandy Creeks).

Infrastructure, cultural heritage and utilities above include:

- Public roads and tracks (Quorrobolong Road, Coney Creek Lane, Pelton Road, Crown and NPWS tracks);
- Communications infrastructure (buried optic fibre and local copper cables);
- Ausgrid above ground powerlines;
- A poultry farm including poultry sheds;
- Rural property infrastructure (Private dwellings, private access tracks, sheds, farm dams, fences);
- Austar Coal Mine infrastructure and access road;
- Aboriginal Heritage Sites; and
- Survey marks.

The longwalls are located at a depth of 500 m to 560 m with void widths of 237 m and chain pillar widths of 55 m. Longwall Top Coal Caving (LTCC) technology was used to extract 3.3 m to 6.0 m height of the Greta Seam.

3.2 Bellbird South

The Bellbird South mining area (LW B1-B7) includes predominately rural-residential properties, with ephemeral drainage gullies associated with Quorrobolong Creek.

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2 The Stage 3 area was not inspected as this was done during the previous audit period and only one additional panel (A8) had been extracted during this audit period.
Natural and Built features and cultural heritage sites within the Extraction Plan Area include:

- Ephemeral drainage gullies;
- Dry land and riparian vegetation;
- Public roads, bridge, culverts (Sandy Creek Road, and Barraba Lane);
- Communications infrastructure (local copper cables);
- Ausgrid above ground powerlines;
- Private groundwater bores;
- Rural property infrastructure (Private dwellings, private access tracks, sheds, farm dams, fences);
- Aboriginal Archaeological Site; and
- Permanent Marks and State Survey marks (PM’s and SSM’s).

Similar mining geometries to Stage 3 are being applied, except that conventional longwall mining techniques are being used with a mining height of 3.4 m.

The mining sequence for LWB1-B3 was changed for operational reasons after the approval was granted. The revised schedule requires B2 and B3 to be extracted before B1 and is outlined in the B1-B3 Extraction Plan, which is approved by DPE.

4.0 Document Review

4.1 Environmental Management Strategy and Extraction Plans

Austar operates in accordance with the approved Environmental Management Strategy (EMS). The EMS is a requirement of Condition 1, Schedule 7 of PA08_0111 and Condition 1, Schedule 5 of DA No. 29/95. The objectives of the EMS include:

- provide an overall framework for environmental management;
- identify key environmental aspects to be addressed in the strategy and supporting plans and procedures;
- establish procedures for reviewing progress and implementing corrective actions; and
- provide a framework for review and continual improvement.

The documentation prepared for subsidence impact management also follows the above strategy.

The consolidated Mod 7 DA 29/95 requires an Extraction Plan to be developed prior to secondary extraction. Conditions of development consent and Mining Leases no longer
require a Subsidence Management Plan approval. End of Panel Reports were often a condition of Subsidence Management Plan approvals. These are no longer required by the Extraction Plan process, and subsidence performance is reported through the AEMR/Annual Review Report process. In addition, subsidence monitoring data is required to be submitted on the DRG Subsidence Monitoring Data Portal.

4.2 **Annual Environmental Management Reports (AEMRs)**

Three AEMR’s have been submitted to the DPE as required during the Audit period.

The content of the AEMRs are described in the DA and PA Conditions for Stage 3 and Bellbird South mining areas and must include the following information:

- descriptions of mining activities completed during the previous 12 months;
- descriptions of mining activities proposed for the next 12 months;
- descriptions of any modifications to the original mining layout to which consent or mining approval was granted;
- present and summarize monitoring data and compare against predictions (Subsidence and Environmental Monitoring Programs)\(^3\);
- community complaints and the responses to them by the mine;
- identify any non-compliances and determine if any actions are required to improve the effectiveness of the management plans and/or environmental performance;
- The subsidence effect and impact predictions for the approved longwalls;
- The results of the monitoring conducted and comparison with predictions and the relevant Trigger Action Response Plan (TARP); and
- Identification of any predicted subsidence effect and impact exceedance and the necessary responses and/or corrective management and reporting actions.

Based on the AEMRs, no abnormal subsidence events or impacts to the environment have been detected during the audit period. Subsidence monitoring did not exceed any of the predictions in the two mining areas either.

It is noted however, that the AEMRs only provide subsidence profiles for the survey lines above LW B2 and B3. There are no End of Panel reports now for these longwalls to provide further details on predicted v. measured tilt, curvature and strain (i.e. only the Stage 3 longwall approvals require end of panel reports).

\(^3\) The data required to be collected and reviewed is defined in the following individual sub-plans: Subsidence Monitoring Program, Land, Built Features, Public Safety, Biodiversity and Heritage Management Plans.
In regard to curvature, the 2014-15 AEMR responds to the previous Independent audit period request to review the need for curvature measurement and predictions since as it is not practical to measure curvatures that are within survey accuracy limits. It is understood that the mine is currently considering indirect estimates of curvature from strain measurements for approval condition reporting requirements.

There has been no surface cracking, erosion or subsurface re-routing of flows along creeks and watercourses during the audit period.

Impacts to houses are required to be within Safe, Serviceable and Repairable limits (SSR) unless landholders agree to greater impact. The SSR limits for buildings are determined by Subsidence Advisory recommendations and guidelines. No confirmed impacts to houses have occurred during the current audit period.

The Noise and Vibration Monitoring Plan recorded 4 vibration events that exceeded the British Standard vibration threshold of 15 mm/s for cosmetic damage to structures. The vibrations are caused by the fracturing of strata behind the retreating longwall faces and are associated with subsidence development.

The vibration events occurred after the commencement of longwall B2 and ranged between 17.4 and 25.2 mm/s. There was one community complaint regarding vibration in the Bellbird South area. This was reported in the 2016-2017 AEMR complaints section in Appendix F. In response, the landowner was visited and cracking to plaster was observed. Vibration data was provided along with claim process and forms and contact details for an officer at the Mine Subsidence Board (now Subsidence Advisory NSW). The SA NSW was also contacted by Austar who also advised that the landholder should lodge a claim. It is understood that a claim was made, however, the outcome of the claim process is not known.

Aboriginal Heritage monitoring did not detect any impacts to artefact sites or grinding groove sites during the audit period.

The DA/PA Conditions of Consent, project modifications, Extraction Plans / Subsidence Management Plans, AEMRs and EoPRs are provided on the Austar website (austarcoalmine.com.au)

Details of the subsidence data review are provided in the EoP Reports and summarised in Section 5.3.

4.3 End of Panel Reports (EOPRs)

More specific information was presented in the End of Panel Reports for LW A8 to DRG, which is a requirement of the approval conditions for LWA7 to LWA10. The reports also provide the relevant subsidence and environmental monitoring data presented in the AEMR summarised in Section 5.2.

Details of measured subsidence data v. predicted values is summarised below:
Stage 3 - LW A8

- Measured surface subsidence was 0.61 to 0.77 m above LW A8 centreline and cross line. The predicted maximum subsidence was 0.75 m to 1.15 m and therefore greater than the measured values;

- Measured maximum tilt was 2 mm/m with predicted values from 5 mm/m to 5.5 mm/m. The predicted values were higher than the measured values;

- Measured maximum tensile strain ranged from 0.7 mm/m to 0.9 mm/m and predicted values ranged from 0.6 to 0.8 mm/m;

- Measured maximum compressive strain ranged from 0.8 mm/m to 1.4 mm/m and predicted values were 0.9 to 1.4 mm/m;

- A maximum compressive strain of 8.3 mm/m and 6.7 mm/m were measured along Quarrobolong Road and likely to be due to peg disturbance due to lack of any surface impact and low subsidence magnitude of 0.196 m; and

- No surface impacts were detected due to the above movements.

Bellbird South

There are no requirements for end of panel reports due to the following changes in the reporting system:

- Subsidence predictions are reviewed in the AEMRs, and

- The mine is required to lodge its survey monitoring results in accordance with the Subsidence Monitoring Plans to the “Subsidence Data Portal” administered by the DRG.4

5.0 Site Inspection

Rural residential land between Sandy Creek Road and Barraba Lane was inspected by a Principal Engineer on the 22/11/17 (see photos attached).

There were no perceptible impacts from mine subsidence of up to 320 mm after LW B2 and B3 had been completed.

A subsidence warning sign to motorists on Sandy Creek Road (as specified in the Public Safety Management Plan) had been removed by a member of the public prior to the inspection. The sign was re-erected on 18/12/17 by Austar.

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4 The survey data for Bellbird South is not shown on the Austar website.
6.0  Compliance and Effectiveness of the Subsidence Management Plans

6.1  Reporting Issues

It is considered that the AEMR Reports prepared during the audit period have generally met the requirements of the Stage 3 PA Conditions of Consent and Bellbird South DA Conditions.

However, it is noted that there is now a reduced level of subsidence monitoring detail for Bellbird South that was previously provided in End of Panel Reports. End of Panel Reports are not required by the DA 29/95 Conditions of Consent.

The need for tilt, strain and curvature data to manage the council and private buildings and infrastructure is not required by the management plans (other than the subsidence measurements to confirm subsidence has occurred. All features are required to be visually inspected and recorded before during and after subsidence occurs. Any repairs or mitigation works are attended to in accordance with the management plan. If further subsidence effects are required, then the subsidence data can be referred to on request.

6.2  Compliance with Consent Conditions

Based on a review of the AEMRs and EoP Reports for the 2015-2017 Audit Period and surface inspection, it is assessed that the Austar Mine has complied with the DA Conditions of Consent for mine subsidence impact management.

It is noted that the requirements of the approvals in Bell Bird South no-longer require a review of predicted tilt, strain and curvatures due to the very low magnitudes of each parameter that occur. Visual inspections and subsidence measurements are all that is required to manage any impact and is in compliance with the Extraction Plans. However, it is recommended that improved reporting of subsidence parameters is presented in Annual Review / AEMR reports to more easily compare to the predictions in the relevant EA

6.3  Adequacy of the Strategies

The information being collected is considered adequate for meeting the objectives of current SMP/EP standards and allows for the assessment / mitigation strategies if any environmental damage occurs.

Actual subsidence and impact predictions at surface features within the area of influence of mining have generally been less than or consistent with the EA predictions. Actual impacts have been assessed as ‘imperceptible’ with no surface cracking or environmental impact observed after subsidence of up to 0.75 m.

The consequence of vibrations exceeding the threshold limits for cosmetic damage to structures is considered unlikely to cause SSR limits to be exceeded. Any impact to houses should be repaired in accordance with the existing processes for repairing subsidence damage through Subsidence Advisory NSW. It therefore concluded that the vibration issue is being managed adequately by Austar.
Overall, the current strategies, plans and programs for managing mine subsidence impacts to the environment, man-made developments and public safety are considered to be performing adequately.

7.0 **Recommended Actions to Improve Subsidence Impact Management System Performance**

It is suggested that tilt and strain profiles be provided in the AEMR reports and a sub-section provided in the text that compares the measured v. predicted values and discusses whether the overburden is behaving as expected or otherwise. Curvatures may be then able to be estimated from the strain profiles through a locally derived ratio between maximum strain and peak curvatures (excluding disturbed survey pegs).

The main purpose of this exercise would be to provide technical information to stakeholders that do not have access to the DRG portal.
For and on behalf of
Ditton Geotechnical Services Pty Ltd

Steven Ditton
Principal Engineer and Director
BE(Civil/Hons) C.P.Eng(Civil), M.I.E.(Aust)
NPER 342140
MAusIMM
M/N 318977

Attachments:

Photos 1 to 3
Photo 1 - Rural Residential Property Land above Longwall B2 and B3 in the Bell Bird South Mining Area (Photo taken from Barraba Lane)

Photo 2 - Sandy Creek Road Condition in Bellbird South Mining Area (near Vandalised Subsidence Warning Sign posts)
Photo 3 - Coney Creek and Riparian vegetation above Stage 3 (previous audit period)
## APPENDIX D – SLR AUDIT CERTIFICATION

### Independent Audit Certification Form

<table>
<thead>
<tr>
<th>Development Name</th>
<th>Austar Coal Mine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Consent No.</td>
<td>PA 08_01111 and DA 29/95</td>
</tr>
<tr>
<td>Description of Development</td>
<td>Underground Operation</td>
</tr>
<tr>
<td>Development Address</td>
<td>Middle Road, Paxton NSW 2325</td>
</tr>
<tr>
<td>Operator</td>
<td>Austar Coal Mine Pty Ltd</td>
</tr>
<tr>
<td>Operator Address</td>
<td>Middle Road, Paxton NSW 2325</td>
</tr>
</tbody>
</table>

### Independent Audit

| Title of Audit | Austar 2017 Independent Environmental Audit |

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:

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.

The findings of the audit are reported truthfully, accurately and completely. I have exercised due diligence and professional judgement in conducting the audit.

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 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 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).

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 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.

Note.

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.

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).

### Signature

[Signature]

### Name of Lead / Principal Auditor

Chris Jones

### Address

10 Kings Road, New Lambton NSW 2305, Australia

### Email Address

cjones@slrconsulting.com

### Auditor Certification (if relevant)

Principal Environmental Auditor

### Date

27 February 2018
Austar Coal Mine Pty Ltd
Locked Bag 806
CESSNOCK NSW 2325

Att: Mr Gary Mulhearn, Environment and Community Manager

Austar Coal Mine MP 08_0111 and DA 29/95
2017 Independent Environmental Audit Team

Thank you for your correspondence on 24 October 2017 proposing an audit team to undertake the Independent Environmental Audit (IEA) of Austar Coal Mine Pty Ltd’s (Austar’s) Austar Coal Mine Project (the site) in accordance with Schedule 7, Condition 7 of Project Approval MP 08_0111 and Schedule 5, Condition 6 of development consent DA 29/95 (the approvals), as modified.

The Department has reviewed the information provided and endorses the proposed audit team with the following personnel:

- Chris Jones – Lead Environmental Auditor
- Tracey Ball – Assistant Environmental Auditor
- Steven Ditton – Subsidence Specialist
- Nathan Archer – Noise Specialist
- Tim Wilkinson – Groundwater Specialist
- Paul Delaney – Surface Water Specialist
- Ali Naghizadeh – Air Quality Specialist
- Andrew Hutton – Project Director

In accordance with Schedule 7, Conditions 7 and 8 of MP 08_0111 and Schedule 5, Conditions 6 and 7 of DA 29/95, the Department expects that the audit is commissioned and the full cost paid by 31 December 2017, and the audit report and a response to any recommendations contained within this report is submitted to compliance@planning.nsw.gov.au within six weeks of completing the audit (the audit inspection date).

Please contact Ann Hagerthy on (02) 6575 3407 or ann.hagerthy@planning.nsw.gov.au should you have any queries on this matter.

Yours sincerely

[Signature]

26/10/17

Leah Cook
Team Leader - Compliance
As Nominee of the Secretary
Hi Gary

Given the below justified request, the Department will accept the IEA report and response to recommendations by 27 Feb18.

Any further concerns please don’t hesitate to contact us

Regards

Leah

On 23 Nov 2017, at 4:16 pm, Gary Mulhearn <Gary.Mulhearn@yancoal.com.au> wrote:

Dear Ann & Leah,

As discussed on the phone last week with Ann, I have discussed the timing for submission of the audit report with our Lead Auditor Chris Jones. The DPE letter requested the report and a response to any recommendations in the report is submitted to DPE within six weeks of the audit inspection date. Our lead auditor does not consider this timing is possible and has cited several reasons.

• SLR and Austar Key staff Xmas shutdown from 22nd December 2017 to 8th January 2018;
• Our Subsidence Specialist has some existing deadlines. He will not be able to provide a report to SLR and site until Mid – January 2018;
• The SLR noise specialist has an overseas trip for much of December and into January and will not be able to provide the final inputs relating to noise until the new year;
• The site contains two state significant consents. The consent breakdown at the site is very complex and it will take SLR some time to fully understand the breakdown as well as assess compliance and develop recommendations for the site.

In light of the above considerations, our Lead Auditor has proposed a work program which would see a draft auditors report prepared by mid February, and final audit report completed and submitted to DPE by 27 February 2017. They consider this will permit a suitably thorough auditing process to be completed. I would like to request that DPE consider a requested submission date of the audit report of 27 February 2017.

Regards,

Gary Mulhearn | ENVIRONMENT & COMMUNITY MANAGER

Austar Coal Mine Pty Ltd

SITE: Middle Road, Paxton NSW 2325
POSTAL: Locked Bag 806, Cessnock NSW 2325 Australia
PHONE: +61 2 4993 7334
FAX: +61 2 4993 7326
MOBILE: +61 403 963 081
EMAIL: Gary.Mulhearn@yancoal.com.au
WEBSITE: www.austarcoalmine.com.au

<image001.jpg>


Sent: Friday, 27 October 2017 2:18 PM

To: Gary Mulhearn <Gary.Mulhearn@yancoal.com.au>  
Cc: Leah Cook <Leah.Cook@planning.nsw.gov.au>

Subject: 171027 DPE to Austar Coal Mine - 2017 IEA team approval

Hi Gary,

Please find attached an approval letter for your proposed IEA team.
Regards,

Ann Hagerthy, PMP
Senior Compliance Officer (Mon, Tue, Thu)
Compliance
Department of Planning & Environment | PO Box 3145 | Singleton NSW 2330
T 02 6575 3407 M 0428 976 540
E ann.hagerthy@planning.nsw.gov.au