



WAMBO COAL MINE & RAIL LOOP

INDEPENDENT ENVIRONMENTAL AUDIT REPORT

for

Wambo Coal Pty Ltd

January 2015

Hansen Bailey

ENVIRONMENTAL CONSULTANTS

WAMBO COAL MINE & RAIL LOOP

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Prepared by:

HANSEN BAILEY
6/127-129 John Street
SINGLETON NSW 2330

January 2015

for:

WAMBO COAL PTY LTD
PMB 1
SINGLETON NSW 2330

EXECUTIVE SUMMARY

Hansen Bailey was commissioned by Wambo Coal Pty Limited to conduct an independent environmental compliance audit against Development Consent DA 305-7-2003 (as modified) for the Wambo Coal Mine and DA 177-8-2004 (as modified) for the Wambo Rail Loop for the Department of Planning & Environment for the period from 1 December 2011 to 31 October 2014. The audit also assessed compliance with Environment Protection Licence 529 and mining lease 1572.

This audit was conducted by Dianne Munro (RABQSA International Certified Auditor 107622) and Dorian Walsh from Hansen Bailey with the field visit component completed on 6 - 7 November 2014.

The audit consisted of a detailed desktop review of documentation, interviews with key Wambo Coal Mine staff and a field inspection of the mining and rehabilitation areas. The audit was conducted generally consistent with 'ISO 14010 - Guidelines and General Principles for Environmental Auditing', and 'ISO 14011 - Procedures for Environmental Auditing' and the Draft Guidelines, Independent Environmental Audits of Mining Projects.

Key actions and recommendations from the 2011 Compliance Audit have generally been completed as described in **Section 2**.

The field inspection revealed that housekeeping in and around the CHPP, workshop, rail loop and fuelling facility and storage areas was excellent. The office complex, stores and workshop were in good condition and generally constructed consistent with infrastructure proposed within the Environmental Impact Statement documents and subsequent modifications.

Implementation of site rehabilitation is progressing in accordance with the predictions in the supporting documents of the Development Consent and Mining Operations Plan. Ongoing maintenance of to ensure rehabilitation quality and best utilisation of the limited topsoil on site will require ongoing diligence.

Significant works being undertaken for the rehabilitation of the realigned channel of North Wambo Creek were also reviewed during the audit site inspection and this area is also developing in accordance with the relevant stages of completion criteria for this area.

A comparison of the mining proposed in the Environmental Impact Statement and current operations show that although the scheduling of the mine plan is progressing in a different timing to that described (particularly in the mining of the Montrose Ridge area), however the total area of disturbance and conceptual rehabilitation plan is generally consistent with the Development Consent and current Mining Operations Plan. As Wambo is aware, ongoing diligence and leading practice management in relating to noise and air quality will be required in relation to open cut mining operations progressing through Montrose Ridge in the next audit period.

75 community complaints were received from near neighbours during the audit period. These complaints were predominantly in relation to noise, blasting and air quality issues. Complaints were followed up and addressed with the complainant with the actions taken being reported in the relevant AEMRs and recorded in the site complaints register.

A review of environmental incidents at Wambo since the previous audit indicated that eight incidents were recorded in 2012 and 11 incidents recorded in 2013. The majority of these incidents were Category 1, with one Category 3 incident recorded due to offsite sediment impacts from the North Wambo Creek Diversion (which was appropriately reported and resolved with regulators).

This audit identified some non-compliances against conditions of Development Consent DA 305-7-2003, DA 177-8-2004 and other licences and approvals. Non-compliances to be addressed are summarised in **Section 3**.

This audit also provides a series of recommendations arising from a review of site documentation and identified non compliances (see **Section 6**). These confirm that the non-compliances identified over the audit were largely administrative in nature, however there are some additional management actions that are recommended to be undertaken as a priority.

At the time of the audit, Wambo Coal staff were aware of many of the identified non-compliances against Development Consent conditions, licences and approvals and were working to address a number of the issues identified in this report.

This audit has concluded that a good standard of environmental management is generally being applied in Wambo Coal Mine Operations with some leading practice identified in the air and noise management systems employed at site.

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LIMITATIONS OF REPORT

In preparing this regulatory compliance audit report, Hansen Bailey has assessed all activities appropriate and necessary to evaluate the environmental status of the site and operations on it. Hansen Bailey has addressed all technical matters which might reasonably be considered to be relevant to such an assessment conducted to standards which apply in NSW. Based on observations of the site, interviews with appropriate staff and a review of available documentation, it is Hansen Bailey's opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, Hansen Bailey can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues.

The conclusions presented in this report are professional opinions based solely upon Hansen Bailey's visual observations of the site and the immediate site vicinity, and upon Hansen Bailey's interpretations of the documentation reviewed, interviews and conversations with personnel knowledgeable about the site and other available information, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated.

Opinions presented in this report apply to the site's conditions and features as they existed at the time of Hansen Bailey's site visit on 6 and 7 November 2014, and those reasonably foreseeable. They necessarily cannot apply to conditions and features which Hansen Bailey is unaware of and has not had the opportunity to evaluate.

This report does not, and does not purport to, give legal advice on the actual or potential environmental liabilities of any individual or organisation, or to draw conclusions as to whether any particular circumstances constitute a breach of relevant legislation.

**WAMBO COAL MINE & RAIL LOOP
INDEPENDENT ENVIRONMENTAL AUDIT
for
Wambo Coal Pty Limited**

1 INTRODUCTION

1.1 BACKGROUND

Hansen Bailey has been commissioned by Wambo Coal Pty Ltd (WCPL), to conduct an independent environmental compliance audit (this Audit) against Development Consent DA 305-7-2003 (as modified) for the Wambo Coal Mine (Wambo) and DA 177-8-2004 (as modified) for the Wambo Rail Loop.

The original supporting documentation of DA 305-7-2003 and DA 177-8-2004 are the *Wambo Development Project Environmental Impact Statement* (Resource Strategies, 2003) (Wambo EIS) and the *Proposed Alterations to the Wambo Development Project – Rail and Train Loading Infrastructure Statement of Environmental Effects* (Resource Strategies, 2004), respectively.

A total of 11 modifications have been granted to DA 305-7-2003 and two modifications to DA 177-8-2004 with key components described in detail in **Section 1.4**.

The auditing period that this Report applies to is from 1 December 2011 to 31 October 2014. This Audit was conducted by Dianne Munro (DM) and Dorian Walsh (DW) from Hansen Bailey.

The auditing team was approved by DP&E on 13 August 2014 (see **Appendix A** for correspondence).

The audit consisted of a detailed desktop review of documentation and interviews with key Wambo staff (predominantly Troy Favell (TF) Environment & Community Manager, Peter Jaeger (PJ) Senior Environmental Advisor and Catherine Suggate (CS) Environmental Advisor.

A field inspection of the mining area and rehabilitation areas in accordance with *ISO 14010 - Guidelines and General Principles for Environmental Auditing*, and *ISO 14011 - Procedures for Environmental Auditing*. The field inspection was conducted by DM and DW on 7 November 2014. The weather conditions at the time of the inspection (as per the BOM Singleton weather station) were dry and consisted of east north east winds around 10 km/h. The week preceding the Audit was dry although 4.8 mm of rainfall was recorded at Singleton on 5 November 2014. These conditions were consistent with those experienced during the site inspection at Wambo which were observed to be dry with a light breeze at times.

Each of an Opening and Closing Meeting was held at site with Environmental staff from Wambo in attendance.

1.2 DOCUMENTS REFERENCED IN AUDIT

Appendix C provides a list of all information reviewed as part of this audit.

1.3 SITE DESCRIPTION

The Wambo Coal Mine (Wambo) is situated approximately 15 km west of Singleton, in New South Wales. The mine occurs within the Singleton Shire Council (SSC) Local Government Area (LGA).

Wambo is owned and operated by WCPL, a subsidiary of Peabody Energy Australia Pty Limited. A range of open cut and underground mining operations have been conducted at Wambo since mining commenced in 1969. Mining under the current DA 305-7-2003 commenced in 2004 and presently both open cut and underground mining methods are utilised to extract coal. The Wambo workforce consists of approximately 842 employees and contractors.

Open cut mining operations at Wambo involve the extraction of coal from the Whybrow, Redbank Creek, Wambo and Whynot Seams. The open cut is bound by United Colliery and the Golden Highway to the north, Wollombi Brook to the east and by uneconomic strip ratios to the south and west. The open cut mining fleet includes excavators, dozers, front end loaders, haul trucks, water trucks, service trucks, graders and drills.

Development of the North Wambo Underground Mine commenced in 2005 and production (using longwall mining methods) commenced in 2007 in accordance with DA 305-7-2003. Access to the North Wambo Underground Mine is via the open cut highwall. ROM coal is conveyed to a 70,000 tonne (t) capacity stockpile adjacent to the open cut highwall where it is loaded into haul trucks and hauled to the run-of-mine (ROM) bin or the ROM coal stockpile. Underground mining equipment includes continuous miners, longwall mining equipment, electric shuttle cars, load haul dump machines and personnel transporters.

Mining has not commenced at the approved Whybrow Underground Mine, Arrowfield Underground Mine, or the Bowfield Underground Mine.

ROM coal from the mining operations is hauled to the coal handling and processing plant (CHPP) where it is crushed and washed. The approved ROM coal production rate is 14.7 million tonnes per annum. In 2012, approximately 9.4 Million tonnes (Mt) of ROM coal was produced. Production of ROM coal in 2013 was 9.6 Mt, with 6.2 Mt of saleable product produced after processing. Predicted ROM coal production for 2014 is 8.8 Mt.

Product coal is transported from Wambo by rail. Product coal is reclaimed from the product coal stockpile at three reclaim points and is transferred via conveyors to the train load-out bin. The Wambo Coal Terminal is capable of loading product coal onto trains at a rate of 4,500 tonnes per hour.

1.4 DEVELOPMENT CONSENT SUPPORTING DOCUMENTATION SUMMARY

Wambo operates under two Ministerial consents granted in 2003 for coal mining operations (DA 305-7-2003) and in 2004 for a rail loading facility (DA 177-8-2004). Details of the each consent and their associated modifications are described below.

1.4.1 Wambo Mining Operations DA 305-7-2003

DA 305-7-2003 was granted 4 February 2004 for the expansion of open cut and underground mining operations within existing WCPL leases and into new mining lease application areas. The approval included the following:

- Upgrade of the existing Coal Handling and Preparation Plant (CHPP) to facilitate increased production;
- Development of water control structures;
- Closure of Pinegrove Road and the development of new access and internal haul roads;
- Relocation of the administration area and site offices;
- Operation of the mine 24 hours a day, 7 days a week; and
- Continued haulage of coal by road from Wambo Coal to Mt Thorley Coal Loader.

To date, 13 modification applications have made under DA 305-7-2003 and 11 have been approved, as detailed below.

Modification 1 – Extension of Time

MOD1 enabled (previously held) DA No 108/91 to remain active and was granted in late 2004.

Modification 2 – Reorientation of Panels

MOD2 was sought to modify the orientation and timing of the development of the Wambo Seam Underground Mine. Approval was obtained May 2005.

Modification 3 – Infrastructure Construction

MOD3 was granted in January 2006 to facilitate the construction of infrastructure for the underground and open cut mines.

Modification 4 – Remnant Coal Extraction

MOD4 was sought to extract remnant coal from the existing Wollemi Underground Mine. Approval was obtained in April 2006.

Modification 5 – Temporary Bypass of North Wambo Creek

MOD5 was granted on 20 October 2006 in accordance with Section 96(2) and was supported by a *Statement of Environmental Effects* (SEE) dated September 2006. The SEE describes three distinct components:

- The staged construction of the North Wambo Creek diversion;
- Installation of boreholes and infrastructure for gas drainage, ventilation and dewatering of the North Wambo Underground Mine; and
- Various administrative changes.

Modification 6 - Temporary Creek Diversion

MOD 6 approved the diversion of North Wambo Creek around the open cut workings however the time required to construct, stabilise and commission the full length of the permanent diversion would interrupt the progress of the open cut development.

MOD6 was determined on 25 January 2007 under Section 96(1A) by a SEE and enabled the construction and operation of a temporary creek diversion on a 2 km section of North Wambo Creek for 2 years.

Modification 7 - Chitter Dump Water Storage Dam

MOD7 was granted on 22 June 2009 under Section 96(1A) seeking approval for the construction of a new mine water management structure with an overall capacity of 810 Megalitres (ML) to allow for the dewatering of underground workings.

Modification 8 – South Water Storage Dam

MOD8 was granted 27 August 2009 in accordance with Section 96(2) to enable the construction of a mine water storage dam to facilitate the dewatering of the underground workings.

Modification 9 – Subsidence Conditions

MOD9 was granted on 28 February 2011 under Section 75W, was essentially administrative and sought to modify the conditions of consent to reflect current best practices for subsidence.

Modification 10

An application for MOD 10 was made and later withdrawn by WCPL.

Modification 11 – Montrose Water Storage

MOD 11 was granted 18 January 2013 under Section 75W for the construction and operation of a 1,500 megalitre (ML) mine water storage dam.

Modification 12 – Southern Longwall Modifications

MOD 12 was made under Section 75W and enables:

- Realignment and extension/relocation of the approved Arrowfield and Bowfield Underground mine longwall panels (including areas previously not approved for underground mining);
- Minor relocation of the approved Arrowfield and Bowfield Underground Mine box cut and drift to reflect the Modification;
- Development of the modified mine layout to meet the existing approved subsidence management commitments;
- An extension of the mine life by approximately six years;
- Construction and operation of additional surface infrastructure required (e.g. ventilation shafts and gas drainage wells); and
- Construction of a portion of the surface facilities outside of the approved surface development area.

Modification 13 – Additional Longwalls

MOD13 enabled the development of two additional longwall panels (longwalls 9 and 10) in the Wambo seam to recover an additional 3.7 million tonnes of ROM coal from the North Wambo Underground Mine.

1.4.2 Wambo Rail & Train Loading Infrastructure

Construction was complete on the Wambo rail loop and coal loader in late 2004 and the rail loader commenced full operation in June 2006. Two modifications to DA 177-8-2004 have been approved as detailed below.

Modification 1 – Upgrade of Wallaby Scrub Road/Golden Highway Intersection

MOD1 related to the type of intersection WCPL was required to construct at the junction of Wallaby Scrub Road and the Golden Highway. MOD1 was undertaken in accordance with Section 96 (1A) and was granted 15 December 2006.

Modification 2 – Rail Refuelling Facility

MOD2 of the rail Infrastructure was approved on 17 February 2012 in accordance with Section 75W and enabled the following:

- Construction of a coal reclaim and loading system;
- Construction of a rail loop;
- Construction of a rail underpass beneath Wallaby Scrub Road;
- Upgrading the Wallaby Scrub Road/Golden Highway intersection; and
- Operating 24 hours a day, 7 days a week for up to six coal trains per day.

1.5 AUDIT REQUIREMENTS

1.5.1 Development Consent

This assessment and subsequent report has been compiled pursuant to Schedule 6 Condition 7 of DA 305-7-2003. Each requirement of DA 305-7-2003 is listed in **Table 1**, along with where each is addressed in this report. This audit also addresses the requirements of Schedule 6, Condition 7 of DA 177-8-2004, which states that:

“The Applicant shall ensure that the development [as approved under DA 177-8-2004] is included in the Independent Environmental Audit of the Wambo Mining Complex.”

Table 1
DA 305-7-2003 Audit Requirements

Description	Where Addressed
Every 3 years, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:	This audit
(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;	Appendix A, Appendix B
(b) include consultation with the relevant agencies;	Section 1.5.3
(c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these consents/approvals);	Sections 3, 4, 5
(d) review the adequacy of strategies, plans or programs required under the abovementioned consents/approvals; and	Sections 3, 4
(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned consents.	Section 6
<i>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Director-General.</i>	Appendix B

1.5.2 Audit Guidelines

This audit report has also been prepared in accordance with the *Draft Guidelines, Independent Environmental Audits of Mining Projects* (Audit Guidelines) (DP&I, 2014). **Table 2** lists key requirements from the Audit Guidelines, the relevant Section of the Guidelines which references the requirement, and indicates where each is addressed in this report.

Table 2
Audit Guidelines Requirements

Section	Description	Where Addressed
1	Team with specialist expertise in relevant areas	Appendix x
3	Professional recognition of environmental auditors (minimum grade of 'certified Exemplar Global Lead Auditor')	Appendix A
3	Technical specialists do not need lead auditor experience	N/A
4	Auditor independence <ul style="list-style-type: none"> - Not related to the operator or have pecuniary interests - No involvement in the mine's most recent EA or management plans - Not completed work for the mine since the last audit 	Appendix A
5	Endorsed by Director-General	Appendix B
6.1	Consultation with relevant agencies <ul style="list-style-type: none"> - Liaison with DP&E in relation to issues to be addressed in audit - Provide copy of final audit report to relevant agencies and proponents response to recommendations 	Section 1.5.3
6.2	Conducted in accordance with consent requirements	Section 1.5
6.3	Scope to address the period since the previous audit or date of consent if no previous audit	Section 1.1
6.3	Physical extent of the audit should be a same as those addressed in the consent	Section 1.5
6.3	Assess performance against criteria in Section 6.4 <ul style="list-style-type: none"> - Conditions of consent, then EPL, then ML (sequentially) - Management Plans - Other legislation (if specified in consent) - EA/EIS/SEE - SOC - Monitoring results and trends - Complaints - Regulatory actions/correspondence/requests - Annual Reviews - Other matters raised by regulators 	Sections 3, 4
6.5	Opportunities for Improvement to environmental performance and or plans/strategies/programs and make recommendations (if identified in consent) <ul style="list-style-type: none"> - Assess plans regardless of their approval status - Not assume a plan meets requirements of P&E even if approved 	Section 6
7	Audit Report should be presented sequentially as per Section 6.4	Sections 3, 4
7.1	Findings must be reported as one of the following: <ul style="list-style-type: none"> - Compliant - Not compliant - Administrative non-compliance - Not Applicable - Observation 	Appendix D
7.2	Risk Assessment of Audit Findings <ul style="list-style-type: none"> - Non-compliances (including administrative) in accordance with Risk Matrix including colour coding in Section 7.2.2 	Section 6
8	Proponent's response to recommendations including: <ul style="list-style-type: none"> - Timeline; and - Discussion on any recommendations not to be implemented - Audit placed on website 	WCPL to address
9	Complete Independent Certification Form	Appendix A

1.5.3 Consultation with Relevant Agencies

During the preparation for this audit, Hansen Bailey contacted Scott Brooks of DP&E on 12 June and 18 June 2014, who confirmed that the audit should focus on a number of specific issues. These are outlined in **Table 3**, along with an indication of where each is addressed in this report.

Hansen Bailey also consulted with personnel from the Department of Resources and Energy (DRE) and Environment Protection Authority (EPA) to confirm if there were any existing issues which required specific attention during the audit.

No additional issues or areas of Wambo operations requiring specific investigation during the audit were raised in these discussions.

Table 3
Agency Discussion Requirements

Ref	Requirement	Where Addressed
Wambo Mine		
1.	Review of existing predictive system and fixed monitoring network for air, blast and noise in consideration of nearest private receivers	Section 5.3, Appendix D
2.	Review of noise and air predictions and assumptions in the EIS against actual	Section 5.3, Appendix D
3.	Review of blast practices and procedures (including scheduling, timing and fume potential)	Sections 5.3, Appendix D
4.	Tailings dams remediation progress and opportunities (where practical)	Section 5.5, Appendix D
5.	Review of rehabilitated areas not required for active mining operations (against EA and MOP) and recommendations for additional rehabilitation opportunities (where practical)	Section 5.6, Appendix D
6.	Review of management plans	Section 4, Appendix D
7.	Water management with focus on discharge	Section 5.4, Appendix D
8.	Near neighbour consultation review	Appendix D
9.	Continual improvement opportunities against industry best practice	Section 5, Appendix D
Wambo Rail Loop		
10.	Sediment and erosion control within and adjacent the Rail Loop	Section 5.1
11.	Hydrocarbon management	Section 5.1
12.	Maintenance of the offset area	N/A
13.	Potential for trafficking material to the public road	Section 5.1

1.6 REPORT STRUCTURE

Section 1 provides an introduction, background, site description and layout of Wambo, describes the requirement for the audit and provides a guide to the structure of the report. This section also describes current approved operations detailed in the EIS and modification documents approved for each of two development consents held by WCPL;

Section 2 of this report provides a tabular representation of recommendations made during the previous independent audit and the status of their implementation;

Section 3 outlines the identified non-compliances and the status against Wambo approvals under DA 305-7-2003, DA 177-8-2004 and their supporting documents, modifications and other licences / approvals available for review at the time of the audit;

Section 4 provides a discussion on management plans, programs and strategies available for review at the time of the audit;

Section 5 of this report discusses the effectiveness of the environmental management and mitigation strategies that are currently undertaken at Wambo. General environmental performance is also discussed including monitoring results, field inspections performed during the site audit, complaints and incidents; and

Section 6 provides a summary of key recommendations from the audit including a risk assessment in accordance with the Audit Guidelines.

2 PREVIOUS AUDIT RECOMMENDATIONS & STATUS

The key recommendations from the 2011 compliance audit and the status of each as at November 2014 are summarised in **Table 4**. Any issues where were not complete have been transferred to Recommendations in **Section 6**.

Table 4
2011 Audit Recommendations & Status

Ref	Recommendation	Status
1.	The air quality reporting required in MCoA Schedule 4 condition 2 in relation to the maximum increase of 2g/m ² /month contribution to overall dust deposition levels should be reviewed and reported in the AEMR's (Annual Report). Reference to the analytical methodology used for the air quality monitoring should be included in the AEMR's (Annual Review) to confirm that the data presented is in accordance with the approved methods specified by the EPL ("Approved Methods for the Sampling and Analysis of Air Pollutants in NSW") and/or an acceptable industry standard.	Complete. This is reported in the AEMRs. A review of the three AEMRs in the audit period confirms monitoring was undertaken in accordance with referenced Australian Standards and NATA requirements.
2.	<u>Site Water Management Plan</u> - WPCL should follow up with DoPi to obtain correspondence acknowledging receipt of the revised SWMP 2010 and provide approval of the revisions.	Complete. Water Management Plan revised since previous audit.
3.	<u>North Wambo Creek Diversion</u> - To satisfy MCoA Schedule 4 Condition 31 and the Additional Requirements from DoP, DWE and DPI in April 2008 for the North Wambo Creek Diversion, revision of the North Wambo Creek Diversion Plan should include: <ul style="list-style-type: none"> management of intercepted groundwater to the alluvial aquifer downstream of the open cut; current design of the three stage of construction of the diversion; include assessment of weeds and weed control; Inclusion of large woody debris for habitat creation; provide estimates of construction/duration dates for Stage 3; include the detailed design of the system to return intercepted ground water to the alluvial aquifer downstream of the open cut; as executed survey and report documentation for the NWCD for submission to DWE and DPI(DII) when Stage 3 of the North Wambo Creek Diversion is complete; and provide supplementary specifications if required by DP&I for Stage 3 works. 	Complete. North Wambo Creek Diversion Plan revised and implemented following previous audit.
4.	<u>Erosion and Sediment Control Plan</u> <ul style="list-style-type: none"> Revise the ESCP as necessary to address the objectives and requirements of <i>Soils and Construction Volume 2E Mines and Quarries</i>. The design standards for ESC structures in the revised ESCP should be consistent with the requirements of Table 6.1 <i>Soils and Construction Volume 2E Mines and Quarries</i>. The type of rock utilised in drop structures observed on site should be modified to reflect the requirements of the <i>Soils and Construction Volume 2E Mines and Quarries</i>. 	Not complete (see Section 6). Viewed Erosion and Sediment Control Plan, Revision 5 dated February 2010. Document referred to in previous audit referred to in the drafting of the plan and in-text references.

Ref	Recommendation	Status
5.	<p><u>Surface Water Monitoring</u></p> <ul style="list-style-type: none"> The bank stability and vegetation monitoring program should be reviewed and inserted into the Surface Water Monitoring Program and/or the Flora/Fauna Management Plan. Monitoring the effectiveness of erosion and sediment control structures outlined in other documentation should be referenced or the monitoring program provided in the Surface Water Monitoring Program 	<p>Not complete (see Section 6). Viewed Surface Water Monitoring Program (website) Revision 4 dated November 2009.</p>
6.	<p><u>Groundwater</u> - Consideration should be given to the establishment of additional groundwater wells outside of the Wambo mine lease areas to ensure there is an adequate monitoring system to assess regional water levels and quality in alluvial and overburden aquifers.</p>	<p>Not complete. Viewed Groundwater Monitoring Program (website) Revision 5 dated January 2010. No information listed in audit period AEMRs recording establishment of new bores.</p>
7.	<p>The Surface and Groundwater Response Plan should be revised to include:</p> <ul style="list-style-type: none"> Measures to address any decrease in flow-through rates caused by the development within the Wollombi Brook alluvium downstream of the open cut. Reference to the EPA process and the Environmental Monitoring Program should be inserted into the Surface and Groundwater Response Plan Appendix A North Wambo Creek Diversion Response Plan to address any reduction in ecological quality; and Trigger levels for the relinquishment of water extraction rights to compensate for surface and groundwater losses from streams, channels or alluvials to open cut and underground mine workings The SGWRP to be revised to include response times for undertaking the above measures 	<p>Not complete. Viewed Surface and Groundwater Response Plan (website) Revision 5 dated February 2010.</p>
8.	<p><u>Flora and Fauna Management Plan</u> –Wambo should also follow up with the DoPI to obtain correspondence acknowledging receipt and approval of the revised FFMP. The FFMP should be revised to include:</p> <p><u>DA 305-7-2003 MCoA Schedule 4, Condition 44</u></p> <p>Reference should be made within the FFMP to other relevant management plans where specific strategies/procedures address matters identified in MCoA Schedule , Condition 47(eg. Bushfire management – Bushfire Management Plan, land stabilisation – Mining Operations Plan, subsidence management – Surface and Subsurface Monitoring Plan etc).</p> <p>Appendix D of the FFMP should be referenced with the Flora and Fauna Management Plan and/or Flora Fauna Monitoring Program as it provides guidance on the Field Checklist for Tasks for monitoring the various components of the Flora Fauna Management Plan.</p> <p>Specify details of the procedures for the pre-clearance surveys, fauna management, seed collection and salvage and reuse of materials etc in the Flora and Fauna Management Plan as attachments or appendices, <u>or</u> provide reference to other relevant management plans or procedures that address each specific matter.</p>	<p>Not complete. Viewed Flora and Fauna Management Plan (website) Revision 4, dated January 2010.</p>

Ref	Recommendation	Status
	<p><u>DA 177-8-2004 MCoA Schedule 4, Condition 34</u></p> <p>The Revegetation and Landscaping Plan in Appendix E of the Flora and Fauna Management Plan should be revised to include:</p> <ul style="list-style-type: none"> • Measures to control weeds and feral pests; • Provision of roosting/nesting resources for fauna; • Measures to maintain landscaping during the life of the development. 	
9.	<p><u>Deed Of Agreement</u> – MCoA Schedule 4, Condition 41</p> <p>It is recommended that WCPL should follow up with the Singleton Council and DoPI in relation to the Deed of Agreement and rezoning of land for the Remnant Vegetation Enhancement Areas. If the rezoning is not actioned by Council and the Deed of Agreement is not ratified by the Minister, it is suggested that a request for the condition to be deleted from the MCoA.</p>	<p>Complete.</p> <p>However, Deed of agreement not available to be viewed at the time of this audit.</p>
10.	<p><u>AEMR/Annual Review Reporting</u> – The number of coal haulage movements should be included into the Appendix A table of the AEMR/Annual Return to comply with MCoA Schedule 4, Condition 18.</p>	<p>Complete.</p> <p>Coal haulage volumes and train movements appended to AEMRs as recommended.</p>

3 NON-COMPLIANCES AGAINST APPROVALS & LICENCES

This section provides a discussion on the identified non-compliances and status against DA 305-11-01, DA 177-8-2004 and other licences approvals available for review at the time of the audit.

Table 1 and Table 2 of **Appendix D** provides a complete tabulated list of conditions of DA 305-7-2003 and DA 177-8-2004, respectively, with the compliance status and comments against each.

Table 3 in **Appendix D** provides a list of the other licences and approvals assessed as part of this audit, with the compliance status and comments against each.

A summary of the non-compliances against each document is summarised below in **Table 5**.

Table 5
Non-Compliances Identified

Ref	Non-Compliance
DA 305-7-2003	
1.	Environmental incident in March 2012 recorded for emission of odours from blast fume event (Schedule 4, Condition 2).
2.	Evidence not available to confirm submission or approval of revised Rejects Emplacement Strategy at the time of audit (Schedule 4, Condition 22G).
3.	Non-compliance recorded against Section 120 of the <i>Protection of the Environment Operations Act 1997</i> (POEO Act) due to water discharge incident in May 2014 (Schedule 4, Condition 23).
4.	Forecast of compliance with HRSTS rules not reported in Annual Reviews during the audit period (Schedule 4, Condition 25(c)).
5.	Evidence not available at the time of audit to confirm DRE and DP&E approval of the South Wambo Dam design and operation (Schedule 4, Condition 28B).
6.	Evidence not available at the time of audit to confirm any variations from EIS predictions and action responses reported in annual reviews (Schedule 4, Condition 38).
7.	The Final Void Strategy was not submitted by Year 7 of the development as required (Schedule 4, Condition 39).
8.	Vegetation Clearance Protocol does not include specific reference to inclusions required (Schedule 4, Condition 45).
9.	Evidence not available at the time of this audit to confirm annual review process in place for the Flora and Fauna Management Plan (FFMP) (Schedule 4, Condition 49).
10.	Evidence not available at the time of this audit to confirm completion of Conservation Agreement in

Ref	Non-Compliance
	consultation with Aboriginal parties and OEH (Schedule 4, Condition 51).
11.	Evidence not available at the time of this audit to confirm documentation of consultation with Aboriginal parties during the July 2013 Modification to DA305-7-2003 (Schedule 4, Condition 56A).
12.	Oral history of the Wambo Homestead Complex not undertaken at the time of audit (Schedule 4, Condition 60)
13.	Evidence not available at the time of this audit to confirm consultation with the Power House Museum and Galleries Foundation to confirm significance of moveable heritage and suitable repositories for conservation and storage of these items (Schedule 4, Condition 70).
14.	Implementation and maintenance of Montrose Tree Screening and other visual mitigation not undertaken as described in the Wambo EIS (Schedule 4, Condition 82).
15.	Greenhouse gas emissions and minimisation performance information was not reported in the 2013-14 Annual Review (Schedule 4, Condition 87).
16.	Annual Reviews (AEMRs) during the reporting period do not provide commentary or comparison of all monitoring results against relevant EIS predictions (Schedule 6, Condition 5(b, e)).
17.	Previous independent audit required to be made available under the consent was not publically available at the time of this audit (Schedule 6, Condition 12).
DA 177-8-2004	
18.	Evidence to confirm DP&E approval of reporting on practical measures to manage of train movements to occur within hours noted in the consent not available at the time of audit (Schedule 4, Condition 5).
19.	Records not available at the time of the audit to confirm compliance of train movements with development consent requirements (Schedule 4, Condition 18).
20.	Road works upgrading the Golden Highway / Wallaby Scrub Road intersection not undertaken to the satisfaction of RMS by the end of June 2013 (Schedule 4, Condition 19).
21.	Evidence not available at the time of audit to confirm satisfaction of RMS and SSC with train lighting minimisation/ screening measures implemented for the rail loop for road safety reasons (Schedule 4, Condition 23).
22.	All reasonable and feasible measures to avoid dirt from site being tracked onto the Golden Highway not implemented (Schedule 4, Condition 24A).
EPL 529	
23.	Evidence not available at the time of the audit to confirm premises map referred to in conditions is consistent with contemporary approvals (Condition A2.1).
24.	Blast fume incident (NOx from blast event M9WWD2) recorded in March 2012 (Condition A4).

Ref	Non-Compliance
25.	Unauthorised discharge from South Dam on 5 March 2012 (Conditions P1, L1).
26.	Overflow of Hales Crossing sump on 25/04/14 following significant rainfall event (Conditions P1, L1).
27.	Seepage water entering United Colliery holding in May 2012 from Wambo Dam C11 (Conditions P1, L1).
28.	Elevated TSS levels recorded in Hales Creek sump overflow incident in April 2014 (Condition L2).
29.	Monitoring of discharge event of 30-31/02/13 recorded pH levels above criteria (9.9 recorded; above limit of 9.5) (Condition L2).
30.	<p>Non-compliances with monitoring criteria and sampling requirements were recorded in the audit period. These include:</p> <p>2010-11: Non-compliance for not meeting GW sampling frequency (dry / insufficient water in bore sampling sites).</p> <p>Airblast overpressure exceeded 115 dB for more than 5% of blasts over the reporting period. The Blast Monitoring Program was updated in response to include protocols on internal reporting of blasts in exceedance of 115 dB.</p> <p>2011-12: Non-compliance for not meeting GW sampling frequency (dry / insufficient water in bores, access issues).</p> <p>Non-compliance for not meeting SW sampling frequency (dry / insufficient water in monitoring points, access issues).</p> <p>Airblast overpressure result of 120.6 dB (12 July 2012). Blast was reviewed to determine remedial actions and measures to consider in future blasts.</p> <p>Blast monitoring network failed to trigger and report results for five events in November 2011.</p> <p>Non-compliance for not meeting HVAS sampling frequency at two sites (landholder access and power failures).</p> <p>2012-13: Non-compliance for not meeting dust deposition sampling frequency at one site in August and September 2013 (landholder access).</p> <p>Non-compliance for not meeting GW sampling frequency at two sites (dry / insufficient water in bores).</p> <p>Monitoring results for blast event M12WMA2 were not available at site BM02 (communication failure).</p>
31.	HRSTS monitoring site failure in April 2014 (Condition M9).
ML 1572	
32.	Non-compliance with blast impact criterion of ML (Condition 11 (a – b)).

4 MANAGEMENT PLANS, PROGRAMS AND STRATEGIES

The development consents Wambo require preparation of a series of management plans and strategies. All currently approved management plans developed for Wambo in accordance with the requirements of DA 305-7-2003 and DA 177-8-2004 were reviewed during this audit, including the:

- Environmental Management Strategy (EMS);
- Air Quality and Greenhouse Gas Management Plan;
- Noise Monitoring Program;
- Blast Management Plan;
- Erosion and Sediment Control Plan;
- Aboriginal Cultural Heritage Management Plan;
- Heritage Management Plan;
- Wambo Homestead Conservation Management Plan;
- Rehabilitation Management Plan;
- Flora and Fauna Management Plan;
- Erosion and Sediment Control Plan;
- Surface Water Monitoring Program;
- Groundwater Monitoring Program;
- Surface and Groundwater Response Plan;
- Bushfire Management Plan; and
- Pollution Incident Response Management Plan.

The status of each plan and any relevant recommendations in relation to each is provided in **Appendix D**.

The Environment Protection Licence (EPL) and Mining Operations Plan (MOP) documents relevant to Wambo operations during the audit period were also reviewed. These included the *Wambo Coal Open Cut Mining Operations Plan 2010 – 2016* (2010) and the *WCPL Underground Operations Mining Operations Plan 2013 - 2015* (2013).

The approved Extraction Plans prepared by Wambo for Longwalls (LWs) 7 & 8 (2012) and for LWs 9 & 10 (2013) were also reviewed against the relevant consent conditions of DA 305-7-2003 to confirm their compliance status as discussed in **Section 6**.

5 ENVIRONMENTAL MANAGEMENT & MITIGATION EFFECTIVENESS

This section provides a general review of management and mitigation effectiveness at site. It provides a discussion on key issues including general environmental management, findings of the site inspection, complaints and incidents summary, monitoring, tailings management and water management.

A review of the Wambo Environmental Management Strategy (EMS) has confirmed that it meets the requirements of the DA 305-7-2003, however is recommended that the document is updated in 2015 as part of a five yearly review to ensure that it reflects the current management and scope of operations on site. The purpose of the strategy is to define the environmental management objectives for Wambo and to provide effective management of all activities, products and services in order to maintain or enhance human and environmental health.

5.1 MINING OPERATIONS & SITE INFRASTRUCTURE

The site inspection was conducted on 7 November 2014, with Wambo staff in attendance. The inspection involved a walk through the administration, CHPP, workshop and hardstand areas, and the rail loading and refuelling infrastructure, followed by a drive to various areas around the site.

In relation to housekeeping, the office complex, stores and workshop areas were in an excellent condition. In particular, it was noted that the CHPP was well maintained, with minimal spillage of coal from stockpile areas well managed. Spill kits and segregated waste bins were observed in workshop areas and collection drains and sumps well managed to contain any dirty surface water runoff from the area.

Water carts were also viewed in operation on major haulage routes, both within the active mining areas and around key site infrastructure areas such as the CHPP and fuel farm (see Plate 1 of **Appendix E**). Cameras were observed both in-pit and in office remotely and were observed to be working well, with environmental personnel well versed in their usage.

Hydrocarbon containment structures and storage sumps were also well maintained (see Plate 2 and Plate 3 of **Appendix E**).

During the inspection of the rail loading and refuelling facility, it was observed that the site was also well managed, with appropriate hydrocarbon and water management infrastructure in place (see Plate 4 of **Appendix E**). At the time of the audit there was also minimal coal spillage from the train loading bin. Lighting at the site was observed to be angled and / or hooded in such a way as to minimise the effect light spill.

The Keeping Place for Aboriginal archaeological items was noted by TF during the site component of the audit, which was secure and the surrounding environment and well maintained. It is recommended that signage for the site is reinstated to clearly identify this area.

5.2 MINE PLAN PROGRESSION

Review of the Wambo EIS concept mine plans against the current arrangement of operations on site showed a variation in progression of mining in the Montrose Ridge area. Rather than active mining progressing north-west before turning southward (as shown in the Wambo EIS Figure 2-5 to Figure 2-10), mining will progress to the north before turning eastward (as shown in the current MOP). The Wambo EIS mine plans also establish a bund in the east and north-east which is quickly developed and rehabilitated, with active operations occurring effectively behind it.

While WCPL personnel were well aware of the sensitivities around open cut mining in this area due to the relatively exposed nature of operations in relation to private receivers, the progression of mining now proposed is considered to have the potential to generate noise, air quality and visual impacts for private residences located to the north-west and west of Wambo (clearly anticipated in the Wambo EIS). Due to the change in the mine plan, it is possible that these impacts may be inconsistent with the predictions made in the Wambo EIS.

To minimise noise, air and visual impacts from mining in this area, several measures were committed to in the Wambo EIS (Resource Strategies, 2003), including:

- Overburden haulage and dumping on internal dump areas on or behind a bund wall of minimum 10 m in height or equivalent landform;
- Restricting overburden removal to daytime only in areas on the top or outer faces of the northern pit where bunding is not feasible due to topography; and
- Design and construction of overburden emplacements to maximise visual shielding of active open cut mining operations and integration with the surrounding environment.

It is recommended that noise and air quality specialists are commissioned to review the impact predictions for the current mine plan and confirm that these remain consistent with the Wambo EIS.

The predictive and real-time response elements of the air quality and noise management systems should also be finalised as a matter of priority to ensure that adequate response mechanisms are in place for potentially affected residents. Consideration should be given to 'directional' monitors in the northern areas to ensure that contributions from the highway and other mining operations can be more easily distinguished.

5.3 AIR QUALITY AND NOISE CONTROLS

Inspection of the mining areas and overburden emplacement areas demonstrated that emissions of visible dust are being minimised (see Plate 5 and Plate 6 of **Appendix E**), with water carts in operation at the time of audit.

It was also noted that there was a trial underway at the time of audit to further reduce the tracking of dust fines from the rail loading facility. This will further minimise the potential for dust / mud onto the site access road and the Golden Highway.

While WCPL personnel were knowledgeable of the actions available to them for the management of these issues, it is important that the management system currently being developed for the management of air quality and noise impacts is implemented as soon as possible. In particular, this system will be critical management tool to plan operations and respond to any elevated air quality and noise levels at private residences as a result of mining operations progressing in the Montrose Ridge area.

5.4 WATER MANAGEMENT

Following the incident in April 2014 where runoff from the rail loading facility flowed from the site into Wollombi Brook during a period of intense rainfall, the existing Hales Crossing sump (designed to collect runoff from the rail loading facility) has been upgraded. Hansen Bailey viewed the sump at the time of audit (see Plate 7 of **Appendix E**) and Wambo environmental personnel confirmed the processes in place to prevent recurrence of such an incident. Wambo has also reviewed and updated erosion and sediment controls in the small sub-catchment of the sump and these had been implemented effectively at the time of the audit.

Other surface water management structures and dams viewed during the site inspection were well maintained, including the HRSTS discharge point (see Plate 8 of **Appendix E**), which was well signposted in the field.

The North Wambo Creek is discussed separately in **Section 5.7**.

5.5 TAILINGS MANAGEMENT

The tailings management structures were also viewed during the site component of the audit and TF provided a summary of the current status of the Life of Mine Tailings Strategy.

The North East Tailing Dam (see Plate 9 of **Appendix E**) remains under care and maintenance following a cell failure within the dam whilst alternative capping strategies are investigated. TF confirmed that these trials are ongoing. It is recommended that WCPL consult with DRE on the key findings of the trials (once completed) to determine a process to identify industry best practice measures which may be implemented to attempt resolve the issues associated with the stability of the dam and enable its early rehabilitation.

5.6 REHABILITATION

Review of current rehabilitation areas on site shows that established areas are generally progressing well, with evidence of early establishment of woodland corridors in the RL 160 dump area viewed during the site inspection (see Plate 10 of **Appendix E**). While the extent of rehabilitation is generally progressing in accordance with predictions made in the Wambo EIS, some recent performance in establishing new rehabilitation is running behind projections due to the need to retain haul road access in the north of the operation and not having suitable volumes of topsoil available (TF pers comm).

As a trial, an Organic Growth Medium will be added to topsoil in areas of rehabilitation planned for 2015 (see Plate 11 of **Appendix E**) and it is recommended that the performance of these areas is reported in future AEMRs.

Some areas of rehabilitation also require ongoing management actions to control significant volumes of weeds to prevent these species impacting on rehabilitation performance.

During the site inspection, the area occupied by the Homestead Backfill Project was reviewed and Hansen Bailey requested clarification on the approval status of the works under the EP&A Act (see Plate 12 of **Appendix E**). Advice from WCPL's legal advisors confirmed that the activities being undertaken for this project were described in the approved Extraction Plan for LWs 7 - 10 and included:

- Drilling of boreholes from the surface into the Wambo Homestead Underground Mine voids (HM Workings);
- Pumping of sealer material into the HM Workings through the boreholes;
- Injection of a backfill mixture into the HM Workings through the boreholes; and
- Surveying and assessment of the boreholes to ensure the relevant HM Workings are adequately filled and stabilised.

5.7 NORTH WAMBO CREEK DIVERSION

The North Wambo Creek Diversion area was reviewed to confirm the status of this area following the environmental incident recorded in 2013 due to the failure of the erosion and sediment controls in this area following a period of high rainfall.

The channel along the length of the diversion has been reinstated, with rocks and logs placed to provide localised erosion and sediment controls and future habitat areas along the reinstated creek (see Plate 13 and Plate 14 of **Appendix E**).

Due to the dry conditions prevailing since the area was rehabilitated, ground cover is variably successful, however the grassland and trees planted outside of the main channel are developing well and are being supported by artificial rock bars/piles, an irrigation system, which was in operation at the time of the audit.

Ongoing inspections and maintenance will be required over approximately 10 years to ensure the long-term success of the Creek Diversion.

5.8 WAMBO HOMESTEAD COMPLEX

The Wambo Homestead Complex is subject to an ongoing program of restoration and maintenance works as described in the associated Conservation Management Plan and described in the AEMRs. The homestead and curtilage were reviewed during the site inspection component of the audit and observed to be being maintained to a high standard (see Plate 16 of **Appendix E**). TF confirmed the planned schedule of works for the 2015/16 period and the arrangements in place to facilitate access for regulatory agencies and local heritage organisations, as required.

5.9 CUMULATIVE IMPACTS

Cumulative impact management at the site was seen to be well managed at the time of the audit, and regular communication between TF and other Wambo staff and the employees of surrounding mines on the management of blasting and air quality issues was viewed at the time of the audit.

Continuing diligence in relation to northern neighbours as WCPL encroaches northwards, especially in relation to cumulative impacts with HVO will be required.

However, to ensure that the sources and level of noise and air quality impacts are identified at private residences with certainty, it is recommended that the air quality and noise management system (including a predictive meteorological and real-time response element) is implemented by WCPL as soon as possible in 2015.

5.10 COMPLAINTS

Community concerns are being well managed and are being recorded within the WCPL Complaints Register, which is available on the Wambo website. A 24 hour complaints and enquiries line remains in operation where concerns regarding Wambo operations can be raised and the contact details for this line are regularly advertised.

The revised format of the 2013 and 2014 complaints registers provides a good summary of the process followed from the receipt to close-out action for each complaint received.

75 community complaints have been received by Wambo since the previous audit including 14 in 2012, 30 in 2013 and 31 in 2014 (at the time of audit). During the audit period, the majority of complaints from the community received were in relation to noise and blasting impacts.

5.11 INCIDENTS

A review of incidents at Wambo since the previous indicated that eight incidents were recorded in 2012 and 11 incidents recorded in 2013. Of the incidents recorded, the majority were classified as Category 1 events, however there was one Category 3 incident recorded in 2013 due to offsite sediment impacts from the North Wambo Creek Diversion (as previously discussed in this report).

All environmental incidents were summarised and clearly reported within the AEMRs during the reporting period, along with follow up or remedial action planned or taken as a result of each.

5.12 RECOMMENDATIONS SUMMARY

It is recommended that WCPL should investigate and implement the following:

- Signage for the Keeping Place site is reinstated to clearly identify this area;
- Noise and air quality specialists are commissioned to review the impact predictions for the current mine plan and confirm that these remain consistent with the Wambo EIS;
- Consult with DRE on the key findings of the North East Tailings Dam trials (once completed) to determine best practice options for mitigation for consideration and implementation; and
- Review the Surface Disturbance Permit (SDP) form checklist to include a figure which shows the disturbance associated with the SDP, the MOP disturbance boundary and the approved Surface Development Area from Figure 2 of the North Wambo Underground Modification EA (or modified version).

These recommendations are also included below **Section 6**, along with a risk ranking for each.

6 AUDIT RECOMMENDATIONS

A consolidated list of recommendations arising from the non-compliances and other environmental issues identified during this audit is provided below in **Table 6**.

In accordance with Section 7.2 of the Audit Guidelines (DP&I, 2014), **Table 6** also provides a risk assessment to assist WCPL staff in responding to each recommendations.

Table 6
Audit Recommendations

Ref	Description	Risk
DA 305-7-2003		
1.	Review the Surface Disturbance Permit (SDP) form checklist to include a figure which shows the disturbance associated with the SDP, the MOP disturbance boundary and the approved Surface Development Area from Figure 2 of the North Wambo Underground Modification EA (or modified version) (Schedule 3, Condition 2).	Administrative
2.	Remove consent condition requiring payment of S94 contributions when the consent is next modified (Schedule 3, Condition 11).	Administrative
3.	Remove consent condition requiring payment of community enhancement funds for the Warkworth / Jerrys Plains area when the consent is next modified (Schedule 3, Condition 12).	Administrative
4.	Amend consent condition to remove reference to properties 23, 31, 51 and 56 when the consent is next modified (Schedule 4, Condition 1).	Administrative
5.	Undertake regular training on blast fume management with relevant personnel to ensure pre-blast checks are undertaken (Schedule 4, Condition 2).	Moderate
6.	Include reporting on measures to minimised greenhouse gas emissions in the Annual Review (Schedule 4, Condition 3).	Administrative
7.	Do not include discussion of exceedances of impact criterion on mine owned land in the Annual Reviews (Schedule 4, Condition 4).	Administrative
8.	Consider removing DD gauges as long as next closest receiver has a DD between them and operation (Schedule 4, Condition 4).	Low
9.	Review of real-time noise monitoring sites is recommended to ensure ongoing effectiveness as a management tool for Wambo operations (Schedule 4, Condition 6).	Moderate
10.	Amend consent condition to remove reference to Kannar property when the consent is next modified (Schedule 4, Condition 7).	Administrative
11.	Investigate options to integrate the predictive weather (Weatherzone) and real-time monitoring (Sentinex) elements of the noise and air quality management systems to enhance the predictive abilities of the system prior to operations going through Montrose Ridge(Schedule 4, Conditions 5B, 8).	Moderate

Ref	Description	Risk
12.	Commission a second remote camera for the visual monitoring of in-pit equipment locations and dust emissions consistent with Table 14 of the Air Quality and Greenhouse Gas Management Plan (Schedule 4, condition 5C).	Moderate
13.	Commission a noise monitoring specialist provide advice on an alternate representative location for the Muller monitor where it is less affected by traffic noise and consideration of a directional element (Schedule 4, Condition 8).	Moderate
14.	Maintain a register to document timing and scale of any operational changes made in response to adverse conditions or noise alarms from monitoring units and document this in future Annual Reviews (Schedule 4, Condition 8).	Administrative
15.	Maintain a register to document timing and scale of any operational changes made to minimise cumulative noise impacts and document this in future Annual Reviews (Schedule 4, Condition 9).	Administrative
16.	Use best endeavours to resolve data sharing agreement for co-ordination of blast times, particularly in relation to monitors to the NW of the open cut area to assist in management of noise and air quality of northern receivers (Schedule 4, Condition 18).	Moderate
17.	Include mapping and specific description impact performance for threatened ecological communities (Boxgum woodland and WSW) in future SMP reviews (Schedule 4, Condition 22).	Administrative
18.	Review the approved Rehabilitation Management to ensure consistency with the approved Extraction Plans (Schedule 4, Condition 22).	Administrative
19.	Engage specialist to complete the required Reject Emplacement Strategy document, in consultation with DRE (Schedule 4, Condition 22G).	Moderate
20.	Include HRSTS compliance forecasts in Annual Reviews (Schedule 4, Condition 26).	Administrative
21.	Revised water management plans should be finalised as soon as practical and submitted for consultation with required agencies (Schedule 4, Condition 30).	Administrative
22.	Review SW monitoring sites in consultation with relevant regulators and remove redundant sites from monitoring program (Schedule 4, Condition 35).	Low
23.	Finalise the Final Void Strategy as soon as possible in 2015 for DP&E and SSC approval, and consultation occur with DRE (Schedule 4, Condition 39).	Moderate
24.	Update signage of the Keeping Place for Aboriginal cultural heritage items to ensure that the area is well defined (Schedule 4, Condition 53).	Low
25.	Consider seeking recovery of funding contribution to HACHTF if regulators confirm that it has not been expended, or if it has, seek the documented outcome of the Trust Fund (Schedule 4, Condition 56).	Administrative
26.	Complete oral history report for the Wambo Homestead Complex as soon as practical in 2015 (Schedule 4, Condition 52).	Moderate

Ref	Description	Risk
27.	Confirm which, if any, moveable Non-Aboriginal items identified in the Wambo EIS should be conserved (Schedule 4, Condition 53).	Moderate
28.	Remove conditions relating to the haulage of product coal by public roads as this activity has been superseded (Schedule 4, Conditions 74 – 78).	Administrative
29.	Ensure Montrose Tree Screen areas are regularly watered and mulched as necessary to ensure quick growth and effectiveness in mitigating visual impacts (Schedule 4, Condition 82).	High
30.	Notify owners of private residences that were predicted to experience high visual impacts of right to visual mitigation under consent condition, if not already provided (Schedule 4, Condition 83).	Low
31.	Seek expert advice from noise and air specialists to confirm that predictions remain valid with the change in mine plan progression (in comparison to Wambo EIS) proposed by Wambo (Schedule 4, Condition 84).	High
32.	2014 Annual Review include a discussion of actions undertaken to mitigate off-site lighting impacts (Schedule 4, Condition 85).	Administrative
33.	Report on greenhouse gas emissions and minimisation actions in the Annual Review (Schedule 4, Condition 87).	Administrative
34.	Report on the effect of growth medium trials on rehabilitation performance in the 2015 Annual Review (Schedule 4, Condition 94A).	Administrative
35.	Investigate the viability of aerial seeding or other cost effective 'interim' rehabilitation strategies to reduce dust emissions and report on their feasibility in the Annual Review (Schedule 4, Condition 94B).	Administrative
36.	Prepare revised Rehabilitation Management Plan in accordance with consultation requirements for agencies (Schedule 4, Condition 94B).	Low
37.	Review the approved EMS in 2015 (Schedule 6, Condition 1).	Low
38.	Ensure all data, analyses and other information required to be reported on an annual basis is documented in accordance with consent conditions (Schedule 6, Condition 5).	Administrative
39.	Place responses to the 2011 independent audit and this document on the Wambo website.	Administrative
DA 177-8-2004		
40.	Seek final correspondence from RMS confirming their requirements (or otherwise) for the upgrade of the Golden Highway / Wallaby Scrub Road intersection (Schedule 4, Condition 19).	Administrative
41.	Include the rail loop and refuelling facility in future lighting reviews of the Wambo site.	Low

Ref	Description	Risk
EPL 529		
42.	Review premises map referred to in EPL conditions and update at next variation to reflect current operations if there is any inconsistency (Condition A2.1).	Administrative
ML 1572		
43.	Request amendment to Condition 21 Trees and Timber (a-c) or removal from the document at the next renewal of the ML (Condition 21).	Administrative

* * *

for
HANSEN BAILEY




Dorian Walsh
Senior Environmental Scientist



Dianne Munro
Principal

APPENDIX A
DP&E Certification Form

Independent Environmental Audit Submission Form	
Project	
Consent No.:	DA 305-7-2003 (as modified), DA 177-8-2004 (as modified)
Description of Project:	Wambo Coal Mine & Wambo Coal Rail Loop
Project Address:	Jerrys Plains Road, Warkworth NSW 2330
Proponent	Wambo Coal Pty Limited
Proponent Address:	PMB 1 SINGLETON NSW 2330
Independent Audit	
Title of Audit:	Wambo Coal Mine & Rail Loop Independent Environmental Audit
Certificate	<p>I certify that I have prepared the contents of the attached independent audit and to the best of my knowledge:</p> <ul style="list-style-type: none"> • It is in accordance with relevant approval condition(s) • I have acted professionally, accurately and in an unbiased manner in conducting the audit • I am not related to any owner or operator of the project as a spouse, partner, parent, child, sibling, employer, employee, business partner, in sharing a common employer, or in a contractual arrangement outside the audit • I do not have any pecuniary interest in the project, including where there is a reasonable likelihood or expectation of appreciable financial gain or loss to me or to a person to whom I am related • Neither I nor my employer have provided consultancy services for the project that were subject to this audit • 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 project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.
Signature:	
Name:	Dianne Munro
Address:	6/127-129 John Street, Singleton NSW 2330
Email Address:	dmunro@hansenbailey.com.au
Auditor Certification (Body, No. Grade):	Auditor (Environmental Scheme) for Environmental Management, EMS and Compliance Audits. RAB/QSA International. No. 107622
Date:	27 January 2015

APPENDIX B
Regulatory Correspondence



Contact: Scott Brooks
Phone: 6575 3401
Fax: 6575 3415
Email: scott.brooks@planning.nsw.gov.au
Our ref: 305-7-2003

The General Manager
Wambo Mine
PMB 1
SINGLETON NSW 2330

Attention: Troy Favell

Dear Troy

Wambo Coal – Approval of Hansen-Bailey Audit Team for Independent Environmental Audit

Reference is made to your correspondence submitted on 8th August, requesting endorsement of a proposed Independent Environmental Audit team, as required by Condition 7, Schedule 6 of DA 305-7-2003 and DA 177-8-2004 of the Wambo Mine.

The Department has reviewed your request and endorses the engagement of the following audit team headed by Hansen - Bailey:

- Dianne Munro (Hansen Bailey) – Lead Auditor
- Andrew Wu (Hansen Bailey) – Assistant Auditor

The Department requests that the audit will be conducted generally in accordance with the Department's *Draft Guidelines, Independent Environmental Audits of Mining Projects, March 2014*.

The Department requests that the audit report be submitted together with responses to any recommendations contained in the report within three months of commissioning the audit.

Should you have any enquiries please contact Scott Brooks on (02) 6575 3401.

Yours sincerely

Scott Brooks
Team Leader Compliance

13-8-2014
As nominee for the Secretary, Planning & Environment

APPENDIX C
Audited Documentation

- AECOM (2014) Monthly Environmental Monitoring for Wambo Coal – September 2014
- AECOM (2014) Report on Meteorological Station Six Monthly Sensor Audit and Site Inspection/Maintenance – 26 May 2014
- AEMC (2011) Wambo Coal Mine Independent Environmental Audit – June 2011
- Department of Mineral Resources (1996) Mining Lease 1402
- Department of Mineral Resources (2005) Mining Lease 1572
- Department of Planning & Infrastructure (2013) Wambo Coal Mine (DA 305-7-2003) North Wambo Creek Diversion Stage 3
- Department of Primary Industries (2007) Mining Lease 236
- DixGardner Group (2014) Occupation Certificate, Wambo Locomotive Refuelling Station
- Godden Mackay Logan Heritage Consultants (2012) Wambo Homestead Complex Conservation Management Plan Review
- GSSE (2011) Wambo Coal Rehabilitation Management Plan
- Multiskilled Resources Australia (2011) Wambo Coal - Surface Operations Outdoor Lighting Register
- Multiskilled Resources Australia (2011) Wambo Surface Operations and Wambo CHPP, External Lighting Audit and Compliance with AS 4282
- Resource Strategies (2003) Wambo Development Project Environmental Impact Statement
- Resource Strategies (2004) Wambo Rail Development Statement of Environmental Effects
- Resource Strategies (2006) Wambo Coal Mine Modification, Statement of Environmental Effects
- Resource Strategies (2009) Wambo Coal Mine Statement of Environmental Effects on Proposed Modification
- Resource Strategies (2009) Wambo Coal Mine Statement of Environmental Effects on Proposed Modification
- Resource Strategies (2009) Wambo Coal Mine Modification Statement of Environmental Effects
- Resource Strategies (2012) North Wambo Underground Mine Modification, Environmental Assessment for the Modification of DA 305-7-2003 (Mod 13) the Additional of North Wambo Underground Mine Longwalls 9 and 10
- Resource Strategies (2013) Wambo Montrose Water Storage Modification Environmental Assessment

- WCPL (2010) Aboriginal Cultural Heritage Management Plan
- WCPL (201) Erosion and Sediment Control Plan
- WCPL (2014) Flora and Fauna Management Plan
- WCPL (2010) Groundwater Monitoring Program
- WCPL (2010) Open Cut Mining Operations Plan, June 2010 – July 2016
- WCPL (2010) Modification Application D 305-7-2003 MOD 9
- WCPL (2010) Surface and Groundwater Response Plan
- WCPL (2010) Surface Water Monitoring Program
- WCPL (2011) Annual Environmental Management Report 2010-2011
- WCPL (2012) Annual Environmental Management Report 2011 – 2012
- WCPL (2012) Pollution Incident Response Management Plan (PIRMP)
- WCPL (2013) Bushfire Management Plan
- WCPL (2013) Daily Noise and Air Quality Monitoring Reporting, proposed operational responses to adverse weather conditions
- WCPL (2013) Underground Operations Mining Operations Plan 2013 – 2015
- WCPL (2014) Air Quality and Greenhouse Gas Management Plan
- WCPL (2014) Annual Environmental Management Report 2013
- WCPL (2014) Annual Exploration Report Exploration Licences 7211 (EL 7211)
- WCPL (2014) Bioremediation of Contaminated Materials – Hydrocarbon Spills at Wambo Coal
- WCPL (2013) Blast Management Plan
- WCPL (2014) Community Complaints Register (2011 – 2014)
- WCPL (2014) EL 7211 Annual Community Consultation Report
- WCPL (2014) Environment and Community Department Induction
- WCPL (2014) Environment Protection Licence 529 Annual Returns (2010-11, 2011-12, 2013)
- WCPL (2014) Environmental Protection Licence Incident Report – Sump Overflow 25 April 2014
- WCPL (2014) Monthly Environmental Monitoring Reports (2011 – 2014)
- WCPL (2014) NGER Submissions
- WCPL (2014) Noise Management Plan

- WCPL (2014) North Wambo Underground Mine 4 Monthly SMP Subsidence Status Report 2014 (LW8a SMP)
- WCPL (2014) North Wambo Underground Mine Heritage Management Plan Longwalls 7 - 10
- WCPL (2014) North Wambo Underground Mine Longwall 6 End of Panel Report
- WCPL (2014) North Wambo Underground Mine Longwall 7 End of Panel Report
- WCPL (2014) North Wambo Underground Mine Extraction Plan, Longwalls 7 to 10
- WCPL (2014) Peabody Wambo Coal Montrose Tree Screen Project Figure
- WCPL (2014) Prescribed Dam Management Plan Longwalls 7 - 10
- WCPL (2014) Quarterly Attended Noise Monitoring Reporting (2011 – 2014)
- WCPL (2014) Rail Loop WCPL Residents Map
- WCPL (2014) Reportable Environmental Incidents Register (2011 – 2014)
- WCPL (2014) Rejects Emplacement Strategy
- WCPL (2014) Subsidence Monitoring Program – North Wambo Underground Mine, Subsidence Impact Register Assessment Form
- WCPL (2014) Topsoil Management Procedure
- WCPL (2014) U3 – Particulate Matter Control Best Practice Implementation Wheel Generated Dust
- WCPL (2014) U4 Particulate Matter Control Best Practice – Disturbing & Handling Overburden under Adverse Weather Conditions
- WCPL (2014) Wambo Coal Surface Disturbance Permit Register
- WCPL (2014) Wambo Coal Montrose Ride Operating Procedures
- WCPL (2014) Wambo Homestead Complex Monthly Inspections, October 2014
- WCPL (2014) Wambo Homestead Complex Monthly Inspections, October 2014
- WCPL (2014) Wambo Monthly Environmental Inspection Checklist – Rail Loadout and CHPP, October 2014
- WCPL (2014) Wambo Monthly Environmental Inspection Checklist – Workshop and Storage Area, September 2014
- Wells Environmental Services (2011) Modification of DA 177-8-2004 Environmental Assessment, Locomotive Refuelling Station Wambo Coal Rail Loop
- Wells Environmental Services (2011) DA 177-8-2004 MOD 2 – Locomotive Refuelling Facility for QR National – Response to Submissions

APPENDIX D
Development Consent Compliance Table

Table 1
DA 305-7-2003 Consolidated Conditions of Approval

MODIFICATIONS:

Blue type represents 2004 modification

Red type represents May 2005 modification

Green represents January 2006 modification

Pink represents April 2006 Modification

Orange represents October 2006 Modification

Violet represents January 2007 Modification

Brown represents June 2009 Modification

Lime represents August 2009 Modification

Blue with yellow background represents February 2011 Modification

Taupe represents January 2013 Modification

Light Blue represents July 2013 Modification

Section	Sub-section	Requirement	Status	Comments
SCHEDULE 3 ADMINISTRATIVE CONDITIONS				
		Obligation to Minimise Harm to the Environment		
3	1	The Applicant 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.	Not Compliant	Some non-compliances against conditions of consent and EPL as described below.
		Terms of Approval		
3	2	The Applicant shall carry out the development generally in accordance with the: (a) DA 305-7-2003; (b) EIS titled Wambo Development Project, volumes 1-5, dated July 2003, and	Compliant	Mining operations, equipment and employment during the audit period were undertaken generally

Section	Sub-section	Requirement	Status	Comments
		<p>prepared by Resource Strategies Pty. Ltd.;</p> <p>(c) letter from Holmes Air Sciences to the Department, dated 3 September 2003, and titled Wambo Development Project - Response Air Quality Assessment;</p> <p>(d) letter from Wambo Coal Pty. Ltd. to the Department, dated 24 October 2003, and titled Wambo Development Project – Development Application Amendment (DA 305-7-2003-i);</p> <p>(e) Statement of Environmental Effects titled Wambo Development project – Wambo Seam Underground Mine Modification, dated January 2005, and prepared by Wambo Coal Pty Ltd;</p> <p>(f) document titled Wambo Development Project – Modification of DA 305-7-2003-I, dated 24 October 2005;</p> <p>(g) document titled Wambo Development Project – Modification of DA 305-7-2003-I; dated 23 January 2006;</p> <p>(h) document titled Wambo Development Project – Modification of DA 305-7-2003-I; dated 27 July 2006;</p> <p>(i) document titled Wambo Coal Mine Modification Statement of Environmental Effects; dated September 2006;</p> <p>(j) document titled Wambo Coal Mine Statement of Environmental Effects on Proposed Modification, dated March 2009;</p> <p>(k) document titled Wambo Coal Mine Modification Statement of Environmental Effects, dated June 2009 and the response to submissions dated July 2009;</p> <p>(l) the modification application DA 305-7-2003 MOD 9 and accompanying letter prepared by Wambo Coal Pty Ltd; and (m) conditions of this consent.</p>		in accordance with the documents referred to under this condition.
3	3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	Not applicable	No inconsistencies noted in the audit period (TF pers comm).
3	4	<p>The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:</p> <p>(a) any reports, plans or correspondence that are submitted in accordance with this consent; and</p>	Not applicable	TF (pers comm) confirmed no requests made under this condition.

Section	Sub-section	Requirement	Status	Comments
		(b) the implementation of any actions or measures contained in these reports, plans or correspondence		
		Deferred Commencement		
3	5	This consent shall only commence when the Applicant has surrendered all previous development consents for the Wambo coal mine, excluding DA No. 108/91 issued by Singleton Shire Council, to the satisfaction of the Director-General	Compliant	Compliance confirmed in 2011 audit. Previous audit confirmed development consents surrendered 14/11/05.
		Limits on Approval		
3	6	The Applicant may carry out mining operations at the Wambo Mining Complex until 1 March 2025. <i>Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Director-General and the Executive Director Mineral Resources. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and those additional undertakings have been carried out satisfactorily.</i>	Not applicable	Audit period occurred within approval limits.
3	7	The Applicant shall not extract more than 14.7 million tonnes of ROM coal a year from the development.	Compliant	Viewed ROM coal extraction volumes reported in AEMRs (S2.4.1): <ul style="list-style-type: none"> • 2010-11: 8.73 Mt; • 2011-12: 8.74 Mt; and • 2012-13: 9.6 Mt. 2014 calendar year ROM coal extraction on track to be within approval limits (TF pers comm).
		Staged Submission of any Strategy, Plan or Program		
3	7A	With the approval of the Director-General, the Applicant may: (a) submit any strategy, plan or program required by this consent on a progressive basis; and	Not applicable	Viewed copies of updated Air Quality, Noise, Blast and WMP plan submitted to DP&E but not

Section	Sub-section	Requirement	Status	Comments
		(b) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required under DA 177-8-2004. <i>Notes:</i> <i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and</i> <i>If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</i>		yet approved.
		Structural Adequacy		
3	8	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. <i>Notes:</i> <i>Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</i> <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of development.</i> <i>The development is located in the Patrick Plains Mine Subsidence District. Under section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain the Mine Subsidence Board's approval before constructing or relocating any improvements on the site</i>	Compliant	Viewed Occupation Certificate No. 273/13 for the rail refuelling facility dated 11/12/14 and attached construction diagrams prepared by PB in accordance with ISO 9001 dated 27/06/12.
		Demolition		
3	9	The Applicant shall ensure that all demolition work is carried out in accordance with AS 2601-2001: <i>The Demolition of Structures</i> , or its latest version.	Not applicable	No demolition works undertaken in audit period (TF pers comm).
		Operation of Plant and Equipment		

Section	Sub-section	Requirement	Status	Comments
3	10	The Applicant shall ensure that all plant and equipment used at the site, or to transport coal off-site, are: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner	Compliant	TF (pers comm) confirmed schedule of maintenance for site equipment fleet and training packages in place for operators. The site inspection on 7/11/14 revealed water carts on site and no excessive dust from haul roads (see Plate 1). CHPP especially well maintained with little coal spillage observed. Limited noise complaints with 10 received in 2014 at the time of the audit. Site inspection of rail facility exhibited good maintenance practices (see Plate 3).
		Section 94 Contribution		
3	11	Before carrying out any development, or as agreed otherwise by Council, the Applicant shall pay Council \$60,000 in accordance with Council's Section 94 Contribution Plan.	Compliant	Compliance confirmed in 2011 audit. S94 contribution submitted to SSC on 31/10/05. It is recommended that when the consent is next modified, this condition be removed.
		Community Enhancement Contribution		
3	12	Before carrying out any development, or as agreed otherwise by Council, the Applicant shall pay Council \$15,000 for the enhancement of community infrastructure or services in the Warkworth/Jerry's Plains area.	Compliant	Compliance confirmed in 2011 audit. Community enhancement contribution submitted to SSC on 31/10/05.

Section	Sub-section	Requirement	Status	Comments								
				It is recommended that when the consent is next modified, this condition be removed.								
SCHEDULE 4 Specific environmental conditions												
		ACQUISITION UPON REQUEST										
4	1	<div>Upon receiving a written request for acquisition from the landowner of the land listed in Table 1, the Applicant shall acquire the land in accordance with the procedures in conditions 9-11 of schedule 5:</div> <table><tr><td>2 – Lambkin</td><td>23A & B - Kannar</td></tr><tr><td>13C - Skinner</td><td>31A,B,C & D - Fisher</td></tr><tr><td>19A & B – Kelly</td><td>51 – Hawkes</td></tr><tr><td>22 – Henderson</td><td>56 - Haynes</td></tr></table> <div>Table 1: Land subject to acquisition upon request</div> <div>Note: For more information on the numbering and identification of properties used in this consent, see Attachment 1 of the EIS for the Wambo Development Project.</div>	2 – Lambkin	23A & B - Kannar	13C - Skinner	31A,B,C & D - Fisher	19A & B – Kelly	51 – Hawkes	22 – Henderson	56 - Haynes	Compliant	TF (pers comm) confirmed no acquisition requests had occurred during the audit period. 2011 audit confirmed earlier acquisition of the following properties: <ul style="list-style-type: none">Fisher property, purchased September 2004;Haynes property, purchased September 2006;Hawkes property purchased September 2006; andKannar property purchased March 2007. It is recommended that when the consent is next modified, properties 23, 31, 51 and 56 be removed from this condition.
2 – Lambkin	23A & B - Kannar											
13C - Skinner	31A,B,C & D - Fisher											
19A & B – Kelly	51 – Hawkes											
22 – Henderson	56 - Haynes											
		AIR QUALITY										
		Odour										
4	2	The Applicant shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the Wambo Mining Complex.	Not Compliant	WCPL received a request from EPA in April 2012 regarding fume								

Section	Sub-section	Requirement	Status	Comments
				<p>from a blast on 30/03/12 and complaints that dust and visible NOx fumes from the blast had had travelled off site.</p> <p>Also viewed incident record and correspondence between WCPL and regulators on 2014 blast fume incident (issue still to be resolved at the time of audit). TF (pers comm) confirmed update of BMP in response to incident and revision of internal pre-blast procedures and training packages for Blast Engineer and blast crews.</p> <p>Recommend regular training on this issue with relevant personnel to ensure pre-blast checks are undertaken.</p>
		Greenhouse Gas Emissions		
4	3	<p>The Applicant shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the Wambo Mining Complex to the satisfaction of the Director-General.</p>	Compliant	<p>Section 6 of the approved AQGGMP (2014) (AQGGMP) describes management controls. TF (pers comm) confirmed other measures in place to minimise emissions from equipment fleet (i.e. low emissions diesel, vehicle maintenance program). Viewed Wambo NGER</p>

Section	Sub-section	Requirement	Status	Comments																											
				submission dated 21/11/14. Viewed ventilation shaft monitoring reports for Homestead and Inpit fans dated October 2014. It is recommended that the Annual Review provide comment on this issue.																											
		Air Quality Criteria																													
4	4	<p>Except for the air quality affected land in Table 1, the Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the Wambo Mining Complex do not exceed the criteria listed in Tables 2, 3 and 4 at any residence on privately owned land, or on more than 25 percent of any privately owned land.</p> <p><i>Table 2: Long term impact assessment criteria for particulate matter</i></p> <table><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>d Criterion</i></th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>a 90 µg/m3</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>a 30 µg/m3</td></tr></table> <p><i>Table 3: Short term impact assessment criterion for particulate matter</i></p> <table><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>D Criterion</i></th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 our</td><td>a 50 µg/m3</td></tr></table> <table><tr><th><i>Pollutant</i></th><th colspan="2"><i>Averaging period</i></th><th><i>Maximum increase2 in</i></th></tr><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>Maximum increase2 in</i></th><th><i>Maximum deposited dust level</i></th></tr><tr><td>cDeposited dust</td><td>Annual</td><td>b 2 g/m2/mon h</td><td>a 4 g/m2/mo</td></tr></table>	<i>Pollutant</i>	<i>Averaging period</i>	<i>d Criterion</i>	Total suspended particulate (TSP) matter	Annual	a 90 µg/m3	Particulate matter < 10 µm (PM10)	Annual	a 30 µg/m3	<i>Pollutant</i>	<i>Averaging period</i>	<i>D Criterion</i>	Particulate matter < 10 µm (PM10)	24 our	a 50 µg/m3	<i>Pollutant</i>	<i>Averaging period</i>		<i>Maximum increase2 in</i>	<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase2 in</i>	<i>Maximum deposited dust level</i>	cDeposited dust	Annual	b 2 g/m2/mon h	a 4 g/m2/mo	Compliant	Viewed copy of approved AQGGMP dated February 2014. Viewed correspondence from AECOM dated 16/10/2014 confirming monthly monitoring of dust deposition was conducted in accordance with the required Australian Standard. TF (pers comm) confirmed best practice proactive and reactive management measures for air impacts. Viewed output of 'WeatherZone' predictive daily and four-daily meteorological forecast under development, alerts of adverse conditions to environmental and operational staff. TARPs in place to respond to adverse conditions.
<i>Pollutant</i>	<i>Averaging period</i>	<i>d Criterion</i>																													
Total suspended particulate (TSP) matter	Annual	a 90 µg/m3																													
Particulate matter < 10 µm (PM10)	Annual	a 30 µg/m3																													
<i>Pollutant</i>	<i>Averaging period</i>	<i>D Criterion</i>																													
Particulate matter < 10 µm (PM10)	24 our	a 50 µg/m3																													
<i>Pollutant</i>	<i>Averaging period</i>		<i>Maximum increase2 in</i>																												
<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase2 in</i>	<i>Maximum deposited dust level</i>																												
cDeposited dust	Annual	b 2 g/m2/mon h	a 4 g/m2/mo																												

Section	Sub-section	Requirement	Status	Comments
		<p><i>Notes to Tables 2-4</i></p> <p><i>a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources);</i></p> <p><i>b Incremental impact (i.e. incremental increase in concentrations due to the development on its own);</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Director-General.</i></p>		<p>Results above 24 hour PM₁₀ criteria at private land included:</p> <ul style="list-style-type: none"> Three days (29/04, 22/10, 26/10) recorded 24 hour PM₁₀ above criteria in 2013 (Section 4.25, 2013 AEMR). <p>Investigations indicated that these results were influenced by regional event.</p> <p>Non-compliance with air quality criteria during the audit period on mine owned land included:</p> <ul style="list-style-type: none"> DD07, DD14 exceeded annual average criteria. Section 3.2.2.4 AEMR 2010-11. DD01, DD07 exceeded annual average criteria. Section 3.2.2.4 AEMR 2011-12. <p>Recommend that Annual Reviews do not discuss exceedances of criterion on mine owned land. Consider removing DD gauges as long as next closest receiver has a DD between them and operation.</p>
		Air Quality Acquisition Criteria		
4	5	If particulate matter emissions generated by the Wambo Mining Complex exceed the criteria in Tables 5, 6, and 7 at any residence on privately-owned land, or on	Not applicable	No exceedances of impact criteria during the audit period.

Section	Sub-section	Requirement	Status	Comments																													
		<p>more than 25 percent of any privately owned land, then upon written request for acquisition from the landowner, the Applicant shall acquire the land in accordance with the procedures in conditions 9 - 11 of schedule 5.</p> <p><i>Table 5: Long term land acquisition criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>d Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>a 90 µg/m3</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>a 30 µg/m3</td></tr><tr><td></td><td></td><td></td></tr></table> <p><i>Table 6: Short term land acquisition criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>da Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>a 150 µg/m3</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>4 hour</td><td>b 50 µg/m3</td></tr></table> <p><i>Table 7: Long term land acquisition criteria for deposited dust</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase2 in deposited dust level</th><th>Maximum deposited a</th></tr><tr><td>c Deposited dust</td><td>Annual</td><td>b 2 g/m2/mo h</td><td>a 4 g/m2/mo</td></tr></table> <p><i>Notes to Tables 5-7</i></p> <p>a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources);</p> <p>b Incremental impact (i.e. incremental increase in concentrations due to the</p>	Pollutant	Averaging period	d Criterion	Total suspended particulate (TSP) matter	Annual	a 90 µg/m3	Particulate matter < 10 µm (PM10)	Annual	a 30 µg/m3				Pollutant	Averaging period	da Criterion	Particulate matter < 10 µm (PM10)	24 hour	a 150 µg/m3	Particulate matter < 10 µm (PM10)	4 hour	b 50 µg/m3	Pollutant	Averaging period	Maximum increase2 in deposited dust level	Maximum deposited a	c Deposited dust	Annual	b 2 g/m2/mo h	a 4 g/m2/mo		Viewed correspondence from AECOM 16/10/2014 confirming example of monthly monitoring of dust deposition was conducted in accordance with the required Australian Standard.
Pollutant	Averaging period	d Criterion																															
Total suspended particulate (TSP) matter	Annual	a 90 µg/m3																															
Particulate matter < 10 µm (PM10)	Annual	a 30 µg/m3																															
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Pollutant	Averaging period	Maximum increase2 in deposited dust level	Maximum deposited a																														
c Deposited dust	Annual	b 2 g/m2/mo h	a 4 g/m2/mo																														

Section	Sub-section	Requirement	Status	Comments
		<p><i>development on its own);</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Director-General.</i></p>		
		Mine-owned Land		
	5A	<p>The Applicant shall ensure that particulate matter emissions generated by the Wambo Mining Complex do not exceed the criteria listed in Tables 2, 3 and 4 at any occupied residence on any mine-owned land (including land owned by adjacent mines) unless:</p> <p>(a) the tenant and landowner has been notified of health risks in accordance with the notification requirements under schedule 5 of this consent;</p> <p>(b) the tenant on land owned by the Applicant can terminate their tenancy agreement without penalty, subject to giving reasonable notice, and the Applicant uses its best endeavours to provide assistance with relocation and sourcing of alternative accommodation;</p> <p>(c) air mitigation measures (such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant and landowner (where owned by another mine other than the Applicant);</p> <p>(d) particulate matter air quality monitoring is undertaken to inform the tenant and landowner of potential health risks; and</p> <p>(e) monitoring data is presented to the tenant in an appropriate format, for a medical practitioner to assist the tenant in making an informed decision on the health risks associated with occupying the property, to the satisfaction of the Director-General.</p>	Not applicable	No exceedances of air quality criteria occurred at residences on mine-owned land.
		Air Quality Operating Conditions		

Section	Sub-section	Requirement	Status	Comments
	5B	<p>The Applicant shall: 10</p> <p>(a) implement best management practice to minimise the off-site odour, fume and dust emissions from the Wambo Mining Complex, including best practice coal loading and profiling and other measures to minimise dust emissions from coal transportation by rail;</p> <p>(b) operate a comprehensive air quality management system at the Wambo Mining Complex that uses a combination of predictive meteorological forecasting, predictive and real time air dispersion modelling and real-time air quality monitoring data to guide the day to day planning of mining operations and implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent;</p> <p>(c) manage PM2.5 levels in accordance with any requirements of any EPL;</p> <p>(d) minimise the air quality impacts of the Wambo Mining Complex during adverse meteorological conditions and extraordinary events (see noted above under Tables 5-7);</p> <p>(e) minimise any visible off-site air pollution;</p> <p>(f) minimise the surface disturbance of the site generated by the Wambo Mining Complex; and</p> <p>(g) co-ordinate air quality management at the Wambo Mining Complex with the air quality management at nearby mines (HVO South, HVO North and Mount Thorley Warkworth mines) to minimise the cumulative air quality impacts of these mines and the Wambo Mining Complex, to the satisfaction of the Director-General.</p>	Compliant	<p>(a) See response to Schedule 4, Condition 2 above on management procedures and best practice management measures.</p> <p>TF (pers comm) confirmed dust minimisation controls and coal profiling at Train Loading Facility.</p> <p>(b) Viewed predictive 'WeatherZone' system in use on site for air noise and blast impacts and outputs for each. This system is used as an operational tool to in combination with the real-time Sentinex monitoring network.</p> <p>(c) TF confirmed that the Singleton UHAQMN site is deemed representative of WCPL for 24 hour PM2.5. This is noted in Section 7.3 of the approved AQGGMP.</p> <p>(d) Viewed example of Wambo PRP U4 Report to EPA PM₁₀ (24hr Avg) demonstrating responses to meteorological conditions</p> <p>Viewed email from TF (13/11/2014) advising operational personnel of extreme heat</p>

Section	Sub-section	Requirement	Status	Comments
				<p>forecast and requesting planning / mitigation strategies be put in place as example of advertise meteorological condition.</p> <p>(e) Section 5 of the approved AQGGMP. TF (pers comm) confirmed process of reviewing visible dust emissions (both on site and from off-site) and modifying operations in specific areas if required. Site inspection revealed water carts in operation and dust controls in place for equipment and haul roads in active mining areas (see Plate 1).</p> <p>(f) Viewed the WCPL Surface Disturbance Permit, required to be completed prior to any clearance work on site. Environmental signoff of the permit is required. Viewed completed Surface Disturbance Permit 511 for Dip hole 4D dated 06/08/14.</p> <p>(g) Section 7.2.6 of the approved AQGGMP. Viewed example of notification email from TF to HVO dated 6/11/14.</p>
		Air Quality and Greenhouse Gas Management Plan		

Section	Sub-section	Requirement	Status	Comments
	5C	<p>The Applicant shall prepare and implement a detailed Air Quality & Greenhouse Gas Management Plan for the Wambo Mining Complex to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and submitted to the Director-General for approval by the end of June 2013;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> • best management practice is being employed; • the air quality impacts of the Wambo Mining Complex are minimised during adverse meteorological conditions and extraordinary events; and • compliance with the relevant conditions of this consent. <p>(c) describe the proposed air quality management system;</p> <p>(d) include a risk/response matrix to codify mine operational responses to varying levels of risk resulting from weather conditions and specific mining activities;</p> <p>(e) include commitments to provide summary reports and specific briefings at CCC meetings on issues arising from air quality monitoring;</p> <p>(f) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the development; • adequately supports the proactive and reactive air quality management system; • includes PM2.5 monitoring; • includes monitoring of occupied development-related residences and residences on air quality-affected land listed in Table 1, subject to the agreement of the tenant; • evaluates and reports on the effectiveness of the air quality management system; and • includes a protocol for determining any exceedances of the relevant conditions in this consent; and 	Compliant	<p>(a) Viewed approval letter from DP&E dated 22/03/14 approving management plan</p> <p>(b) Section 5, Table 14 of approved AQGGMP</p> <p>(c) Sections 5 -6 of the approved AQGGMP</p> <p>(d) Section 8.3.2 of the approved AQGGMP (e) Section 11.5 of the approved AQGGMP</p> <p>(f) Sections 7, 11.7 of the approved AQGGMP</p> <p>(g) Section 7.2.6 of the approved AQGGMP</p> <p>Viewed email from TF dated 24/10/14 to Environmental Specialist HVO on cumulative impact notification.</p>

Section	Sub-section	Requirement	Status	Comments																														
		(g) include a protocol that has been prepared in consultation with the owners of nearby mines (HVO South, HVO North and Mount Thorley Warkworth mines) to minimise the cumulative air quality impacts of these mines and the Wambo Mining Complex.																																
		¹ NOISE																																
4	6	Noise Impact Assessment Criteria The Applicant shall ensure that the noise generated by the development does not exceed the noise impact assessment criteria presented in Table 9. <table><tr><th>Day L_{Aeq}(15 minute)</th><th>Evening/ Night L_{Aeq}(51minute)</th><th>Night L_{A1}(1 minute)</th><th>Land Number</th></tr><tr><td>35</td><td>41</td><td>50</td><td>94 – Curlewis</td></tr><tr><td rowspan="10">35</td><td rowspan="10">40</td><td rowspan="10">50</td><td>3 – Birrell</td></tr><tr><td>4B – Circosta</td></tr><tr><td>15B - McGowen/Caslick</td></tr><tr><td>16 – Cooper</td></tr><tr><td>23C – Kannar</td></tr><tr><td>25 – Fenwick</td></tr><tr><td>28A & B – Garland</td></tr><tr><td>33 -Thelander/O'Neill</td></tr><tr><td>39 – Northcote</td></tr><tr><td>40 – Muller</td></tr><tr><td>254A – Algie</td></tr><tr><td rowspan="5">35</td><td rowspan="5">39</td><td rowspan="5">50</td><td>5 – Strachan</td></tr><tr><td>6 - Merrick</td></tr><tr><td>7 - Maizey</td></tr><tr><td>37 - Lawry</td></tr><tr><td>48 - Ponder</td></tr></table>	Day L _{Aeq} (15 minute)	Evening/ Night L _{Aeq} (51minute)	Night L _{A1} (1 minute)	Land Number	35	41	50	94 – Curlewis	35	40	50	3 – Birrell	4B – Circosta	15B - McGowen/Caslick	16 – Cooper	23C – Kannar	25 – Fenwick	28A & B – Garland	33 -Thelander/O'Neill	39 – Northcote	40 – Muller	254A – Algie	35	39	50	5 – Strachan	6 - Merrick	7 - Maizey	37 - Lawry	48 - Ponder	Compliant	Reviewed attended and real-time noise monitoring results for the audit period and confirmed no exceedances. Review of real-time noise monitoring sites is recommended to ensure ongoing effectiveness as a management tool for Wambo operations (see Schedule 4, Condition 8, below).
Day L _{Aeq} (15 minute)	Evening/ Night L _{Aeq} (51minute)	Night L _{A1} (1 minute)	Land Number																															
35	41	50	94 – Curlewis																															
35	40	50	3 – Birrell																															
			4B – Circosta																															
			15B - McGowen/Caslick																															
			16 – Cooper																															
			23C – Kannar																															
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			28A & B – Garland																															
			33 -Thelander/O'Neill																															
			39 – Northcote																															
			40 – Muller																															
254A – Algie																																		
35	39	50	5 – Strachan																															
			6 - Merrick																															
			7 - Maizey																															
			37 - Lawry																															
			48 - Ponder																															

Section	Sub-section	Requirement				Status	Comments				
		35	38	50	1 - Brosi						
					17 - Carter						
					18 - Denney						
					38 - Williams						
					49 - Oliver						
					63 - Abrocuff						
					75 - Barnes						
					91 - Bailey						
		35	37	50	27 - Birralelee						
					43 - Carmody						
					137 - Woodruff						
					163 - Rodger/Williams						
					246 - Bailey						
		35	36	50	13B - Skinner						
					178 - Smith						
					188 - Fuller						
					262A, B & C - Moses						
		35	35	50	All other residential or sensitive receptors, excluding the receptors listed in condition 1 above						
		Table 9: Noise impact assessment criteria dB(A)									
		Notes:									
		Noise generated by the Wambo Mining Complex is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy									
				Land Acquisition Criteria							
		4	7	If the noise generated by the Wambo Mining Complex exceeds the criteria in				Not applicable	No requests for acquisition in the		

Section	Sub-section	Requirement	Status	Comments								
		<p>Table 10, the Applicant shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 9-11 of schedule 5.</p> <table><tr><th>Day/Evening /Night L_{Aeq}(15 minute)</th><th>Property</th></tr><tr><td rowspan="3">43</td><td>94 - Curlewis</td></tr><tr><td>23C – Kannar</td></tr><tr><td>254A - Algie</td></tr><tr><td>40</td><td>All other residential or sensitive receptor, excluding the receptors listed in condition 1 above</td></tr></table> <p>Table 10: Land acquisition criteria dB(A) Note: Noise generated by the <i>Wambo Mining Complex</i> is to be measured in accordance with the notes presented below Table 9 above.</p>	Day/Evening /Night L _{Aeq} (15 minute)	Property	43	94 - Curlewis	23C – Kannar	254A - Algie	40	All other residential or sensitive receptor, excluding the receptors listed in condition 1 above		audit period. 2011 audit confirmed Kannar acquired in March 2007. Recommended that when approval next modified, have Kannar removed from this table.
Day/Evening /Night L _{Aeq} (15 minute)	Property											
43	94 - Curlewis											
	23C – Kannar											
	254A - Algie											
40	All other residential or sensitive receptor, excluding the receptors listed in condition 1 above											
		Operating Conditions										
4	8	<p>The Applicant shall:</p> <p>(a) implement best management practice to minimise the operational, low frequency and traffic noise of the Wambo Mining Complex;</p> <p>(b) operate a comprehensive noise management system for the Wambo Mining Complex that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;</p> <p>(c) maintain the effectiveness of noise suppression equipment (if fitted) on plant at all times and ensure defective plant is not used operationally until fully repaired;</p> <p>(d) ensure that noise attenuated plant (if used) is deployed preferentially in</p>	Not Compliant	<p>(a) Sections 3.1-3.2.1 (design and operational measures) of the approved Noise Management Plan.</p> <p>(b) See comments on Schedule 4, Condition 5B, above). Sections 3.3, 5 of the approved Noise Management Plan.</p> <p>TF (pers comm) detailed real-time noise and meteorological monitoring system in operational on site since 2007. System is internally reviewed on a quarterly</p>								

Section	Sub-section	Requirement	Status	Comments
		<p>locations relevant to sensitive receivers;</p> <p>(e) minimise the noise impacts of the Wambo Mining Complex during meteorological conditions when the noise limits in this consent do not apply;</p> <p>(f) co-ordinate the noise management for the Wambo Mining Complex with the noise management at nearby mines (including HVO South, HVO North and Mt Thorley Warkworth mines) to minimise the cumulative noise impacts of these mines and the Wambo Mining Complex, to the satisfaction of the Director-General.</p>		<p>basis to confirm operating effectively.</p> <p>Viewed example of daily monitoring summaries emailed to Environmental staff dated 10/10/14. Accessed and listened to real-time noise logging from Muller monitor.</p> <p>Monitoring data and operational activities are also reviewed following receipt of any noise complaints. Viewed copy of investigation process for complaint dated 3/10/14.</p> <p>Activity changes due to potential for elevated noise or noise alarms are also logged by OCEs in shift reports. Viewed example dated 10/10/14.</p> <p>(c) Confirmed physical implementation of noise attenuation in place for excavators (see Plate 15). Evidence demonstrating maintenance of plant attenuation to required levels not available at the time of audit.</p> <p>(d) Viewed Montrose Ridge Operating Procedure dated</p>

Section	Sub-section	Requirement	Status	Comments
				<p>14/10/2014 – includes preventative actions (specific machinery, hornless horns) and TARPs for equipment response. (e) TF (pers comm) confirmed that noise alerts are still issued during adverse meteorological conditions. These responses will be more important with operations in the Montrose area progressing to the north. Viewed Wambo PRP U4 report log confirming actions taken to modify operations under adverse meteorological conditions. Viewed email from TF dated 13/11/14 requesting operational changes in response to adverse meteorological conditions.</p> <p>Recommend keeping a register to document timing and scale of any operational changes made in response to adverse conditions or noise alarms from monitoring units.</p> <p>(f) Section 6 of approved Noise Management Plan confirms process. Viewed correspondence from TF dated 31/01/14 with HVO on</p>

Section	Sub-section	Requirement	Status	Comments
				<p>rescheduled blast times to avoid cumulative impact. Data sharing agreement is being investigated. The Muller monitor is located 500 m from the Golden Highway and often influenced by background or other operation's noise.</p> <p>Reviewed 4/11/14 audio-log of key times of the day versus wind speed direction as example.</p> <p>It is recommended that a noise monitoring specialist provide advice on an alternate representative location for the Muller monitor where it is less affected by traffic noise and consideration of a directional element. Monitor location will be critical to assist in confirmation the source of the noise (i.e. Wambo or HVO noise). This will be especially important as Wambo mines to the north through the Montrose ridge.</p>
		Noise Management Plan		
4	9	The Applicant shall prepare and implement a Noise Management Plan for the Wambo Mining Complex to the satisfaction of the Director-General. This plan must:	Compliant	<p>(a) Viewed approval letter from DP&E dated 27/3/14.</p> <p>(b) Section 3 of approved Noise</p>

Section	Sub-section	Requirement	Status	Comments
		<p>(a) be prepared in consultation with the EPA, and submitted to the Director-General for approval by the end of June 2013;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> best management practice is being employed; the noise impacts of the Wambo Mining Complex are minimised during meteorological conditions when the noise limits in this consent do not apply; and compliance with the relevant conditions of this consent; <p>(c) describe the proposed noise management system in detail;</p> <p>(d) include a monitoring program that:</p> <ul style="list-style-type: none"> uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the Wambo Mining Complex; adequately supports the proactive and reactive noise management system for the Wambo Mining Complex; includes a protocol for determining exceedances of the relevant conditions in this consent; evaluates and reports on the effectiveness of the noise management system for the Wambo Mining Complex; provides for the annual validation of the noise model for the Wambo Mining Complex; and <p>(e) include a protocol that has been prepared in consultation with the owners of nearby mines (including HVO South, HVO North and Mount Thorley Warkworth mines) to minimise the cumulative noise impacts of these mines and the Wambo Mining Complex.</p>		<p>Management Plan.</p> <p>(c) Section 5 of approved Noise Management Plan</p> <p>(d) Section 3.3, Section 5 of approved Noise Management Plan.</p> <p>Viewed examples of the WeatherZone predictive system and Sentinex monitoring network. It is recommended that options for implementing a combined predictive and real-time system are investigated by Wambo in 2015.</p> <p>(e) Section 6 of approved Noise Management Plan. Viewed email from TF dated 24/10/14 to Environmental Specialist HVO on cumulative impact notification. It is also recommended that any operational changes made to minimise cumulative noise impact and environmental conditions at the time are documented for reporting in Annual Review.</p>
		²METEOROLOGICAL MONITORING		
4	10	Applicant shall establish a permanent meteorological station at a location approved by the DECCW, and to the satisfaction of the Director-General, to monitor the parameters specified in Table 11, using the specified units of	Compliant	Reviewed monitoring results for the audit period and viewed meteorological monitoring site

Section	Sub-section	Requirement					Status	Comments
		measure, averaging period, frequency, and sampling method in the table.						during field inspection.
		Parameter	Units	Averaging period	Frequency	Sampling method¹		Viewed AECOM 6 monthly sensor and maintenance report dated 13/06/2014. AECOM report confirmed sensors are operating within parameters listed in the Australian Standard (AS3580.14-2011).
		Lapse rate	°C /100m	1 hour	Continuous	Note ²		
		Rainfall	mm/hr	1 hour	Continuous	AM-4		
		Sigma Theta @ 10 m	°	1 hour	Continuous	AM-2		
		Siting	-	-	-	AM-1		
		Temp @ 10 m	K	1 hour	Continuous	AM-4		
		Temp @ 2 m	K	1 hour	Continuous	AM-4		
		Total Solar Radiation @ 10m	W/m ²	1 hour	Continuous	AM-4		
		Wind Direction @ 10 m	°	1 hour	Continuous	AM-2		
		Wind Speed @ 10 m	m/s	1 hour	Continuous	AM-2		
		Table 11: Meteorological monitoring						
		³ BLASTING & VIBRATION						
		Airblast Overpressure Limits						
4	11	The Applicant shall ensure that the airblast overpressure level from blasting at the Wambo Mining Complex does not exceed the criteria in Table 12 at any residence on privately-owned land with the exception of property 13C (Skinner) (see condition 20 below).					Compliant	Section 3.10.2 of the 2011-12 AEMR notes one blast above 115dBL (118.5), however within 5% threshold. No exceedances of blast
		Airblast	Allowable exceedance					

Section	Sub-section	Requirement		Status	Comments						
		<table><tr><th>overpressure level (dB(Lin Peak))</th><td></td></tr><tr><td>115</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>120</td><td>0%</td></tr></table> <p>Table 12: Airblast overpressure impact assessment criteria</p>	overpressure level (dB(Lin Peak))		115	5% of the total number of blasts over a period of 12 months	120	0%			overpressure criteria in period 2011-2014
overpressure level (dB(Lin Peak))											
115	5% of the total number of blasts over a period of 12 months										
120	0%										
		Ground Vibration Impact Assessment Criteria									
4	12	<p>The Applicant shall ensure that the ground vibration level from blasting at the Wambo Mining Complex does not exceed the criteria in Table 13 at any residence on privately-owned land with the exception of property 13C (Skinner) (see condition 20 below).</p> <table><tr><th>Peak particle velocity (mm/s)</th><th>Allowable exceedance</th></tr><tr><td>5</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>10</td><td>0%</td></tr></table> <p>Table 13: Ground vibration impact assessment criteria</p>	Peak particle velocity (mm/s)	Allowable exceedance	5	5% of the total number of blasts over a period of 12 months	10	0%	Compliant	No exceedances of vibration criteria recorded during the audit period. Section 3.10.1 of the 2010-11 AEMR notes 7.35% of blasts (5 of 68) above 115 dBL criteria. Section 3.10.2 of the 2011-12 AEMR notes one blast above 115dBL (118.5), within 5% threshold. Section 4.11 of the 2013 AEMR confirms no blast exceedances.	
Peak particle velocity (mm/s)	Allowable exceedance										
5	5% of the total number of blasts over a period of 12 months										
10	0%										
		Blasting Hours									
4	13	The Applicant shall only carry out blasting at the Wambo Mining Complex between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays or any other time without the written approval of EPA .		Compliant	Reviewed blast monitoring summaries for the audit period on the Wambo website. Blasting in audit period occurred						

Section	Sub-section	Requirement	Status	Comments
				within approved times.
		Blasting Frequency		
	13A	<p>The Applicant may carry out a maximum of:</p> <p>(a) 3 blasts a day, unless an additional blast is required following a blast misfire; and</p> <p>(b) 15 blasts a week, for all operations at the Wambo Mining Complex.</p> <p>This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or blasts required to ensure the safety of the mine or its workers.</p> <p><i>Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.</i></p>	Compliant	<p>AEMRs and Peabody Wambo Blasting Results on the Wambo website for the audit period confirm no exceedance of blast frequency numbers.</p> <p>Section 4.3.1 of the approved Blast Management Plan (BMP) stipulates these blasting times / frequency.</p>
		Public Notice		
4	14	<p>During the life of the Wambo Mining Complex, the Applicant shall:</p> <p>(a) operate a Blasting Hotline, or alternate system agreed to by the Director-General, to enable the public to get up-to-date information on blasting operations at the Wambo Mining Complex, and</p> <p>(b) notify the occupants of any land within 2 km of the site about this hotline or system on an annual basis</p>	<p>(a) Compliant</p> <p>(b) Not applicable</p>	<p>(a) Confirmed Blasting Hotline in operation. Details of the Blasting Hotline details are on WCPL website and noted in 2011, 2013, 2013 AEMRs.</p> <p>(b) Not triggered in audit period as no private residences within 2 km of the site. Section 6.2 of the approved BMP provides process for any notifications required.</p>
		Property Inspection		
4	15	Before carrying out any blasting, the Applicant shall advise all landowners within 2 km of the site that they are entitled to a property inspection.	Compliant	Previous audit confirmed compliant, cited notification letters sent to landholders dated

Section	Sub-section	Requirement	Status	Comments
				3/11/05. Section S6.2, Appendix C of approved BMP.
4	16	If the Applicant receives a written request for a property inspection from any landowner within 2 km of the site, the Applicant shall: (a) within 28 days of receiving the request, commission a suitably qualified person, whose appointment has been approved by the Director-General, to inspect the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and (b) give the landowner a copy of this property inspection report within 14 days of receiving the report	Not applicable	Not triggered in audit period (TF pers comm). Section 6.4 of the approved BMP confirms the process to be undertaken for property inspections, if required.
		Cumulative Impacts		
4	17	The Applicant shall undertake all reasonable steps to co-ordinate blasting at the Wambo Mining Complex with the blasting at surrounding mines – such as Bulga, Mount Thorley, Warkworth, and Hunter Valley Operations – to minimise the cumulative impacts of blasting in the region.	Compliant	Section 6.1 of the approved BMP. Viewed email from TF (31/01/14) to surrounding mines rescheduling blast time to reduce cumulative impacts
		Operating Conditions		
4	18	During mining operations at the Wambo Mining Complex, the Applicant shall: (a) implement best management practice to: protect the safety of people and livestock in the surrounding area; protect public or private infrastructure/property in the surrounding area from any damage; and minimise the dust and fume emissions of any blasting; (b) minimise the frequency and duration of any road closures, and avoid road closures during peak traffic periods; (c) co-ordinate the timing of blasting at the Wambo Mining Complex with the timing of blasting at nearby mines (including HVO South, HVO North and Mt Thorley Warkworth mines) to minimise the cumulative blasting impacts of these	Compliant	(a-b) Sections 3.1, 6.1-6.5 of the approved BMP. (c) Viewed email from TF dated 31/01/14 to HVO on rescheduled blast times to avoid cumulative impact. Data sharing agreement is being investigated. It is recommended that Wambo use best endeavours to resolve this, particularly in relation to monitors to the NW of the open

Section	Sub-section	Requirement	Status	Comments
		mines and the Wambo Mining Complex; and (d) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule at the Wambo Mining Complex, to the satisfaction of the Director-General.		cut area to assist in management of noise and air quality of northern receivers. (d) WCPL operates a blasting hotline to provide information on blasting for the general public. SMS alerts are also provided the day prior to scheduled blasts to members of the community who register an interest in receiving this service (viewed example on TF's phone).
4	19	The Applicant shall not undertake blasting within 500 metres of: (a) any public road without the approval of the appropriate road authority; or (b) any land outside the site that is not owned by the Applicant, unless: the Applicant has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Applicant has advised the Department in writing of the terms of this agreement, or the Applicant has: <ul style="list-style-type: none"> demonstrated to the satisfaction of the Director-General that the blasting can be carried out closer to the land without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land. 	Not applicable	No blasting undertaken within 500 m of a public road or land not owned by WCPL during the audit period. Sections 3, 4.4.3, 6.5 of the approved BMP.
		Blast Management Plan		
4	20	The Applicant shall prepare and implement a Blast Management Plan for the Wambo Mining Complex to the satisfaction of the Director-General. This plan must:	Compliant	(a) TF (pers comm) noted that BMP submitted to DP&E for approval in May 2013. Current

Section	Sub-section	Requirement	Status	Comments
		<p>(a) be submitted to the Director-General for approval by the end of June 2013;</p> <p>(b) propose and justify any alternative ground vibration limits for any public infrastructure in the vicinity of the Wambo Mining Complex;</p> <p>(c) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> best management practice is being employed; compliance with the relevant conditions of this consent; <p>(d) include a road closure management plan for blasting within 500 metres of a public road, that has been prepared in consultation with the RMS and Council;</p> <p>(e) include measures to minimise, mitigate, and if necessary remediate the blasting impacts on property 13C (Skinner);</p> <p>(f) address the requirements of conditions 63 – 68 of schedule 4;</p> <p>(g) include a monitoring program for evaluating the performance of the Wambo Mining Complex, including:</p> <ul style="list-style-type: none"> compliance with the applicable criteria; and Minimising the fume emissions from the Wambo Mining Complex; and <p>(h) include a protocol that has been prepared in consultation with the owners of nearby mines (including HVO South, HVO North and Mt Thorley Warkworth mines) to minimise the cumulative blasting impacts of these mines and the Wambo Mining Complex.</p>		<p>approved version dated February 2014.</p> <p>(b) Section 4.2 of the approved BMP. No alternative vibration limits are proposed in the management plan.</p> <p>(c) Sections 3.1, 4, 5 of the approved BMP. TF (pers comm) described best practice measures for blast and fume management and response.</p> <p>(d) Not triggered in audit period. Process to be undertaken (if required) included in Section 4.1 of the approved BMP</p> <p>(e) Property 13C Skinner purchased by WCPL in 2009. No specific measures required.</p> <p>(f) Section 3.1.11 of the approved BMP.</p> <p>(g) Sections 3.191, 4, 5 of the approved BMP.</p> <p>(h) Section 6.1 of the approved BMP. Also viewed correspondence from TF dated 31/01/14 with HVO on rescheduled blast times to avoid cumulative impact.</p>
	20A	The Applicant shall not carry out more than 1 blast a day within 500 metres of Wallaby Scrub Road or the Golden Highway.	Not applicable	No blasts occurred in the audit period within 500 m of the road

Section	Sub-section	Requirement	Status	Comments								
				(TF pers comm).								
		Property Investigations										
4	21	<p>If any landowner within a 2 km radius of the site claims that his/her property has been damaged as a result of blasting at the development, the Applicant shall:</p> <p>(a) within 28 days of receiving this claim in writing, commission a suitably qualified person whose appointment has been approved by the Director-General to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report within 14 days of receiving the report.</p> <p>If this independent investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant shall repair the damages to the satisfaction of the Director-General.</p> <p>If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Appendix 2)</p>	Not applicable	<p>Not triggered during audit period (TF pers comm).</p> <p>Property investigation procedure included in Sections 6.3-6.4 of the BMP.</p>								
		SUBSIDENCE - Subsidence Management Plan										
		Performance Measures – Natural and Heritage Features, etc										
4	22	<p>The Applicant shall ensure that the development does not cause any exceedances of the performance measures in Table 14A, to the satisfaction of the Director-General.</p> <p>Table 14A: Subsidence Impact Performance Measures</p> <table><tr><td>Water</td><td></td></tr><tr><td>Wollombi Brook</td><td>Negligible impact</td></tr><tr><td></td><td>Controlled release of excess site water only in accordance with EPL requirements</td></tr><tr><td>Biodiversity</td><td></td></tr></table>	Water		Wollombi Brook	Negligible impact		Controlled release of excess site water only in accordance with EPL requirements	Biodiversity		Compliant	<p>Section 4.40 of the 2012-13 AEMR provides a summary of results of Strata Engineering assessment (LWs 1-6).</p> <p>No non-compliances recorded against subsidence criteria recorded.</p> <p>No impacts to Wollombi Brook recorded.</p> <p>Viewed Niche (February 2014) review of vegetation communities</p>
Water												
Wollombi Brook	Negligible impact											
	Controlled release of excess site water only in accordance with EPL requirements											
Biodiversity												

Section	Sub-section	Requirement		Status	Comments
		<div><div>Wollemi National Park</div><div>Negligible subsidence impacts. Negligible environmental consequences.</div></div> <div><div>Warkworth Sands Woodland Community</div><div>Minor cracking and ponding of the land surface or other impact. Negligible environmental consequences</div></div> <div><div>White Box, Yellow Box, Blakely's Red Gum, Woodland/Grassy White Box Woodland Community</div><div>Minor cracking and ponding of the land surface or other impact. Negligible environmental consequences</div></div> <div><div>Heritage</div><div></div></div> <div><div>Wambo Homestead Complex</div><div>Negligible impact on heritage values, unless approval has been granted by the Heritage Branch and/or the Minister.</div></div>		and subsidence impacts and vegetation mapping of ecological communities included under this condition. Niche (2014) report confirms no impacts to vegetation communities or to Wollemi National Park. Recommend that mapping and specific description impact performance for threatened ecological communities (Boxgum and WSW) is included in future reviews. No recorded subsidence impacts to Wambo Homestead occurred during the audit period; results are therefore within performance measures under this condition.	
		Performance Measures – Built Features			
4	22A	<div>The Applicant shall ensure that the development does not cause any exceedances of the performance measures in Table 14B, to the satisfaction of the Director-General of DII.</div> <div>Table 14B: Subsidence Impact Performance Measures</div> <div><div>Built Features</div><div></div></div>		Compliant	The only relevant features above longwall panels mined in the audit period is an access track used by a neighbouring landholder (Fenwick). TF (pers comm) confirmed no

Section	Sub-section	Requirement	Status	Comments
		<p>All built features</p> <p>Always safe. Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated.</p> <p>Public Safety</p> <p>Public Safety No additional risk</p> <p>Notes:</p> <p>1) The Applicant will be required to define more detailed performance indicators for each of these performance measures in Built Features Management Plans or Public Safety Management Plan (see condition 22C below).</p> <p>2) The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of modification 9.</p> <p>3) Requirements regarding safety or serviceability do not prevent preventative or mitigatory actions being taken prior to or during mining in order to achieve or maintain these outcomes.</p> <p>4) Compensation required under this condition includes any compensation payable under the Mine Subsidence Compensation Act 1961 and/or the Mining Act 1992.</p>		impacts to features outside of performance criteria recorded in subsidence surveys undertaken during the audit period. This is supported by the End of Panel (EoP) Report LW6 dated 26/02/14 and EoP Report LW7 dated 4/11/14. Both reports confirm that there are private dwellings in the SMP area relevant to each panel.
4	22B	Any dispute between the Applicant and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 14B is to be settled by the Director-General of DII. The Director-General of DII may seek the advice of the MSB on the matter. Any decision by the D-G of DII shall be final and not subject to further dispute resolution under this consent	Not applicable	No impacts to built features during the audit period as per Condition 22A.
		Extraction Plan		
4	22C	<p>The Applicant shall prepare and implement an Extraction Plan for the second workings within each seam to be mined to the satisfaction of the Director-General. Each Extraction Plan must:</p> <p>(a) be prepared by a team of suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;</p> <p>(b) be approved by the Director-General before the Applicant carries out any of</p>	Compliant	<p>Reviewed approved North Wambo Extraction Plan for LWs 7- 10 (2014).</p> <p>(a) Section 1.1, Attachment 2, correspondence from DP&E dated 20/09/12 (LWs 7 & 8) and</p>

Section	Sub-section	Requirement	Status	Comments
		<p>the second workings covered by the plan;</p> <p>(c) include detailed plans of the proposed first and second workings and any associated surface development;</p> <p>(d) include detailed performance indicators for each of the performance measures in Tables 14A and 14B;</p> <p>(e) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this consent;</p> <p>(f) describe the measures that would be implemented to ensure compliance with the performance measures in Tables 14A and 14B, and manage or remediate any impacts and/or environmental consequences;</p> <p>(g) include the following to the satisfaction of DII:</p> <ul style="list-style-type: none"> a coal resource recovery plan that demonstrates effective recovery of the available resource; a subsidence monitoring program to: <ul style="list-style-type: none"> provide data to assist with the management of the risks associated with subsidence; validate the subsidence predictions; and analyse the relationship between the subsidence effects and impacts under the plan and any ensuing environmental consequences; a Built Features Management Plan to manage the potential subsidence impacts and/or environmental consequences of the proposed second workings, and which: <ul style="list-style-type: none"> addresses in appropriate detail all items of public infrastructure and all classes of other built features; and has been prepared following appropriate consultation with the owner/s of potentially affected feature/s; a Public Safety Management Plan to ensure public safety in the mining area; and appropriate revisions to the Rehabilitation Management Plan required 		<p>25/10/13 (LWs 9 & 10).</p> <p>(b) Attachment 2 of approved Extraction Plan LWs 7 – 10. DP&E approved the revised Extraction Plan on 04/07/14.</p> <p>(c) Section 1.3, Appendix G</p> <p>(d) Section 3, Appendix A to Appendix F</p> <p>(e) Section 2.1, Extraction Plan technical reports. Viewed memo to TF dated 5/11/14 providing notification of revised subsidence predictions for LWs 7-8. Updated predictions provided in revised Extraction Plan for LWs 7-10.</p> <p>(f) Section 3, Appendix A to Appendix I.</p> <p>(g) Appendices D, F, G, H.</p> <p>Recommend that the revised Rehabilitation Management Plan (RMP) is prepared to ensure consistency with the approved Extraction Plan.</p>

Section	Sub-section	Requirement	Status	Comments
		under condition 40A; and		
		<p>(h) include a:</p> <ul style="list-style-type: none"> Water Management Plan, which has been prepared in consultation with DECCW and NOW, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on surface water resources, groundwater resources and flooding, and which includes: <ul style="list-style-type: none"> surface and groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; a program to monitor and report groundwater inflows to underground workings; and a program to manage and monitor impacts on groundwater bores on privately-owned land; Biodiversity Management Plan, which has been prepared in consultation with DECCW and DII, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on flora and fauna; Land Management Plan, which has been prepared in consultation with any affected public authorities, to manage the potential impacts and/or environmental consequences of the proposed second workings on land in general; Heritage Management Plan, which has been prepared in consultation with DECCW, the Department's Heritage Branch and relevant stakeholders for Aboriginal and non-Aboriginal heritage, to manage the potential environmental consequences of the proposed second workings on heritage sites or values; and 	Compliant	<p>(h) Water Management Plan included as Appendix A of the approved Extraction Plan. Biodiversity Management Plan included as Appendix C of the approved Extraction Plan. Land Management Plan included as Appendix C of the approved Extraction Plan. Heritage Management Plan included as Appendix E of the approved Extraction Plan. Viewed letter from DP&E dated 4/07/14 approving the Extraction Plan and associated management documents, as revised by WCPL in June 2014.</p>
		<p>(i) include a program to collect sufficient baseline data for future Extraction Plans.</p> <p>Notes:</p>	Compliant	<p>Previous audit confirmed compliance.</p> <p>Included as Attachment 3 of</p>

Section	Sub-section	Requirement	Status	Comments
		<p>1) An SMP approved by DII prior to 30 July 2011 is taken to satisfy the requirements of this condition.</p> <p>2) Management plans prepared under condition 22C(h) should address all potential impacts of proposed underground coal extraction on the relevant features. Other similar management plans required under this consent (eg under conditions 30 - 35 and 44 - 48) are not required to duplicate these plans or to otherwise address the impacts associated with underground coal extraction.</p>		approved Extraction. Plan.
	22D	<p>The Applicant shall ensure that the management plans required under condition 22C(h) above include:</p> <p>(a) an assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this consent;</p> <p>(b) a detailed description of the measures that would be implemented to remediate predicted impacts; and</p> <p>(c) a contingency plan that expressly provides for adaptive management.</p>	Compliant	<p>Viewed management plans appended to the approved Extraction Plan.</p> <p>(a-c) Viewed completed Subsidence Impact Register Assessment form for LW9 dated 10/11/14 documenting subsidence monitoring inspection and remedial actions recommended.</p> <p>Also reviewed 4 monthly SMP Status Report (LW8a SMP) for the period 1/05/14 to 31/08/14. Report reviews performance and compares subsidence impact versus predictions in the LW 7-10 Extraction Plan.</p>
		First Workings		
	22E	<p>The Applicant may carry out first workings within the underground mining area, other than in accordance with an approved extraction plan, provided that DII is satisfied that the first workings are designed to remain stable and non-subsiding in the long term, except insofar as they may be impacted by approved second workings.</p>	Not applicable	No first workings outside of activities approved under Extraction Plans undertaken in the audit period.

Section	Sub-section	Requirement	Status	Comments
		<i>Note: The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible resulting direct subsidence impacts.</i>		
		Payment of Reasonable Costs		
	22F	The Applicant shall pay all reasonable costs incurred by the Department to engage independent experts to review the adequacy of any aspect of an Extraction Plan.	Not applicable	No request has been made by DP&E (TF pers comm).
		REJECTS EMPLACEMENT STRATEGY		
4	22G	Within 6 months of this consent commencing, the Applicant shall prepare a Life of Mine Rejects Emplacement Strategy for the development, to the satisfaction of the Director-General of DII.	Not compliant	Reviewed Rejects Emplacement Strategy dated September 2014. Evidence to confirm approval of revised Rejects Emplacement Strategy not available at the time of audit due to ongoing trials in North East Tailings Dam (NETD). TF (pers comm) confirmed that these trials are due to be completed in mid-2015 and that the NETD will be maintained until the trials are completed and actions agreed with DRE. Recommended that a specialist be engaged to complete this report and discussions with DRE held.
		SURFACE & GROUND WATER - <i>Note: The Applicant is required to obtain licences for the development under the Water Act 1912 and the Protection of the Environment Operations Act 1997</i>		

Section	Sub-section	Requirement	Status	Comments									
		Pollution of Waters											
4	23	Except as may be expressly provided by a EPA licence, the Applicant shall comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> during the carrying out of the development.	Not compliant	Water discharge incident from Hales Crossing (see Table 3).									
		Discharge Limits											
	24	<p>Except as may be expressly provided by a EPA licence or the <i>Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002</i>, the Applicant shall:</p> <ul style="list-style-type: none">not discharge more than 250 ML/day from the licenced discharge point/s at the development;ensure that the discharges from any licenced discharge point comply with the limits in Table 15: <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th></tr><tr><td>pH</td><td>pH</td><td>6.5 to 9.5</td></tr><tr><td>Total suspended solids</td><td>mg/litre</td><td>120</td></tr></table> <p><i>Table 15: Discharge Limits</i> <i>Note: This condition does not authorise the pollution of waters by any other pollutants.</i></p>	Pollutant	Units of measure	100 percentile concentration limit	pH	pH	6.5 to 9.5	Total suspended solids	mg/litre	120	Compliant	Reviewed annual surface water discharge records and EPL annual returns for the audit period (see Table 3).
Pollutant	Units of measure	100 percentile concentration limit											
pH	pH	6.5 to 9.5											
Total suspended solids	mg/litre	120											
		Site Water Balance											
4	25	<p>5Each year, the Applicant shall:</p> <p>(a) review the site water balance for the development against the predictions in the EIS;</p> <p>(b) re-calculate the site water balance for the development;</p> <p>(c) assess current and forecast compliance with the rules of the Hunter River Salinity Trading Scheme; and</p> <p>(d) report the results in the Annual Reviews</p>	Not compliant	<p>(a – b) Water balance reviews and calculations included in Section 2.8 of AEMRs for the period 2010-11, 2011-12; Section 4.32 of AEMR for 2012-13.</p> <p>(c) Forecast of HRSTS not reported in Annual Reviews.</p> <p>(d) Recommend inclusion of</p>									

Section	Sub-section	Requirement	Status	Comments
				HRSTS compliance forecasts in Annual Reviews.
		North Wambo Creek Diversion		
4	26	<p>The Applicant shall design, construct, maintain, and rehabilitate the temporary North Wambo Creek Bypass, the temporary North Wambo Creek Pipeline, and the North Wambo Creek Diversion in consultation with DRE, NOW and to the satisfaction of the D-G.</p> <p><i>Note: The Department accepts that the Applicant is not required to “rehabilitate” the temporary North Wambo Creek Bypass.</i></p>	Compliant	<p>Previous audit confirmed North Wambo Creek Bypass and temporary pipeline approved in 2008 and not assessed as part of this audit.</p> <p>North Wambo Creek Diversion completed late 2012 and was included as part of this audit.</p> <p>Rehabilitation works for NWCD reported in Section 4.31 of the 2012-13 AEMR.</p> <p>One incident occurred in February 2013 (sediment runoff from Stage 3 NWCD). This issue was also raised following the joint DP&E/DRE inspection held on 5/02/13. In response to the incident, Wambo prepared a Remediation and Monitoring Program for the NWCD in consultation DRE (Neil McElhinney) and DP&E (Scott Brooks).</p> <p>A maintenance and monitoring program has been put in place to stabilise and rehabilitate the area (TF pers comm). DP&E provided</p>

Section	Sub-section	Requirement	Status	Comments
				approval of the NWCD and mining of the original creek line on 01/07/13. Current status of the creek diversion was viewed during the site inspection component of the audit (see Plate 13 and Plate 14).
4	27	Within one month of completing the construction of the temporary North Wambo Creek Bypass, the temporary North Wambo Creek Pipeline, and the North Wambo Creek Diversion, the Applicant shall submit an as-executed report, certified by a practising registered engineer, to the D-G.	Compliant	Stage 1 and 2 confirmed compliant in previous audit.
4	28	Prior to destroying the original creek line by open cut mining, the Applicant shall demonstrate that the relevant stage of the North Wambo Creek Diversion is operating successfully from a hydrological and biological point of view to the satisfaction of DII and the D-G. <i>Note: This condition does not apply to the temporary North Wambo Creek Bypass.</i>	Compliant	Viewed letter of conditional approval from DP&E to Peter Baker (General Manager WCPL) dated 28/06/13.
		Chitter Dump Dam		
	28A	The Applicant shall design and construct the Chitter Dump Dam in consultation with United Collieries Pty Ltd, and to the satisfaction of the DSC and DII. The design of the dam must be accompanied by a detailed assessment of the potential operational and environmental risks associated with the dam, particularly in relation to potential subsidence-related impacts.	Compliant	Confirmed compliant in 2011 audit. Not further assessed in this audit.
		South Wambo Dam		
	28B	The Applicant shall design construct and operate the South Wambo Dam to the satisfaction of the DSC and DII. The design of the dam must be accompanied by a detailed assessment of the potential operational and environmental risks associated with the dam, particularly in relation to potential subsidence-related impacts.	Not compliant	Viewed letter from DSC dated 05/11/09 in response to submission of documentation of South Wambo Dam. No evidence available at the time of audit to confirm DRE

Section	Sub-section	Requirement	Status	Comments
				and DP&E approval of the South Wambo Dam.
	28C	The South Wambo Dam shall be fully, or substantially, drained prior to the commencement of mining in Longwalls No. 9 or 10 to minimise the risk of operational or environmental impacts from subsidence.	Compliant	South Wambo Dam not drained at the time of audit. Reviewed Prescribed Dam Management Plan dated February 2014. Document includes subsidence predictions for LWs 8-10 and a strategy for drainage of South Wambo Water Dam, developed in consultation with the DSC. Viewed copy of weekly update email to DSC from Wambo Surveyor Malcolm Walker to DSC dated 8/09/14. Email confirms proximity of UG operations to the dam and associated notification area. Viewed Site Water Level check dated 3/11/14. Report includes alarm trigger and surveyed RL of the dam level.
		Monitoring	Not compliant	
4	29	The Applicant shall: (a) measure: <ul style="list-style-type: none"> the volume of water discharged from the site; water use on the site; dam and water structure storage levels, water transfers across the site; and 		(a) Reviewed surface water volume and quality data reported in 2011-13 AEMRs during the audit period. Parameters recorded as required. Viewed current status of site water

Section	Sub-section	Requirement	Status	Comments
		<ul style="list-style-type: none"> water transfers between the site and surrounding mines; (b) monitor the quality of the surface water: <ul style="list-style-type: none"> discharged from the licenced discharge point/s at the development; and upstream and downstream of the development; (c) monitor flows in the Wollombi Brook; and North Wambo, South Wambo, and Stony Creeks; (d) monitor the volume and quality of water inflows from each separate source to the underground and open cut workings; and (e) monitor regional ground water levels and quality in the alluvial and overburden aquifers during the development and at least 10 years after mining, and (f) periodically assess groundwater pressure response in the coal measures; to the satisfaction of EPA, NOW and the Director-General. <p>⁵ These calculations must exclude the clean water system, including any sediment control structures, and any dams in the mine lease area which fall under the Maximum Harvestable Right Dam Capacity; include any dams that are licensable under Section 205 of the <i>Water Act 1912</i>, and water harvested from any non-harvestable rights dam on the mine lease area; address balances of inflows, licenced water extractions, and transfers of water from the site to other sites; include an accounting system for water budgets; and include a salt budget.</p>		<p>management system in Citec.</p> <p>(b) Reviewed EPL annual returns, monitoring data from discharge locations and receiving waters.</p> <p>(c) Reviewed flow monitoring sites in the field.</p> <p>(d) Water inflows to site recorded in site water balance. Annual water balance is reported in the AEMRs for the auditing period.(e) Section 6 of approved Groundwater Monitoring Program</p> <p>(f) Evidence not available at the time of audit to confirm that EPA, NOW and DP&E have approved the groundwater pressure monitoring program.</p>
		Site Water Management Plan		
4	30	<p>Before carrying out any development, the Applicant shall prepare a Site Water Management Plan for the development in consultation with DII and NOW, and to the satisfaction of the Director-General.</p> <p>This plan must include:</p> <ul style="list-style-type: none"> (a) the predicted site water balance; (b) the North Wambo Creek Diversion Plan; (c) an Erosion and Sediment Control Plan; (d) a Surface Water Monitoring Program; (e) a Ground Water Monitoring Program; 	Not compliant	<p>Reviewed the WCPL site water management documents, including:</p> <ul style="list-style-type: none"> - Surface Water Monitoring Program (SWMP), November 2009. The SWMP was under revision at the time of the audit; - Groundwater Monitoring Program (GWMP), January 2010.

Section	Sub-section	Requirement	Status	Comments
		<p>(f) a Surface and Ground Water Response Plan; and</p> <p>(g) a strategy for the decommissioning water management structures on the site.</p> <p>By the end of October 2009, the Applicant shall revise the Site Water Management Plan in consultation with DRE, EPA and NOW, and to the satisfaction of the Director-General.</p> <p><i>Note: The North Wambo Creek Diversion Plan must also be prepared in consultation with NSW Fisheries.</i></p>		<p>The GWMP (under revision at the time of the audit) was submitted after the 2009 requirement and was approved in 2011;</p> <p>Surface and Groundwater Response Plan (SGRP), February 2010.</p> <p>NOW, DP&E and DRE correspondence on plans not available at the time of audit to demonstrate consultation. It is recommended that the revised water management plans be finalised asap and submitted for consultation and approval in accordance with this condition.</p>
4	31	<p>The North Wambo Creek Diversion Plan shall include:</p> <p>(a) the detailed design and specifications of the creek diversion, including the flow control bund, cut off wall, and channel;</p> <p>(b) a revegetation program for the channel using a range of suitable native riparian and floodplain species;</p> <p>(c) the detailed design of the system that would return intercepted ground water to the alluvial aquifer downstream of the open cut;</p> <p>(d) a construction program for the creek diversion, describing how the work would be staged, and progressively integrated with the mining operations and the mine waste emplacement drainage system;</p> <p>(e) water quality, ecological and geomorphic performance criteria for the creek diversion;</p> <p>(f) a program to monitor water quality, ecological, and geomorphic integrity of</p>	Not compliant	<p>Previous audit noted no evidence under North Wambo Creek Diversion Plan (2007-2008) to demonstrate return of intercepted GW under Condition 31(c).</p> <p>No evidence available at the time of this audit to confirm the design for return of groundwater under Condition 31(c) is in place.</p>

Section	Sub-section	Requirement	Status	Comments
		the creek diversion; and (g) a program to inspect and maintain the creek diversion and revegetation works during the development <i>Note: The Applicant may prepare and submit the North Wambo Diversion Plan on a progressive basis to reflect the relevant stages of the proposed diversion.</i>		
4	32	Erosion and Sediment Control Plan shall: (a) be consistent with the requirements of the Department of Housing's Managing Urban Stormwater: Soils and Construction manual; (b) identify activities that could cause soil erosion and generate sediment; (c) describe the location, function, and capacity of erosion and sediment control structures; and (d) describe measures to minimise soil erosion and the potential for the migration of sediments to downstream waters.	Compliant	(a) Section 4.1 of Erosion and Sediment Control Management Plan (ESCMP) dated February 2010. (b) Section 4.3 of approved ESCMP. (c) Section 4.1.2 of approved ESCMP. (d) Sections 4.5, 5 of approved ESCMP.
4	33	The Surface Water Monitoring Program shall include: (a) detailed baseline data on surface water flows and quality in the Wollombi Brook, and North Wambo, South Wambo, and Stony Creeks; (b) surface water impact assessment criteria; (c) a program to monitor surface water flows and quality in the Wollombi Brook; and North Wambo, South Wambo, and Stony Creeks; (d) a program to monitor bank and bed stability in North Wambo, South Wambo, and Stony Creeks; (e) a program to monitor the quantity and quality of the vegetation in the riparian zones adjacent to North Wambo, South Wambo, and Stony Creeks; and (f) a program to monitor the effectiveness of the Erosion and Sediment Control Plan	Compliant	(a) Sections 5, 6.1 of SWMP dated November 2009. (b) Section 5 of approved SWMP. (c) Section 6.1 of SWMP. (d) Section 6.4 of SWMP. (e) Section 6.4 of SWMP. (f) Section 7 of approved SWMP.
4	34	The Ground Water Monitoring Program shall include: (a) detailed baseline data on ground water levels and quality, based on statistical	Compliant	(a) Section 4.0 of GWMP dated January 2010.

Section	Sub-section	Requirement	Status	Comments
		<p>analysis, to benchmark the pre-mining natural variation in groundwater levels and quality;</p> <p>(b) ground water impact assessment criteria;</p> <p>(c) a program to monitor the volume and quality of ground water seeping into the open cut and underground mining workings;</p> <p>(d) a program to monitor regional ground water levels and quality in the alluvial and overburden aquifers; and</p> <p>(e) a program to investigate and monitor potential water loss from the Chitter Dump Dam and South Wambo Dam, and Montrose East Dam, including potential migration of stored water toward Wollombi Brook.</p>		<p>(b) Section 5 of approved GWMP.</p> <p>(c) Section 6 of approved GWMP.</p> <p>(d) Section 6 of approved GWMP.</p> <p>(e) Section 6.4 of approved GWMP.</p>
4	35	<p>The Surface and Ground Water Response Plan shall include:</p> <p>(a) measures to mitigate any adverse impacts on existing water supply bores or wells;</p> <p>(b) measures to mitigate the loss of surface water flows in the surface water streams or channel on the site;</p> <p>(c) deleted;</p> <p>(d) measures to mitigate the long term direct hydraulic connection between the backfilled open cut and the North Wambo Creek alluvium if the potential for an downstream adverse impact is detected;</p> <p>(e) measures to address the decrease in through flow rates caused by the development within the Wollombi Brook alluvium downstream of the open cut;</p> <p>(f) measures to address any reduction in the stability or ecological quality of the North Wambo Creek Diversion below the established performance criteria;</p> <p>(g) trigger levels for the relinquishment of water extraction rights to compensate for surface and groundwater losses from streams, channels or alluvials to open cut and underground mining workings;</p> <p>(h) the procedures that would be followed if any unforeseen impacts are detected during the development; and</p> <p>(i) response times for undertaking the above measures.</p>	Compliant	<p>(a) Section 3.1 of approved SGRP dated February 2010.</p> <p>(b) S3.2 SGWMP</p> <p>(c) N/A</p> <p>(d) Section 3.3 of approved SGWMP</p> <p>(e) Section 3.4 of approved SGWMP.</p> <p>(f) Section 3.5 of approved SGWMP.</p> <p>(g, h, i) Section 3.5 of approved SGWMP.</p> <p>It is recommended that a review of SW monitoring sites be undertaken and redundant sites removed in consultation with relevant regulators.</p>

Section	Sub-section	Requirement	Status	Comments
		Surface & Sub-surface Investigation Program		
4	36	Deleted	N/A	N/A
		Independent Audit		
4	37	Prior to seeking approval from the Department for each extraction plan, unless the Director-General directs otherwise, the Applicant shall commission a suitably qualified person, whose appointment has been approved by the Director-General, to conduct an independent audit of the subsidence, surface water, and ground water impacts of the development. This audit shall: <ul style="list-style-type: none"> (a) review the monitoring data for the development; (b) identify any trends in the monitoring data; (c) examine the subsidence, surface water, and ground water impacts of the development; (d) compare these impacts against the relevant impact assessment criteria and predictions in the EIS; and, if necessary; (e) recommend measures to reduce, mitigate, or remediate these impacts 	Compliant	Viewed letter from DP&E for LWs 9 & 10 Extraction Plan dated 25/10/13 confirming that an independent audit under this condition was not required for that document. TF (pers comm) confirmed that an independent review of LWs 7 & 8 Extraction Plan was not required.
4	38	If the independent audit determines that the subsidence, surface water, and/or ground water impacts resulting from the underground mining operations are greater than those predicted in the EIS, the Applicant shall: <ul style="list-style-type: none"> (a) assess the significance of these impacts; (b) investigate measures to minimise these impacts, including modifying subsequent mine plans; and (c) describe what measures would be implemented to reduce, minimise, mitigate or remediate these impacts in the future; to the satisfaction of the Director-General	Not applicable	No independent audits required during the audit period.
		Final Void Strategy		
4	39	At the end of Year 7 of the development, or as directed otherwise by the Director-General, the Applicant shall prepare a Final Void Management Plan for the development, in consultation with the DRE, the Director-General and Council, and to the satisfaction of the Director-General. This Plan must:	Not compliant	The Final Void Strategy was not submitted during the audit period (Wambo is in Year 9 as at 2014).

Section	Sub-section	Requirement	Status	Comments				
		(a) investigate options for the future use of the final void; (b) re-assess the potential groundwater impacts of the development; and (c) describe what actions and measures would be implemented to: <ul style="list-style-type: none">minimise any potential adverse impacts associated with the final void; andmanage, and monitor potential impacts of, final void over time.		TF (pers comm) confirmed that drafting of the strategy document is underway and will be submitted in 2015 for the two final voids. It is recommended this plan be finalised asap in 2015 for D-G and Council's approval and consultation occur with DRE as early as possible (as this is likely to affect the content of the plan).				
		FAUNA & FLORA - Offset Strategy						
4	40	<p>Within the limits of current technology and best practice flora and fauna management, as determined by the Director-General in consultation with the Hunter Coalfield Flora & Fauna Advisory Committee (when established), the Applicant shall implement:</p> <p>(a) the offset strategy summarised in Table 16; and</p> <p>(b) any subsequent revisions to the offset strategy, prepared in consultation with the Hunter Coalfield Flora & Fauna Advisory Committee, (when established) and approved in writing by the Director-General; to the satisfaction of the Director-General.</p> <p>Note:</p> <p>The Director-General shall form the Hunter Coalfield Flora & Fauna Advisory Committee to:</p> <ul style="list-style-type: none">provide on-going advice on the Flora and Fauna Management Plan; andmonitor and review the performance of the implementation of the Remnant Woodland Enhancement Program. <table><tr><th>Area</th><th>Size</th></tr><tr><td>Remnant Woodland Enhancement Area A</td><td>424 ha</td></tr></table>	Area	Size	Remnant Woodland Enhancement Area A	424 ha	Not audited	<p>Wambo has commissioned the ecology audit required as per condition 40 of this consent and condition 4 of the EPBC Referral 2003/1138. As such, this audit has only considered the approval status of the audit requirements, not field ecology or offsets (and compliance with the commitments therein) in the scope.</p> <p>The Advisory Committee has not been established.</p> <p>Sections 3.3, 3.4, 4.2 of the Flora and Fauna Management Plan (FFMP) dated February 2010 provide procedures for RWEP offsets.</p>
Area	Size							
Remnant Woodland Enhancement Area A	424 ha							

Section	Sub-section	Requirement		Status	Comments
		Remnant Woodland Enhancement Area B	454 ha		Section 4.2 of the approved Monitoring program for RWEPP in Section 4.2 FFMP. Reviewed current MOP and rehabilitation plans; TF (pers comm) confirmed rehabilitation target of approximately 50% woodland remains.
		Remnant Woodland Enhancement Area C	211 ha		
		Open Cut Woodland Revegetation	1,570ha		
		Remnant Woodland Enhancement Area D	46 ha		
		Remnant Woodland Enhancement Area D Extension	2 ha		
		Remnant Woodland Enhancement Area for the Wambo Coal Terminal	As shown in Appendix 4		
		Other Areas	As identified under Condition 47(b)		
		Table 16: Broad Targets for Offset Strategy			
		Notes:			
		(a) The areas specified in table 16 are shown in Appendix 4.			
(b) The Director-General shall form the Hunter Coalfield Flora & Fauna Advisory Committee to: provide on-going advice on the Flora and Fauna Management Plan; and monitor and review the performance of the implementation of the Remnant Woodland Enhancement Program.					
(c) The area of Open Cut Woodland Revegetation in Table 16 is based on the establishment of 50% woodland within the mixed woodland/pasture areas shown in the EIS, and with the agreement of the Director-General, may vary depending on the shape of the final landform and the approved mine closure plan.					
		Conservation Agreement			
4	41	By the end of November 2013, unless otherwise agreed by the Director-General, the Applicant shall: (a) enter into a conservation agreement/s pursuant to section 69B of the <i>National Parks and Wildlife Act 1974</i> covering all offset areas listed in Table 16 (see condition 40) and which records the Applicant's obligations under the conditions of this consent in relation to the management of these areas, and register the		Compliant	Viewed letter from DP&E dated 29/09/14 providing an extension of time to finalise the Voluntary Conservation Agreement (VCA) under this condition to end June 2015.

Section	Sub-section	Requirement	Status	Comments
		agreement/s pursuant to section 69F of the <i>National Parks and Wildlife Act 1974</i> ; or (b) where OEH has advised in writing that it is of the view that any such offset area or part of such an area should not be subject to a conservation agreement for a period of time, then the Applicant shall by the same date cause to be registered against the land title(s) of the area/s a public positive covenant and/or restriction on the use of the land, in favour of the Director-General, requiring the Applicant to implement and observe all obligations under the conditions of this consent in relation to the management of these areas. The conservation agreement or the public positive covenant and/or restriction on the use of land, as the case may be, shall remain in force in perpetuity in relation to the area.		TF (pers comm) and DP&E correspondence note that the VCA is well advanced at the time of audit.
		Offset Conservation		
	41A	The Applicant shall not undertake any mining operations (except approved underground mining operations) or other activities within the offset areas listed in Table 16, other than: (a) activities under an approved Biodiversity Management Plan, Flora & Fauna Management Plan or Heritage Management Plan; (b) environmental management, environmental monitoring or other monitoring required under this consent or under an approved management plan or monitoring program; and (c) rehabilitation activities under an approved Extraction Plan.	Not audited	TF (pers comm) confirmed no mining activities occurred in biodiversity offsets.
		Hunter Coalfield Flora & Fauna Advisory Committee Contribution		
4	42	The Applicant shall contribute a reasonable amount, up to \$20,000, each year towards the operation of the Hunter Coalfield Flora & Fauna Advisory Committee	Not applicable	The Advisory committee has not been established and Wambo has not been requested to contribute any funds (TF pers comm).
		Strategic Study Contribution (when established).		
4	43	If, during the development, the Department commissions a strategic study into	Not applicable	The Study has not been

Section	Sub-section	Requirement	Status	Comments
		the regional vegetation corridor stretching from the Wollemi National park to the Barrington Tops National Park, then the Applicant shall contribute a reasonable amount, up to \$20,000, towards the completion of this study.		commissioned and Wambo has not been requested to contribute any funds (TF pers comm).
		Flora & Fauna Management Plan		
4	44	<p>Before carrying out any development, the Applicant shall prepare a Flora and Fauna Management Plan for the development, in consultation with the Hunter Coalfield Flora and Fauna Advisory Committee (<i>when established</i>), and to the satisfaction of the Director-General. This plan must include:</p> <ul style="list-style-type: none"> (a) a Vegetation Clearance Protocol; (b) a Threatened Species Management Protocol; (c) a Remnant Woodland Enhancement Program; (d) a Flora and Fauna Monitoring Program; (e) strategies to manage any subsidence impacts in the Remnant Woodland Enhancement Areas; and (f) strategies to avoid clearing of Warkworth Sands Endangered Ecological Community and minimise the extent of clearing in other ecological communities for gas drainage infrastructure in the Remnant Woodland Enhancement Areas, to the satisfaction of the Director General; (g) strategies for the minimisation of impacts of exploration activity in the Remnant Woodland Enhancement Areas; and (h) a description of who would be responsible for monitoring, reviewing, and implementing the plan. <p>By the end of March 2013, the applicant shall revise the Flora and Fauna Management Plan for the development to the satisfaction of the Director-General.</p>	Compliant	<p>Viewed copy of the FFMP, approved by DP&E in letter dated 27/03/14 and amendment dated 24/12/14.</p> <ul style="list-style-type: none"> (a) Section 3.1 of approved FFMP. (b) Section 3.2 of approved FFMP. (c) Section 3.3 of approved FFMP. (d) Sections 4.1 - 4.2 of approved FFMP. (e) Sections 3.3.4, 4.2 of approved FFMP. (f) TF provided an example of the Surface Disturbance Permit (SDP510 Montrose Free Dig Area). Document included review of habitat, vegetation communities and signoff on approved disturbance by Environmental staff. (g) TF (pers comm) confirmed no exploration occurred in this area during the audit period. (h) Sections 4, 6-7 of the

Section	Sub-section	Requirement	Status	Comments
				approved FFMP.
4	45	The Vegetation Clearance Protocol shall include: (a) the delineation of areas of remnant vegetation to be cleared; (b) progressive clearing; (c) pre-clearance surveys; (d) identification of fauna management strategies; (e) collection of seed from the local area; (f) salvage and reuse of material from the site; and (g) control of weeds during clearing activities	Not Compliant	Section 3.1 of the FFMP. Reviewed completed SDP510 (see Schedule 4, Condition 44(f) above). Viewed completed Surface Disturbance Permit for Dip hole 4D 6/8/14. Recommend reviewing Vegetation Clearance Protocol to include specific reference to inclusions required under this condition.
4	46	The key components of the Threatened Species Management Protocol shall include: (a) observations/surveys for threatened species (facilitated by the vegetation clearance surveys and Flora and Fauna Monitoring Program); (b) consultation with regulatory authorities; and (c) threatened species management strategies and reporting.	Compliant	Section 3.2 of the FFMP includes requirements under Condition 46(a-c).
4	47	The Remnant Woodland Enhancement Program shall include: (a) a habitat assessment of all areas listed in Table 16, to obtain additional information on existing habitat resources and characteristics of each area; (b) investigation of other areas to be included in the Program, including the <i>Acacia anuera</i> Community (Community 15) and the Southern Area; (c) appropriate enhancement strategies to be implemented based on the habitat assessment including: <ul style="list-style-type: none"> the fencing of remnants to exclude livestock; control measures to minimise the occurrence of weeds; control measures to minimise the occurrence of feral pests; limiting vehicular traffic; 	Compliant	(a-c) Sections 3.3, 4.2 of the FFMP include requirements under Condition 47(a-c).

Section	Sub-section	Requirement	Status	Comments										
		<ul style="list-style-type: none">selective planting of native vegetation; and the provision of roosting/nesting resources for fauna.												
4	48	<p>The Flora and Fauna Monitoring Program shall include:</p> <p>(a) a program to monitor revegetation of disturbance areas including:</p> <ul style="list-style-type: none">visual monitoring to determine the need for maintenance and/or contingency measures; andmonitoring of the quality of rehabilitation using Ecosystem Function Analysis (or a similar systems based approach) through the assessment of landscape function, vegetation dynamics and habitat complexity; and <p>(b) a program to monitor the effectiveness of offset strategy in accordance with the description in Table 17.</p> <table><tr><th>Monitoring Component</th><th>Monitoring Description</th></tr><tr><td>Flora</td><td>A number of permanent flora survey quadrats (of varying size survey tree, shrubs and ground cover) should be established in woodland enhancement areas to obtain quantitative data on plant species diversity and abundance.</td></tr><tr><td>Habitat Complexity</td><td>Habitat complexity should be monitored using a number of permanent transects established within woodland enhancement areas. Habitat complexity parameters such as canopy cover, shrub cover, ground vegetation cover, the amount of litter, fallen logs and rocks should be surveyed.</td></tr><tr><td>Terrestrial Fauna</td><td>Terrestrial fauna surveys should be conducted to monitor the usage of enhancement areas by vertebrate fauna. Monitoring should include fauna species diversity and abundance or, alternatively, the use of indicator species to measure the effectiveness of enhancement measures.</td></tr><tr><td>Aquatic Fauna</td><td>Freshwater macro-invertebrate monitoring, including</td></tr></table>	Monitoring Component	Monitoring Description	Flora	A number of permanent flora survey quadrats (of varying size survey tree, shrubs and ground cover) should be established in woodland enhancement areas to obtain quantitative data on plant species diversity and abundance.	Habitat Complexity	Habitat complexity should be monitored using a number of permanent transects established within woodland enhancement areas. Habitat complexity parameters such as canopy cover, shrub cover, ground vegetation cover, the amount of litter, fallen logs and rocks should be surveyed.	Terrestrial Fauna	Terrestrial fauna surveys should be conducted to monitor the usage of enhancement areas by vertebrate fauna. Monitoring should include fauna species diversity and abundance or, alternatively, the use of indicator species to measure the effectiveness of enhancement measures.	Aquatic Fauna	Freshwater macro-invertebrate monitoring, including	Compliant	Section 4 of the approved FFMP.
Monitoring Component	Monitoring Description													
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Aquatic Fauna	Freshwater macro-invertebrate monitoring, including													

Section	Sub-section	Requirement		Status	Comments
			assessment of SIGNAL A values and water quality (e.g. temperature, pH, and salinity).		
		Specific Enhancement Initiatives	Monitoring of specific enhancement initiatives (e.g. the provision of nesting/ roosting boxes, weed control or feral animal control).		
		Table 17: Flora & Fauna Monitoring Program			
		Annual Review			
4	49	<p>The Applicant shall:</p> <p>(a) review the performance of the Flora and Fauna Management Plan annually, in consultation with the Hunter Coalfield Flora & Fauna Advisory Committee; and</p> <p>(b) revise the document as necessary to take into account any recommendations from the annual review.</p>		Not compliant	<p>The Advisory committee has not been established; therefore the Plan is not reviewed annually. Section 7 confirms that the performance of the FFMP is required to be reviewed annually, however this could not be confirmed at the time of audit.</p> <p>It is suggested that the report be considered by Wambo and a comment added to the AR if no review is required.</p>
		Independent Audit			
4	50	<p>Within 5 years of the date of this consent, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission, and pay the full cost of, an Independent Audit of the offset strategy. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;</p> <p>(b) assess the performance of the offset strategy;</p> <p>(c) review the adequacy of the Flora & Fauna Management Plan; and, if necessary,</p> <p>(d) recommend actions or measures to improve the performance of the offset strategy, and the adequacy of the Flora & Fauna Management Plan.</p>		Not applicable	<p>Previous audit of offsets completed 08/09.</p> <p>Not included as part of this audit. TF advises that this audit has been commissioned and will be provided separately to relevant regulators.</p>

Section	Sub-section	Requirement	Status	Comments
		ABORIGINAL CULTURAL HERITAGE <i>Note: The Applicant is required to obtain consent from OEH under the National Parks Wildlife Act 1974 to destroy Aboriginal sites and objects on the site.</i>	Not applicable	No Aboriginal heritage required to be destroyed during the audit period (TF pers comms).
		Conservation Agreement		
4	51	Within 12 months of the commencement of this consent, the Applicant shall develop a conservation agreement (as part of the Deed of Agreement with the Minister referred to in condition 41 above) for the management of Aboriginal cultural heritage in Remnant Woodland Enhancement Area A in consultation with the Aboriginal Communities and OEH.	Not compliant	Previous audit confirmed Deed of Agreement sent to Planning Minister in November 2005. Viewed a copy of OEH correspondence on consultation on the draft Conservation agreement dated 22/05/09, supported by workshop held with Aboriginal community on 02/04/09. Viewed a copy of the Conservation Agreement for the RWEA Area A, dated 30/06/09. Viewed mapping and register with the status of Aboriginal archaeological sites within WCPL consent boundary. Approved ACHMP includes documentation of attempts to consult with local Aboriginal community and OEH. OEH should be urgently consulted in relation to finalising this agreement, which was not available at the time of audit.
		Salvage		

Section	Sub-section	Requirement	Status	Comments
4	52	Before making application for section 90 consents under the National Parks & Wildlife Act 1974, the Applicant shall develop a targeted, strategic salvage program for the development in consultation with OEH and the Aboriginal communities.	Compliant	Previous audit confirmed consultation with Aboriginal community stakeholders during the approval process for Care and Control permit 204/2-05 granted by OEH (DECCW).
4	53	Before the commencement of salvage operations, the Applicant shall ensure that a keeping place is established to house objects recovered from the salvage program.	Compliant	Viewed OEH (DECCW) approval of temporary keeping place dated 14/07/09. Viewed Keeping Place during site inspection component of the audit. Recommend updating signage of the Keeping Place to ensure that the area is well defined.
4	54	The Applicant shall house the objects recovered during the salvage program in the keeping place established for the purpose.	Compliant	Section 3, Appendix A of the approved ACHMP outlines management of the keeping place under Care & Control Permit #3130.
		Further Investigations		
4	55	<i>The Applicant shall:</i> (a) investigate the cultural significance of the corridors A – Southern and B – Middle (see map in appendix 3) in consultation with the Aboriginal Communities; (b) examine the possible pathways between Remnant Woodland Enhancement Area A (which includes the camp ground associated with the bora) and Wollemi National Park to the east; and (c) investigate the feasibility of reserving from future mining operations, those areas identified as being of cultural significance to the Aboriginal	Not applicable	Previous audit confirmed compliance.

Section	Sub-section	Requirement	Status	Comments
		Communities in consultation with DECCW.		
		Trust Fund Contribution		
4	56	Before carrying out the development, or as agreed otherwise by the Director-General, the Applicant shall contribute \$50,000 to the Hunter Aboriginal Cultural Heritage Trust Fund for further investigations into Aboriginal cultural heritage, as defined by the Trust Deed.	Compliant	Previous audit confirmed contribution made on 7/11/05. It is recommended that Wambo seek to recover this contribution if regulators confirm that it has not been expended, or if it has seek the documented outcome of the Trust Fund.
		Aboriginal Cultural Heritage Management		
4	56A	The Applicant shall continue to consult with and involve all the registered local Aboriginal representatives in the ongoing management of the Aboriginal Cultural Heritage values at the Wambo Mining Complex. Evidence of this consultation must be collated and provided to the Director-General on request.	Not compliant	Reviewed July 2013 Modification EA and documentation and cultural heritage consultation. No evidence available to confirm attendance of consult meeting, however RAPs did take part in fieldwork.
	56B	In the event that surface disturbance reveals a new Aboriginal object(s) at the Wambo Mining Complex, all work shall halt in the immediate area to prevent any further impacts to the object(s). The Applicant shall contact a suitably qualified archaeologist and the registered Aboriginal representatives to determine the significance of the object(s) and to develop an appropriate management strategy. The management strategy shall be developed in accordance with the <i>National Parks and Wildlife Act 1974</i> . Management may include avoiding impact, additional investigations and/or submission of an Aboriginal Heritage Impact Permit application. The Applicant shall register the site in the Aboriginal Heritage Information Management System (AHIMS) (managed by the OEH). The management outcome for the site shall be included in the information provided to	Not applicable	No new objects have been identified in the audit period (TF pers comm).

Section	Sub-section	Requirement	Status	Comments
		the AHIMS.		
	56C	In the event that surface disturbance reveals human remains at the Wambo Mining Complex, all works shall halt in the immediate area to prevent any further impacts to the remains. The Applicant shall immediately notify Police. No further work shall be undertaken until Police provide written authorisation. If the remains are Aboriginal, the Applicant shall also notify the OEH and the registered Aboriginal representatives. In the case of Aboriginal remains, no further work shall be undertaken until Police and the OEH provide written authorisation.	Not applicable	Described in Section 5 of the approved ACHMP.
	56D	The Applicant must prepare and implement an Aboriginal Cultural Education Program in consultation with the registered Aboriginal representatives for the induction of all personnel and contractors involved in construction at the Wambo Mining Complex. The Applicant shall keep a register of personnel and contractors that have been inducted according to the program.	Not applicable	Viewed Wambo site induction documentation dated September 2014. This includes content outlining Aboriginal heritage sites, notification process and liabilities.
		⁸ Wambo Homestead complex		
		Section 60 Approval		
4	57	An application under section 60 of the Heritage Act must be submitted to and approved by the Heritage Council prior to the commencement of any development on land within the State Heritage Register listing boundary for the Wambo Homestead Complex. In this regard a mine management plan shall be required to accompany the application which demonstrates that the proposed underground mining shall not have adverse heritage impacts on the WHC due to land subsidence	Compliant	Previous audit stated that S60 application under the <i>Heritage Act</i> was submitted Heritage Branch on 17/02/11 for proposed maintenance works on the Homestead Complex. Approval granted by Heritage Council to undertake the proposed works in accordance with the Wambo Homestead Complex Voluntary Action Plan and Supplementary GML Report (see Plate 16).
		Conservation Measures		
4	58	Within 12 months of the commencement of this consent, the Applicant shall	Compliant	Previous audit stated that

Section	Sub-section	Requirement	Status	Comments
		prepare a conservation management plan for the Wambo Homestead Complex in accordance with Heritage Office guidelines for the consideration of the Heritage Council of NSW.		Wambo Homestead Conservation Management Plan (CMP) was prepared within 12 months of the commencement of the consent (i.e. 14 November 2005) and submitted to the NSW Heritage Office for review on 9 November 2006. Latest revision to CMP completed in July 2012.
4	59	The conservation policies and an interpretation strategy contained in the conservation management plan are to be implemented in accordance with a timetable to be contained in the conservation management plan.	Compliant	Viewed correspondence from WCPL confirming annual list of works for the Wambo Homestead planned for 2013. This list of works is provided to PP&E on an annual basis. Viewed evidence of conservation and maintenance works at the Wambo Homestead in site review component of audit.
4	60	A suitably qualified and experienced consultant is to be engaged by the applicant to record an oral history of the Wambo Homestead Complex having regard to the strong associations of members of the local community with the site.	Not Compliant	AEMR 2012-13 (S4.55) notes Oral History Program underway and expected to be completed by mid2014. However, oral history report was not available to review at time of audit. Recommend this be finalised as soon as practical.
4	61	In circumstances where safe access to the Wambo Homestead Complex is able to be provided, opportunities are to be offered to the local community to visit the site during and after its conservation.	Compliant	Regular opportunities are provided for the public to access the Wambo Homestead Complex

Section	Sub-section	Requirement	Status	Comments
				(TF pers comm). Most recent visit at the time of the audit was from the Singleton Heritage Advisory Committee during October 2014. SSC representatives were also invited to attend but were not available (TF pers com).
4	62	<p>Prior to the commencement of mining operations, and then at yearly intervals prior to the approved structural engineer's inspections, a photographic record is to be prepared of all elevations of all structures within the Wambo Homestead Complex.</p> <p>The photographs are to be of archival quality in accordance with the Heritage Office guidelines, How to Prepare Archival Records of Heritage Items 1994, and Guidelines for Photographic Recording of Heritage Items, 1994. The photographic record is to be lodged with the NSW Heritage Office, the Department and the Council.</p> <p><i>The photographic record is to be lodged with NSW Heritage Office, and a copy is to be submitted to the Department and the Council.</i></p>	Compliant	<p>2011 audit confirmed compliance prior to commencement. Confirmation of inspections were noted in the following sections of annual reports:</p> <ul style="list-style-type: none"> • Section 3.13.2.1 of 2010-11 AEMR; • Section 3.13.2.1 of the 2011-12 AEMR • Section 4.55 of the 2012-13 AEMR <p>Viewed copy of the latest annual photographic record dated 7/02/14 and letters of submission to NSW Heritage, DP&E and SSC dated 21/07/14.</p>
		Blasting		
4	63	Ground vibration and air blast levels are to be monitored and recorded at a blast monitoring station to be established within the Wambo Homestead Complex for each blast within 2 km of the Wambo Homestead Complex.	Compliant	Wambo Homestead monitoring site established in November 2005.
4	64	A suitably qualified and experienced structural engineer, with expertise in vibration and blast monitoring is to be appointed to examine all monitoring	Compliant	Previous audit confirmed appointment of Bill Jordan to

Section	Sub-section	Requirement	Status	Comments
		records from the Wambo Homestead Complex blast monitoring station. The appointment of the structural engineer is to be approved in writing by the Director of the NSW Heritage Office.		examine relevant monitoring records. Viewed latest blast vulnerability engineering inspection by Bill Jordan and Associates dated 23/09/14. This report includes a review and comment on blast monitoring records for the Wambo Heritage blast monitoring site.
4	65	Ground vibration and air blast levels experienced at the Wambo Homestead Complex blast monitoring station are not to exceed the structural damage assessment criteria prescribed by <i>Australian Standard AS 2187.2-1993 (or its latest version) "Explosives – Storage Transport and Use" for Sensitive and Heritage Structures</i> to prevent damage to the heritage items.	Compliant	Viewed blast monitoring data from the Wambo Homestead monitor for the audit period to confirm ongoing recording of blast impact levels. Bill Jordan and Associates (2014) blast vulnerability inspection confirmed that the recorded vibration and airblast overpressure results are a low level of concern.
4	66	The approved structural engineer is to report to the Applicant on the monitoring results each month for blasting within 2 km of the Wambo Homestead Complex and 6 monthly for the remainder of the open cut mining operation and make recommendations to ensure the conservation and prevention of damage to the significant heritage structures. Copies of these reports are to be forwarded to the NSW Heritage Office.	Not applicable	Reviewed mine plans and TF (pers comm) confirmed that closest mining activities during the audit period were approximately 3 km from the Wambo Homestead Complex.
4	67	The approved structural engineer is to inspect the Wambo Homestead Complex structures annually and as soon as practical, but no later than 3 days after blasting monitoring which exceeds the structural damage assessment criteria	Not applicable	No blast vibration or airblast overpressure results in exceedance of the structural

Section	Sub-section	Requirement	Status	Comments
		prescribed by AS 2187.2-1993 (or its latest version). During the period between blasting monitoring being recorded which exceeds the criteria in AS 2187.2-1993 (or its latest version) and the engineer's inspection, ground vibration from blasting is to be limited to a level which will prevent further blasting damage. The structural engineer is to advise the applicant and the NSW Heritage Office of any action required to repair the damage.		damage criteria recorded at the Wambo Homestead Complex during the audit period.
4	68	The approved structural engineer is to make an assessment of whether blasting within 2km of the Wambo Homestead Complex is to cease or be managed in order to stabilise or repair the damage, and so advise the applicant and the Director of the NSW Heritage Office. If blasting has been required to cease, it is not to resume until the damage has been stabilised or repaired, and the written approval for resumption has been issued by the Director of the NSW Heritage Office	Not applicable	See response to Schedule 4, Condition 66 above.
		Rehabilitation		
4	69	Following the cessation of the use of the coal haulage road which traverses the Wambo Homestead Complex property, the land is to be returned to its former condition (pre1999) and the half palisade fence on the southern alignment of the mounting yard, which was removed, is to be reinstated as required by the approval of the Heritage Council for the construction of the road on 12 Feb 1999.	Not applicable	Coal haulage on the road has not yet ceased (TF pers comms).
		Movable Heritage Items		
4	70	The Applicant shall liaise with the Power House Museum and Museums and Galleries Foundation regarding the significance of movable heritage which shall be displaced by the proposed open cut mining and suitable repositories for the conservation and storage of any significant items.	Not Compliant	No moveable Non-Indigenous heritage items were impacted by open cut mining during the audit period. The Non-Aboriginal Heritage Impact Statement for the Wambo EIS lists the following sites outside of the Wambo Homestead Complex with items that have potential to be moved:

Section	Sub-section	Requirement	Status	Comments
				<ul style="list-style-type: none"> Site 3, Abandoned Homestead A; Site 9, Abandoned Tractor. <p>It is recommended that these items be identified in the field and an Archaeologist confirm which, if any items should be conserved. Then liaison as required in the condition should occur to close out this item.</p>
		TRAFFIC & TRANSPORT		
		New Access Intersection <i>Note: The Applicant requires RMS approval under the Roads Act 1993 for the new intersection.</i>		
4	71	The Applicant shall design and construct the proposed new access intersection with the Golden Highway to the satisfaction of the RMS.	Compliant	Previous audit confirmed that the Golden Highway intersection has not been impacted by Wambo approvals and that RTA advised that they did not require the new intersection to be constructed. However, no documentation was noted in the previous audit. Recommended that this documentation be referenced.
		¹⁰ Road Closure		
4	72	Prior to closing Pinegrove Road, the Applicant shall prepare and implement a Road Closure Management Plan in consultation with the affected landowners, and to the satisfaction of Council. This plan must describe the alternate access arrangements for any affected landowners.	Not compliant	Pinegrove Road de-gazettal underway at time of 2011 audit. Property accessed via road (Skinner) acquired by Wambo.

Section	Sub-section	Requirement	Status	Comments
				Viewed SSC correspondence of 10/10/12 confirming WCPL purchase of Lot 1/1174490. Title search dated 7/02/12 confirms Pinegrove Road block has been acquired by WCPL. However, approval and implementation of the Road Closure Management Plan could not be confirmed at the time of audit.
		Parking		
4	73	The Applicant shall provide sufficient parking on-site for all mine-related traffic to the satisfaction of the Director-General.	Compliant	Viewed DP&E letter dated 24/05/11 confirming adequate parking provided on site. 393 vehicle spaces on site for workforce of approximately 320 personnel. Site visit confirmed adequate space available.
		Coal Haulage		
4	74	The Applicant shall not transport more than 3 million tonnes of product coal a year from the site until a rail coal loader is commissioned in the vicinity of the site. <i>Note: The Applicant has submitted a separate development application to the Minister for the Wambo "Rail and Train Loading Infrastructure" (DA 306-7-2003)</i>	Not applicable	No haulage of coal by road since 06/06 when approved rail loop and train loadout were commissioned. Recommend removing condition at next modification.
4	75	The Applicant shall cease all coal haulage on public roads as soon as a rail coal loader is commissioned in the vicinity of the site, except in an emergency, and as agreed by the Director-General in consultation with Council.	Not applicable	Recommend removing condition at next modification.

Section	Sub-section	Requirement	Status	Comments
4	76	If no rail loader is commissioned in the vicinity of the site within 2 years of the commencement of this consent, the Applicant shall submit a report to the Director-General outlining the alternatives to road haulage, and describing the proposed arrangements for transporting coal from the site.	Not applicable	Recommend removing condition at next modification.
4	77	The Applicant shall ensure that all loaded coal haulage vehicles entering or leaving the site are covered.	Not applicable	Recommend removing condition at next modification.
4	78	The Applicant shall pay Council 0.5 cents for each tonne of product coal hauled along Council roads to the Mount Thorley Coal Loader, in accordance with Council's Section 94 Contribution Plan.	Not applicable	Recommend removing condition at next modification.
		Monitoring		
4	79	The Applicant shall keep records of the: <ul style="list-style-type: none"> amount of coal transported from the site each year; and number of coal haulage truck movements generated each day by the development; and include these records in the Annual Review. 	Compliant	Required records provided in: <ul style="list-style-type: none"> Appendix 1 of the 2010-11 AEMR Appendix 1 of the 2011-12 AEMR Appendix 1 Section 3.10 of the 2012-13 AEMR
		Traffic Management Plan		
4	80	The Applicant shall prepare and implement a Traffic Management Plan in consultation with Council, and to the satisfaction of the RMS for the proposed blasting activities that require the temporary periodic closure of the Golden Highway. This plan shall ensure that adequate warning is given to road users prior to blasting, and that follow up inspections are made to ensure that public roads are safe and clear of debris.	Not applicable	No closures of the Golden Highway required during the auditing period (TF pers comm).
		VISUAL IMPACT - Visual Amenity		
4	81	The Applicant shall implement measures to mitigate visual impacts including: <ul style="list-style-type: none"> (a) design and construction of development infrastructure in a manner that minimises visual contrasts; and (b) progressive rehabilitation of mine waste rock emplacements (particularly 	Compliant	Reviewed infrastructure siting / cladding and progressive rehabilitation during site component of the audit. Visual

Section	Sub-section	Requirement	Status	Comments
		outer batters), including partial rehabilitation of temporarily inactive areas.		impact mitigation and rehabilitation progress generally in accordance with EIS and MOP.
4	82	<p>The Applicant shall investigate and where feasible implement the following measures at locations assessed in the EIS as having a high potential visual impact:</p> <p>(a) implement landscaping works in consultation with affected rural residents (see Condition 83); and/or</p> <p>(b) place and maintain visual screens between development infrastructure and the viewing location.</p>	Not compliant	<p>(a) West Wambo Vegetation buffer being reinstated at the time of the audit. TF provided a plan 'Peabody Wambo Coal Montrose Tree Screen Project' confirming the location of these screens in proximity of northern private receptors. Plantings for this buffer include:</p> <ul style="list-style-type: none"> • Area A, 7,509m2 planted in 2014; • Area B, 3,630 m2 proposed for 2015; and • Area C, 4,865 m2 proposed for 2015. <p>The Montrose Tree Screen needs to be urgently implemented. It is recommended that the screen is regularly watered and mulched as necessary to ensure its quick growth and effectiveness in mitigating visual impacts. .</p> <p>(b) Reviewed location of infrastructure areas in relation to private viewing locations and</p>

Section	Sub-section	Requirement	Status	Comments
				confirmed vegetation and topographic screening.
4	83	<p>If a landowner of any dwelling assessed in the EIS as having a high potential visual impact requests the Applicant in writing to investigate ways to minimise the visual impact of the development on his/her dwelling, the Applicant shall:</p> <p>(a) within 14 days of receiving this request, commission a suitably qualified person whose appointment has been approved by the Director-General, to investigate ways to minimise the visual impacts of the development on the landowner's dwelling; and</p> <p>(b) give the landowner a copy of the visual impact mitigation report within 14 days of receiving this report.</p> <p>If both parties agree on the measures that should be implemented to minimise the visual impact of the development, then the Applicant shall implement these measures to the satisfaction of the Director-General. If the Applicant and the landowner disagree on the measures that should be implemented to minimise the visual impact of the development, then either party may refer the matter to the Director-General for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 2).</p>	Not applicable	<p>Condition applies to Moses, Muller, and Fenwick residences as discussed in the visual assessment for the Wambo EIS (Resource Strategies, 2003). No requests from landholders for visual mitigation during the audit period.</p> <p>It is recommended that these neighbours be advised in writing of their rights under the consent (whilst privately owned and if not previously done).</p>
		Overburden Dumps		
4	84	The Applicant shall construct the overburden emplacements generally in accordance with the EIS, and to the satisfaction of DRE.	Compliant	<p>Reviewed the location and extent of OEAs during the site inspection component of the audit and confirmed general consistency with the EIS and approved MOP plans.</p> <p>A review of the mine plans (Figure 2-5 to Figure 2-10 in the Wambo EIS) show the development of a bund in the</p>

Section	Sub-section	Requirement	Status	Comments
				north east with progression of mining towards the west and south. Actual mine plans viewed at the time of audit show the progression of mining from south to north. Visual, noise and air quality assessments in the Wambo EIS utilised this design in formulating predictions. It is recommended that expert advice from noise and air specialists be sought to confirm that predictions remain valid with the change in mine plan progression proposed by Wambo.
		Lighting Emissions		
4	85	The Applicant shall take all practicable measures to mitigate off-site lighting impacts from the development.	Compliant	Viewed actions register in response to Multiskilled Resources lighting audit dated 02/06/11. Recommend that the next Annual Review include a discussion of progress against actions. TF (pers comm) confirmed that an in-pit plant siting guide is in place for managing lighting from open cut areas.
4	86	Unless otherwise agreed to by the Director-General, all external lighting associated with the development shall comply with <i>Australian Standard AS4282</i>	Compliant	Compliance of external lighting at the site confirmed in Multiskilled

Section	Sub-section	Requirement	Status	Comments
		<i>(INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting.</i>		Resources lighting audit (see condition above).
		GREENHOUSE GAS		
4	87	For the life of the development, the Applicant shall: (a) monitor the greenhouse gas emissions generated by the development; (b) investigate ways to reduce greenhouse gas emissions generated by the development; and (c) report on greenhouse gas monitoring and abatement measures in the Annual Review , to the satisfaction of the Director-General	Not compliant	Section 3.18.1 of the 2010-11 and 2011-12 AEMR documents include greenhouse gas data. Greenhouse gas emissions and minimisation not reported in 2013-14 AEMR. Recommend this reporting is added to next Annual Review. Viewed Wambo NGER submission dated 21/11/14.
		WASTE MINIMISATION		
4	88	For the life of the development, the Applicant shall: (a) monitor the amount of waste generated by the development; (b) investigate ways to minimise waste generated by the development; (c) implement reasonable and feasible measures to minimise waste generated by the development; and (d) report on waste management and minimisation in the Annual Review , to the satisfaction of the Director-General.	Compliant	Waste volumes, minimisation measures and reporting included in the following: <ul style="list-style-type: none"> Section 2.6 of the 2010-11 AEMR; Section 2.6 of the 2011-12 AEMR; and Sections 3.63 – 3.65 of the 2012-13.
		HAZARDS MANAGEMENT		
		Spontaneous Combustion		
4	89	The Applicant shall: (a) take the necessary measures to prevent, as far as is practical, spontaneous combustion on the site; and (b) manage any spontaneous combustion on-site to the satisfaction of DRE .	Compliant	No new incidences of spontaneous combustion detected the auditing period (TF pers comm).

Section	Sub-section	Requirement	Status	Comments
				AEMRs note the ongoing monitoring of the existing area of spontaneous combustion in the Hunter Pit: <ul style="list-style-type: none"> Section 3.14 of the 2010-11 and 2011-12 AEMRs; Sections 4.27-28 of the 2012-13 AEMR.
		Dangerous Goods		
4	90	The Applicant shall ensure that the storage, handling, and transport of: <ul style="list-style-type: none"> (a) dangerous goods is done in accordance with the relevant <i>Australian Standards</i>, particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i>; and (b) explosives are managed in accordance with the requirements of DRE. 	Compliant	(a) Viewed Licence to Possess & Store Dangerous Goods for WCPL, valid to 10/01/18. (b) Viewed copy of internal WCPL Explosives Management Plan. TF (pers comm) provided an overview of WCPL Health & Safety Management System components relevant to explosives management and activities of Dyno Nobel (blast contractor) on site.
4	91	Before carrying out any development, the Applicant shall update the Safety Management System covering all operations on the site, including the safe storage of ammonium nitrate, to the satisfaction of the Director-General.	Compliant	Viewed internal WCPL safety management procedures for transport, handling and storage of explosives on site.
		BUSHFIRE MANAGEMENT		
4	92	The Applicant shall: <ul style="list-style-type: none"> (a) ensure that the development is suitably equipped to respond to any fires on-site; and 	Compliant	(a) Site operates under an approved Bushfire Management Plan. Some mining equipment

Section	Sub-section	Requirement	Status	Comments						
		(b) assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site during the development.		(e.g. water carts, graders) are able to be used to respond to bushfire events, as needed. (b) Approved Bushfire Management Plan was prepared in consultation with the Rural Fire Service (RFS). TF (pers comm) confirmed that annual consult with RFS occurs on bushfire management procedures on site.						
4	93	Before carrying out any development, the Applicant shall prepare a Bushfire Management Plan for the site, to the satisfaction of Council and the Rural Fire Service.	Compliant	Viewed Bushfire Management Plan dated August 2013 and correspondence with RFS and SSC. RFS provided comment and approval via email dated 3/09/14. SSC did not comment on the revised plan as provided on 28/08/13.						
		REHABILITATION								
		Rehabilitation Objectives								
4	94	<div>The Applicant shall rehabilitate the Wambo Mining Complex to the satisfaction of the Executive Director Mineral Resources. The rehabilitation must be generally in accordance with the proposed rehabilitation strategy described by the documents listed in Condition 2 of Schedule 3 and the objectives in Table 18. Table 18: Rehabilitation Objectives</div> <table><tr><th>Area/Doman</th><th>Rehabilitation Objectives</th></tr><tr><td>Mine site (as a whole), including the final void</td><td>Safe, stable & non-polluting</td></tr><tr><td>Surface infrastructure</td><td>To be decommissioned and removed, unless</td></tr></table>	Area/Doman	Rehabilitation Objectives	Mine site (as a whole), including the final void	Safe, stable & non-polluting	Surface infrastructure	To be decommissioned and removed, unless	Compliant	Reviewed current rehabilitation against EIS concept plans (Figures 2-5 to 2-10 of the Wambo EIS), Plans 4-6 of the Open Cut MOP (June 2010 – June 2016), RMP and relevant sections of AEMRs during the audit period. Reviewed extent and performance of existing
Area/Doman	Rehabilitation Objectives									
Mine site (as a whole), including the final void	Safe, stable & non-polluting									
Surface infrastructure	To be decommissioned and removed, unless									

Section	Sub-section	Requirement	Status	Comments
		Director Mineral Resources agrees otherwise Community Ensure public safety Minimise the adverse socio-economic effects associated with mine closure		rehabilitation areas at the time of audit and confirmed performance to date is generally consistent with predictions in MOP and the Wambo EIS. Rehabilitation is being undertaken generally in accordance with consent required objectives and management commitments.
4	94A	Operating Conditions		
		<p>The Applicant shall:</p> <p>(a) develop a detailed soil management protocol that identifies procedures for:</p> <ul style="list-style-type: none"> comprehensive soil surveys prior to soil stripping; assessment of top-soil and sub-soil suitability for mine rehabilitation; and annual soil balances to manage soil handling including direct resspreading and stockpiling; <p>(b) maximise the salvage of suitable top-soils and sub-soils and biodiversity habitat components such as bush rocks, tree hollows and fallen timber for rehabilitation of disturbed areas within Wambo Mining Complex and for enhancement of biodiversity offset areas;</p> <p>(c) ensure that coal reject or any potentially acid forming interburden materials must not be emplaced at elevations within the pit shell or out of pit emplacement areas where they may promote acid or sulphate species generation and migration beyond the pit shell or out of pit emplacement areas; and</p> <p>(d) ensure that no dirty water can drain from an out of pit emplacement area to any offsite watercourse or to any land beyond the lease boundary.</p>	Compliant	<p>(a) Viewed Topsoil Management Procedure dated September 2014 and examples of completed disturbance permit (including a soil management component) required prior to disturbance. TF (pers comm) also noted that the site is currently topsoil deficient so that from 2014, Organic Growth Medium (OGM) is being trailed to enhance rehabilitation outcomes. Recommend reporting on the effect of these trials on rehabilitation performance in the Annual Review.</p> <p>(b) TF (pers comm) confirmed that this is not documented, however topsoil and other habitat</p>

Section	Sub-section	Requirement	Status	Comments
				resources are utilised in rehabilitation where practical, with mulching of trees for spreading on rehabilitation areas. (c) TF (pers comm) confirmed that coal reject, PAF or other geochemical management issues are not an issue on site. The draft RMP (with regulatory agencies for review includes a section reject and tailings management) (d) Reviewed site Water Management Plan, CITEC system and water management measures in the field to confirm appropriate measures are in place to restrict any potential for drainage offsite from active OEAs.
		Progressive Rehabilitation		
	94B	The Applicant shall rehabilitate the Wambo Mining Complex progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim rehabilitation strategies shall be employed when areas prone to dust generation cannot yet be permanently rehabilitated. <i>Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the project.</i>	Compliant	Reviewed current rehabilitation against EIS concept plans, Open Cut MOP (June 2010 – June 2016), RMP and relevant sections of AEMRs during the audit period. Reviewed rehabilitation areas during the site inspection component of the audit and

Section	Sub-section	Requirement	Status	Comments
				confirmed progressive rehabilitation being undertaken. Recommend that viability of aerial seeding or other cost effective 'interim' strategies be investigated and the feasibility discussed in the Annual Review. Rehabilitation in the Wambo Creek Diversion area is being irrigated to promote vegetation coverage and minimise exposed areas. OGM trials have commenced in 2014 to provide additional volumes of substrate for new rehabilitation areas.
		Rehabilitation Management Plan		
	94C	The Applicant shall prepare and implement a Rehabilitation Management Plan for the Wambo Mining Complex to the satisfaction of the Executive Director Mineral Resources. This plan must: (a) be prepared in consultation with the Department, NOW, OEH, Council and the CCC; (b) be submitted to the Executive Director Mineral Resources by the end of June 2013; (c) be prepared in accordance with any relevant DRE guideline; (d) describe how the rehabilitation of the site would be integrated with the implementation the biodiversity offset strategy; (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if	Compliant	Reviewed approved Wambo RMP prepared by GSSE dated 7/12/11. TF noted RMP was under review at the time of audit. (a) Viewed evidence of revised RMP sent to regulators, CCC and landholders for comment in October 2014. (b) No evidence at time of audit confirming submission of existing RMP to DRE. Recommend revised document be prepared

Section	Sub-section	Requirement	Status	Comments
		necessary); (f) describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform, and final land use; (g) include interim rehabilitation where necessary to minimise the area exposed for dust generation; (h) include a program to monitor, independently audit and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; and (i) build to the maximum extent practicable on the other management plans required under this consent.		in accordance with condition consultation requirements and to the approval of DP&E. (c) Section 1.2 of the RMP. DRE approved the plan in May 2012 (see subsection (a) of this condition). (d) Sections 4 and 5 of the approved RMP. (e) Sections 5 and 6 of the approved RMP. (f) Section 4 of the approved RMP. (g) Management of dust emissions from rehabilitation areas described in the approved AQMP (see Schedule 4, Condition 5C). (h) Section 5 of the approved AQMP. (i) Section 1.2 of the approved RMP confirms links to other management documents and approvals.
		MINE EXIT STRATEGY		
4	95	The Applicant shall work with the Council to investigate the minimisation of adverse socio-economic effects of a significant reduction in local employment levels and closure of the <i>Wambo Mining Complex</i> at the end of its life.	Not applicable	
SCHEDULE 5 ADDITIONAL PROCEDURES FOR AIR QUALITY & NOISE MANAGEMENT				
		Notify Landowners		

Section	Sub-section	Requirement	Status	Comments
5	1	If the air dispersion and/or noise model predictions in the documents listed in condition 2 of schedule 3 identify that the air pollution and/or noise generated by the development are likely to be greater than the air quality and/or noise impact assessment criteria in conditions of schedule 4, then the Applicant shall notify the relevant landowners and/or existing or future tenants (including tenants of mine-owned properties) accordingly before it carries out any development.	Compliant	Previous audit confirmed landholders assessed to be impacted in the Wambo EIS were notified as per condition. Viewed an example of tenant notification of rights, provision of fact sheet and reference to Wambo website dated 3/11/14 distributed by WCPL-commissioned real estate agent. Tenants are also advised of management documents and monitoring results available on the Wambo website.
5	2	If the results of the air quality and/or noise monitoring required in schedule 4 identify that the air pollution and/or noise generated by the development are greater than the air quality and/or noise impact assessment criteria in schedule 4, then the Applicant shall notify the relevant landowners and/or existing or future tenants (including tenants of mine-owned properties) as soon as practicable after identifying the exceedance.	Not applicable	No exceedances of criterion at private land holders or tenants.
5	3	Before carrying out any development, the Applicant shall develop a procedure in consultation with EPA and NSW Health and approved by the Director-General, for notifying landowners and tenants referred to in condition 1. This procedure must ensure that: (a) all existing and future tenants are advised in writing about: <ul style="list-style-type: none"> air quality impacts likely to occur at the residence during the operational life of the mine; and likely health and amenity impacts associated with exposure to particulate matter; (b) the written advice in (a) is based on current air quality monitoring data,	Compliant	See comments on Schedule 5, Condition 1, above.

Section	Sub-section	Requirement	Status	Comments
		dispersion modelling results, research and literature; and there is an ongoing process for providing current air quality monitoring data, dispersion modelling results, research and literature to the tenants		
		Independent Review		
5	4	<p>If a landowner considers the development to be exceeding the air quality and/or noise impact assessment criteria listed in schedule 4 at his/her dwelling, or at any proposed dwelling on his/her vacant land, then he/she may ask the Applicant for an independent review of the air pollution and/or noise impacts of the development on his/her dwelling, or proposed dwelling.</p> <p>If the Director-General is satisfied that an independent review is warranted, the Applicant shall:</p> <p>(a) consult with the landowner to determine his/her concerns; and</p> <p>(b) commission a suitably qualified person – whose appointment has been approved by the Director-General – to conduct air quality and/or noise monitoring at the relevant dwelling to determine whether the development is complying with the relevant impact assessment criteria, and identify the source(s) and scale of any air quality and/or noise impact at the dwelling, and the development's contribution to this impact.</p> <p>Within 14 days of receiving the results of this independent review, the Applicant shall give a copy of these results to the Director-General and landowner.</p>	Not applicable	<p>One review under this condition was requested during the audit period on 4 December 2012 but subsequently withdrawn.</p> <p>Viewed correspondence on the request with Ben Harrison of DP&E dated 20/05/13 confirming withdrawal of the request for review.</p>
5	5	If the independent review (referred to in condition 4) determines that the development is complying with the relevant impact assessment criteria listed in schedule 4 at the dwelling, then the Applicant may discontinue the independent review with the approval of the Director-General.	Not applicable	
5	6	<p>If the independent review (referred to in condition 4) determines that the development is not complying with the relevant impact assessment criteria listed in schedule 4 at the dwelling, and that the development is primarily responsible for this non-compliance, then the Applicant shall:</p> <p>(a) take all practicable measures, in consultation with the landowner, to ensure that the development complies with the relevant impact assessment criteria;</p>	Not applicable	

Section	Sub-section	Requirement	Status	Comments
		<p>and conduct further air quality and/or noise monitoring at the dwelling to determine whether these measures ensure compliance; or</p> <p>(b) secure a written agreement with the landowner to allow exceedances of the air quality and/or noise impact assessment criteria listed in schedule 4.</p> <p>If the additional monitoring referred to above subsequently determines that the development is complying with the relevant impact assessment criteria listed in schedule 4 at the dwelling, then the Applicant may discontinue the independent review with the approval of the Director-General.</p> <p>If the measures referred to in (a) do not ensure compliance with the air quality and/or noise land acquisition criteria listed in schedule 4 at the dwelling, and the Applicant cannot secure a written agreement with the landowner to allow exceedances of the air quality and/or noise impact assessment criteria listed in schedule 4, then the Applicant shall, upon receiving a written request from the landowner, acquire all or part of the landowner's land in accordance with the procedures in conditions 9-11 below</p>		
5	7	<p>If the independent review determines that the development is not complying with the air quality and/or noise impact assessment criteria listed in schedule 4 at the dwelling, but that several mines are responsible for this non-compliance, then the Applicant shall, with the agreement of the landowner and other mine(s) prepare and implement a Cumulative Air Quality and/or Noise Impact Management Plan for the land to the satisfaction of the Director-General. This plan must provide the joint approach to be adopted by the Applicant and other mine(s) to manage cumulative air quality and/or noise impacts at the landowner's dwelling, and the acquisition of any land.</p> <p>If the Applicant is unable to finalise an agreement with the landowner and/or other mine(s), and/or prepare a Cumulative Air Quality and Noise Impact Management Plan, then the Applicant or landowner may refer the matter to the Director-General for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process.</p>	Not applicable	

Section	Sub-section	Requirement	Status	Comments
		If, following the Independent Dispute Resolution Process, the Director-General decides that the Applicant shall acquire all or part of the landowner's land, then the Applicant shall acquire this land in accordance with the procedures in conditions 9-11 below.		
5	8	If the landowner disputes the results of the independent review (referred to in condition 4), either the Applicant or the landowner may refer the matter to the Director-General for resolution. If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process		
		Land Acquisition		
5	9	Within 6 months of receiving a written request from the landowner, the Applicant shall pay the landowner: (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development the subject of the DA, having regard to the: <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date; (b) the reasonable costs associated with: <ul style="list-style-type: none"> relocating within the Singleton local government area, or to any other local government area determined by the Director-General; obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and (c) reasonable compensation for any disturbance caused by the land acquisition process. However, if within 6 months of receiving this written request, the Applicant and landowner cannot agree on the acquisition price of the land, and/or the terms	Not applicable	

Section	Sub-section	Requirement	Status	Comments
		<p>upon which the land is to be acquired, then either party may refer the matter to the Director-General for resolution.</p> <p>Upon receiving such a request, the Director-General shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer or Fellow of the Institute, to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or terms upon which the land is to be acquired.</p> <p>If either party disputes the independent valuer's determination, then the independent valuer must refer the matter back to the Director-General.</p> <p>Upon receiving such a referral, the Director-General shall appoint a panel to determine a fair and reasonable acquisition price for the land, and/or the terms upon which the land is to be acquired, comprising the:</p> <ul style="list-style-type: none"> (i) appointed independent valuer, (ii) Director-General or nominee, and (iii) President of the Law Society of NSW or nominee. <p>Within 14 days of receiving the panel's determination, the Applicant shall make a written offer to purchase the land at a price not less than the panel's determination.</p> <p>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 shall cease, unless otherwise agreed by the Director-General.</p>		
5	10	The Applicant shall bear the costs of any valuation or survey assessment requested by the independent valuer, panel, or the Director-General and the costs of determination referred to in Condition 9.	Not applicable	
5	11	If the Applicant and landowner agree that only part of the land should be acquired, then the Applicant shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar-General	Not applicable	
SCHEDULE 6 – ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING & REPORTING				
		ENVIRONMENTAL MANAGEMENT STRATEGY		

Section	Sub-section	Requirement	Status	Comments
6	1	<p>Before carrying out any development, the Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Director-General. This strategy must:</p> <ul style="list-style-type: none"> a) provide the strategic context for environmental management of the development; b) identify the statutory requirements that apply to the development; c) describe in general how the environmental performance of the development would be monitored and managed during the development; d) describe the procedures that would be implemented to: e) keep the local community and relevant agencies informed about the operation and environmental performance of the development; f) receive, handle, respond to, and record complaints; g) resolve any disputes that may arise during the course of the development; h) respond to any non-compliance; i) manage cumulative impacts; and j) respond to emergencies; and k) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development. 	Compliant	<p>Reviewed approved EMS dated January 2009 and confirmed content is compliant with requirements.</p> <p>It is recommended that the EMS be reviewed and updated in 2015 as part of a 5 yearly review.</p>
6	2	<p>Within 14 days of the D-G approval, the Applicant shall:</p> <ul style="list-style-type: none"> (a) send copies of the approved strategy to the relevant agencies, Council, and the CCC; and (b) ensure the approved strategy is publicly available during the development. 	Compliant	<p>Previous audit confirmed submission of the EMS within required timeframe.</p> <p>Viewed EMS on Wambo website.</p>
		Adaptive Management		
6	3	<p>The Applicant must assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 4. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p>	Compliant	<p>Reviewed environmental incident register for the audit period, exceedances of consent criteria noted in relevant AEMRs and EPL annual returns and DP&E correspondence in response.</p> <p>Review confirms Wambo has</p>

Section	Sub-section	Requirement	Status	Comments
		<p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Director-General, to the satisfaction of the Director-General.</p>		implemented adaptive actions for responses, reporting and (where required) mitigation.
		Management Plan Requirements		
6	4	<p>The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant consent, licence or lease conditions); any relevant limits or performance measures/criteria; the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the Wambo Mining Complex; effectiveness of any management measures (see c above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the Wambo Mining Complex over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents; 	Compliant	Approved management plans prepared in accordance with relevant guidelines, plans and impact criteria, with performance measures included as required.

Section	Sub-section	Requirement	Status	Comments
		<ul style="list-style-type: none"> complaints; non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria; and 34 <p>(h) a protocol for periodic review of the plan.</p>		
		ANNUAL REVIEW		
6	5	<p>By the end of March each year, the Applicant shall submit an annual review of the environmental performance of the development to the satisfaction of the Director-General. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:</p> <ul style="list-style-type: none"> the relevant statutory requirements, limits or performance measures/criteria; the monitoring results of previous years; and the relevant predictions in the EIS; <p>(c) identify any non-compliance over the previous calendar year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.</p>	<p>Compliant (a, c, d, f)</p> <p>Not compliant (b, e)</p>	<p>Viewed AEMRs for the three years since previous audit.</p> <p>(a) Compliant; AEMRs document mining activities and rehabilitation for each reporting period.</p> <p>(b, e) AEMRs do not provide commentary or comparison of all monitoring results against relevant EIS predictions. This needs to be included under each environmental area in the 2015 Annual Review.</p> <p>(c) AEMRs document non-compliances and remedial actions.</p> <p>(d) Compliant; AEMRs review and identify trends in monitoring data.</p> <p>(e) See subsection (b) above.</p> <p>(f) Compliant; Environmental performance measures and improvements are described.</p>
		REVISION OF STRATEGIES, PLANS AND PROGRAMS		
6	6	Within 3 months of:	Compliant	Viewed email correspondence

Section	Sub-section	Requirement	Status	Comments
		<p>(a) the submission of an annual review under Condition 5 above;</p> <p>(b) the submission of an audit report under Condition 7 below;</p> <p>(c) the submission of an incident report under Condition 10 below; or</p> <p>(d) any modification to the conditions of this consent, (unless the conditions require otherwise).</p> <p>the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Director-General.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>		from DP&E dated 11 May 2011, confirming that revisions under this condition are not required after every Annual Review.
		INDEPENDENT ENVIRONMENTAL AUDIT		
6	7	<p>Every 3 years, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these consents/approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned consents/approvals; and</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned consents.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Director-General.</i></p> <p>Within 6 weeks of the completion of this audit, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the audit report to the</p>	Compliant	This audit.

Section	Sub-section	Requirement	Status	Comments
		Director-General, together with its response to any recommendations contained in the audit report.		
		COMMUNITY CONSULTATIVE COMMITTEE		
6	8	<p>Before carrying out any development, the Applicant shall establish a new Community Consultative Committee to oversee the environmental performance of the development. This committee shall:</p> <p>(a) be comprised of:</p> <ul style="list-style-type: none"> • 2 representatives from the Applicant, including the person responsible for environmental management at the mine; • 1 representative from Council; and • at least 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with the Council; <p>(b) be chaired by the representative from Council or by a third party as approved by the Director-General;</p> <p>(c) meet at least twice a year; and</p> <p>(d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints.</p>	Compliant	<p>TF (pers comm) confirmed representatives and frequency of meetings in accordance with this condition.</p> <p>Viewed examples of Wambo CCC minutes dated 25 February 2014, 19 November 2013.</p>
6	9	<p>The Applicant shall, at its own expense:</p> <p>(a) ensure that 2 of its representatives attend the Committee's meetings;</p> <p>(b) provide the Committee with regular information on the environmental performance and management of the development;</p> <p>(c) provide meeting facilities for the Committee;</p> <p>(d) arrange site inspections for the Committee, if necessary;</p> <p>(e) take minutes of the Committee's meetings;</p> <p>(f) make these minutes available to the public for inspection within 14 days of the Committee meeting, or as agreed to by the Committee;</p> <p>(g) respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the</p>	Compliant	<p>Viewed examples of Wambo CCC minutes dated 25 February 2014, 19 November 2013.</p>

Section	Sub-section	Requirement	Status	Comments
		development; (h) forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting.		
		REPORTING		
		Incident Reporting		
6	10	The Applicant shall notify at the earliest opportunity, the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the project, the Applicant shall notify the Director-General and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Compliant	Reviewed responses to environmental incidents and non-compliances during the audit period and confirmed that incident response procedures are in place with responsible personnel. See Table 3 for a response to EPL conditions.
6	11	Regular Reporting		
		The Applicant shall 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.	Compliant	Viewed the Wambo Coal website on 17 October 2014, which provides monitoring data for environmental performance on meteorology, blasting, air quality, noise, incidents and community complaints.
		ACCESS TO INFORMATION		
6	12	From the end of June 2011, the Applicant shall: (a) make copies of the following publicly available on its website: <ul style="list-style-type: none"> the documents referred to in Condition 2 of Schedule 3; all current statutory consents for the development; all approved strategies, plans and programs required under the conditions of this consent; 	Not compliant	Reviewed Wambo website and availability of required data and management documents. WCPL response to the 2011 independent environmental audit was not available.

Section	Sub-section	Requirement	Status	Comments
		<ul style="list-style-type: none"> a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; a complaints register, updated on a monthly basis; minutes of CCC meetings; the annual reviews of the development; any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit; any other matter required by the Director-General; and <p>(b) keep this information up-to-date, to the satisfaction of the Director-General.</p>		
		Online Communication of Operational Responses and Noise and Air Quality Monitoring		
6	13	<p>The Applicant shall, by the end of June 2013:</p> <p>(a) make the following information for the Wambo Mining Complex publicly available on its website, on a daily basis and in a clearly understandable form:</p> <p>daily weather forecasts for the coming week;</p> <p>proposed operational responses to these weather forecasts;</p> <p>real-time noise and air quality monitoring data (subject to any necessary caveats); and</p> <p>any operational responses that were taken in response to the noise and air quality monitoring data, and</p> <p>(b) make provision on its website for the provision of on-line and/or email comments by members of the community regarding this information, to the satisfaction of the Director-General.</p>	Not compliant	<p>(a) Daily weather forecast and proposed responses not available on the Wambo website at the time of the audit (Weathezone forecast for Jerrys Plains provided).</p> <p>Real-time noise and air monitoring data not available on the Wambo website at the time of audit.</p> <p>(b) Community feedback mechanism approved by DP&E not available on the Wambo website at the time of audit.</p>

Table 2
DA 177-8-2004 Consolidated Conditions of Approval

Blue type represents Notice of Modification 15 December 2006 (126-10-2006)

Pink type represents 2012 modification

Section	Sub-section	Requirement	Status	Comments
MCoA		Development Application: DA 177-8-2004		
		SCHEDULE 3 ADMINISTRATIVE CONDITIONS		
		Obligation to Minimise Harm to the Environment		
3	1	The Applicant 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	There were some reportable incidents and environmental non-compliances recorded during the audit period, however no significant exceedances or material environmental harm occurred.
		Terms of Approval		
3	2	The Applicant shall carry out the development generally in accordance with the: (a) SEE; (b) SEE (Mod 1) (c) EA (Mod 2); and (d) conditions of this consent.	Compliant	Reviewed development consent conditions (this table) and confirmed operations generally in accordance with consent requirements and activities described in relevant environmental assessment documents.
3	3	If there is any inconsistency between the above documents, the more recent document shall prevail over the former to the extent of the inconsistency. However, the conditions of this consent shall prevail over all other documents to the extent of any inconsistency.	Not applicable	TF (pers comm) confirmed no inconsistencies during the audit period.
3	4	The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (a) any reports, plans or correspondence that are submitted in accordance with this	Not applicable	TF (pers comm) confirmed no requests made under this condition.

Section	Sub-section	Requirement	Status	Comments
		consent; and (b) the implementation of any actions or measures contained in these reports, plans or correspondence.		
		Limits on Approval		
3	5	This consent lapses 21 years after the date it commences.	Not applicable	
3	6	<p>The Applicant shall:</p> <p>(a) not transport more than 15 million tonnes of product coal via this development each year;</p> <p>(b) only permit trains being loaded with coal at the Wambo loading facilities to utilise the refuelling infrastructure; and</p> <p>(c) restrict the number of trains utilising the refuelling infrastructure to a maximum of six trains on any day.</p> <p><i>Note: For the purposes of this condition, each train entering and exiting the site is classified as 2 train movements and a day refers to the 24 hours from midnight to midnight the next day.</i></p>	Not compliant	<p>(a) Reviewed Appendix 1 of the 2010-11, 2011-12 AEMRs and Section 3.10 of the 2013 AEMR and confirmed compliant with haulage limits.</p> <p>(b) TF (pers comm) confirmed that only trains loading coal from Wambo used the refuelling facility.</p> <p>(c) Reviewed Appendix 1 of the 2010-11, 2011-12 AEMRs and confirmed compliance. Unable to confirm train movements in 2013-14.</p>
		Structural Adequacy		
3	7	<p>The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirement of the BCA and MSB.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant 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 certification of development. The development is located in the Patrick Plains Mine Subsidence District. Under 	Compliant	Viewed final construction diagrams prepared by PB dated 27/06/12. Statement accompanying plans confirm all designs for the rail refuelling facility are in accordance with ISO 9001.

Section	Sub-section	Requirement	Status	Comments
		<i>section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain the Mine Subsidence Board's approval before constructing or relocating any improvements on the site.</i>		
		Demolition		
3	8	The Applicant shall ensure that all demolition work is carried out in accordance with AS 2601-2001: <i>The Demolition of Structures</i> , or its equivalent latest version.	Not applicable	No demolition works undertaken during audit period.
		Protection of Public Infrastructure		
3	9	The Applicant shall: (a) repair, or pay the full cost associated with repairing any public infrastructure that is damaged by the development; and (b) relocate, or pay the full cost associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	Not applicable	No damage to public infrastructure during audit period.
		Operation of Plant and Equipment		
3	10	The Applicant shall ensure that all items of plant and equipment used at the site, are: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner	Compliant	(a, b) Reviewed the rail loop and loadout during audit site inspection. The facility was well maintained and operating effectively with no reportable incidents occurring.
		Staged Submission of Plans and Programs		
	11	With the approval of the Director-General, the Applicant may: (a) submit any plan or program required by this consent on a progressive basis; and (b) combine any plan or program required by this consent with any similar strategy, plan or program required by the consent for the Wambo Coal Mine (DA 305-7-2003).	Not applicable	
		SCHEDULE 4 GENERAL ENVIRONMENTAL CONDITIONS		
		ACQUISITION UPON REQUEST		
4	1	Upon receiving a written request for acquisition from the landowner of the land listed in Table 1, the Applicant shall acquire the land in accordance with the procedures in	Not applicable	No requests for acquisition during the audit period.

Section	Sub-section	Requirement	Status	Comments								
		conditions 1-3 of schedule 5. <i>Table 1: Land subject to acquisition upon request</i> <div><div>19 - L Kelly</div><div>55 - E & C Burley</div></div> <i>Note: For more information on the numbering and identification of properties used in this consent, see Attachment 1A and Attachment 1B of the SEE for the Alterations to the Wambo Development Project – Rail and Train Loading Infrastructure.</i>										
4	2	While the land listed in Table 1 is privately owned, the Applicant shall implement all practicable measures to ensure that the impacts of the development comply with the predictions in the SEE, and the relevant conditions in this consent, at any residence on this land, to the satisfaction of the Director-General.										
		¹ NOISE										
		Noise Impact Assessment Criteria										
4	3	<p>The Applicant shall ensure that noise generated by the development, combined with noise generated by any development in the Wambo Mining Complex, does not exceed the noise criteria provided in Table 2, unless higher noise criteria are specified in the consent for the Wambo Coal Mine (DA 305-7-2003).</p> <p>Table 2: Noise impact assessment criteria dB(A)</p> <table><tr><th>Day LAeq(15 minute)</th><th>Evening/Night LAeq(15 minute)</th><th>Night LA1(1 minute)</th><th>Land Number</th></tr><tr><td>35</td><td>35</td><td>50</td><td>All private residential or sensitive receptors, excluding the receptors listed in Table 1</td></tr></table> <p>Notes:</p> <ul style="list-style-type: none">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.For this condition to apply, the exceedance of the criteria must be systemic.	Day LAeq(15 minute)	Evening/Night LAeq(15 minute)	Night LA1(1 minute)	Land Number	35	35	50	All private residential or sensitive receptors, excluding the receptors listed in Table 1	Compliant	Reviewed noise monitoring results for the audit period and confirmed no exceedances of noise criteria.
Day LAeq(15 minute)	Evening/Night LAeq(15 minute)	Night LA1(1 minute)	Land Number									
35	35	50	All private residential or sensitive receptors, excluding the receptors listed in Table 1									
		Construction Hours										

Section	Sub-section	Requirement	Status	Comments
4	4	The Applicant shall ensure that all construction work is carried out from 7 am to 6 pm Monday to Saturday (inclusive) and 8 am to 6 pm Sundays and Public Holidays.	Compliant	TF (pers comm) confirmed construction undertaken in accordance with approved hours. Reviewed complaints register for the construction period; no issues raised.
		Operating Hours		
4	5	The Applicant shall: (a) take all practicable measures to minimise train movements at the development on Friday evening (6 pm-9 pm) and Sunday morning (9 am-12 am); (b) report on the implementation and effectiveness of these measures, to the satisfaction of the Director-General.	Not compliant	(a) Reviewed train movements logs in 2010-11 and 2011-12 AEMRs and confirmed train movements generally within operating hours under the condition. Viewed examples of the Wambo Train Loading Schedule to confirm timing of movements in the 2013-2014 period. (b) No evidence of reporting on measures to minimise loading outside specified hours to DP&E's approval.
		Rail Noise		
4	6	The Applicant shall seek to ensure that its rail spur is only accessed by locomotives that are approved to operate on the NSW rail network in accordance with noise limits L6.1 to L6.4 in RailCorp's EPL (No. 12208) and ARTC's EPL (No. 3142) or a Pollution Control Approval issued under the former <i>Pollution Control Act 1970</i> .		Reviewed ARTC EPL 3142 and email from Matt Pearce of Aurizon dated 12/09/13. Email confirms that locomotives are required to be tested by the rail operator

Section	Sub-section	Requirement	Status	Comments						
				for compliance with noise requirements.						
		Noise Monitoring								
4	7	The Applicant shall monitor the noise generated by the development, and noise generated by the Wambo Mine, in general accordance with the Noise Management Plan for the Wambo Mining Complex and the <i>NSW Industrial Noise Policy</i> .	Compliant	Reviewed the approved Wambo Noise Management Plan dated February 2014.						
	7A	By 31 May 2012, the Applicant shall review and update the Noise Management Plan for the Wambo Mining Complex, including a noise monitoring protocol for evaluating compliance with the criteria in condition 3 above.	Compliant	Current Noise Management Plan notes revision made in May 2012 to include rail consent modification (this condition)						
	7B	During the first 12 months of operation of the Rail Refuelling Facility, the Applicant must conduct attended noise monitoring at the nearest private receptor during refuelling events, no less often than every three months.	Compliant	Section 4.6-4.7 of the 2013 AEMR provide results for attended noise monitoring, confirmed compliance.						
		² BLASTING AND VIBRATION								
		Airblast Overpressure Criteria								
4	8	<div><div>The Applicant shall ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 3 at any residence on privately owned land.</div><div>Table 3: Airblast overpressure impact assessment criteria</div><table><tr><th>Airblast Overpressure Level (dB(Lin Peak))</th><th>Allowable Exceedance</th></tr><tr><td>115</td><td>5% of total number of blasts over 12 months</td></tr><tr><td>120</td><td>0%</td></tr></table></div>	Airblast Overpressure Level (dB(Lin Peak))	Allowable Exceedance	115	5% of total number of blasts over 12 months	120	0%	Not applicable	TF (pers comm) confirmed no blasting for the rail loop development was required during the audit period.
Airblast Overpressure Level (dB(Lin Peak))	Allowable Exceedance									
115	5% of total number of blasts over 12 months									
120	0%									
		Ground Vibration Impact Assessment Criteria								
4	9	The Applicant shall ensure that the ground vibration level from blasting at the development does not exceed the criteria in Table 4 at any residence on privately owned land.	Not applicable	TF (pers comm) confirmed no blasting for the rail loop development was required						

Section	Sub-section	Requirement	Status	Comments						
		<p>Table 4: Ground vibration impact assessment criteria</p> <table><tr><th>Peak Particle Velocity (mm/s)</th><th>Allowable Exceedance</th></tr><tr><td>5</td><td>5% of total number of blasts over 12 months</td></tr><tr><td>10</td><td>0%</td></tr></table> <p>For St Philip's Church, the Applicant shall ensure that ground vibration peak particle velocity generated by the development does not exceed 2.5 mm/s.</p>	Peak Particle Velocity (mm/s)	Allowable Exceedance	5	5% of total number of blasts over 12 months	10	0%		during the audit period.
Peak Particle Velocity (mm/s)	Allowable Exceedance									
5	5% of total number of blasts over 12 months									
10	0%									
		Structural Assessment								
4	10	Within 3 months of this consent, the Applicant shall: (a) engage a suitably qualified, experienced, and independent structural engineer, whose appointment has been approved by the Director-General, to undertake a structural assessment of the St Philip's Church, and recommend measures required to reduce the impacts of the development on the church; and (b) advise the Director-General of any measures required to be implemented to reduce the impacts of the development on the church.	Compliant	Previous audit confirmed structural inspections completed by GHD on 17/10/07.						
4	11	The Applicant shall implement these measures to the satisfaction of the Director-General.	Not applicable							
		Vibration Monitoring								
4	12	The Applicant shall monitor the vibration from the operation of the rail spur and the rail line at least 4 times a year, or as directed by the Director-General.	Not applicable	Previous audit confirmed that approval was granted in December 2008 to discontinue vibration monitoring.						
4	13	Within 3 months of this consent, the Applicant shall prepare a Vibration Monitoring Program for the development to the satisfaction of the Director-General.	Not applicable	See Schedule 4, Condition13 above.						
		AIR QUALITY								
		Impact Assessment Criteria								
4	14	The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the Wambo	Compliant	Viewed copy of approved AQGGMP Management Plan						

Section	Sub-section	Requirement	Status	Comments																							
		<p>Mining Complex do not exceed the criteria listed in tables 5, 6 or 7 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, unless higher air quality criteria is specified in the consent for the Wambo Coal Mine (DA 305-7-2003).</p> <p><i>Table 5: Long term impact assessment criteria for particulate matter</i></p> <table><tr><th><i>Pollutant</i></th><th><i>Averaging Period</i></th><th><i>Criterion</i></th></tr><tr><td>Total suspended particulate matter (TSP)</td><td>Annual</td><td>90 µg/</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>30 µg/ 3</td></tr></table> <p><i>Table 6: Short term impact assessment criterion for particulate matter</i></p> <table><tr><th><i>Pollutant</i></th><th><i>Averaging Period</i></th><th><i>Criterion</i></th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>4 hours</td><td>50 µg/m3</td></tr></table> <p><i>Table 7: Long term impact assessment criteria for deposited dust</i></p> <table><tr><th><i>P llutant</i></th><th><i>Averaging Period</i></th><th><i>Max. increase in dust level</i></th><th><i>Max. total deposited dust</i></th></tr><tr><td>Deposited Dust</td><td>Annual</td><td>2g/m2/mth</td><td>4g/m2/mth</td></tr></table> <p><i>Notes to Tables 5-7:</i></p> <p><i>a Total impact (ie incremental increase in concentrations due to the Wambo Mining Complex plus background concentrations due to all other sources);</i></p> <p><i>b Incremental impact (ie incremental increase in concentrations due to the Wambo Mining Complex on its own);</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003 Methods for Sampling and Analysis of Ambient Air –</i></p>	<i>Pollutant</i>	<i>Averaging Period</i>	<i>Criterion</i>	Total suspended particulate matter (TSP)	Annual	90 µg/	Particulate matter < 10 µm (PM10)	Annual	30 µg/ 3	<i>Pollutant</i>	<i>Averaging Period</i>	<i>Criterion</i>	Particulate matter < 10 µm (PM10)	4 hours	50 µg/m3	<i>P llutant</i>	<i>Averaging Period</i>	<i>Max. increase in dust level</i>	<i>Max. total deposited dust</i>	Deposited Dust	Annual	2g/m2/mth	4g/m2/mth		<p>and confirmed reasonable and feasible mitigation measures.</p> <p>No non-compliance with impact assessment criteria during audit period.</p>
<i>Pollutant</i>	<i>Averaging Period</i>	<i>Criterion</i>																									
Total suspended particulate matter (TSP)	Annual	90 µg/																									
Particulate matter < 10 µm (PM10)	Annual	30 µg/ 3																									
<i>Pollutant</i>	<i>Averaging Period</i>	<i>Criterion</i>																									
Particulate matter < 10 µm (PM10)	4 hours	50 µg/m3																									
<i>P llutant</i>	<i>Averaging Period</i>	<i>Max. increase in dust level</i>	<i>Max. total deposited dust</i>																								
Deposited Dust	Annual	2g/m2/mth	4g/m2/mth																								

Section	Sub-section	Requirement	Status	Comments
		<i>Determination of Particulate Matter – Deposited Matter – Gravimetric Method; d Excludes extraordinary events such as bushfires, prescribed burning, dust storms sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with OEH.</i>		
		Operating Conditions		
4	15	The Applicant shall: (a) ensure any visible air pollution generated by the development is assessed regularly, and that operations are modified, and/or stopped as required to minimise air quality impacts on privately owned land; (b) implement all practicable measures to minimise air pollutant emissions from the development; and (c) report on the effectiveness of these measures in the <i>Annual Review</i> , to the satisfaction of the Director-General	Compliant	(a) Section 5 of the approved Air Quality and Greenhouse Gas Management Plan. TF (pers comm) confirmed process of reviewing visible dust emissions (both on site and from off-site) and modifying operations in specific areas if required. (b) Section 5 of the approved AQGGMP. (c) Reviewed AEMRs for the reporting period and confirmed reporting on air quality performance.
		SOIL AND WATER MANAGEMENT		
		<i>Note: The Applicant is required to obtain licences for the development under the Rivers and Foreshores Improvement Act 1948 and the Protection of the Environment Operations Act 1997.</i>		
		Pollution of Waters		
4	16	Except as may be expressly provided by a <i>OEH</i> licence, the Applicant shall comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> during the carrying out of the development.	Compliant	Reviewed monitoring and incident register for the audit period and confirmed compliance with POEO Act.
		³ Soil and Water Management Plan		

Section	Sub-section	Requirement	Status	Comments
4	17	<p>Prior to carrying out any development associated with the proposed refuelling facility, the Applicant shall review and update the Soil and Water Management Plan for the development, to the satisfaction of the Director-General. This plan must include:</p> <p>(a) an Erosion and Sediment Control Plan that:</p> <ul style="list-style-type: none"> is consistent with the requirements of <i>Managing Urban Stormwater: Soils and Construction</i> manual; identifies activities that could cause soil erosion and generate sediment; describes the location, function and capacity of erosion and sediment control structures; and describes measures to minimise soil erosion and the potential for the migration of sediments to downstream waters; <p>(b) details of the dirty water management system to be implemented for the development including measures to prevent contamination from diesel and oil spills;</p> <p>(c) a Surface Water Monitoring Program; and</p> <p>(d) a strategy for decommissioning the water management structures on the site.</p>	Compliant	Reviewed the approved Erosion and Sediment Control Plan, Surface and Groundwater Response Plan and Surface Water Monitoring Program. Confirmed approved documents include required content.
	17B	<p>The Applicant shall ensure any above-ground storage tanks containing materials likely to cause environmental harm are:</p> <p>(a) imperviously bunded with capacity 110% that of the largest container stored within the bund;</p> <p>(b) designed and constructed in a manner which prevents the ingress of rain water into the tanks; and</p> <p>(c) clearly labelled to identify contents.</p>	Compliant	Reviewed infrastructure layout plans and inspected storage facilities in the field. Confirmed compliance with this condition.
		TRANSPORT		
		Monitoring of Coal Transport		
4	18	<p>The Applicant shall:</p> <p>(a) keep records of the:</p> <ul style="list-style-type: none"> amount of coal loaded at the development each year; and number of coal haulage train movements generated by the development (on a daily basis); and 	Not compliant	Train movements and coal volumes recorded in Appendix 1 of 2010-11 and 2011-12 AEMRs. Train movements not reported in 2013 AEMR.

Section	Sub-section	Requirement	Status	Comments
		(b) include these records in the Annual Review .		
		⁴ Road Works		
4	19	The Applicant shall upgrade the Golden Highway/Wallaby Scrub Road intersection to the satisfaction of the RMS by the end of June 2013, or as otherwise agreed by the RMS. The intersection must be designed and constructed to a standard agreed to by the RMS, recognising both existing traffic usage and the proposed future closure of part of Wallaby Scrub Road.	Not compliant	Previous audit confirms that Wambo consulted with RMS regarding the realignment and was advised that this work was not required. Works have not been undertaken as at the time of the audit. Reviewed emails between Wambo and RMS / DP&E. (most recent being 13/01/14 email update from TF to Scott Brooks of DP&E). WCPL is waiting on final notification from RMS that the upgrades are required. Recommend that this correspondence on this issue is sought from RMS.
4	20	The Applicant shall design and construct the underpass beneath Wallaby Scrub Road to the satisfaction of Council. Detailed design plans must be approved by Council prior to carrying out any development associated with the underpass.	Noted	See comment on Schedule 4, Condition 19 above.
4	21	Before carrying out any development in the Wallaby Scrub Road or Golden Highway road reserves, the Applicant shall prepare and implement a Traffic Management Plan for the road and railway works to the satisfaction of the RMS and Council.	Noted	See comment on Schedule 4, Condition 19 above.
4	22	All road works associated with the development shall be at the full cost of the Applicant.	Noted	See comment on Schedule 4, Condition 19 above.
		⁵ Road Safety		

Section	Sub-section	Requirement	Status	Comments
4	23	The Applicant shall take all practicable measures to minimise road safety impacts from train headlight glare on motorists using the Golden Highway and Wallaby Scrub Road, including consideration of appropriate screening measures, to the satisfaction of the RMS and Council.	Not compliant	Previous audit noted design of rail loop and tree screens in rehabilitation in place to minimise glare issues. Confirmed screening in place during site inspection and that no complaints or incidents occurred as a result of rail loop lighting during the audit period. No evidence available at the time of audit to confirm satisfaction of RMS and SSC with minimisation measures.
		Access		
4	24	The Applicant shall construct suitable and safe access to the rail refuelling facility, consistent with the access route shown in Figure 3 of Appendix 4. All tankers must enter and exit the site in a forward direction.	Compliant	Safe access in accordance with approved plans confirmed during site inspection of rail loop.
	24A	The Applicant shall implement all reasonable and feasible measures to avoid dirt from the site being tracked onto the Golden Highway.	Not compliant	One complaint received regarding tracking of dust onto Golden Highway in 2012. The access area was stabilised in response. TF confirmed that polymer base proposed is being trailed use in site access to rail loop. Viewed the access area during site inspection

Section	Sub-section	Requirement	Status	Comments
				and no evidence of dust tracking.
		Parking		
4	25	The Applicant shall provide sufficient parking on-site or at the Wambo coal mine for all construction-related traffic generated by the development to the satisfaction of the D-G.	Compliant	Viewed DP&E letter dated 24/05/11 confirming adequate parking provided on site. 393 vehicle spaces on site for workforce of approximately 320 personnel.
		VISUAL		
		Visual Amenity		
4	26	The Applicant shall implement all practicable measures to mitigate the visual impacts of the development to the satisfaction of the Director-General.	Compliant	2011 audit confirmed implementation of treatments recommended by EDAW (2006). Confirmed vegetation screening remains in place during site inspection.
4	27	The Applicant shall investigate and where feasible implement the following measures at locations within the Warkworth Village: (a) implement landscaping works in consultation with affected rural residents; and/or (b) place and maintain visual screens between development infrastructure and the viewing location.	Compliant	2011 audit confirmed implementation of vegetative screening and landscape amelioration treatments as proposed in the EDAW (2006) report. Confirmed vegetation screening remains in place during site inspection.
4	28	If a landowner in the Warkworth Village requests the Applicant in writing to investigate ways to minimise the visual impact of the development on his/her dwelling or land, the Applicant shall:	Not applicable	2011 audit confirmed implementation of visual amelioration at Hawke

Section	Sub-section	Requirement	Status	Comments
		<p>(a) within 14 days of receiving this request, commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to investigate ways to minimise the visual impacts of the development on the landowner's dwelling or land; and</p> <p>(b) give the landowner a copy of the visual impact mitigation report within 14 days of receiving this report.</p> <p>If both parties agree on the measures that should be implemented to minimise the visual impact of the development, then the Applicant shall implement these measures to the satisfaction of the Director-General.</p> <p>If the Applicant and the landowner disagree on the measures that should be implemented to minimise the visual impact of the development, then either party may refer the matter to the Director-General for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 2)</p>		property "Springwood". No additional requests during audit period.
		Lighting Emissions		
4	29	The Applicant shall take all practicable measures to mitigate off-site lighting impacts from the development, including measures to minimise the impacts of train headlight glare on privately owned land and the Golden Highway, to the satisfaction of the Director-General.	Compliant	Viewed rail loop lighting during site inspection and confirmed orientation / hooding in place to minimise external impacts. Reviewed landownership map provided by TF dated January 2015 confirming that the Hawkes and Henderson properties adjacent to the rail loop have been acquired by RTCA and Glencore, respectively.
4	30	All external lighting associated with the development shall comply with <i>Australian</i>	Compliant	Viewed lighting audit dated

Section	Sub-section	Requirement	Status	Comments
		<i>Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting.</i>		02/06/11 prepared by Multiskilled Resources. Audit confirms compliance of rail loop lighting with AS requirements.
		FLORA & FAUNA		
4	31	The Applicant shall take all practicable measures to minimise vegetation clearing during the development.	Compliant	No additional disturbance during audit period. Confirmed no disturbance during site inspection.
4	32	Before carrying out the development, the Applicant shall prepare, and then subsequently implement, a Flora and Fauna Management Plan for the development to the satisfaction of the Director-General. This plan must include: (a) a Vegetation Clearance Protocol; and (b) Revegetation and Landscaping Plan for the area marked on the map in Appendix 3.	Compliant	Reviewed the approved FFMP and confirmed protocols in place.
4	33	The Vegetation Clearance Protocol shall include: (a) the delineation of areas of remnant vegetation to be cleared; (b) progressive clearing; (c) the identification of fauna management strategies; (d) the collection of seed from the local areas; (e) the salvage and reuse of material from the site; and (f) the control of weeds during clearing activities;	Compliant	Section 3.1 of the approved FFMP.
4	34	The Revegetation and Landscaping Plan shall: (a) describe the measures that would be implemented to revegetate the area marked on the map in Appendix 3, including: <ul style="list-style-type: none"> measures to control the occurrence of weeds; measures to minimise the occurrence of feral pests; selective planting of native vegetation; the provision of roosting/nesting resources for fauna; and 	Compliant	Appendix E of the approved FFMP.

Section	Sub-section	Requirement	Status	Comments
		<ul style="list-style-type: none"> describe the measures that would be implemented to: landscape the new Wallaby Scrub Road/Golden Highway intersection; and maintain this landscaping during the life of the development; (b) include a program to monitor the effectiveness of the plan during the development.		
		⁶ ABORIGINAL HERITAGE <i>Note: Under the National Parks and Wildlife Act 1974, the Applicant is required to obtain approvals for any impacts to Aboriginal objects.</i>		
		Conservation		
4	35	The Applicant shall take all practicable measures to ensure that the following sites or objects are not damaged by the development: 17, 18, 24, 25, 26, and 28. <i>Note: For more information on the sites and objects, see Figure 12 of the SEE for the Alterations to the Wambo Development Project – Rail and Train Loading Infrastructure.</i>		TF to send photos confirming no impact to sites. Viewed register and plan of Aboriginal archaeological sites at Wambo site; register includes sites 17, 18, 24, 25, 26, and 28 as extant.
		Consent to Destroy	N/A	
4	36	Deleted		
		Salvage	N/A	
4	37	Deleted		
4	38	Before the commencement of salvage operations, the Applicant shall establish a keeping place to house objects recovered from the salvage program.	Compliant	Viewed OEH (DECCW) approval of temporary keeping place dated 14/07/09. Viewed Keeping Place during site inspection component of the audit.
4	39	The Applicant shall house the objects recovered during the salvage program in the keeping place established for that purpose.	Compliant	Viewed Keeping Place during site inspection component of the audit.

Section	Sub-section	Requirement	Status	Comments
		HERITAGE		
4	40	The Applicant shall take all practicable measures to avoid non-Aboriginal heritage sites 5 and 6 during the development. However, if this is not practicable, the Applicant shall record the sites to an archival standard, in accordance with the requirements of the NSW Heritage Office, and provide these records to a suitable institution, to the satisfaction of the Director-General.	Compliant	Previous audit confirmed that site 5 (abandoned homestead) and site 6 (piggery and butchers hut) were avoided during rail construction TF (pers comm) confirmed no subsequent disturbance to these sites.
		ELECTRICITY TRANSMISSION LINE		
4	41	The Applicant shall ensure that all development in the easement under Transgrid's 330kV Transmission Line No. 81 is carried out strictly in accordance with the relevant safety guidelines for works under or near high voltage transmission lines, in consultation with Transgrid, and to the satisfaction of the Director-General.	Compliant	2011 audit confirmed rail construction occurred in consultation with Transgrid. No additional works undertaken during audit period.
		BUSHFIRE MANAGEMENT		
4	42	By 31 May 2012, the Applicant shall review and update the Bushfire Management Plan for the Wambo Mining Complex. The plan must include: (a) mitigation measures including ongoing landscape management in the asset protection zone setbacks surrounding the rail refuelling facility; and (b) details of a static water supply suitable for fire fighting by the RFS in the immediate vicinity of the rail refuelling facility.	Not compliant	No evidence available at the time of audit to confirm that Bushfire Management Plan revised following 2012 Modification. (a) Approved Bushfire management plan includes required measures. Site inspection confirmed cleared / maintained area around rail infrastructure to minimise fire risk.

Section	Sub-section	Requirement	Status	Comments
				(b) Section 3.1.3 of the approved Bushfire Management Plan. Site inspection confirmed availability of water supply for fire fighting.
		SCHEDULE 5 ADDITIONAL PROCEDURES		
		NOTIFICATION OF LANDOWNERS		
5	1	As soon as practicable following obtaining monitoring results showing an exceedance of the relevant criteria in schedule 4, the Applicant shall notify the affected landowner and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the development is complying with the relevant criteria again.	Not applicable	
		Independent Review		
5	2	<p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Director-General is satisfied that an independent review is warranted, then within 2 months of the Director-General's decision the Applicant shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to:</p> <ul style="list-style-type: none"> consult with the landowner to determine his/her concerns; conduct monitoring to determine whether the development is complying with the relevant criteria in schedule 4; and if the development is not complying with these criteria then: <ul style="list-style-type: none"> determine if more than one mine is responsible for the exceedance, and if so the relative share of each mine regarding the impact on the land; identify the measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Director-General and landowner a copy of the independent review.</p>	Not applicable	
5	3	If the independent review determines that the development is complying with the relevant	Not applicable	

Section	Sub-section	Requirement	Status	Comments
		<p>criteria in schedule 4, then the Applicant may discontinue the independent review with the approval of the Director-General.</p> <p>If the independent review determines that any relevant acquisition criteria in schedule 4 are being exceeded and that the project is primarily responsible for this non-compliance, then the Applicant shall:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the development complies with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Director-General.</p> <p>If the independent review determines that any relevant acquisition criteria in schedule 4 are being exceeded, and that the development is primarily responsible for this non-compliance, then upon receiving a written request from the landowner, the Applicant shall acquire all or part of the landowner's land in accordance with the procedures in conditions 6-7 below.</p>		
5	4	<p>If the independent review determines that any relevant criteria in schedule 4 are being exceeded, but that more than one mine is responsible for this non-compliance, then together with the relevant mine/s, the Applicant shall:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until there is compliance with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner and other relevant mines to allow exceedances of the relevant criteria, to the satisfaction of the Director-General.</p> <p>If the independent review determines that any relevant acquisition criteria in schedule 4 are being exceeded, but that more than one mine is responsible for this non-compliance, then upon receiving a written request from the landowner, the Applicant shall acquire all or part of the landowner's land on as equitable a basis as possible with the relevant mine/s, in accordance with the procedures in conditions 6-7 below.</p>	Not applicable	
		Land Acquisition		
5	5	Within 3 months of receiving a written request from a landowner with acquisition rights,	Not applicable	

Section	Sub-section	Requirement	Status	Comments
		<p>the Applicant shall make a binding written offer to the landowner based on:</p> <p>(a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:</p> <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and presence of improvements on the land and/or any approved building or structure which has been physically commenced on the land at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of any additional mitigation measures by the Applicant on the land; <p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> relocating within the Singleton or Muswellbrook local government areas, or to any other local government area determined by the Director-General; and obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and <p>(c) reasonable compensation for any disturbance caused by the land acquisition process. If 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 within 28 days after the Applicant makes its written offer, then either party may refer the matter to the Director-General for resolution.</p> <p>Upon receiving such a request, the Director-General will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> consider submissions from both parties; determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above; prepare a detailed report setting out the reasons for any determination; and provide a copy of the report to both parties. <p>Within 14 days of receiving the independent valuer's report, the Applicant shall make a</p>		

Section	Sub-section	Requirement	Status	Comments
		<p>binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the 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 will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report disputing the independent valuer's determination, and any other relevant submissions.</p> <p>Within 14 days of this determination, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the Director-General's determination.</p> <p>If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Director-General determines otherwise.</p>		
5	6	The Applicant shall pay all reasonable costs associated with the land acquisition process described in condition 6 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	Not applicable	
		SCHEDULE 6 ENVIRONMENTAL MANAGEMENT, MONITORING & REPORTING		
		CONSTRUCTION MANAGEMENT PLAN		
6	1	<p>Before carrying out any development, the Applicant shall prepare, and subsequently implement, a Construction Management Plan for the development to the satisfaction of the Director-General. This plan must:</p> <p>(a) describe the proposed construction works;</p> <p>(b) outline the program for the proposed works;</p> <p>(c) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the proposed 	Compliant	<p>Previous audit confirmed that the Construction Management Plan had been prepared and approved.</p> <p>No additional works were undertaken during the audit period.</p>

Section	Sub-section	Requirement	Status	Comments
		<ul style="list-style-type: none"> • construction works; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the proposed construction works; • respond to any non-compliance; • respond to emergencies; <p>(d) describe what measures would be implemented to minimise the dust and noise impacts of the development;</p> <p>(e) include the relevant management plans required in schedule 4 of this consent; and</p> <p>(f) describe the role, responsibility, authority, and accountability of all key personnel involved in the environmental management of the development.</p> <p><i>Note: The Applicant may prepare a Construction Management Plan for each stage of the proposed construction works. This condition does not apply in respect of minor works undertaken consequent to construction of the principle development, such as exempt and complying development, and the rail refuelling facility.</i></p>		
		ENVIRONMENTAL MONITORING PROGRAM		
6	2	Before carrying out any development, the Applicant shall prepare, and subsequently implement, an Environmental Monitoring Program for the development, in consultation with the relevant agencies, and to the satisfaction of the Director-General. This program must consolidate the various monitoring requirements in schedule 4 of this consent into a single document.	Compliant	Previous audit confirmed EMP for rail works had been completed an integrated into the existing Wambo EMP.
6	3	The Applicant shall regularly review, and if necessary update, this program to the satisfaction of the Director-General	Compliant	Approved EMP includes revisions approved by DP&E.
		ANNUAL REPORTING		
6	4	<p>Within 1 year of the date of this consent, and annually thereafter, the Applicant shall submit an Annual Review on the development to the Director-General and relevant agencies. This report must:</p> <p>(a) identify the standards and performance measures that apply to the development;</p> <p>(b) include a summary of the complaints received during the last year, and compare this to the complaints received in previous years;</p>	Compliant	Confirmed reporting of environmental monitoring and performance for rail line impacts included in AEMRs since previous audit.

Section	Sub-section	Requirement	Status	Comments
		(c) include a summary of the monitoring results on the development during the last year; (d) include an accurate record of the amount of product coal transported on the development over the last year on a weekly basis; (e) include an analysis of these monitoring results against the relevant: <ul style="list-style-type: none"> • impact assessment criteria; • monitoring results from previous years; and • predictions in the SEE; (f) identify any trends in the monitoring over the life of the development; (g) identify any non-compliance during the last year; and, if necessary, (h) describe what actions were, or are being taken, to ensure compliance.		
		REPORTING		
		Incident Reporting		
	5	The Applicant shall notify the Director-General and any other relevant agencies of any incident that has caused, or has the potential to cause, significant risk of material harm to the environment, at the earliest opportunity. For any other incident associated with the development, the Applicant shall notify the Director-General and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Compliant	Reviewed response to Hales Crossing discharge incident (see summary under EPL 529, Table 3). Incident notification reporting undertaken in accordance with this condition.
		Regular Reporting		
	6	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any condition of this consent.	Compliant	Viewed the Wambo Coal website, which provides monitoring data for environmental performance on meteorology, blasting, air quality, noise, incidents and community complaints.
		INDEPENDENT ENVIRONMENTAL AUDIT		

Section	Sub-section	Requirement	Status	Comments
	7	The Applicant shall ensure that the development is included in the Independent Environmental Audit of the Wambo Mining Complex.	Compliant	This audit.
		ACCESS TO INFORMATION		
	8	<p>From 31 May 2012, the Applicant shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> the SEE, SEE (Mod 1) and EA (Mod 2); all current statutory approvals for the development; approved strategies, plans and programs required under the conditions of this consent; a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; a complaints register, which is to be updated on a monthly basis; the annual reviews (over the last 5 years); any independent environmental audit, and the Applicant's response to the recommendations in any audit; any other matter required by the Director-General; and <p>(b) keep this information up to date, to the satisfaction of the Director-General.</p>	Compliant	Viewed Wambo website and confirmed access to required documentation.

Table 3
Other Licences & Approvals

Instrument	Status	Comments
EPL 529	Not compliant	<p>A2.1 Confirmation required that premises map attached to the EPL is consistent with contemporary approvals. Recommend that the premises map is reviewed and updated for consistency at the next review period, if required.</p> <p>A3.1 Reviewed WCPL Approval to Operate Certificate from SSC (035.1999.00000946.003) for the on-site sewage management system.</p> <p>A4 Blast fume incident (NOx from blast event M20WWA3). WCPL received penalty notice for emission of odours dated 1 August 2014. Penalty notice payment made by WCPL on 15/08/14. The BMP and blasting procedures are being reviewed in response to the event.</p> <p>P1 Reviewed approved Wambo EMS and EMP documents, prepared in consultation with EPA.</p> <p>Reviewed EPL discharge point for HRSTS from Eagles Nest Dam during site inspection.</p> <p>P1, L1 Overflow of Hales Crossing sump on 25/04/14 following significant rainfall event. This sump was in place to collect runoff from the rail loading facility and prevent flows into Wollombi Brook. Approximately 40-45,000 L of water with elevated pH and TSS overflowed in this event and the relevant agencies were notified by TF and incident report was submitted to the EPA on 9 May 2014. WCPL provided response to EPA show cause notice on 13 June 2014 and implemented remedial actions for the Hales Creek sump to prevent occurrence of a similar incident.</p> <p>Discharge from South Dam (not an approved discharge point) on 5 March 2012. Estimate 1.63 ML discharge to land due to overflow from dam. Sensor location and alarm trigger levels were revised in response to the incident.</p> <p>Seepage water entering United Colliery holding in May 2012 from Wambo Dam C11. This incident was reported to the EPA on 22 May 2012. Pump and polyline upgraded to reduced that water levels and engineering consultant commissioned to review the integrity of C11 dam wall investigated</p> <p>L2. Elevated TSS levels recorded in Hales Creek sump overflow incident in April 2014 (see above).</p> <p>Monitoring of discharge event of 30-31/02/13 recorded pH levels above criteria (9.9 recorded; above limit of 9.5). Frequency of calibration for monitoring instruments increased.</p> <p>M1 A number of non-compliances with monitoring criteria and sampling requirements were recorded in the audit period. These include:</p> <p>2010-11: Non-compliance for not meeting GW sampling frequency (dry / insufficient water in bore sampling sites). Airblast overpressure exceeded 115 dB for more than 5% of blasts over the reporting period. The Blast Monitoring Program was updated in response to include protocols on internal reporting of blasts in exceedance of 115 dB.</p> <p>2011-12: Non-compliance for not meeting GW sampling frequency (dry / insufficient water in bores, access issues). Non-compliance for not meeting SW sampling frequency (dry / insufficient water in monitoring points, access issues). Airblast overpressure result of 120.6 dB (12 July 2012). Blast was reviewed to determine remedial actions and measures to consider in</p>

Instrument	Status	Comments
		<p>future blasts.</p> <p>Blast monitoring network failed to trigger and report results for five events in November 2011.</p> <p>Non-compliance for not meeting HVAS sampling frequency at two sites (landholder access and power failures).</p> <p>2012-13: Non-compliance for not meeting dust deposition sampling frequency at one site in August and September 2013 (landholder access).</p> <p>Non-compliance for not meeting GW sampling frequency at two sites (dry / insufficient water in bores).</p> <p>Monitoring results for blast event M12WMA2 were not available at site BM02 (communication failure).</p> <p>O4 Confirmed that SSC approval is in place for onsite sewage management system (see above). TF (pers comm) confirmed greywater reuse only.</p> <p>M1 Reviewed monitoring data and confirmed information is being recorded in accordance with this condition.</p> <p>M2-4 Confirmed monitoring equipment is in place to record units / parameters are per the condition.</p> <p>M5 Viewed Wambo incident and complaint registers and confirmed recording in accordance with EPL conditions and procedures in place for follow-up.</p> <p>M9: HRSTS monitoring site failure in April 2014.</p> <p>R2 Notification of the three incidents required to be reported under this condition were provided within the required timeframe.</p> <p>8U1-U5: Recommend seeking correspondence confirming PRPs addressed to EPA's satisfaction or removing conditions from the EPL.</p>
ML1572	Not compliant	<p>Viewed Monthly Return of Royalty for October 2014 dated 18/11/14 prepared by WCPL Commercial Manager Gary Flanagan.</p> <p>Reviewed MREMP (MOP), AEMRs and Subsidence Management Plan (Extraction Plans) and confirmed that they address requirements under conditions of ML1572.</p> <p>Annual exploration reports required under condition 7 not available for review at the time of audit..</p> <p>Non-compliance with blast impact criterion provided under condition 11 (a – b). See above under EPL 529.</p> <p>19(a – b) Access track to Fenwick property runs through the ML and must be maintained under arrangements with the landholder and DP&E / DRE.</p> <p>Request for amendment to condition 21 Trees and Timber (a-c) or removal is recommended at the next renewal of the ML.</p> <p>Viewed DRE endorsement dated 13/10/14 on mining authorities and evidence that the security bond required under condition 26 is in place.</p> <p>Condition 27: Viewed plan and correspondence to TF dated 18/11/14 confirming no mining within the Wambo Tailings Dam notification area noted under the mining lease conditions.</p>

APPENDIX E
Plates from Site Inspection



Plate 1
Water cart in operation during the audit inspection



Plate 2
Bulk hydrocarbon storage at Wambo fuel point



Plate 3
Bulk storage tanks at the Wambo rail facility



Plate 4
Wambo rail loading bin



Plate 5
View of operations from Wambo lookout



Plate 6
View of operations from Wambo lookout



Plate 7

Hales Crossing sump and sedimentation catchment



Plate 8

HRSTS Discharge Monitoring Point



Plate 9
North East Tailings Dam area



Plate 10
Woodland corridors developing in RL 160 dump rehabilitation area



Plate 11

OGM stockpiled for use in 2014/14 rehabilitation



Plate 12

Homestead Backfill Project Area



Plate 13
North Wambo Creek Diversion Channel



Plate 14
Rock structures within the North Wambo Creek Diversion Channel



Plate 15

Example of noise attenuation implemented for excavator



Plate 16

Example of maintenance works in place at the Wambo Homestead