WONGAWILLI COLLIERY – MP 09_0161

INDEPENDENT AUDIT REPORT

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Revision	Date	Prepared By	Reviewed By	Description
V0	21/11/2019	DL	SF	For issue
V1	-	DL	WCL	Factual correctness review & provision of additional information documentation
V2	31/01/2020	RC	DL	Final

Author name	Derek Low	**Reviewer / approver name**	Steve Fermio
Author signature		**Reviewer / approver signature**	
Date	31/01/2020	**Date**	31/01/2020

Executive Summary

Wollongong Coal Limited (WCL), by its subsidiary Wongawilli Coal Pty Ltd (WWC), is the operator of the Wongawilli Colliery located in the Illawarra region of NSW. In 2009, WCL sought approval for an expansion of the Wongawilli Colliery, the "NRE Wongawilli Colliery – Nebo Project Area" (MP09_0161) (the Project), approval for which was granted on 2 November 2011 and which has been modified on one occasion since.

The objective of this Independent Environmental Audit (IEA) is to satisfy MP09_0161 (the Approval) Schedule 6, Condition 8. It requires that an IEA of the Project be carried out within 12 months of the approval, and every three years thereafter. This IEA seeks to verify compliance with the relevant Conditions of Approval (CoAs), Environment Protection Licences (EPLs), and Mining Leases; and assess the effectiveness of environmental management on the Project.

This Audit Report presents the findings from the third IEA for the Project, and covers the period from 1 July 2016 to 30 June 2019.

On 27 November 2015, a modification (MOD1) to MP09_0161 was approved, which allowed mining activities to be undertaken until 31 December 2020. In March 2017 WCL submitted a letter to the Department seeking approval to vary the Extraction Plan approved under condition 7 of schedule 3 of the project approval for the Nebo Area Project (09_0161). The amended plans were submitted to the Department on 27 April 2017, and on 5 September 2017 approval for the variation to mining was granted. Mining operations recommenced in a reduced capacity in October 2017. In March 2019, Wongawilli Colliery was placed into care and maintenance.

We have made numerous findings and recommendations against specific conditions of approvals and licences which are summarized in Section 3.

The overall outcome of the IEA indicated that compliance records were not well organised and available at the time of the site inspection and interview with WCL personnel. That being said, WCL personnel involved with the audit provided open communication and were cooperative throughout.

There were 66 CoAs and 74 EPL conditions assessed. The findings were as follows:

- There were 53 conditions that were identified as being complied with.
- 26 non-compliances were identified
- 3 administrative non-compliances were identified
- 11 conditions were not able to be verified
- 47 conditions were identified as not being triggered.
- 10 actions identified from the previous audit had been closed. 15 actions remain open.

We have also made 3 recommendations of a more strategic nature, which are outlined below:

Subsidence impacts

One of the key environmental issues for WCL is protecting the Metropolitan Special Area drinking water catchment and public infrastructure from the effects of mine subsidence. To this end comprehensive subsidence performance measures are included in the Approval.

We found that while subsidence performance monitoring has been undertaken, the results are distributed throughout several reports and data sets, and not synthesized in a way that provides a definitive, time bound and verifiable statement of compliance against each of the performance measures (or why certain measures may not be relevant at this point in time). Consequently, we were not able to verify that the Wongawilli Colliery has complied with all of the subsidence performance measures in the CoA, not because there is evidence that mining has caused subsidence, but because of the absence of clear verifiable evidence, analysis and conclusive statements against each of the measures by relevant experts (ecological, geotechnical, hydrological, heritage etc.).

Accordingly, we recommend that WCL prepares an Annual Subsidence Impact Performance Report that provides a statement of compliance against all of the Subsidence Performance Measures in Tables 1 and 2 of the Approval and references to supporting evidence, analysis and conclusions by relevant experts.

Compliance management

WCL is operating under a large number of licences and approvals which require a significant resource effort on the part of the company to ensure compliance. In carrying out the audit we found that compliance records were not uniformly well organized, available or in a form that readily enables verification of compliance with conditions. This is a particular challenge for audits held every 3 years, as evidence needs to be collected, retained and organized in way that enables it to be easily accessed and retrieved at 3 yearly (or other compliance auditing and reporting intervals). We consider the absence of such a system has generated non-compliances due to the unavailability of evidence in support of compliance, rather than any direct evidence of non-compliance.

Accordingly, we recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to implementing this system.

Environmental Monitoring

A significant amount of high-quality air, water and noise monitoring is being undertaken by the Project and much of this data is collated and published on WCL's website in quarterly and annual reports. However, in some cases, it is not clear from the published reports or data sets what the relevant regulatory criteria or limits are (e.g. EPL water quality limits etc.). This makes it difficult for a member of the community accessing this information to understand whether WCL has met the relevant discharge requirements or not (or whether any such criteria apply in the first place).

Accordingly, we recommend that the published reports clearly indicate what the relevant limit criteria are, or clearly state where these do not apply.

The overall outcome of the IEA indicated that an increased priority on compliance is required by WCL to ensure its operations can continue into the future and to prevent any potential harm on the community and environment. The Auditor would like to thank the auditees for their cooperation and assistance during the Independent Audit.

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1. Introduction

1.1 The Project

Wollongong Coal Ltd (WCL), through its subsidiary Wongawilli Coal Pty Ltd (WWC), is the operator of the Wongawilli Colliery, in the Illawarra region of NSW. This mine is located approximately 14 km south-west of Wollongong, and is in the Wollongong and Wingecarribee local government areas.

The Project location is presented in Figure 1.

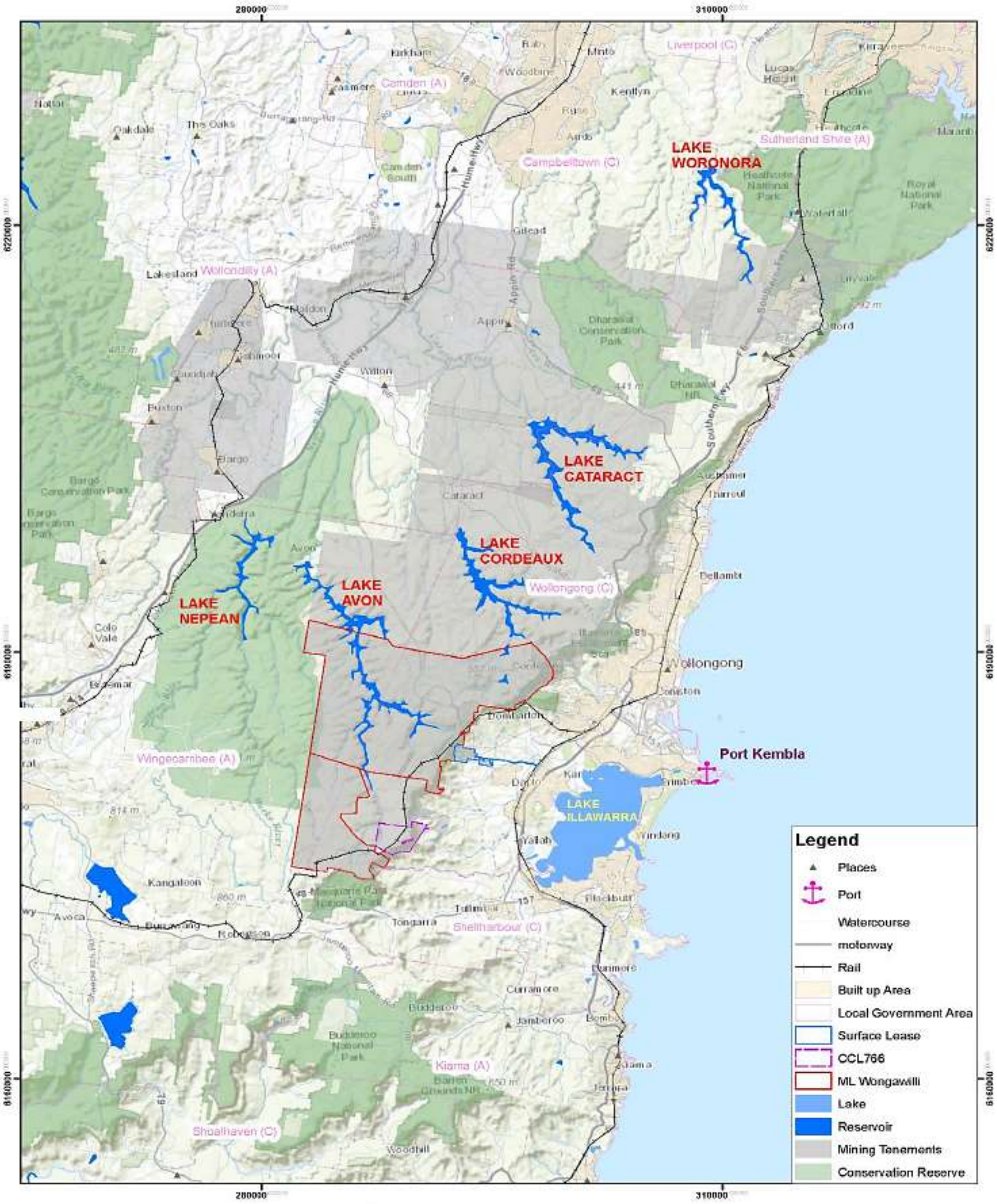

Figure 1: Wongawilli Colliery location (from WCL, Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report 1 July 2017 – 30 June 2018).

In 2009 WCL sought approval for an expansion of the Wongawilli Colliery, the "NRE Wongawilli Colliery – Nebo Project Area" (MP09_0161) (the Project), approval for which was granted on 2 November 2011 and provided for:

- Continued use of the surface infrastructure at the Wongawilli pit top as operated at the time of approval
- Coal production at up to 2 million tonnes per annum (mtpa)
- Longwall mining in the Nebo area in the north east corner of the lease area
- Continued development and construction of the Western Drive
- Continued transportation of run-of-mine (ROM) coal from the Colliery to Port Kembla Coal Terminal (PKCT) by rail and
- Rehabilitation of the site.

On 27 November 2015, a modification (MOD1) to MP09_0161 was approved, which allowed mining activities to be undertaken until 31 December 2020.

Other approvals/licences related to the Project include:

- two Environmental Protection Licences (EPLs) held by WCL under the *Protection of the Environment Operations Act 1997* (NSW): EPL 1087 – Wongawilli Colliery and EPL 12442 – Avondale Site;
- three mining leases: Consolidated Coal Lease (CCL) 766; Mining Lease (ML) 1565 and ML 1596.

In March 2017 WCL submitted a letter to the Department seeking approval to vary the Extraction Plan approved under condition 7 of schedule 3 of the project approval for the Nebo Area Project (09_0161). The amended plans were submitted to the Department on 27 April 2017, and on 5 September 2017 approval for the variation to mining was granted. Mining operations recommenced in a reduced capacity in October 2017.

In March 2019, Wongawilli Colliery was placed into care and maintenance.

1.2 Approval requirements

Condition 8 of Schedule 6 of MP09_0161 requires the Proponent (WCL), by the end of June 2013, and every three years thereafter, to commission and pay the full cost of an Independent Environmental Audit (IEA) of the Project. This IEA must:

(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General
(b) include consultation with the relevant agencies
(c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and

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

Condition 9 of Schedule 6 requires WCL to submit this IEA Report to the Director-General within 6 weeks of the date of the IEA, together with WCL's response to any recommendations contained in the IEA Report.

1.3 The audit team

In accordance with Condition 8(a) of Schedule 5, the IEA must be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General.

The Audit Team comprises:

- Steve Fermio (Lead Auditor): Bachelor of Science (Hons), Exemplar Global Certified Principal Environmental Auditor (Certificate No 110498)
- Derek Low (Audit Support): Masters of Environmental Engineering Management, Exemplar Global Certified Principal Environmental Auditor (Certificate No 114283)

Approval of the Audit Team was provided by the Director-General of the Department on 28 August 2019. The letter is presented in Appendix D.

1.4 The objectives of the audit

The objective of this IEA is to satisfy Condition 8 of Schedule 6 of MP 09_0161, which, as noted above, states:

> *8. By the end of June 2013 (or other such timing as agreed by the Secretary), and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:*
> *(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary*
> *(b) include consultation with the relevant agencies*
> *(c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)*
> *(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals*
> *(e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.*
> *Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Secretary.*

2. Audit scope and methodology

2.1 The audit scope

This IEA relates to the Wongawilli Colliery works for the period from July 2016 to June 2019.

The scope of the IEA comprises:

- an assessment of the environmental performance of the project
- an assessment of compliance with the requirements of the approval (09_0161), EPL 1087 and EPL 12442
- an assessment of compliance with matters raised by agencies during consultation
- a review of the adequacy of plans and programs required under the approval
- the making of recommendations in response to non-compliances and identifying opportunities for improved environmental management and performance.

In accordance with the Departments letter endorsing the auditors the Audit:

- includes a compliance table indicating the compliance status of each condition of approval and any relevant EPL
- does not use the term “partial compliance”
- includes recommended actions in response to non-compliances
- included review the adequacy of plans and programs required under this approval; and
- identifies opportunities for improved environmental management and performance.

2.2 Audit process

The IEA was conducted in a manner consistent with *AS/NZS ISO 19011.2014 – Guidelines for Auditing Management Systems*. An overview of the audit activities, as specified in the standard, is presented in Figure 2.

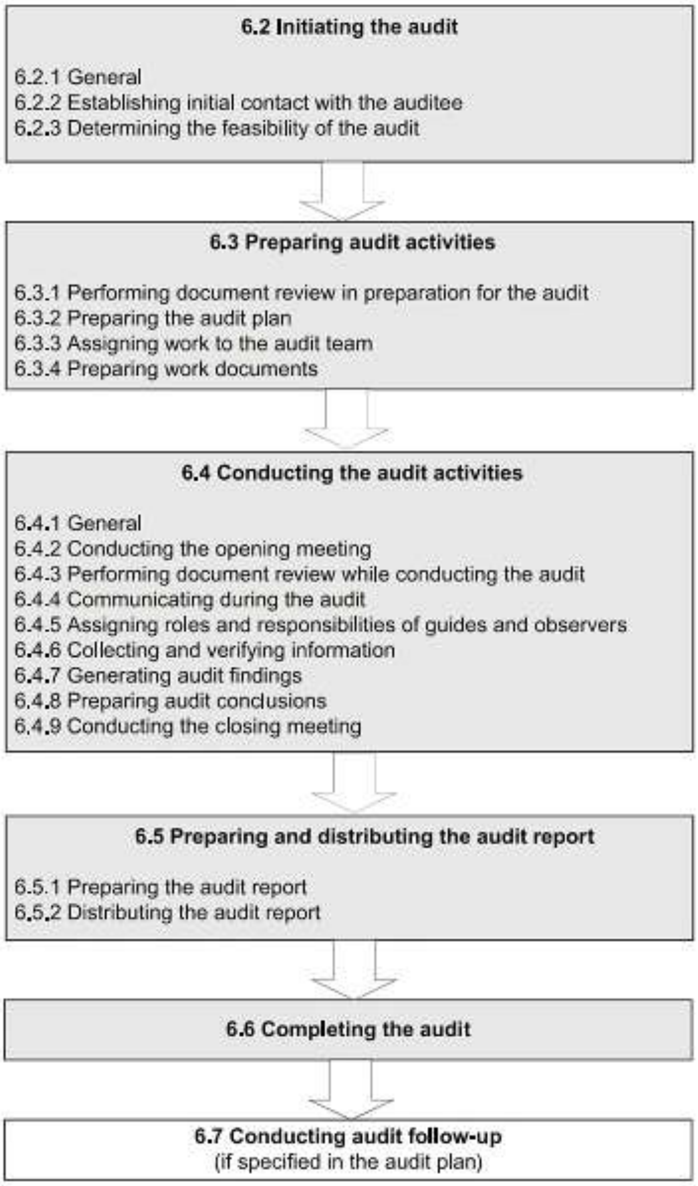

Figure 2: Audit activities overview (AS/NZS ISO 19011:2014). Subclause numbering refers to the relevant subclauses in the Standard.

2.2.1 Audit initiation and scope development

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team
- Confirm the audit purpose, scope and criteria.

On 23 August 2019 WolfPeak consulted with:

- the Department
- the NSW Environment Protection Authority (EPA)
- the NSW Resources Regulator
- the Office of Environment and Heritage
- the Department's Water division
- Wollongong City Council
- the Natural Resources Access Regulator; and
- the Wongawilli Colliery Community Consultative Committee (CCC).

A summary of the key issues raised and an assessment of how WCL have addressed those issues is presented in Section 3.3.

2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the IEA.

The primary documents reviewed prior to the site visit are as follows:

- *Wongawilli Colliery Environmental Management Strategy*, Rev 3.1, WCL, 13/09/2016
- *Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan*, Rev 5.1, WCL, 25/07/2016
- *Wongawilli Colliery Bushfire Management Plan*, Rev 1.1, SBD Services, August 2016
- *Wongawilli Colliery Surface Water Management Plan*, Rev 4.1, WCL, 07/08/2016
- *Wongawilli Colliery Heritage Management Plan*, Rev 4.1 WCL, 12/08/2016
- *Wongawilli Colliery Noise Management Plan,* Rev 3.1, WCL, 25/07/2016
- *Wongawilli Mine Integrated Wastewater Management Plan,* Rev P3, Cardno (NSW/ACT) Pty Ltd, October 2012
- *NRE Wongawilli Colliery Nebo Longwalls N1N6 Subsidence Monitoring Plan,* Rev 3, Natural Resources Environment (NRE), 14/02/2014
- *Environment, Subsidence and Safety Management Plan (ESSMP) NRE Wongawilli Colliery LW's 11, 12, 15, 16, 19 & PE1Wongawilli Colliery,* Natural Resources Environment (NRE), July 2009
- *NRE Wongawilli Colliery Nebo Longwalls N1-N6 Extraction Plan*, Rev 1, Niche Environment and Heritage, November 2012
- *Wongawilli Colliery Mining Operations Plan,* Rev 2, WCL, 27/07/2017
- *Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Reports* (2016-17, 2017-18, 2018-19)
- *Wollongong Coal Limited Independent Environmental Audit of Wongawilli Colliery Final September 2016,* Umwelt (Australia) Pty Limited
- *Response to Wongawilli Colliery Independent Environmental Audit Recommendations,* WCL, undated
- Other documents as listed in Appendix A – C.

Audit checklists were reviewed and prepared. These comprised:

- CoAs for MP09_0161
- Conditions for EPL 1087 and 12242
- Matters raised by agencies during consultation.

2.2.3 Site personnel involvement

The on-site audit activities took place on 29 August 2019 and 12 September 2019. The following personnel took part in the audit:

- Eladio Perez – Acting Group Environment and Approvals Manager (WCL)
- Robert Faddy-Vrouwe – Environmental Coordinator (WCL)
- John Ross – Environment and Approvals Manager Wongawilli Colliery (WCL)
- Ron Bush – Group Environment and Approvals Manager (WCL)
- Steve Fermio – Lead Auditor (WolfPeak)
- Derek Low – Auditor (WolfPeak).

The senior WCL environment position (Group Environment and Approvals Manager) has been filled by several personnel during the audit period; including:

- David Clarkson - July 2016 to May 2017
- Kamlesh Prajapati (Acting) – June 2017 to August 2017
- Kerry Mudge – September 2017 to February 2018; and
- Eladio Perez (Acting & Consultant) – March 2018 to June 2019.

The Group Environment and Approvals Manager is currently held by Ron Bush, who commenced employment with WCL in August 2019.

Meetings

Opening and closing meetings were held with the Auditors and WCL personnel.

During the opening meeting the objectives and scope of the IEA, the resources required and methodology to be applied were discussed. At the closing meeting, preliminary audit findings were presented, recommendations (if appropriate) made, and any post-audit actions were confirmed.

Interviews

The Auditor conducted interviews with key WCL personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the works.

2.2.4 Site inspection

The site inspection took place on 12 September 2019. This included an inspection of all accessible parts of the colliery. Photos are presented in Appendix F.

2.2.5 Document review

The IEA included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included with Appendices A and B.

2.2.6 Generating audit findings

IEA findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports
- interviews of relevant WCL site personnel
- photographs
- figures and plans; and
- site inspections of relevant locations, activities and processes.

Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table, using the following descriptors:

- **Compliant** – The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit;
- **Not Verified** – The auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirements of the regulatory approval have been complied with within the scope of the audit;
- **Non-compliant** – The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit;
- **Administrative non-compliance** – A technical non-compliance with regulatory approval that would not impact on performance and that is considered minor in nature; and
- **Not triggered** – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes were also made to provide context, identify opportunities for improvement or highlight positive initiatives.

Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoAs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate; and
- have been implemented in accordance with the CoAs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents were determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and
- whether there are any opportunities for improvement.

2.2.7 Completing the audit

The IEA Report was distributed to WCL to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

3. Audit findings and actions

This Section presents the findings of the IEA and actions proposed or undertaken in response to the findings, along with those proposed or undertaken to address open findings from previous audits (if any). The Audit Checklists provided in Appendices A and B present details of all the evidence collected, observed and provided in support of a finding.

3.1 Compliance

3.1.1 Summary

There were 66 CoAs and 74 EPL conditions assessed. The findings were as follows:

- There were 53 conditions that were identified as being complied with.
- 26 non-compliances were identified
- 3 administrative non-compliances were identified
- 11 conditions were not able to be verified
- 47 conditions were identified as not being triggered.

3.1.2 Key issues

Subsidence impacts

One of the key environmental issues for WCL is protecting the Metropolitan Special Area drinking water catchment and public infrastructure from the deleterious effects of mine subsidence. To this end comprehensive subsidence performance measures are included in the Approval.

We found that while subsidence performance monitoring has been undertaken, the results are distributed throughout several reports and data sets, and not synthesized in a way that provides a definitive, time bound and verifiable statement of compliance against each of the performance measures (or why certain measures may not be relevant at this point in time). Consequently, we were not able to verify that the Wongawilli Colliery has complied with all of the subsidence performance measures in the CoA, not because there is evidence that mining has caused subsidence, but because of the absence of clear verifiable evidence, analysis and conclusive statements against each of the measures by relevant experts (ecological, geotechnical, hydrological, heritage etc.).

Accordingly, we recommend that WCL prepares an Annual Subsidence Impact Performance Report that provides a statement of compliance against all of the Subsidence Performance Measures in Tables 1 and 2 of the Approval and references to supporting evidence, analysis and conclusions by relevant experts.

Compliance management

WCL is operating under a large number of licences and approvals which require a significant resource effort on the part of the company to ensure compliance. In carrying out the audit we found that compliance records were not uniformly well organized, available or in a form that readily enables verification of compliance with conditions. This is a particular challenge for audits held every 3 years, as evidence needs to be collected, retained and organized in way that enables it to be easily accessed and retrieved at 3 yearly (or other compliance auditing and reporting intervals). We consider the absence of such a system has generated non-compliances due to the unavailability of evidence in support of compliance, rather than any direct evidence of non-compliance.

Accordingly, we recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to implementing this system.

Environmental Monitoring

A significant amount of high-quality air, water and noise monitoring is being undertaken by the Project and much of this data is collated and published on WCL's website in quarterly and annual reports. However, in some cases, it is not clear from the published reports or data sets what the relevant regulatory criteria or limits are (e.g. EPL water quality limits etc.). This makes it difficult for a member of the community accessing this information to understand whether WCL has met the relevant discharge requirements or not (or whether any such criteria apply in the first place).

Accordingly, we recommend that the published reports clearly indicate what the relevant limit criteria are, or clearly state where these do not apply.

3.1.3 Details

Table 1 presents the details of each non-compliance and observation, along with the proposed actions to rectify the identified issues.

Table 1: detailed findings and actions

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
WONGAWILLI COLLIERY PRELIMINARY WORKS PROJECT 09_0161 CONDITIONS OF APPROVAL (CONSOLIDATED MOD 1)				
SCHEDULE 2				
ADMINISTRATIVE CONDITIONS				
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
1	In addition to meeting the specific performance measures and criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	**Non-compliance**: For the 2017-18 period, the site reported: "*All reasonable and feasible measures to prevent or minimise harm to the environment were not implemented with the operation being subject to a penalty notice issued in October 2017 and PRP issued to site*". In addition, rubbish and loose material had accumulated behind the perimeter bund, and issues were identified with surface water management in the Timber Yard and was yet to be addressed at the time of writing the 2017-18 AEMR. An official caution and PRP were issued in the 2016-17 reporting period. It was observed at the site inspection that large volumes of unconsolidated waste coal and sediment was present across the site in stockpiles, basins (reducing capacity from their intended design capacity), flow paths and depressions and had not been appropriately managed (note that these were not in areas used by vehicles or mobile plant). Weeds were also evident across the site. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
TERMS OF APPROVAL				
2	The Proponent shall carry out the project: (a) generally in accordance with the EA; (b) in accordance with the general layout of the project and the Statement of Commitments; and (c) in accordance with the conditions of this approval. *Notes:* *• The general layout of the project is shown in Appendix 2.* *• The statement of commitments is reproduced in Appendix 3.* *• The Department notes that approval of the Western Driveage component of the project does not indicate or imply any approval of future mining in the Western Area (as defined in the EA), which will be subject to a separate planning process and full merit assessment.*	**Non-compliance:** The high number of non-compliances identified during the audit period indicates non-compliance with the conditions of approval. This condition was self-reported as NC in both the 2016-17 and 2017-18 AEMRs. **It is recommended that regulatory actions be included within the Compliance Management System (see recommendation above) for tracking and expeditious close out**	Non-compliant	The non-compliance was documented in the AEMR
4	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this approval; (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this approval; and (c) the implementation of any actions or measures contained in these documents.	The 08/03/19 DPIE Resource Regulator Letter, Notice Under Section 240(1)(C) Mining Act 1992 required WCL to undertake a risk assessment and report on the findings by certain dates. These were subject to an extension. The tasks were delivered by the revised dates. The 01/04/19 DPIE letter of approval of 2017-18 AEMR included a directive to update the AEMR prior to publishing the document on the website, to capture a non-compliance. The AEMR on line includes the information required to be captured. **Non-compliance:** The approval letters include a reminder that WCL ensure all its operations comply with the conditions of approval. Based on the number of non-compliances identified in this audit, WCL does not appear to comply with this directive. **Non-compliance:** The 31/07/17 DPIE Resource Regulator letter of approval of current MOP notes the commitment to provide DPIE with a plan that will outline the process to determine what mine entries would be suitable for sealing and rehabilitation by 31/07/18. There is no evidence to demonstrate that this has occurred. **The recommendations made above are relevant to this non-compliance.**	Non-compliant	The non-compliance was documented in the AEMR. WCL is working on a strategy to seal off portals at Wongawilli.
LIMITS ON APPROVAL				
Hours of operation				
7	The Proponent shall restrict loading and unloading to/from the coal stockpile as follows: (a) normal operations: • 7am to 6pm Monday to Friday;	**Non-compliance**: reports show that loading occurred outside of approved normal operating hours on 16/9/17, 22/9/17, 23/9/17, 03/11/16, 07/02/17, 23/3/17, 24/3/17, 28/3/17, 10/5/17, 12/3/18, 13/3/18, 14/3/18, 11/5/18, 15/5/18, 19/6/18, 21/6/18, 12/7/18, 27/11/18, 03/12/18. It is unclear whether these were under long wall change outs which allows extended hours.	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit

![wolfpeak logo]

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
	• 8am to 4pm Saturdays; and • at no time on Sundays and public holidays; (b) during longwall change-outs: • 7am to 10pm Monday to Saturday; and • at no time on Sundays and public holidays. At least 7 days prior to undertaking longwall change-outs involving extended hours of operation as allowed in (b) above, the Proponent shall provide written notification of the works to the Department, EPA, Council, the CCC and adjacent and affected residents, to the satisfaction of the Secretary. Note: Underground mining operations, coal transport and other surface facilities operation may be undertaken at any time.	**Observation**: There are gaps in reporting (no reports for July 14 – July 16, August 17 – November 17). WWC advise that these gaps are periods where no coal transport was occurring. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**		report to DPIE, together with its response to any recommendations contained in the audit report.
OPERATION OF PLANT AND EQUIPMENT				
12	The Proponent shall ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	All persons coming to work for environmental work on site receive an induction, relevant to the tasks being carried out. Various plant and equipment receives maintenance through a work order system. Active plant and equipment appears to be maintained and operated properly. **Non-compliance:** during the site inspections undertaken as part of the risk assessment in early 2019 a number of issues associated with encroachment of asset protection zones were observed, noting potential risks to fire. In short, asset protection zones had not been maintained as per the Industry Safety Steering Committee's (ISSC) "Guide for the Management of Vegetation in the Vicinity of Electricity Supply Infrastructure" (2016). **The recommendations from the Independent *Environmental Risk Assessment Wollongong Coal Limited Russell Vale & Wongawilli Collieries*, WolfPeak, May 2019 address these issues.**	Non-compliant	WCL advise that APZ work was undertaken in the catchment around Wong 4 shaft during 2019. Work was also undertaken on parts of the powerline catchment network in 2019. 6kva APZ work is currently underway at Wongawilli.
SCHEDULE 3				
SPECIFIC ENVIRONMENTAL CONDITIONS				
SUBSIDENCE				
Performance Measures				
1	The Proponent shall ensure that the project does not cause any exceedance of the performance measures in Table 1 to the satisfaction of the Secretary.  Table 1: Subsidence Impact Performance Measures **Water Resources** Catchment yield to the Upper Cordeaux Reservoirs (No. 1 and No. 2) and Avon Reservoir — Negligible reduction to the quality or quantity of water resources reaching the reservoirs; No connective cracking between the surface and the mine Upper Cordeaux Reservoirs (No. 1 and No. 2) and Avon Reservoir — Negligible leakage from the reservoirs; Negligible reduction in the water quality of reservoirs **Watercourses** Wattle Creek, Little Wattle Tree Creek, Cordeaux River, Gallaghers Creek — Negligible environmental consequences, including: • negligible diversion of flows or changes in the natural drainage behaviour of pools; • negligible gas releases and iron staining; and • negligible increase in water cloudiness Other watercourses — No greater subsidence impact or environmental consequences than predicted in the EA Upland Swamps (No 22 and No 35) — Negligible environmental consequences including: • negligible change in the size of swamps; • negligible change in the functioning of swamps; • negligible change to the composition or distribution of species within swamps; and • negligible drainage of water from swamps, or redistribution of water within swamps **Land** Illawarra Escarpment State Conservation Area, Metropolitan Special Area — Negligible environmental consequences Cliffs — Negligible environmental consequences (that is occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 0.5% of the total face area of such cliffs within the longwall mining area) **Biodiversity** Threatened species, threatened populations, or endangered ecological communities — Negligible environmental consequences **Heritage Features** Aboriginal heritage sites — Negligible impact or environmental consequence Non-Aboriginal heritage sites (including 'Historic 1', 'Historic 2' and 'Historic 3') — Negligible loss of heritage value Notes to Table 1: [illegible]	**Observation:** SCT EOP Report WCW04693 states that movements were not measured in areas of likely maximum subsidence but given geology and other subsidence behaviour means that impacts are consistent with those predicted in the EIS and allowed for in the approval. It continues that there is not expected to be any significant impacts on manmade assets or heritage items. It does not state that the impacts are negligible. **Observation:** The Biosis EOP Ecology Report states that observed impacts are within predictions and significant impacts to ecological values have not resulted from the extraction of Longwall N4. No management actions under the TARP have been triggered. No cumulative impacts have resulted from the extraction of both longwalls in the Nebo area. It does not state that the impacts are negligible. The Geoterra EOP Water Report states that overall, subsidence observed in the vicinity of N4 is considered to be less than or consistent with the predictions made in the EP/SMP and Part 3A Application (SCT Operations, 2017). It also states that, based on the low levels of ground movement observed as a result of Longwall N2 and Panel N4 extraction, there have been no adverse or unexpected impacts on the groundwater or surface water systems at Nebo. Monitoring of NM3 (300) line above Longwall N2 (SCT 2014) confirmed the bridging capacity of the crinanite, which has limited the maximum subsidence and associated parameters to levels that are imperceptible for all practical purposes (SCT Operations, 2017). **Observation:** Subsidence data for 2018 (file D2000 – 2018) indicates that subsidence pegs and markers are being destroyed over time. Many of the markers are on the fire trail which gets regraded from time to time (resulting in marker being destroyed and / or level changed). The number of data collection points are falling significantly from previous periods and, therefore reduce the ability to gather subsidence data. **We recommend that WCL prepares an Annual Subsidence Impact Performance Report or Statement that provides a statement of compliance against all of the Subsidence Performance Measures in Tables 1 and 2 of the Approval, and includes references to the supporting evidence, analysis and statements by the relevant technical experts in support of compliance (or otherwise) with all of the measures.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Not verified	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
2	The Proponent must assess and manage project-related risks to ensure that there are no exceedances of the performance measures in Table 1. Any exceedance of these performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation, notwithstanding actions taken pursuant to	Refer response to condition 1 above	Not verified	As above.

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
	paragraphs (a)-(c) or condition 3 below. Where any exceedance of these performance measures has occurred, the Proponent must, at the earliest opportunity: (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.			
Offsets				
3	If the Proponent exceeds the performance measures in Table 1 and the Secretary determines that: (a) it is not reasonable or feasible to remediate the impact or environmental consequence; or (b) remediation measures implemented by the Proponent have failed to satisfactorily remediate the impact or environmental consequence; then the Proponent shall provide a suitable offset to compensate for the impact or environmental consequence, to the satisfaction of the Secretary. *Note: Any offset required under this condition must be proportionate with the significance of the impact or environmental consequence*	Refer response to condition 1 above	Not verified	As above. .
Extraction Plan				
7	The Proponent shall prepare and implement an Extraction Plan for any second workings on site, to the satisfaction of the Secretary. The plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; (b) be approved by the Secretary before the Proponent carries out any of the second workings covered by the plan; (c) include detailed plans of existing and proposed first and second workings and any associated surface development; (d) provide revised predictions of the conventional and non-conventional subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this approval; (e) include detailed performance indicators for each of the performance measures in Tables 1 and 2; (f) describe the measures that would be implemented to: • ensure compliance with the performance measures in Tables 1 and 2; and • manage or remediate subsidence impacts and/or environmental consequences; (g) include a contingency plan that expressly provides for adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Tables 1 and 2, or where any such exceedance appears likely; (h) include the following to the satisfaction of DRE: • a subsidence monitoring program to: o provide data to assist with the management of the risks associated with subsidence; o validate the subsidence predictions; o monitor the integrity of the overlying strata, particularly the Cordeaux Crinanite; and o analyse the relationship between the predicted and resulting subsidence effects and predicted and resulting impacts under the plan and any ensuing environmental consequences; and o inform the contingency plan and adaptive management process; • a coal resource recovery plan that demonstrates effective recovery of the available resource; • a Built Features Management Plan, which has been prepared in consultation with the owners of such features,	DPIE approved the Extraction Plan on 05/09/17. **Observation:** The current NEBO Extraction Plan, dated 27/03/19 was requested during the audit but not provided. The 2015 Extraction Plan was also requested but not provided. Therefore compliance with the extraction plan relevant to the audit period was unable to be verified. The monitoring schedule identifies monitoring required under the Extraction Plan, frequency and timing required, location, type of monitoring. It also captures the completion schedule (i.e.: confirmation of completion of monitoring or details of any delays in monitoring). Tasks get progressively crossed off as completion occurs. The document is up to date as at Sep 19. Detailed survey drawings showing the areas mined since 2016 and their location in relation to the approved mining lease boundaries was provided. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Not verified	As above.

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Proposed or completed action by the auditee</th></tr>
<tr><td></td><td>to manage the potential impacts and consequences of subsidence on any built features;
• a Public Safety Management Plan to ensure public safety in the mining area; and
• appropriate revisions to the Rehabilitation Management Plan required under condition 26 of schedule 4; and
(i) include a:
• Water Management Plan, which has been prepared in consultation with EPA, Water NSW and DPI Water, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on watercourses and aquifers, including:
o surface and groundwater impact assessment criteria based on at least 2 years of baseline data, including trigger levels for investigating any potentially adverse impacts on water resources or water quality;
o a program to monitor and report groundwater inflows to underground workings; and o a program to predict, manage and monitor impacts on any groundwater bores on privately-owned land;
• Biodiversity Management Plan, which has been prepared in consultation with OEH and DRE, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats; endangered ecological communities, and water dependent ecosystems;
• 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, with a specific focus on cliffs and steep slopes; and
• Heritage Management Plan, to manage the potential environmental consequences of the proposed second workings on both Aboriginal and non-Aboriginal heritage sites or values; and
(j) include a program to collect sufficient baseline data for future Extraction Plans.

Note: An SMP that is substantially consistent with this condition and which is approved by DRE prior to 31 December 2011 is taken to satisfy the requirements of this condition.</td><td></td><td></td><td></td></tr>
<tr><td colspan="5">SCHEDULE 4</td></tr>
<tr><td colspan="5">SPECIFIC ENVIRONMENTAL CONDITIONS – GENERAL</td></tr>
<tr><td colspan="5">NOISE</td></tr>
<tr><td colspan="5">Noise Criteria</td></tr>
<tr><td>1</td><td>The Proponent shall ensure that the noise generated by the project (including train loading and shunting within the yard but excluding train movements on the Wongawilli rail spur) does not exceed the criteria in Table 3 and Table 4 at any residence on privately-owned land or on more than 25 percent of any privately owned land.

Table 3: Noise Criteria dB(A) – Intrusive Noise Limits – Existing Residences
<table>
<tr><th>Receiver Area</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr>
<tr><td></td><td>[illegible]</td><td>[illegible]</td><td>[illegible]</td><td>[illegible]</td></tr>
<tr><td>RA1</td><td>43</td><td>43</td><td>43</td><td>59</td></tr>
<tr><td>RA2</td><td>44</td><td>43</td><td>43</td><td>60</td></tr>
<tr><td>RA3</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
<tr><td>All other existing residential receivers</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
</table>
Table 4: Noise Criteria dB(A) – Amenity Noise Limits – All Residences
<table>
<tr><th>Receiver Area</th><th>Day</th><th>Evening</th><th>Night</th></tr>
<tr><td></td><td>[illegible]</td><td>[illegible]</td><td>[illegible]</td></tr>
<tr><td>All privately-owned land</td><td>50</td><td>50</td><td>45</td></tr>
</table>
Notes to Tables 3 and 4:
• To interpret the locations referred to Tables 3 and 3, see Appendix 4.
• 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.

However, these noise criteria do not apply if the Proponent has an agreement with the relevant owner/s of the residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</td><td>All noise monitoring data provided for review returned compliant results for the audit period.

WWC are conducting additional (in-house WCL staff) monitoring at new residential locations (named WW1, WW2, WW3) monthly, consisting of care and maintenance data.

Observation: There has been no noise monitoring data published on the website since July 2018. Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website.

We recommend the website be periodically reviewed with current documents uploaded on a regular basis.</td><td>Compliant

(Observation)</td><td>WCL advise that the website has been updated.</td></tr>
</table>

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
Noise Goals				
2	The Proponent shall make continual endeavours to reduce the noise generated by the project, with the objective being that noise generated by the project (including train loading and shunting within the yard but excluding train movements on the Wongawilli rail spur) does not exceed the criteria in Table 5 at any existing residence on privately-owned land or on more than 25 percent of any privately-owned land. Receiver Area / Day / Evening / Night RA1 / [illegible] RA2 / [illegible] RA3 / [illegible] All other existing residential receivers / [illegible] [illegible]	All noise monitoring data provided for review returned compliant results for the audit period. WWC are conducting additional (in-house WCL staff) monitoring at new residential locations (named WW1, WW2, WW3) monthly, consisting of care and maintenance data. **Observation:** There has been no noise monitoring data published on the website since July 2018. Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website. **We recommend the website be periodically reviewed with current documents uploaded on a regular basis.**	Compliant (Observation)	WCL advise that the website has been updated.
Rail Noise				
3	The Proponent shall ensure that the noise generated by railway activities on the Wongawilli rail spur outside of the yard limits (excluding any train shunting or when loading is taking place) does not exceed the criteria in Table 6 at any existing residence on privately-owned land. Receiver Area / Day / Night [illegible] However, these noise criteria do not apply if the Proponent has an agreement with the relevant owner/s of the residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.	All noise monitoring data provided for review returned compliant results for the audit period. WWC are conducting additional (in-house WCL staff) monitoring at new residential locations (named WW1, WW2, WW3) monthly, consisting of care and maintenance data. **Observation:** There has been no noise monitoring data published on the website since July 2018. Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website. **We recommend the website be periodically reviewed with current documents uploaded on a regular basis.**	Compliant (Observation)	WCL advise that the website has been updated.
4	By the end of July 2013, or other timing as may be agreed by the Secretary, the Proponent shall use its best endeavours to ensure that its rail spur is only accessed by: (a) 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 (b) trains comprising no less than 30 wagons.	**Non-compliance:** The previous audit report identified that: Letter to DPIE from WCL dated 12 Dec 2013 regarding this issue. Identifies that Pacific National has been unwilling to increase train length but that new contract is proposed and will seek to address this issue. No evidence could be provided that the Secretary of DPIE is satisfied that WCL has used its best endeavours to meet this condition. Confirmation of DPIE satisfaction is required to demonstrate compliance. Train movement summaries presented on the website includes trains with less than 30 wagons, e.g. December 2018 & Jan 2019 (21 wagons). **We recommend WCL either expedite resolution of this issue or seek a modification to this condition to reflect intended train lengths.**	Administrative non-compliance	WCL advise that this is subject to ongoing discussions with rail operator.
Noise Audit				
7	The Proponent shall prepare and implement a Noise Audit for the project to the satisfaction of the Secretary. The audit must: (a) be prepared by a suitably qualified and experienced expert, whose appointment has been approved by the Secretary; (b) be prepared in consultation with EPA, and be submitted to the Secretary for approval by the end of June 2013; (c) undertake improved background noise monitoring; (d) investigate and evaluate: • all reasonable and feasible measures to mitigate operational noise levels to comply with the noise goals in Table 5; and • all reasonable and feasible measures to mitigate rail noise associated with the project (e.g. locomotive use, use of longer trains and 3-pack wagons, track works); (e) review the feasibility of reducing the maximum train movements, particularly at night (see condition 6 of schedule 2), based on the minimum train length required under condition 4 above; and (f) include an action plan to implement the audit recommendations and a protocol for monitoring the effectiveness of these measures.	A Noise Audit was conducted by Wilkinson Murray in December 2013. The noise audit was prepared in accordance with the requirements of Schedule 4, Condition 7. The Final Draft of the audit report was issued on 30.8.2013, and the Final on 16.12.2013. Submission of the report was non-compliant with the required timeframe (30 June 2013). A non-compliance was issued for late submission during the previous IEA (Umwelt, 2016). We have considered this part of the condition as 'not-triggered' as this requirement does not relate to the current audit period. **Observation**: The Noise Audit references consultation with the EPA and approval of the noise audit dated 6/1/2014. The noise audit published on the website appears to be a superseded version (Dec 2013). **We recommend the website be periodically reviewed with current documents uploaded on a regular basis.**	Compliant (Observation)	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
Noise Management Plan				
8	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:	Initial NMP prepared, dated May 2013. The previous IEA (Umwelt, 2016) notes the initial NMP was a late submission (required 13.4.2012). Umwelt, 2016 also refers to a letter from DPE dated 18/12/14 granting approval for plans to not be updated until 31/12/16 as the site is on care and maintenance.	Compliant	As above.

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Proposed or completed action by the auditee</th></tr>
<tr><td></td><td>(a) be prepared in consultation with EPA and Council, and submitted to the Secretary for approval within 6 months of this approval;
(b) describe the noise mitigation measures that would be implemented to ensure compliance with the relevant conditions of this approval;
(c) include a protocol for continual improvement of noise performance, and reporting progress in meeting the noise goals in Table 5;
(d) include a protocol for notifying residents of advertised campaigns (see condition 6 of schedule 2); and
(e) include a noise monitoring program that:
• uses a combination of attended and unattended monitoring to evaluate the performance of the project; and
• includes a protocol for determining exceedances of the relevant conditions of this approval.</td><td>Current NMP dated 25.7.2016. Letter of approval from DPIE sighted.

The current NMP has been prepared in accordance with the requirements of this condition. Mitigation measures are documented in Section 6.1.2. Noise criteria and noise goals are addressed in Section 4. Protocol for notifying residents of advertising campaigns, Section 6.1.1. A noise monitoring program is set out in Section 5 and includes real-time and attended noise monitoring and includes compliance evaluation methodology.

Observation: There is an intensification of residential development at the foot of the WWC.

We recommend that the noise management plan be reviewed (and potentially revised) in light of new residential development at foothills.</td><td>(Observation)</td><td></td></tr>
<tr><td colspan="5">AIR QUALITY & GREENHOUSE GASES</td></tr>
<tr><td colspan="5">Greenhouse Gas Emissions</td></tr>
<tr><td>10</td><td>The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary.

Note: This condition does not extend to Scope 3 emissions, as defined in the National Greenhouse Energy Reporting Guidelines.</td><td>The AQ & GHG MP identifies GHG monitoring commitments in Sections 5.1 and 5.2. DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted.

GHG management is reported in Section 5.16 of the AEMR. It refers to a Ventilation Control Plan to manage emissions. Section 5.16 notes that methane drainage is not currently considered warranted in current mining areas base on “typically low gas content information from exploration boreholes”. Wongawilli Ventilation Status Reports 2016, 2017, 2018 and SCADA screen shots indicate implementation of the Ventilation Control Plan.

Observation: Monthly data from GHG monitoring at the Pit Top Ventilation Shaft (i.e. temp, pressure, flow, CH4, CO2) is not discussed in the AEMR (2018).

We recommend the AEMR include details on GHG releases.</td><td>Compliant

(Observation)</td><td>As above.</td></tr>
<tr><td colspan="5">Air Quality Criteria</td></tr>
<tr><td>11</td><td>The Proponent shall implement all reasonable and feasible mitigation measures to ensure that the particulate emissions generated by the project do not exceed the criteria listed in Tables 7, 8 and 9 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 7: Long term criteria for particulate matter
<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></table>
Table 8: Short term criterion for particulate matter
<table><tr><th>Pollutant</th><th>Averaging period</th><th>[d]Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>[a]50 µg/m³</td></tr></table>
Table 9: Long term criteria for deposited dust
<table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>[c]Deposited dust</td><td>Annual</td><td>[b]2 g/m²/month</td><td>[a]4 g/m²/month</td></tr></table>
Notes to Tables 7-9:
[a] Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to other sources);
[b] Incremental impact (ie incremental increase in concentrations due to the project on its own);
[c] Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003 Methods for Sampling and Analysis of Ambient Air – Determination of Particulate Matter – Deposited Matter – Gravimetric Method; and
[d] Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed to by the Secretary in consultation with EPA.</td><td>The AEMR reports on air quality performance throughout the year, along with management measures in Section 5.1.

The AQ & GHG MP identifies mitigation measures to ensure emissions don’t exceed the criteria. Performance Measures and Criteria is presented in Section 4, Monitoring and Reporting in Section 5, and Mitigation and Management Strategies in Section 6.

Observation: There is no evidence to show that the Trigger Action Response Plan (TARP) was initiated in response to exceedances in accordance with the AQ & GHG MP.

PM10 is measured continuously via the BAM method at the WWC site boundary. Monitoring data indicated satisfactory results with the exception of the following:

- EPL1087 Point 14 exceedance of PM10 criteria on 8 x occasions between April and October 2018, and
- EPL1087 Point 14 exceedance of PM10 on 3 x occasions between May and August 2019 (two of which were not attributed to WWC).

Observation: Significant PM10 data gaps exist between Jan – March 16, Jan – March 17, Apr – Jun 17, Jul - Sep 17, Apr – Jun 18. Emissions are not able to be verified during these periods.

Observation: PM10 reports have not been published on the website since June 2018. The results are published in the EPL monitoring reports only.

Non-compliance: Deposited Dust: is measured at 5 x points along the site boundaries. 2016 – 2019 results for deposited dust are reported as being compliant for all periods and locations other than the following:

- EPL1087 Point 13 for Feb 2016.
- EPL1087 Point 9 for March 2018.
- EPL1087 Point 12 for March 2018.

TSP: There are no monitoring requirement for TSP matter and no TSP data for the site. Relationship between TSP and PM10 used.

We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.</td><td>Non-compliant</td><td>WCL have since investigated these exceedances and are of the position that they may not be attributable to the operations of the coal mine.</td></tr>
</table>

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
		We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).		
Operating Conditions				
13	The Proponent shall: (a) implement best practice air quality management, including all reasonable and feasible measures to minimise off-site odour, fume and dust emissions generated by the project, including from any spontaneous combustion on site, (b) minimise any visible air pollution generated by the project; and (c) regularly assess the real-time air quality monitoring and meteorological forecasting data, and relocate, modify and/or suspend operations to ensure compliance with the relevant conditions of this approval; to the satisfaction of the Secretary.	The AEMR reports on air quality performance throughout the year, along with management measures in Section 5.1. The AQ & GHG MP identifies mitigation measures to ensure emissions don't exceed the criteria. Performance Measures and Criteria is presented in Section 4, Monitoring and Reporting in Section 5, and Mitigation and Management Strategies in Section 6. **Observation:** There were non-compliances in air monitoring conditions identified (refer response to Condition 11 above) and there is no evidence to show that the TARP was initiated in response to exceedances in accordance with the AQ & GHG MP. Implementation of the requirements of Condition 13c by WWC was unable to be demonstrated during the audit. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Not verified	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
Air Quality & Greenhouse Gas Management Plan				
14	The Proponent shall prepare and implement a detailed Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, and submitted to the Secretary for approval within 6 months of this approval; (b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including a real-time air quality management system that employs both reactive and proactive mitigation measures; (c) describe the measures that would be implemented to minimise the greenhouse gas emissions from the site; and (d) include an air quality monitoring program that: • uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project; and • includes a protocol for determining exceedances with the relevant conditions of this approval.	DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. Includes air quality monitoring system and mitigation measures. GHG management is reported in Section 5.16 of the AEMR. It refers to a Ventilation Control Plan to manage emissions. Section 5.16 notes that methane drainage is not currently considered warranted in current mining areas base on "*typically low gas content information from exploration boreholes*". Wongawilli Ventilation Status Reports 2016, 2017, 2018 and SCADA screen shots indicate implementation of the Ventilation Control Plan. **Observation:** There were non-compliances in air monitoring conditions identified (refer response to Condition 11 above) and there is no evidence to show that the TARP was initiated in response to exceedances in accordance with the AQ & GHG MP. Implementation of the requirements of Condition 13c by WWC was unable to be demonstrated during the audit. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Not verified	As above
METEROLOGICAL MONITORING				
15	During the life of the project, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the site that: (a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise approved by EPA.	A weather station (Station No. 068188) is located at the Pit Top. The AQ & GHG MP notes the weather station complies with the requirements in the Approved Methods for Sampling of Air Pollutants in NSW guideline. It measures mean wind speed, direction, rainfall and mean temperate every 15 mins. **Observation**: There is no evidence available to show that the weather station records temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise approved by EPA. **We recommend WCL verify the monitoring stations capability and implement a system that meets the requirements of this condition.**	Not verified	As above
SOIL & WATER				
Surface Water Discharges				
19	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	Water quality monitoring results are published monthly. **Non-compliance:** Exceedances were recorded at EPL1087 Point 2 as follows: - Exceedance of pH criteria, Jan 2016 - Exceedance of TSS criteria, Jul 2016 - Exceedances of TSS criteria, Jan 2017 - Exceedances of TSS criteria, Jun 2017 - Exceedances of TSS criteria, Jul 2017 Note there is no evidence of triggering of the TARP in response to the above exceedances.	Non-compliant	As above

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
		The 2016-17 AEMR reports an official caution was issued to WCL for offsite discharge of turbid water during the reporting period. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**		
Surface Facilities Water Management Plan				
20	The Proponent shall prepare and implement a Surface Water Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with DPI Water, EPA and Council, and be submitted to the Secretary for approval within 6 months of this approval, or as otherwise agreed with the Secretary; (b) include a comprehensive water balance for the project, that includes details of: • sources of water supply and water make; • water use; and • water discharges; and (c) management plans for the surface facilities sites, that include: • a detailed description of water management systems for each site, including: o clean water diversion systems; o erosion and sediment controls; and o any water storages; • measures to minimise potable water use and to reuse and recycle water; • measures to comply with surface water discharge limits; • measures to manage sewage wastewater in accordance with Council requirements; and • monitoring and reporting procedures. *Note: This plan must be suitably integrated with the Water Management Plans that form part of Extraction Plans.*	SWMP includes all requirements listed in Condition 20. Monitoring to be undertaken as outlined in the TARP (Attachment C, SWMP). Monitoring is also conducted in accordance with EPLs 1087 and 1089 and NCs raised in Annual Returns. Secretary approval of SWMP, Version 4.1, dated 7.8.2016 sighted Groundwater prioritised for use over townswater. Surface Water Management is addressed in Section 6.2 of the AEMRs **Non-compliance:** Exceedances were recorded at EPL1087 Point 2 as follows: - Exceedance of pH criteria, Jan 2016 - Exceedance of TSS criteria, Jul 2016 - Exceedances of TSS criteria, Jan 2017 - Exceedances of TSS criteria, Jun 2017 - Exceedances of TSS criteria, Jul 2017 Note there is no evidence of triggering of the TARP in response to the above exceedances as per the SWMP. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Non-compliant	As above
HERITAGE				
Heritage Management Plan				
21	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, the Aboriginal community, Council and any local historical organisations, and be submitted to the Secretary for approval within 6 months of this approval, or as otherwise agreed with the Secretary; (b) include the following program/procedures for managing Aboriginal heritage management within the project area: • conserving, managing and monitoring Aboriginal sites and potential archaeological deposits within the project disturbance area; • conserving, managing, and monitoring Aboriginal sites outside the project disturbance area; • managing the discovery of any new Aboriginal objects or skeletal remains during the project; • maintaining and managing access to archaeological sites by the Aboriginal community; and • ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage within the project area; and (c) include the following for managing other historic heritage on site: • a conservation management plan for the Wongawilli Colliery, that balances heritage management with the operational, safety, and rehabilitation requirements of the mine; and • a program/procedures for: o photographic and archival recording of potentially affected heritage items; o protection and monitoring of heritage items outside the project disturbance area; and	Heritage Management Plan approved and published on the website. Includes all items as required by Condition 21. WWC advised no works in and around heritage sites since 2016. Secretary approval of Heritage Management Plan, Version 4.1, dated 12.8.2016 sighted. Heritage items in subsidence affected areas are also managed in accordance with the Extraction Plan requirements. **Observation**: There has been no consultation with LALC since 2017. **We recommend that WCL ensure attempts to consult with the LALC are conducted as business as usual.**	Compliant (Observation)	As above

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
	o additional archaeological excavation and/or recording of any significant heritage items requiring demolition. *Note: This plan must be suitably integrated with Heritage Management Plans that form part of Extraction Plans.*			
VISUAL				
Visual Amenity and Lighting				
23	The Proponent shall: (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project; (b) ensure no unshielded outdoor lights shine above the horizontal; and (c) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, to the satisfaction of the Secretary.	SMEC lighting report found that the vertical illuminous requirements of AS4282 were satisfied but recommended that some of the 100W or above external lights be reorientated to achieve compliance. **Observation:** WCL advised that not all of the required works were completed as the additional mitigations not required as impact is negligible and that this was reported in the 2016-17 AEMR. The AEMR was approved by DPIE 16/01/18. **We have no recommendations in relation to this condition.**	Compliant (Observation)	As above.
WASTE				
24	The Proponent shall: (a) minimise and monitor the waste generated by the project; (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Waste management is addressed in Section 4.6 of the AEMRs. Waste streams and quantities are identified in Table 4.2 Tracking of waste managed by env co-ordinator since 2017. Sighted waste registers, they track scrap steel, sewage, waste oil and GSW, paper etc. Waste contractors are listed in the AEMR as Remondis, Cleanaway, and East West Metal Trading. There is no sewer connection at the site. 4 x blackwater tanks are removed by Remondis. Sighted septic tank records, including volumes, and Remodis invoices for the collection. Waste reduction opportunities are limited due to low production volumes and care and maintenance mode. **Non-compliance**: Large volumes of unconsolidated waste coal were observed across the site in stockpiles, basins, flow paths and depressions, and had not been appropriately managed. Waste records for coal fines and coal wash were unavailable, and not included in the AEMR. Additionally, a non-compliance was reported in 2017-18 AEMR with EPL 1087 Condition O1.1 (b) in relation to "rubbish and loose material that has accumulated behind the perimeter bund in the Timber Yard has yet to be addressed". This was not reported in the EPL 1087 Annual Return for the same period. **We note that WCL have committed to a site wide clean up and recommend that this be programmed (with target completion dates) and implemented in full.**	Non-compliant	WCL advise that WWC is undergoing a site wide clean-up of drains and basins and coal fines / material.
REHABILITATION				
Rehabilitation Management Plan				
28	The Proponent shall prepare and implement a Rehabilitation Management Plan for the project, to the satisfaction of the Secretary of DRE. This plan must: (a) be prepared in consultation with the Department, OEH, DPI Water, WaterNSW, Council and the CCC, and be submitted to the DRE for approval within 6 months of this approval, or as otherwise agreed with the Secretary; (b) be prepared in accordance with any relevant DRE guideline, and be consistent with the rehabilitation objectives in the EA and in Table 13; (c) build, to the maximum extent practicable, on the other management plans required under this approval; and (d) address all aspects of rehabilitation and mine closure, including final land use assessment, rehabilitation objectives, domain objectives, completion criteria and rehabilitation monitoring. *Note: The Rehabilitation Management Plan should address all land impacted by the project, whether prior to or following the date of this approval.*	No rehab has occurred on the mining lease. AEMR 17-18 identifies some remedial works on emplacement area. The Rehabilitation Management Plan forms part of the MOP. **Non-compliance:** Sighted DPIE Resource Regulator conditional approval letter 31/07/17 for MOP through to 2020. It requires a sealing and rehabilitation plan to be submitted 31/07/18. There is no evidence of the sealing and rehab plan being submitted. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Administrative non-compliance	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
SCHEDULE 5				
ADDITIONAL PROCEDURES				
NOTIFICATION OF LANDOWNERS				
1	As soon as practicable following obtaining monitoring results showing: (a) an exceedance of the relevant criteria in schedule 4, the Proponent 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 project is complying with the relevant criteria again; or (b) an exceedance of the relevant criteria in conditions 11 or 12 of schedule 4, the Proponent shall send a copy of the NSW Health	Exceedances in PM10 and deposited dust have occurred during the audit period (see Conditions 11 and 12, Schedule 4). **Non-compliance:** There was no evidence that affected landowners and/or tenants (if any) were notified of exceedances. There was also no evidence of WWC issuing a copy of the NSW Health fact sheet entitled "Mine Dust and You" as required. **We recommend WCL ensure appropriate consultation be carried out with the stakeholders identified.**	Non-compliant	As above

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
	fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land).			
SCHEDULE 6				
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
ENVIRONMENTAL MANAGEMENT				
Revision of Strategies, Plans and Programs				
4	Within 3 months of: (a) the submission of an annual review under condition 3 above; (b) the submission of an incident report under condition 6 below; (c) the submission of an audit report under condition 8 below; and (d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review, the revised document must be submitted to the Secretary for approval. *Note: This condition ensures that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.*	AEMRs submitted 17/02/17, 30/11/17, 21/12/18, which include reviews of project documents. Two reportable incidents identified during the audit period 29/11/16, 19/05/17. IEA finalised September 2016. No modifications occurred during the audit period. Management plans reviewed in September 2016, approved by Secretary. Sighted email from WCL to DPIE advising of the review conducted following submission of the AEMR, dated 28/3/2019. **Observation**: there is no evidence of the reviews being undertaken within 3 months of the reportable incident on 19/05/17, the submission of the 2015-16 AEMR on 17/02/17, or the submission of the 2016-17 AEMR on 30/11/17. **WCL advise that a review was conducted following the submission of 2016-17 AEMR. We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Not verified	WCL advise that EMP's were reviewed and updated following the submission of the 2016-17 AEMR on 30/11/17.
Community Consultative Committee				
5	The Proponent shall establish and operate a Community Consultative Committee (CCC) for the project in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version), or alternative consultative framework as may be agreed by the Secretary, to the satisfaction of the Secretary. This CCC or alternative framework must be operating within 6 months of this approval. *Notes:* *• The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval.* *• In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.* *• In establishing the CCC, the Department will accept the continued representation from existing CCC members.*	CCC Meeting minutes sighted and published on the website. CCC established and operational and was in place for the duration of the audit period. **Non-compliance:** The 2017-18 AEMR states WWC was issued with a penalty notice on 23/10/2017 for the failure to undertake the required three CCC meetings per year. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
REPORTING				
Incident Reporting				
6	The Proponent shall notify the Secretary 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 project, the Proponent shall notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Two reportable incidents occurred during audit period 2016-17 These relate to: 29 November 2016 – Turbid water from underground mine workings at the premises was discharged through LDP2. The water drained downhill into the minewater dam which overflowed into a tributary of Robbins Creek. WCL received an official caution from EPA for the incident. 19 May 2017 - An incident occurred in the Catchment Area where two substations, one at Wongawilli No 1 Shaft and one at Nebo No 3 Shaft were broken into and transformer oil was released to gain access and remove copper cable from within the transformers. WaterNSW issued clean up notices for the incident. **Non-compliance**: there was no evidence to demonstrate that these were reported via the pollution hotline (or did not need to be). **We recommend that WCL incident investigation and reporting procedures be reviewed, and that personnel are trained in reporting requirements and that records relating to incidents and their reporting be retained in an orderly fashion.**	Non-compliant	As above
Regular Reporting				

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Proposed or completed action by the auditee</th></tr>
<tr><td>7</td><td>The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.</td><td>The WCL website includes copies of the management plans, Annual Reviews and environmental monitoring data as required by the Project Approval.

Non-compliance: Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website. A NC was reported in 2017-18 AEMR for not regularly updating the website.

We recommend the website be periodically reviewed with current documents uploaded on a regular basis.</td><td>Non-compliant</td><td>WCL advise that the website has been updated.</td></tr>
<tr><td colspan="5">ACCESS TO INFORMATION</td></tr>
<tr><td>7</td><td>From the end of December 2011, the Proponent shall:
(a) make copies of the following publicly available on its website:
• the EA;
• all current statutory approvals for the project;
• approved strategies, plans and programs required under the conditions of this approval;
• a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
• a complaints register, which is to be updated on a monthly basis;
• minutes of CCC meetings;
• the annual reviews of the project;
• any independent environmental audit, and the Proponent's response to the recommendations in any audit;
• any other matter required by the Secretary; and
(b) keep this information up-to-date, to the satisfaction of the Secretary.</td><td>Copies of documents and records listed in Condition 10 were published on the project website at the time of the audit.

Non-compliance: Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website. A NC was reported in 2017-18 AEMR for not regularly updating the website. The Extraction Plan is not the current approved version. A NC was reported in the 2017-18 AEMR for this condition, i.e. "not keeping website information up to date".

We recommend the website be periodically reviewed with current documents uploaded on a regular basis.</td><td>Non-compliant</td><td>WCL advise that the website has been updated.</td></tr>
<tr><td colspan="5">WONGAWILLI COLLIERY EPL 1807</td></tr>
<tr><td colspan="5">2. DISCHARGES TO AIR WATER AND APPLICATIONS TO LAND</td></tr>
<tr><td colspan="5">P1 Location of monitoring / discharge points and areas</td></tr>
<tr><td>P1.3</td><td>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land<table>
<tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr>
<tr><td>1</td><td>Discharge to waters Discharge quality monitoring</td><td>Discharge to waters Discharge quality monitoring</td><td>STP discharge from secondary stabilisation lagoon. Lat Long -34.478120 150.751867</td></tr>
<tr><td>2</td><td>Discharge to waters Discharge quality monitoring</td><td>Discharge to waters Discharge quality monitoring</td><td>Minewater discharge from open drain at transport portal. Lat Long -34.469807 150.743920</td></tr>
<tr><td>4</td><td></td><td>Discharge to waters</td><td>Overflow from coal sedimentation/filter pond. Lat Long -34.480500 150.758240</td></tr>
<tr><td>7</td><td>Discharge quality monitoring for mine water discharged via Point 8</td><td></td><td>Minewater discharge from old portals - junction of three separate pipes 15 metres from Forest 11 Portal. Lat Long -34.44215 150.78818</td></tr>
<tr><td>8</td><td></td><td>Discharge to waters</td><td>Minewater discharge from old portals - Hunter 2 Dam. Lat long -34.43431 150.79418</td></tr>
</table></td><td>Water discharge monitoring points LDP1, LDP2, LDP3, LDP4, LDP7 & LDP8 are listed in the Water Management section of each Annual Review / AEMR for the audit period and monitoring results recorded where the mine was operational.

Non-compliance: WCL advise in their email dated 01/11/19 that the location description of EPA point 7/8 does not align with the coordinates they have on file. During the site inspection on 12/09/19, WCL advised that the monitoring location of EPA point 2 was not the same as that on file.

We recommend that the monitoring points be verified and aligned with the EPL.</td><td>Non-compliant</td><td>As above.</td></tr>
<tr><td colspan="5">3. LIMIT CONDITIONS</td></tr>
<tr><td colspan="5">L1 Pollution of Waters</td></tr>
<tr><td>L1.1</td><td>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</td><td>Exceedances of the applicable criteria were reported at EPA Point 2 in Jan-16, Mar-16, Jul-16, Jan-17, Jun-17, Jul-17, Aug-18.

Non-compliance: 2015-16 reporting period: 3 x exceedances of condition L2.1, one non-compliance with condition O2.1 (which involved white precipitate in tributary of Robins Creek), 1 x spill event. EPA issued Formal Warning to licensee 24 March 2016.

Non-compliance: 2016-17 reporting period: 5 x discharge or overflow of turbid water. EPA imposed a PRP on the licence to manage surface water.

2017-18 reporting period: 1 x discharge of turbid water. WCL indicate this was result of sample contamination. EPA Advisory Letter issued.

We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.

We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).</td><td>Non-compliant</td><td>As above</td></tr>
</table>

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
L2 Concentration Limits				
L2.1	For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Refer response to Condition L1.1, L2.3 and L2.4.	Non-compliant	As above
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	pH must be between 6.5-8.5 at all three discharge points 100% of the time. **2017-18**: No samples collected at LDP1 or 8. 12 of 12 samples collected at LDP2 (pH results within range). **2016-17**: No samples collected at LDP1 or 8. **11 of 12 samples collected** at LDP2 (pH results within range). **One of the required samples from LDP2 during 2016-17 was not collected, therefore pH cannot be verified.** No discharges reported from LDP1 or 8 (LDP3). **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Not verified	As above
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.	Refer response to Condition L1.1, L2.2 and L2.4.	Non-compliant	As above
L2.4	Water and/or Land Concentration Limits	**Non-compliance:** Exceedances of the applicable criteria were reported at EPA Point 2 in Jan-16, Mar-16, Jul-16, Jan-17, Jun-17, Jul-17, Aug-18. No discharges occurred at Points 1 and 7(8) in the audit period. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Non-compliant	As above

POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre				[illegible]
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				[illegible]

POINT 2

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				[illegible]

POINT 8

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				[illegible]

4. OPERATING CONDITIONS				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Refer response to Approval, Schedule 4, Condition 24. **Non-compliance**: Large volumes of unconsolidated waste coal were observed across the site in stockpiles, basins, flow paths and depressions, and had not been appropriately managed. Waste records for coal fines and coal wash were unavailable, and not included in the AEMR. Additionally, a non-compliance was reported in 2017-18 AEMR with EPL 1087 Condition O1.1 (b) in relation to "rubbish and loose material that has accumulated behind the perimeter bund in the Timber Yard has yet to be addressed". This was not reported in the EPL 1087 Annual Return for the same period. **We note that WCL have committed to a site wide clean up and recommend that this be programmed (with target completion dates) and implemented in full.**	Non-compliant	WCL advise that WWC is undergoing a site wide clean-up of drains and basins and coal fines / material
O2 Maintenance of Plant and Equipment				

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Proposed or completed action by the auditee</th></tr>
<tr><td>O2.1</td><td>All plant and equipment installed at the premises or used in connection with the licensed activity:
a) must be maintained in a proper and efficient condition; and
b) must be operated in a proper and efficient manner.</td><td>Refer response to Approval, Schedule 2, Condition 12.

Non-compliance: during the site inspections undertaken as part of the risk assessment in early 2019 a number of issues associated with encroachment of asset protection zones were observed, noting potential risks to fire. In short, asset protection zones had not been maintained as per the Industry Safety Steering Committee’s (ISSC) “Guide for the Management of Vegetation in the Vicinity of Electricity Supply Infrastructure” (2016).

The recommendations from the Independent Environmental Risk Assessment Wollongong Coal Limited Russell Vale & Wongawilli Collieries, WolfPeak, May 2019 address these issues.</td><td>Non-compliant</td><td>WCL advise that APZ work was undertaken around Wonga 4 Fan House Substation in August 2019.

Power has been switched off to the fan and power line isolated.

6kva line clean-up at WWC is currently underway during Dec 2019.</td></tr>
<tr><td colspan="5">O3 Dust</td></tr>
<tr><td>O3.1</td><td>Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.</td><td>Refer response to Approval, Schedule 4, Condition 11.

Non-compliance: multiple exceedances of the dust criteria specified in Schedule 4, Condition 11 occurred during the audit period and there was no evidence of WCL initiating the TARP in accordance with their AQ & GHG MP.

We recommend that WCL implement controls on site to prevent reoccurrence of the dust incidents.

We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).</td><td>Non-compliant</td><td>WCL’s response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.</td></tr>
<tr><td>O3.2</td><td>All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.</td><td>The mine is in care and maintenance. Traffic and movement of mobile plant is very limited. Roadways on the day appeared to be free from material.

Observation: It was observed at the site inspection that large volumes of unconsolidated waste coal and sediment was present across the site in stockpiles, basins (reducing capacity from their intended design capacity), flow paths and depressions and had not been appropriately managed (note that these were not in areas used by vehicles or mobile plant and appear to be relatively stable – thus not having potential to generate airborne dust).

We note that WCL have committed to a site wide clean up and recommend that this be programmed (with target completion dates) and implemented in full.</td><td>Compliant (Observation)</td><td>WCL advise that WWC is undergoing a site wide clean-up of drains and basins and coal fines / material</td></tr>
<tr><td colspan="5">5. MONITORING AND RECORDING CONDITIONS</td></tr>
<tr><td colspan="5">M1 Monitoring records</td></tr>
<tr><td colspan="5">M2 Requirement to monitor concentration of pollutants discharged</td></tr>
<tr><td>M2.3</td><td>Water and/ or Land Monitoring Requirements
POINT 1<table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>BOD</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr></table>POINT 2<table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr></table>POINT 7<table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr></table>Note: Monthly monitoring for point 2 need only be carried out when discharge from LDP2 occurs either for more than 10 consecutive days in a month or where more than 1 ML has been discharged during the month.</td><td>No discharges occurred at EPA Point 1 or 7(8) between 206 and 2019.

EPA Point 2 samples occurred monthly and were collected via grab sample. The analytes listed were analysed and reported.

Non-compliance: Samples were collected on a monthly basis at EPA Point 2 with the exception of August 2017.

We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.</td><td>Non-compliant</td><td>WCL’s response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.</td></tr>
<tr><td colspan="5">M5 Recording of pollution complaints</td></tr>
<tr><td>M5.2</td><td>The record must include details of the following:
a) the date and time of the complaint;
b) the method by which the complaint was made;
c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
d) the nature of the complaint;
e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</td><td>Non-compliance: the versions of the complaints registers sighted do not include personal details of the complainant, or the time of each complaint.

We recommend that WCL implement a complaints management system that records this information.</td><td>Administrative non-compliance</td><td>As above.</td></tr>
</table>

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
	f) if no action was taken by the licensee, the reasons why no action was taken.			
M6 Telephone complaints line				
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	A 24Hr Community Contact Line, and email address is provided on the website. **Non-compliance:** The phone line goes to an answering machine and urgent enquiries for Wongawilli should be answered by pressing 2. The line rang out when tested on 1/11/2019. **We recommend that WCL implement a complaints management system that includes a fully operational complaints line.**	Non-compliant	As above.
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	The website provides notification to the public. **Non-compliance**: the website does not state that the community contact line is a complaints line as required by this condition. **We recommend that the website be updated to clearly state that the telephone line is for complaints.**	Non-compliant	As above.
M8 Other monitoring and recording conditions				
M8.1	Availability of equipment for continuous monitoring required by this licence. All continuous monitoring equipment must be operated and maintained with the aim of achieving 100% availability in each licence year. Where a monitoring device does not achieve 95% availability, the licensee must report reasons and corrective actions to the EPA in the Annual Return.	**Non-compliance:** PM10 is measured continuously via the BAM method at the WWC site boundary. Significant data gaps exist between Jan – March 16, Jan – March 17, Apr – Jun 17, Jul - Sep 17, Apr – Jun 18. Reports during this period indicate data recovery below 95%. This non-compliance was not reported in the 2015-16, 2016-17, 2017-18 Annual Returns. **We recommend WCL initiate improvements to the BAM monitoring system to ensure the required up-times are achieved.**	Non-compliant	As above.
6. REPORTING CONDITIONS				
R1 Annual return documents				
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	AR reporting period is 01 Oct-30 Sept, therefore due 29 Nov. The Annual Return for 2015-16 was submitted 29/11/16. The Annual Return for 2016-17 was submitted 28/11/17. **Non-compliance:** the Annual Return for 2017-18 was submitted 30/11/18 (1 day late). **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Administrative non-compliance	As above
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. *Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.* *Note: An application to transfer a licence must be made in the approved form for this purpose.*	2015-16 AR signed and certified by Andrew Firek (Director) and Sanjay Sharma (Company Secretary). **Observation:** the signed versions of the Annual Returns for 2016-17 and 2017-18 were not available during the audit. It is understood that signed versions were submitted to the EPA. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Compliant (Observation)	As above.
R2 Notification of Environmental Harm				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Two reportable incidents occurred during audit period 2016-17 These relate to: 29 November 2016 – Turbid water from underground mine workings at the premises was discharged through LDP2. The water drained downhill into the minewater dam which overflowed into a tributary of Robbins Creek. WCL received an official caution from EPA for the incident. 19 May 2017 - An incident occurred in the Catchment Area where two substations, one at Wongawilli No 1 Shaft and one at Nebo No 3 Shaft were broken into and transformer oil was released to gain access and remove copper cable from within the transformers. WaterNSW issued clean up notices for the incident. **Non-compliance**: there was no evidence to demonstrate that these were reported via the pollution hotline (or did not need to be).	Not verified	As above.

Unique ID	Compliance requirement	Independent Audit findings and recommendations	Compliance Status	Proposed or completed action by the auditee
		We recommend that WCL incident investigation and reporting procedures be reviewed, and that personnel are trained in reporting requirements and that records relating to incidents and their reporting be retained in an orderly fashion.		
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. *Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.*	Refer response to condition R2.1 **Non-compliance**: there was no evidence to demonstrate that the identified incidents were reported in writing within 7 days (or did not need to be). **We recommend that WCL incident investigation and reporting procedures be reviewed, and that personnel are trained in reporting requirements and that records relating to incidents and their reporting be retained in an orderly fashion.**	Not verified	As above.

3.2 Status of actions arising from previous audit findings

The status of actions stemming from findings made in the 2016 Independent Audit are presented in Table 3. Ten actions identified from the previous audit had been closed. Fifteen actions remain open.

Table 2: Audit consultation with agencies & Community Consultation Committee feedback.

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations
DPIE LETTER IN RESPONSE TO CONSULTATION ON AUDIT SCOPE, 3 SEPTEMBER 2019			
1	Review relevant mining leases and exploration licences as agreed with Resources Regulator	The current WWC MOP, dated 31/03/17. Resource Regulator approval of MOP, dated 31/07/17.	Licenses and leases applicable to WWC are set out in Table 1.1 of the MOP. The MOP was approved by the Resource Regulator on 31/07/17 The auditors are not in a position to determine whether all of the licences, leases and approvals required to legally operate the WWC are in place. However, we note that the relevant environmental planning related licences and approvals are current for the WWC and the Resource Regulator has approved the MOP.
2	Undertake an assessment of compliance against the conditions of title related to environmental management	We interpret this to mean an audit of compliance against the relevant approval and licence conditions for the following environmental & planning instruments: • EPL 1087 • EPL 12442 • SSD APPROVAL 09_0161 This Audit Report provides evidence of compliance against the relevant conditions of the above licences and approvals	The Audit found that there were numerous non-compliances with the relevant conditions of the environmental & planning instruments relevant to WWC. The details of these are provided in the relevant checklists (Appendixes A-B).
3	Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator - review compliance against any conditions of approval of the MOP	The current WWC MOP, dated 31/03/17. Resource Regulator approval of MOP, dated 31/07/17.	The approval of the MOP included reference to WCLs commitment to prepare and submit a sealing and rehabilitation plan to be submitted 31/07/18. There are no other conditions attached to its approval. There is no evidence of the sealing and rehabilitation plan being submitted.
4	Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:	Sight inspection 12/09/19.	The auditor has reviewed the MOP (and the rehabilitation strategy which forms part of the

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations
	• Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s); • Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval	Interview with auditees 12/09/19 and 28/08/19. AEMRs 2015-16, 2016-17, 2017-18. The current WWC MOP, dated 31/03/17. Resource Regulator approval of MOP, dated 31/07/17.	MOP), against the requirements set out in the Project Approval, schedule 4 Conditions 26-28. The auditor consider both the MOP and the rehabilitation strategy to be consistent with the Project Approval, noting that this was also reviewed and approved by the Resource Regulator on 31/07/17. Rehabilitation objectives, as set out in Table 4-3 of the MOP is consistent with the requirements of Project Approval Schedule 4, Condition 26. As the WWC has been in operations between mid-2016 and March 2019, and care and maintenance thereafter, rehabilitation has not occurred. It was observed at the site inspection that large volumes of unconsolidated waste coal and sediment was present across the site in stockpiles, basins (reducing capacity from their intended design capacity), flow paths and depressions and had not been appropriately managed (note that these were not in areas used by vehicles or mobile plant). Weeds were also evident across the site. Short term rehabilitation should ensure these aspects are addressed. The Auditor also considers that short term rehabilitation should also consider issues raised in the recently completed Risk Assessment (WolfPeak, May 2019) so as to capture any relevant rehabilitation requirements of that report.
5	Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria - verified by reviewing monitoring reports and rehabilitation inspection records	Refer response to item 4 above.	Refer response to item 4 above.
6	Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program - verified by reviewing Annual Rehabilitation Programs or similar documentation	Refer response to item 4 above.	Refer response to item 4 above.
7	Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary - to be verified by site plans and site inspection	Site inspection on 12/09/19 Wongawilli Nebo Area Production July 2016 – date survey drawing	The mine has been in care and maintenance since March 2019. The Auditor is unable to verify if sequencing corresponded to that described in the MOP. The site inspection undertaken on 12/09/19, and during the risk assessment site inspection in May 2019, and the survey drawings indicate that

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations
			mining has occurred within the MOP approval boundary.
8	Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and	Refer response to item 4 above.	Refer response to item 4 above.
9	Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation	Refer response to item 4 above.	Refer response to item 4 above.
EPA RESPONSE TO CONSULTATION ON AUDIT SCOPE, 26 August 2019			
11	The EPA requests that you audit the information provided by WCL in their Annual Return documentation to assess its correctness and completeness and determine whether or not the annual return documentation has been accurately completed by WCL. This assessment should include but not be limited to the following aspects of the Annual Returns: **B Monitoring and Complaints Summary:-** Section B1 – Monitoring and complaints summary Section B2 – Concentration Monitoring Summary for all LDPs Section B3 - Volume or Mass Monitoring Summary for all LDPs **E Statement of Compliance – Requirement to Prepare a PIRMP:-** Audit compliance with all PIRMP requirements, in particular PIRMP testing, PIRMP updating and the recording of these processes **F Statement of Compliance – Requirement to Publish Pollution Monitoring Data:-** There are conditions on EPL 12040 which require pollution monitoring to be carried out. WCL state that pollution monitoring data is published on their website in accordance with EPA requirements. The EPA requests you audit the correctness and completeness of all pollution monitoring data collected by WCL and the publishing of this data in accordance with EPA and EPL requirements. **G Statement of Compliance – Environment Management System and Practices :-** WCL provide responses in Section G relating to Environmental Management Systems in place at Russell Vale Colliery. The EPA requests you audit the 7 responses provided by WCL against the 7 components of this section of the Annual Return	Annual Reviews / Annual Environmental Monitoring Reports 2015-16, 2016-17 & 2017-18 Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Published monthly monitoring result reports Jan 2016-Oct 2019 Sighted SCADA results for LDP2. Raw data LDP2 2016-17 LDP 2 laboratory reports 2016-17 Dust deposition laboratory reports 2016-17. Calculation tables: WW Depositional Dust Monitoring_Updated SC 10.09.19 Complaints register 2011-2019	**B Monitoring and Complaints Summary, and F Statement of Compliance – Requirement to Publish Pollution Monitoring Data:-** The Auditor notes that the volume of monitoring data is voluminous. Sample laboratory Certificate of Analysis reports from ALS laboratories for dust deposition and water grab samples were reviewed. These were compared to the calculation data sheets, the published monitoring reports available on the WCL website and the summaries presented in the 2016-17 and 2017-18 EPL 1087 Annual Returns. The monitoring data for the sampled certificates align across each of the documents and appear to be correct. A review was conducted against the published complaints register available on the WCL website and the complaints listed in the EPL 1087 Annual Returns for 2016-17 and 2017-18. The reporting of complaints is consistent across the documents. **E Statement of Compliance – Requirement to Prepare a PIRMP:-** A review of the PIRMP was conducted against the EPA document entitled: *Environmental guidelines: Preparation of pollution incident response management plans* (2012). The PIRMP includes the necessary information with the exception of: - Description and likelihood of hazards (hazards are identified but a risk assessment with likelihoods is not captured). - Inventory of pollutants (the reader is directed elsewhere for this information) - Safety equipment (a loose description without locations is provided only) The PIRMP includes the commitment to test the plan. Test records indicate that testing is

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations
	H Signature and Certification:- WCL Annual Returns have been signed by Milind Oza and Sanjay Sharma in their positions of 'Director' and 'Company Secretary' respectively. The EPA requests you audit the signatories to ensure they have legal authority to sign the Annual Returns. NOTE: EPL Non-compliances reported 2016/2017, 2017/2018 and 2018/2019 a. Annual Return 2016-2017. 14 incidents of non-compliance were reported against conditions L1.1, L2.1, M2.4, O2.1, R2 and M7.1. b. Annual Return 2017-2018. No non-compliances reported. c. Annual Return 2018-2019. No non-compliances reported.	PIRMP dated 26/09/18. EPL 1087 PIRMP test, dated 06/05/16, 08/09/17, 25/09/18. EPL 12242 PIRMP tests, dated 08/03/19 and 29/05/18.	occurring each year of the audit period (noting that it may be >12 month between each test). **G Statement of Compliance – Environment Management System and Practices** WCL advise in its annual returns that the WWC does not have a ISO certified EMS. Based on the findings of the Audit, it is evident that certain aspects of an EMS are not being implemented effectively, specifically compliance identification and tracking. **H Signature and Certification:-** Milind Oza and Sanjay Sharma are listed as company Directors in the WCL Annual Report lodged on the ASX and do not appear on the ASICs Banned & Disqualified Persons list.
12	**Condition 1 Administrative Conditions:-** Audit correctness of map provided at A2.2 in EPL 12040 in describing Russell Vale Colliery premises described in condition A2.1.	This EPL does not relate to WWC.	Not triggered.
13	**Condition 2 Discharge to Air and Water and Applications to Land:-** Audit locations of all LDPs, both air and water against location description of LDPs in EPL and locations of LDPs in Map provided in A2.2	Refer Appendix 2 of the Audit Report	Refer Appendix 2 of the Audit Report
14	**Condition 5 Monitoring and Recording Conditions:-** Audit compliance against condition M1, M2, M3, M4, M5, M6, M7, and M8, in particular as they relate to the frequency and sampling method requirements specified in M2	Refer Appendix 2 of the Audit Report	Refer Appendix 2 of the Audit Report
CCC RESPONSE TO CONSULTATION ON AUDIT SCOPE, 23 – 28 August 2019			
15	Wongawilli Colliery has endured a number of ownership changes over its mining life and the therefore the environmental department are presented with some challenges related to past owners and the lack of completion of some actions or production of records relating to tasks that may have been completed but which cannot be verified. There are some existing housekeeping issues, past reporting / documentation issues associated with the site along with some operational challenges (e.g. concern related to trains from the colliery), with resources required to close out the identified actions. The appropriate allocation of resources (both capital and human) will be key to resolving the identified issues in a timely manner. .	Site inspection 12/09/19 The evidence referred to in Appendix A – C of the Audit Report	We have made broader recommendations regarding the need for additional environmental resources (particularly in the environmental compliance space) and systems support (compliance tracking system).
18	It is recognised that WCL is currently implementing a new compliance management system to help site personnel track and deliver on compliance requirements. This is considered a positive initiative and will assist in reducing future administrative non-compliances which have stemmed from missing reporting	Refer response to item 15 above.	Refer response to item 15 above.

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations
	deadlines. It is recommended that a clear resourcing plan is developed by the management team so that the funding needs to address the identified issues are defined and allocated		

Table 3: Status of actions stemming from findings made in the 2016 Independent Audit

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Wongawilli Project Approval				
Sch 2, 6(a)	Coal Production and Transport The Proponent shall: a) not transport coal from the site by road (except in an emergency situation and with the prior approval of the Secretary in consultation with Council);	Observation – train movement information on the website is not complete with information for the month of March 2014 only. WCL to make clear on the website during which periods no movements occur.	WCL to update the train movement data on the website to provide a full record including during which periods no movements occur.	Sighted WWC train movement reports on website. The information is presented monthly. Zero data presents events with no material on the trains or no trains. No data since the cessation of production (March 2019). CLOSED
Sch 2, 7	The Proponent shall restrict loading and unloading to/from the coal stockpile as follows: (c) normal operations: • 7am to 6pm Monday to Friday; • 8am to 4pm Saturdays; and • at no time on Sundays and public holidays; (d) during longwall change-outs: • 7am to 10pm Monday to Saturday; and • at no time on Sundays and public holidays. At least 7 days prior to undertaking longwall change-outs involving extended hours of operation as allowed in (b) above, the Proponent shall provide written notification of the works to the Department, EPA, Council, the CCC and adjacent and affected residents, to the satisfaction of the Secretary. Note: Underground mining operations, coal transport and other surface facilities	Review of train loading and haulage records for 2014 identified a number of periods where the train loading times specified in the consent were breached. It is noted that this condition applies only to loading from the stockpile and not due to direct loading from the coal bin, however, WCL could not advise during the audit whether or not stockpile loading occurred and therefore is considered a noncompliance. For example: 3/3/14 – loading finished at 6:40pm 6/3/14 – loading finished at 6:30pm 8/3/14 – loading started on a Saturday at 7.22 am 22/3/14 – loading started on a Saturday at 7.20 am 24/3/14 – loading finished at 6:20pm Train movement data has not been updated on the website since June 2014.	WCL to update the train movement data on the website to provide a full record including during which periods no movements occur.	OPEN. The NVB-PRO-SAF Rail Operations Wongawilli Railway does not address hours. Non-compliances were identified against this requirement during the 2016-19 audit period: Refer response to Project Approval Sch 2, Condition 7.
			It is suggested that a toolbox talk is held for relevant operational and management personnel to remind them of permissible operating hours and key environmental controls relating to coal stockpiling and transport. Procedures in place for train loading need to be reviewed, updated and recommunicated as required to ensure operating hours are met.	OPEN. The NVB-PRO-SAF Rail Operations Wongawilli Railway does not address hours. There is no evidence of training to relevant personnel.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
	operation may be undertaken at any time.			
Sch 3, 1	The Proponent shall ensure that the project does not cause any exceedance of the performance measures in Table 1 to the satisfaction of the Secretary.	The EOP report does not say 'negligible' impacts instead saying no observable impact. A clearer assessment that provides for direct comparison to the performance criteria is required.	In End of Panel reports include a clear discussion of whether or not the performance criteria have been met. A table format would be suitable for ease of	OPEN. The EOP reports continue to not include a clear discussion of whether or not the performance criteria have been met Non-compliances were identified against this requirement during the 2016-19 audit period: Refer response to Project Approval Sch 3, Condition 1.
		Appendix C of the LW N2 EOP Report includes a Groundwater and Surface Water end of panel report completed by GeoTerra. There is no comment in the EOP report about the reservoirs, however, it is understood mining in N2 is unlikely to have resulted in impacts.	WCL to confirm that no impacts to Reservoirs have occurred due to mining in N2. Future End of Panel reports should specifically address this criteria.	
		No impacts identified in the EOP report, however, this performance criteria has not been specifically addressed in the report.	WCL to confirm that no impacts to 'other watercourses' have occurred due to mining in N2. Future end of panel reports should specifically address this criteria.	
		No impacts identified in the EOP report, however, this performance criteria has not been specifically addressed in the report.	WCL to confirm that no impacts to the SCA and Metropolitan Special Area have occurred due to mining in N2. Future end of panel reports should specifically address this criteria.	

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Sch 4, 8(a)	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must: b) be prepared in consultation with EPA and Council, and submitted to the Secretary for approval within 6 months of this approval;	The noise management plan was required by 13 April 2012 but was not submitted on time. Letter from 9/5/12 requiring the management plan to be submitted by 11 May 2012. DPE approval letter requested an updated noise mgt plan by April 2014. Not done by this time but was submitted at a later date (March 2016) – revised plan not yet approved. Recommendation: Gain approval and then implement the updated Noise Management Plan from DPE.	Update Noise Management Plan and gain approval as required by DPE. Gain approval from DPE and then implement the updated Noise Management Plan.	CLOSED. Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals provides approval of updated Noise Management Plan.
Sch 4, 10	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary.	SMEC did an energy and GHG assessment for the site 24 Dec 2014. Reviewed current practice and identified a range of options for consideration for implementation. No evidence of action on these options. It is noted that the site was in care and maintenance for much of the audit period. No substantive discussion of GHG in the Annual Review. No evidence of satisfaction of the Secretary was provided with the measures being implemented and as they are not discussed in any substantive way in the Annual Review, there is no evidence that information of the actions being undertaken have been advised to the secretary. Although the satisfaction of the Secretary cannot be demonstrated, due to the site being in care and maintenance, the opportunity for implementing further mitigation measures is reduced	The actions being undertaken on site to minimise energy use and GHG emissions should be reported as part of the Annual Review including a review of any proposed actions / justification for no actions.	OPEN. The AQ & GHG MP identifies GHG monitoring commitments in Sections 5.1 and 5.2. DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. GHG management is reported in Section 5.16 of the AEMR. It refers to a Ventilation Control Plan to manage emissions. Section 5.16 notes that methane drainage is not currently considered warranted in current mining areas base on "*typically low gas content information from exploration boreholes*". An observation and non-compliance was identified in the 2016-19 audit period. Refer response to Project Approval Sch 4, Condition 10 and 14.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Sch 4, 11	The Proponent shall implement all reasonable and feasible mitigation measures to ensure that the particulate emissions generated by the project do not exceed the criteria listed in Tables 7, 8 and 9 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.	Reasonable and feasible measures identified in the Air Quality and Greenhouse Gas Management Plan (refer to Condition 14 Schedule 3). However, compliance with this condition cannot be confirmed. Based on review of the 2013-2014 and 2014-2015 Annual Reviews, not all air quality monitoring requirements from this consent were undertaken during the term of the audit. Monitoring for deposited dust undertaken with TSP monitoring undertaken but not for the entire audit period with no PM 10 monitoring conducted. The TSP results were not reported in the AEMR and are not available on the WCL website. Real-time dust monitors installed in Dec 2015 but no results prior to that time. Mining was undertaken during the audit period without appropriate monitoring systems being in place.	The TSP results are to be reported in the AEMR and on the WCL website.	OPEN DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. Includes air quality monitoring system and mitigation measures. A non-compliance was identified in the 2016-19 audit period. Refer response to Project Approval Sch 4, Condition 11.
Sch 4, 13(a)	The Proponent shall: a) implement best practice air quality management, including all reasonable and feasible measures to minimise off-site odour, fume and dust emissions generated by the project, including from any spontaneous combustion on site,	WCL needs to resolve system for implementation of dust management measures (e.g. real-time system, risk alerts etc) with new contractor at Wongawilli. Dust risk email goes to control room at WW and to logistics manager in addition to enviro staff. WCL advised the control room is manned by contractor personnel.	Resolve system for implementation of dust management measures (e.g. real-time system, risk alerts etc.) with new contractor at Wongawilli.	OPEN DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. Includes air quality monitoring system and mitigation measures. A non-compliance was identified in the 2016-19 audit period. Refer response to Project Approval Sch 4, Condition 13.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Sch 4, 14(d)	The Proponent shall prepare and implement a detailed Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must: d) include an air quality monitoring program that: • uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project; and • includes a protocol for determining exceedances with the relevant conditions of this approval.	Real time monitoring noted as being required to be installed but is not included within the Air Quality monitoring sites detailed in Table 5.2 of the AQGHG MP. It is understood that this has been updated in the revised version of the management plan however this had not been approved by DPE at the time of the audit.	Gain approval and then implement the updated AQMP Management Plan from DPE	OPEN DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. Includes air quality monitoring system and mitigation measures. A non-compliance was identified in the 2016-19 audit period. Refer response to Project Approval Sch 4, Condition 14.

Sch 4, 21(c)	The Proponent shall prepared and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (c) include the following for managing other historic heritage on site: • a conservation management plan for the Wongawilli Colliery, that balances heritage management with the operational, safety, and rehabilitation requirements of the mine; and • a program/procedures for: o photographic and archival recording of potentially affected heritage items; o protection and monitoring of heritage items outside the project disturbance area; and o additional archaeologic	Specific measures to protect and monitor heritage items outside the project disturbance area have not been addressed within the plan.	Update heritage management plan to include measures to protect and monitor heritage items outside the project disturbance area.	CLOSED Heritage Management Plan approved and published on the website. Includes all items as required by Condition 21. WWC advised no works in and around heritage sites since 2016. Secretary approval (dated 19/09/16) of Heritage Management Plan, Version 4.1, dated 12/8/2016 sighted.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
	al excavation and/or recording of significant heritage items requiring demolition.			
Sch 4, 22(b)	The Proponent shall: (a) keep accurate records of the: • amount of coal transported from the site (on a monthly basis); • date and time of each train movement to and from the site; and (b) make these records publicly available on its website at the end of each calendar year.	Monthly train movement summaries only available for March to June 2014 are available on the Wongawilli website. Only March monthly summary contains actual data. April, May and June are blank. Train movements also occurred in April 2015 but are not reported on the WCL website.	WCL to update the train movement data on the website to provide a full record including during which periods no movements occur.	CLOSED Train Movement Summaries have been prepared for: • Aug-Dec 2016 • Jan-July & Dec 2017 • Jan-Dec 2018 • Jan & Feb 2019 Records include amount of coal and time of train movements. Train records are publicly available on the project website. There is no data published for: Aug-Nov 2017, or post-Feb 2019. Interviewees identified that no train movements occurred at each gap in the data since 2016.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Sch 4, 23	The Proponent shall: (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project; (b) ensure no unshielded outdoor lights shine above the horizontal; and (c) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, to the satisfaction of the Secretary.	SMEC report on lighting dated 24 Dec 2014. Found that the vertical illuminous requirements of AS4282 were satisfied but recommended that some of the 100W or above external lights be reorientated to achieve compliance. WCL advised that not all of the required works were completed. Nothing to evidence satisfaction of Secretary.	WCL to implement the outcomes of the SMEC lighting report.	CLOSED. WCL advised that not all of the required works were completed as the additional mitigations not required as impact is negligible and that this was reported in the 2016-17 AEMR. The AEMR was approved by DPIE 16/01/18.
Sch 4, 26	The Proponent shall rehabilitate the site to the satisfaction of the DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA, and comply with the objectives in Table 13.	MOP was prepared in accordance with the NSW Department of Industry Draft Interim MOP Guidelines (V1 dated 15 February 2011) which have been superseded by the DRE ESG 3 Mop Guidelines (DRE, 2013) and therefore the MOP has not been prepared in accordance with the required DRE guidelines. Section 4.1.5 notes that the MOP is to be reviewed at the end of 2016. Limited opportunities occur at the site, however, the need to remove some disused infrastructure at the pit top. DRE has not indicated their dissatisfaction with the progress of rehabilitation.	New MOP to be developed consistent with the requirements of ESG3 DRE MOP Guidelines.	OPEN WCL updated MOP (27/07/17). Sighted DRE conditional approval letter 31/07/17 for MOP through to 2020. It requires a sealing and rehabilitation plan to be submitted 31/07/18. There is no evidence of the sealing and rehab plan being submitted.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Sch 6, 3(b)	By the end of December each year (or other such timing as agreed by the Secretary), the Proponent shall review the environmental performance of the project to the satisfaction of the Secretary. This review must: (a) describe the works (including any rehabilitation) carried out in the past year, and the works proposed to be	With regard to monitoring data, Annual reviews provided on the website contain brief overviews of results against compliance. No specific mention is made regarding performance trends against the EA predictions or monitoring trends including previous year results.	An assessment of performance trends and performance against EA predictions should be included in future Annual Reviews.	CLOSED. **Annual Review 2015-16** extension granted to 30/10/16. AEMR published 17/2/2017. DPE approval 20/5/2017. **Observation:** Late submission, extension approval letter not sighted. **Annual Review 2016-17** extension granted to 30/11/17. AEMR published 30/11/2017
Sch 6, 3(d)		Trends in monitoring data are not discussed in the Annual Reviews. Discrepancies between the predicted and actual impacts	In future, Annual Reviews include a discussion of the monitoring trends over the life of the project.	

Sch 6, 3(e)	carried out over the next year; (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the: relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EA; (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the project; (e) identify any discrepancies between the predicted and actual impacts of	of the project, and analysis of the potential cause of any significant discrepancies are not discussed.	In future, Annual Reviews include a discussion of discrepancies between the predicted and actual impacts.	(on time). DPE Approval 16/1/2018. **Annual Review 2017-18** extension granted for submission by 21/12/18. Initial submission delivered by 21/12/18 (refer Resource Regulator letter dated 09/05/19). AEMR updated in response to comments from regulators and resubmitted in 2019. Approval granted from Resource Regulator 09/05/19. Approval granted by DPIE on 1/4/19..

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
	the project, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.			
Sch 6, 4	Within 3 months of: a) the submission of an annual review under condition 3 above; b) the submission of an incident report under condition 6 below; c) the submission of an audit report under condition 8 below; and d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review, the revised document must be submitted to the Secretary for approval. *Note: This condition ensures that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.*	It is noted that the Management plans reviewed were predominantly completed in 2013 and that no evidence was provided that they have been reviewed in accordance with the requirements of this condition. However, there is a letter from DPE dated 18/12/14 granting approval for plans to not be updated until 31/12/16 as the site is on care and maintenance.	Implement a process to undertake reviews as required by condition 4 of schedule 6.	CLOSED AEMRs submitted 17/02/17, 30/11/17, 21/12/18,which include reviews of project documents. No reportable incidents identified by WCL during the audit period. IEA finalised September 2016. No modifications occurred during the audit period. Management plans reviewed in September 2016, approved by Secretary. Sighted email from WCL to DPIE advising of the review conducted following submission of the AEMR, dated 28/3/2019.
Wongawilli Mining Lease				

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
ML 1565, ML1596 and CCL 766	Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director General. The plan together with environmental conditions of development consent and other approvals will form the basis for: (a) ongoing mining operations and environmental management; and (b) ongoing monitoring of the project.	The Wongawilli Colliery Mining Operations Plan (effective 17 May 2016) has been developed for activities to be undertaken by WCL within ML 1596, ML1565 and CCL 766. The MOP has been developed in accordance with DRE guidelines which had been superseded before the MOP was submitted to DRE and therefore it is recommended that a revised MOP is prepared in accordance with the requirements of DRE guideline ESG3: MOP Guidelines (DRE, 2013).	WCL to prepare a MOP for Wongawilli Operations in accordance with DRE ESG 3 MOP Guidelines.	OPEN WCL updated MOP (27/07/17). Sighted DRE conditional approval letter 31/07/17 for MOP through to 2020. It requires a sealing and rehabilitation plan to be submitted 31/07/18. There is no evidence of the sealing and rehab plan being submitted.
ML 1565, Condition 2(1)		Not all operations were undertaken in accordance with the approved MOP. There are also some aspects of environmental monitoring that are not in place (e.g. noise, heritage).		
ML 1596, Condition 2(a)	Environmental Harm The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.	This condition requires the lease holder to implement all practical measures to prevent or minimise harm and was identified as a non-compliance due to the non-compliances identified with some performance-based conditions and with elements of the management plans.		
ML 1596, Condition 3(a)	Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General.	Not all aspects of the MOP were being implemented. As noted above, a new MOP is required for the operation and it is currently being prepared by WCL.		
Environmental Performance Recommendations				

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Environmental Inspections	WCL environmental personnel undertake inspections however the inspections are not undertaken on a regular or routine basis.		It is recommended that the current site environmental inspection checklists be reviewed and updated and a formal comprehensive periodic inspection (at least monthly) be put in place for environmental personnel (not just covering water).	OPEN. Routine, formal and systematic inspections are not occurring. Inspections are occurring approximately every two monthly only. The inspection covers air emissions, water and drainage, land management (inc flora and fauna), waste, hazmat and spills response, energy and awareness. Any issues identified needs to be resolved by the person undertaking the inspection. Inspection 11/07/19 at hydrocarbon fuel wash bay. The inspections do not identify responsible persons or due date. There is no evidence of actions being systematically closed out.
	This audit and the DRE audit identified some discrepancies between the management and monitoring measures in the site water management plan and site practice (e.g. monitoring, inspections). It is noted that WCL has recently undertaken a review of the plan, however, the draft updated plan was not subject to review to confirm that these discrepancies have been resolved. The DRE audit identified that the Wongawilli Mine Integrated Wastewater Management Plan has not been implemented as outlined in the plan. It was also found that the completion of annual AS1940 audits which are required by the Plan have not been completed. The Annual Reviews prepared for Wongawilli Colliery were reviewed and it was noted that WCL do not report water make from underground operations in the Annual Review and therefore there is no data available to determine whether the water licences held by WCL are adequate for the ongoing operations. WCL should report compliance against the requirements of the site water licences within the Annual Reviews for future report periods		The water management system inspection checklists need to be updated to reflect current practice and improved focus is required on closing out the identified issues. Where issues are not closed out these should be elevated to management through the regular meeting processes undertaken on site so that appropriate resources can be allocated.	OPEN. The inspection regime was developed independent of the commitments in the management plans. The inspection checklist may be substantial, however there is no cross reference to the management plan requirements, or performance requirements in the Project Approval, EPL etc.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
Subsidence Reporting	- -		Future End of Panel reports to specifically address compliance or otherwise with the performance criteria.	OPEN. The EOP reports continue to not include a clear discussion of whether or not the performance criteria have been met Non-compliances were identified against this requirement during the 2016-19 audit period: Refer response to Project Approval Sch 3, Condition 1.
Noise	As operations have recommenced at Wongawilli Colliery the previously identified noise controls (e.g. those identified in the noise audit) should be reviewed and the appropriate controls implemented to minimise noise impacts during operations. As the mining operations will be undertaken by a contractor on behalf of WCL, appropriate procedures need to be put in place to manage noise as part of the ongoing operations; e.g. providing the contractor with information from the real-time noise monitor.		Prior to recommencement of operations at the site the status of previously identified noise controls (e.g. those identified in the noise audit) should be reviewed and it determined which controls need to be in place to minimise noise impacts during operations.	CLOSED. The NMP was updated 25.7.2016. Letter of approval (dated 19/09/16) from DPIE sighted.
House Keeping	Poor hydrocarbon and chemical storage and management identified in 2016 inspection.		A detailed review of existing hydrocarbon and chemical storage facilities is required to ensure the infrastructure is designed and operated in accordance with legislative requirements and the relevant Australian Standards	OPEN On the day of the site inspection it was observed that hydrocarbon and chemical storage was adequate, however there was evidence of historical losses of containment outside of bunding (to ground) and potential contamination of land.
			Wongawilli hydrocarbon management standards and operating procedures are to be reviewed to ensure the appropriate hydrocarbon management practices are detailed within the procedures.	OPEN Operating or handling procedures were not sighted.
			The design information and operating procures for the oil water separator was not available for review. These procedures and operating systems are to be reviewed to ensure the system is designed and operating as intended.	OPEN Design and operating documents related to the oil water separator were not sighted.

Condition / Issue	Compliance requirement	Previous non-compliance	Agreed Recommendation / Action	Status
			Training to detail the hydrocarbon management requirement and spill response procedures at Wongawilli Colliery are to be provided to WCL and contract personnel to ensure the appropriate hydrocarbon management and housekeeping practices are implemented on site	OPEN Training on hydrocarbon management and spill response (other than PIRMP testing) were not sighted.
Water	It is considered that further investigations are required into the discharge water quality from the active discharge at site to understand the visibly cloudy brown discolouration of the water in the sediment basins onsite (refer to Appendix 3, Plate 17). The investigation is required to be undertaken to determine the cause of the water turbidity and whether there are any changes to the existing water management methodology which could be implemented to reduce the turbidity of the water. The investigation should consider water treatment system including additional water quality monitoring (of a wider range of cations and anions) and testing of different flocculants/coagulants following on from monitoring/testing above, including relationship between TSS and turbidity (no clear relationship from the data provided). This is seen as a key issue for the site to understand the source/treatment options in relation to the cloudy brown water noted within the site water management system.		It is considered that further investigations are required into the discharge water quality from the active discharge at site to understand the visibly cloudy brown discolouration of the water in the sediment basins onsite.	CLOSED. Discharge water quality is reported monthly and presented on the project website. Compliance against discharge standards is reported in EPL Annual Returns. Refer response to applicable conditions for findings on discharges during the 2016-19 audit period.
			WCL are to therefore report compliance against the requirements of the site water licences within the Annual Review for future report periods.	CLOSED. The 2017/18 AEMR includes information on this event.

3.3 Issues raised by agencies

A review of WCL's operations at Wongawilli Colliery was conducted in consideration of the issues raised by agencies during consultation on the scope of the audit. The findings are presented in Table 2.

3.4 Complaints

A complaints register is being maintained by the Project. The register is published on the Project website at http://wollongongcoal.com.au/monitoring/.

At the time of writing, a total of seven complaints were recorded in the Audit Period. These related to noise, traffic impact, the Community Consultative Committee, maintenance of a path, website information, vibration and machinery placement.

3.5 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and
- whether there are any opportunities for improvement.

A review was conducted of WCL's management plans as listed in Section 2.2.

The documents are generally adequate and have been consulted on with the relevant agencies and approved by the department as relevant.

However the plans do not appear to be properly implemented, as indicated by the large number of non-compliances, some of which relate to failure to carry out tasks as set out in the plans. Refer to the Auditors detailed findings in Section 3.1.3 for examples.

4. Conclusions

The overall outcome of the IEA indicated that compliance records were not well organised and available at the time of the site inspection and interview with WCL personnel. That being said, WCL personnel involved with the audit provided open communication and were cooperative throughout.

There were 66 CoAs and 74 EPL conditions assessed. The findings were as follows:

- There were 53 conditions that were identified as being complied with.
- 26 non-compliances were identified
- 3 administrative non-compliances were identified
- 11 conditions were not able to be verified
- 47 conditions were identified as not being triggered.
- 10 actions identified from the previous audit had been closed. 15 actions remain open.

We have also made 3 recommendations of a more strategic nature, which are outlined below:

We recommend that WCL prepares an Annual Subsidence Impact Performance Report that provides a statement of compliance against all of the Subsidence Performance Measures in Tables 1 and 2 of the Approval and references to supporting evidence, analysis and conclusions by relevant experts.

We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to implementing this system.

We recommend that the published reports clearly indicate what the relevant limit criteria are, or clearly state where these do not apply.

The overall outcome of the IEA indicated that an increased priority on compliance is required by WCL to ensure its operations can continue into the future and to prevent any potential harm on the community and environment. The Auditor would like to thank the auditees for their cooperation and assistance during the IEA.

5. Limitations

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Appendix A. MP09_0161 Conditions of Consent

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
SCHEDULE 2					
ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
1	In addition to meeting the specific performance measures and criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	Annual Review / AEMR 2017-18 Annual Review / AEMR 2016-17 Site inspection 12/09/19	**Non-compliance**: For the 2017-18 period, the site reported: "*All reasonable and feasible measures to prevent or minimise harm to the environment were not implemented with the operation being subject to a penalty notice issued in October 2017 and PRP issued to site*". In addition, rubbish and loose material had accumulated behind the perimeter bund, and issues were identified with surface water management in the Timber Yard and was yet to be addressed at the time of writing the 2017-18 AEMR. An official caution and PRP were issued in the 2016-17 reporting period. It was observed at the site inspection that large volumes of unconsolidated waste coal and sediment was present across the site in stockpiles, basins (reducing capacity from their intended design capacity), flow paths and depressions and had not been appropriately managed (note that these were not in areas used by vehicles or mobile plant). Weeds were also evident across the site. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
TERMS OF APPROVAL					
2	The Proponent shall carry out the project: (a) generally in accordance with the EA; (b) in accordance with the general layout of the project and the Statement of Commitments; and (c) in accordance with the conditions of this approval. *Notes:* • *The general layout of the project is shown in Appendix 2.* • *The statement of commitments is reproduced in Appendix 3.* • *The Department notes that approval of the Western Driveage component of the project does not indicate or imply any approval of future mining in the Western Area (as defined in the EA), which will be subject to a separate planning process and full merit assessment.*	Annual Review / AEMR 2017-18 Annual Review / AEMR 2016-17	**Non-compliance:** The high number of non-compliances identified during the audit period indicates non-compliance with the conditions of approval. This condition was self-reported as NC in both the 2016-17 and 2017-18 AEMRs. **It is recommended that regulatory actions be included within the Compliance Management System (see recommendation above) for tracking and expeditious close out**	Non-compliant	The non-compliance was documented in the AEMR
3	If there is any inconsistency between the above documents, the more recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	NA	The conditions of this approval have been used as the basis of determining compliance.	Not triggered	
4	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this approval; (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this approval; and (c) the implementation of any actions or measures contained in these documents.	08/03/19 DPIE Resource Regulator Letter, Notice Under Section 240(1)(C) Mining Act 1992 (risk assessment required), and 01/04/19 DPIE Resource Regulator Notice of extension 20/03/17 DPIE letter of approval of updated 2015-16 AEMR. 16/01/18 DPIE letter of approval of 2016-17 AEMR. 17/04/18 DPIE Resource Regulator letter of approval of 2016-17 AEMR. 01/04/19 DPIE letter of approval of 2017-18 AEMR	The 08/03/19 DPIE Resource Regulator Letter, Notice Under Section 240(1)(C) Mining Act 1992 required WCL to undertake a risk assessment and report on the findings by certain dates. These were subject to an extension. The tasks were delivered by the revised dates. The 01/04/19 DPIE letter of approval of 2017-18 AEMR included a directive to update the AEMR prior to publishing the document on the website, to capture a non-compliance. The AEMR on line includes the information required to be captured. **Non-compliance:** The approval letters include a reminder that WCL ensure all its operations comply with the conditions of approval. Based on the number of non-compliances identified in this audit, WCL does not appear to comply with this directive. **Non-compliance:** The 31/07/17 DPIE Resource Regulator letter of approval of current MOP notes the commitment to provide DPIE with a plan that will outline the process to determine what mine entries would be suitable for sealing and rehabilitation by 31/07/18. There is no evidence to demonstrate that this has occurred. **The recommendations made above are relevant to this non-compliance.**	Non-compliant	The non-compliance was documented in the AEMR. WCL is working on a strategy to seal off portals at Wongawilli

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
		09/05/19 DPIE Resource Regulator letter of approval of 2017-18 AEMR 31/07/17 DPIE Resource Regulator letter of approval of current MOP			
LIMITS ON APPROVAL					
Mining Operations					
5	Mining operations for the project may take place until 31 December 2020. *Note: Under this approval, the Proponent is required to rehabilitate the site and perform additional undertakings to the satisfaction of either the Secretary or the DRE. Consequently this approval will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.*	Interview with auditees 29/08/19	Noted. The Project mined between mid-2016 and March 2019. The Project has been in care and maintenance since March 2019. No mining operations have occurred since that time.	Compliant	
Coal Production & Transport					
6	The Proponent shall: (a) not transport coal from the site by road (except in an emergency situation and with the prior approval of the Secretary in consultation with Council); (b) restrict coal processing and transport to/from the site to a maximum of 2 million tonnes of ROM coal per calendar year; and (c) restrict train movements to/from the site to a maximum of (except with the prior approval of the Secretary): • 8 train movements (calendar year average) a day; • 10 train movements (maximum weekly rolling average) a day; • 2 train movements a night during normal operations; and • 4 train movements a night during advertised campaigns, with a maximum of 10 such campaigns a year. *Notes:* *• For the purposes of this condition:* *o each train entering and exiting the site is classified as 2 train movements; a day refers to the 24 hours from midnight to midnight the next day; and (notwithstanding the general definition of "night" under this approval) a night refers to the period from 11:00pm to 7:00am;* *o an advertised campaign means a short term increase in train movements (up to 11 days) for ship-loading that has been advertised in accordance with the procedures in the Noise Management Plan (see condition 8 of schedule 4);* *• The Proponent is required to review the maximum number of train movements, particularly at night, as part of the Noise Audit (see condition 7 of schedule 4).*	Interview with auditees 29/08/19 Monthly train movement summaries August 2016 – February 2019 AEMR 2016-17 and 2017-18	WCL advise that all coal has been moved by train only. ROM coal has been substantially less that the 2m tonne/annum threshold for 16-17 and 17-18. The AEMR has not been finalised for 18-19, however volumes are still minor compared to limit. Train movements have been below the thresholds specified in this condition. **Observation**: There are gaps in reporting (no reports for July 14 – July 16, August 17 – November 17). WWC advise that these gaps are periods where no coal transport was occurring.	Compliant	
Hours of operation					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
7	The Proponent shall restrict loading and unloading to/from the coal stockpile as follows: (e) normal operations: • 7am to 6pm Monday to Friday; • 8am to 4pm Saturdays; and • at no time on Sundays and public holidays; (f) during longwall change-outs: • 7am to 10pm Monday to Saturday; and • at no time on Sundays and public holidays. At least 7 days prior to undertaking longwall change-outs involving extended hours of operation as allowed in (b) above, the Proponent shall provide written notification of the works to the Department, EPA, Council, the CCC and adjacent and affected residents, to the satisfaction of the Secretary. Note: Underground mining operations, coal transport and other surface facilities operation may be undertaken at any time.	Interview with auditees 29/08/19. Monthly train movement summaries August 2016 – February 2019.	**Non-compliance**: reports show that loading occurred outside of approved normal operating hours on 16/9/17, 22/9/17, 23/9/17, 03/11/16, 07/02/17, 23/3/17, 24/3/17, 28/3/17, 10/5/17, 12/3/18, 13/3/18, 14/3/18, 11/5/18, 15/5/18, 19/6/18, 21/6/18, 12/7/18, 27/11/18, 03/12/18. It is unclear whether these were under long wall change outs which allows extended hours. **Observation**: There are gaps in reporting (no reports for July 14 – July 16, August 17 – November 17). WWC advise that these gaps are periods where no coal transport was occurring. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
SURRENDER OF CONSENTS AND APPROVALS					
8	Within 6 months of this approval, or as otherwise agreed by the Secretary, the Proponent shall surrender all existing development consents and project approvals for mining operations relied on by the Proponent for the site (other than this approval) in accordance with Sections 75YA and 104A of the EP&A Act. *Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or approval should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.*	Wongawilli Colliery Nebo Area Project Approval AEMR (MP 09_161) 1 July 2017-30 June 2018 Wongawilli Colliery Nebo Area Project Approval AEMR (MP 09_161) 1 July 2016-30 June 2017 Wongawilli Colliery Nebo Area Project Approval AEMR (MP 09_161) 1 July 2015-30 June 2016	Section 3 of the AEMRs list consents, leases and licences relevant to the site in the three reporting periods. WCL confirmed these are the relevant approvals during the audit period. The only major project approval listed is MP 09_0161 (Nebo Area Project Approval), issued 2.11.2011 (Exp. 31.12.2020). A Project Approval (MP 09-0030) for construction of a New Bath House and Office was approved on 3.2.2012, after the date of the MP 09_0161 approval. A Special Areas Access Mining Consent (D2015/036046) was issued by WaterNSW on 4.3.2016 (Exp. 4.3.2021). 3 approvals under Part 5 of the EP&A Act exist for Avon water quality monitoring (D2011/1059, dated 9.5.2011, Exp. At completion of monitoring), LW19 Subsidence Survey Line (D2011/13055, dated 10.5.2011, Exp. At completion of LW19), and Nebo Longwalls N1 to N6 Monitoring (D2013/18268), dated 25.3.2013, Exp. 31.3.2018). There is no evidence of the site operating under mining approvals issued prior to the Nebo Area Project Approval MP 09_0161.	Compliant	
9	Prior to the surrender of these consents and/or approvals, the conditions of this approval (including any notes) shall prevail to the extent of any inconsistency with the conditions of these consents and/or approvals.	As above.	As above	Compliant	
STRUCTURAL ADEQUACY					
10	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structure that are part of the project are constructed in accordance with: (a) the relevant requirements of the BCA; and (b) any additional requirements of the MSB where the building or structure is located on land within declared Mine Subsidence Districts. *Notes:* *• Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.* *• Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.* *• Under Section 15 of the Mine Subsidence Compensation Act 1961, the Proponent is required to obtain the MSB's approval before constructing any improvements within a Mine Subsidence District.*	Interview with auditees 29/08/19	WCL advise that no construction or alternations of buildings or structures occurred during the audit period.	Not triggered.	
DEMOLITION					
11	The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures,* or its latest version.	Interview with auditees 29/08/19	WCL advise that demolition has not occurred during the audit period.	Not triggered.	
OPERATION OF PLANT AND EQUIPMENT					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
12	The Proponent shall ensure that all plant and equipment used on site is: (c) maintained in a proper and efficient condition; and (d) operated in a proper and efficient manner.	WWC environmental induction presentation 03/09/18. Water NSW induction permits. WWC completed induction register WWC maintenance work orders for all diesel fire extinguishers, eye wash stations, surface and underground fire extinguishers. Site inspection 12/09/19 and 09-10/04/19	All persons coming to work for environmental work on site receive an induction, relevant to the tasks being carried out. Various plant and equipment receives maintenance through a work order system. Active plant and equipment appears to be maintained and operated properly. **Non-compliance:** during the site inspections undertaken as part of the risk assessment in early 2019 a number of issues associated with encroachment of asset protection zones were observed, noting potential risks to fire. In short, asset protection zones had not been maintained as per the Industry Safety Steering Committee's (ISSC) "Guide for the Management of Vegetation in the Vicinity of Electricity Supply Infrastructure" (2016). **The recommendations from the Independent *Environmental Risk Assessment Wollongong Coal Limited Russell Vale & Wongawilli Collieries*, WolfPeak, May 2019 address these issues.**	Non-compliant	WCL advise that APZ work was undertaken in the catchment around Wong 4 shaft during 2019. Work was also undertaken on parts of the powerline catchment network in 2019. 6kva APZ work is currently underway at Wongawilli.
STAGED SUBMISSION OF STRATEGIES, PLANS OR PROGRAMMES					
13	With the approval of the Secretary, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis. *Note: The conditions of this approval require certain strategies, plans, and programs to be prepared for the project. They also require these documents to be reviewed and audited on a regular basis to ensure they remain effective. However, in some instances, it will not be necessary or practicable to prepare these documents for the whole project at any one time; particularly as these documents are intended to be dynamic and improved over time. Consequently, the documents may be prepared and implemented on a progressive basis. In doing this however, the Proponent will need to demonstrate that it has suitable documents in place to manage the existing operations of the project.*	Interview with auditees 29/8/19. WCL submission of management plans 27/3/19 and 28/3/19.	WCL undertook a review of the management plans after the 17-18 AEMR and submitted the plans to DPIE for information. Only minor updates were made. Refer response to Sch 6, Cond 4 regarding the timing of this submission. Plans are undergoing a further review for the care and maintenance phase of the project.	Compliant	
PROTECTION OF PUBLIC INFRASTRUCTURE					
14	Unless the Proponent and the applicable authority agree otherwise, the Proponent shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project. *Note: This condition does not apply to any damage to public infrastructure subject to compensation payable under the Mine Subsidence Compensation Act 1961, or to damage to roads caused as a result of general road usage.*	Interview with auditees 29/08/19	There were no works or known damage to third party infrastructure during the audit period.	Not triggered.	
SCHEDULE 3					
SPECIFIC ENVIRONMENTAL CONDITIONS					
SUBSIDENCE					
Performance Measures					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
1	The Proponent shall ensure that the project does not cause any exceedance of the performance measures in Table 1 to the satisfaction of the Secretary. *Table 1: Subsidence Impact Performance Measures* ***Water Resources*** Catchment yield to the Upper Cordeaux Reservoirs (No. 1 and No. 2) and Avon Reservoir — Negligible reduction to the quality or quantity of water resources reaching the reservoirs No connective cracking between the surface and the mine Upper Cordeaux Reservoirs (No. 1 and No. 2) and Avon Reservoir — Negligible leakage from the reservoirs Negligible reduction in the water quality of reservoirs ***Watercourses*** Wattle Creek, Little Wattle Tree Creek, Cordeaux River, Gallaghers Creek — Negligible environmental consequences, including: • *negligible* diversion of flows or changes in the natural drainage behaviour of pools; • *negligible* gas releases and iron staining; and • *negligible* increase in water cloudiness Other watercourses — No greater subsidence impact or environmental consequences than predicted in the EA Upland Swamps (No 22 and No 39) — Negligible environmental consequences including: • negligible change in the size of swamps; • negligible change in the functioning of swamps; • negligible change to the composition or distribution of species within swamps; and • negligible drainage of water from swamps, or redistribution of water within swamps ***Land*** Illawarra Escarpment State Conservation Area, Metropolitan Special Area — Negligible environmental consequences. Cliffs — Negligible environmental consequences (that is occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 0.5% of the total face area of such cliffs within the longwall mining area) ***Biodiversity*** Threatened species, threatened populations, or endangered ecological communities — Negligible environmental consequences ***Heritage Features*** Aboriginal heritage sites — Negligible impact or environmental consequence Non-Aboriginal heritage sites (including 'Historic 1', 'Historic 2' and 'Historic 3') — Negligible loss of heritage value *Notes to Table 1:* • *The Proponent will be required to define more detailed performance indicators (including impact assessment criteria) for each of these performance measures in the various management plans that are required under this approval (see condition 7(i) of schedule 3 and conditions 20 - 21 of schedule 4 below).* • *Measurement and/or monitoring of compliance with performance measures and performance indicators is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans. In the event of a dispute over the appropriateness of proposed methods, the Secretary will be the final arbiter.* • *In the case of the Illawarra Escarpment State Conservation Area, the Secretary's satisfaction can only be expressed following consultation with OEH.* • *In the case of the Metropolitan Special Area, the Secretary's satisfaction can only be expressed following consultation with WaterNSW.* • *The requirements of this condition only apply to the impacts and consequences of mining operations, construction or demolition undertaken following the date of this approval.*	Wongawilli Colliery Nebo N4 End of Panel Subsidence Report (WCW04693), SCT 8/12/17. Subsidence data for 2018 (file D2000 – 2018) Nebo Area – Longwall N4: End of Panel Report (Ecology) FINAL REPORT, Biosis, 15/12/17. Nebo Colliery End Of Panel N4 Surface Water And Groundwater Report, Geoterra 10/01/18. Biosys were preparing the latest EOP Ecology Report at the time of the audit, and SCT and Geoterra require payment before they will start the latest subsidence and water reports.	**Observation:** SCT EOP Report WCW04693 states that movements were not measured in areas of likely maximum subsidence but given geology and other subsidence behaviour means that impacts are consistent with those predicted in the EIS and allowed for in the approval. It continues that there is not expected to be any significant impacts on manmade assets or heritage items. It does not state that the impacts are negligible. **Observation:** The Biosis EOP Ecology Report states that observed impacts are within predictions and significant impacts to ecological values have not resulted from the extraction of Longwall N4. No management actions under the TARP have been triggered. No cumulative impacts have resulted from the extraction of both longwalls in the Nebo area. It does not state that the impacts are negligible. The Geoterra EOP Water Report states that overall, subsidence observed in the vicinity of N4 is considered to be less than or consistent with the predictions made in the EP/SMP and Part 3A Application (SCT Operations, 2017). It also states that, based on the low levels of ground movement observed as a result of Longwall N2 and Panel N4 extraction, there have been no adverse or unexpected impacts on the groundwater or surface water systems at Nebo. Monitoring of NM3 (300) line above Longwall N2 (SCT 2014) confirmed the bridging capacity of the crinanite, which has limited the maximum subsidence and associated parameters to levels that are imperceptible for all practical purposes (SCT Operations, 2017). **Observation:** Subsidence data for 2018 (file D2000 – 2018) indicates that subsidence pegs and markers are being destroyed over time. Many of the markers are on the fire trail which gets regraded from time to time (resulting in marker being destroyed and / or level changed). The number of data collection points are falling significantly from previous periods and, therefore reduce the ability to gather subsidence data. **We recommend that WCL prepares an Annual Subsidence Impact Performance Report or Statement that provides a statement of compliance against all of the Subsidence Performance Measures in Tables 1 and 2 of the Approval, and includes references to the supporting evidence, analysis and statements by the relevant technical experts in support of compliance (or otherwise) with all of the measures.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Not verified	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
2	The Proponent must assess and manage project-related risks to ensure that there are no exceedances of the performance measures in Table 1. Any exceedance of these performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Actor EP&A Regulation, notwithstanding actions taken pursuant to paragraphs (a)-(c) or condition 3 below. Where any exceedance of these performance measures has occurred, the Proponent must, at the earliest opportunity: (d) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur; (e) consider all reasonable and feasible options for remediation and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (f) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.	Refer response to Condition 1 above.	Refer response to condition 1 above	Not verified	As above.
Offsets					
3	If the Proponent exceeds the performance measures in Table 1 and the Secretary determines that: (a) it is not reasonable or feasible to remediate the impact or environmental consequence; or (b) remediation measures implemented by the Proponent have failed to satisfactorily remediate the impact or environmental consequence; then the Proponent shall provide a suitable offset to compensate for the impact or environmental consequence, to the satisfaction of the Secretary. *Note: Any offset required under this condition must be proportionate with the significance of the impact or environmental consequence*	Refer response to Condition 1 above.	Refer response to condition 1 above	Not verified	As above.

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
4	The Proponent shall ensure that the project does not cause any exceedances of the performance measures in Table 2, to the satisfaction of the Secretary. *Table 2: Subsidence Impact Performance Measures* **Built Features** Key public infrastructure: including WaterNSW infrastructure (Avon Dam, Upper Cordeaux No.1 and No.2 dams, water supply pipelines), high pressure gas pipelines, electricity transmission lines, fibre optic networks — Always safe and serviceable. Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired. Gas distribution pipelines, electricity distribution lines, roads, fire trails, other public infrastructure, other built features — Always safe. Serviceability should be maintained wherev practicable. Loss of serviceability must be ful compensated. Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated. **Public Safety** Public safety — No additional risk *Notes to Table 2:*	Wongawilli Colliery Nebo N4 End of Panel Subsidence Report (WCW04693), SCT 8/12/17	The SCT Report states that there are no significant impacts on man-made features (including power lines, roads and heritage sites), or natural features. It continues that subsidence impacts are expected to be compliant with this approval.	Compliant	
5	Any dispute between the Proponent and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 2 is to be settled by the Secretary, following consultation with the MSB and the DRE. Any decision by the Secretary shall be final and not subject to further dispute resolution under this approval.	Interview with auditees 29/08/19	The auditees did not identify any disputes during the audit period	Not triggered	
First Workings					
6	The Proponent may carry out first workings on site, other than in accordance with an approved Extraction Plan, provided that DRE is satisfied that the first workings are designed to remain long-term stable and non-subsiding, except insofar as they may be impacted by approved second workings. *Note: The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with zero resulting subsidence impacts.*	Interview with auditees 12/09/19	All mining during the audit period was conducted in accordance with the Extraction Plan.	Not triggered	
Extraction Plan					

7	The Proponent shall prepare and implement an Extraction Plan for any second workings on site, to the satisfaction of the Secretary. The plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; (b) be approved by the Secretary before the Proponent carries out any of the second workings covered by the plan; (c) include detailed plans of existing and proposed first and second workings and any associated surface development; (d) provide revised predictions of the conventional and non-conventional subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this approval; (e) include detailed performance indicators for each of the performance measures in Tables 1 and 2; (f) describe the measures that would be implemented to: • ensure compliance with the performance measures in Tables 1 and 2; and • manage or remediate subsidence impacts and/or environmental consequences; (g) include a contingency plan that expressly provides for adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Tables 1 and 2, or where any such exceedance appears likely; (h) include the following to the satisfaction of DRE: • a subsidence monitoring program to: o provide data to assist with the management of the risks associated with subsidence; o validate the subsidence predictions; o monitor the integrity of the overlying strata, particularly the Cordeaux Crinanite; and o analyse the relationship between the predicted and resulting subsidence effects and predicted and resulting impacts under the plan and any ensuing environmental consequences; and o inform the contingency plan and adaptive management process; • a coal resource recovery plan that demonstrates effective recovery of the available resource; • a Built Features Management Plan, which has been prepared in consultation with the owners of such features, to manage the potential impacts and consequences of subsidence on any built features; • a Public Safety Management Plan to ensure public safety in the mining area; and • appropriate revisions to the Rehabilitation Management Plan required under condition 26 of schedule 4; and (i) include a: • Water Management Plan, which has been prepared in consultation with EPA, Water NSW and DPI Water, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on watercourses and aquifers, including: o surface and groundwater impact assessment criteria based on at least 2 years of baseline data, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; o a program to monitor and report groundwater inflows to underground workings; and o a program to predict, manage and monitor impacts on any groundwater bores on privately-owned land; • Biodiversity Management Plan, which has been prepared in consultation with OEH and DRE, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats; endangered	DPIE approval of Extraction Plan 05/09/17. NEBO Longwalls N1-N6 Extraction Plan, dated November 2012 – Revision 1. Prepared by Niche Environment and Heritage Independent Environmental Audit of Wongawilli Colliery FINAL September 2016 (Umwelt) Sighted current consolidated monitoring schedule Interview with auditees 29/08/19 Surface Water Management Plan, Rev 4.1, 07/08/16. Heritage Management Plan, Rev 4.1, 12/08/16 DPIE approval (19/09/16) of Environmental Management Strategy Version 3.1 (13 September 2016); Heritage Management Plan Version 4.1 (12 August 2016); Air Quality Greenhouse Gas Management Plan Version 5.1 (25 July 2016); Noise Management Plan Version 3.1 (25 July 2016); Surface Water Management Plan Version 4.1 (07 August 2016); and Bushfire Management Plan Rev 1.1 (August 2016). Survey drawing of mine workings between 2016-19 compared to MOP boundary.	DPIE approved the Extraction Plan on 05/09/17. **Observation:** The current NEBO Extraction Plan, dated 27/03/19 was requested during the audit but not provided. The 2015 Extraction Plan was also requested but not provided. Therefore compliance with the extraction plan relevant to the audit period was unable to be verified. The monitoring schedule identifies monitoring required under the Extraction Plan, frequency and timing required, location, type of monitoring. It also captures the completion schedule (i.e.: confirmation of completion of monitoring or details of any delays in monitoring). Tasks get progressively crossed off as completion occurs. The document is up to date as at Sep 19. Detailed survey drawings showing the areas mined since 2016 and their location in relation to the approved mining lease boundaries was provided. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Not verified	As above.

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
	ecological communities, and water dependent ecosystems; • 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, with a specific focus on cliffs and steep slopes; and • Heritage Management Plan, to manage the potential environmental consequences of the proposed second workings on both Aboriginal and non-Aboriginal heritage sites or values; and (j) include a program to collect sufficient baseline data for future Extraction Plans. *Note: An SMP that is substantially consistent with this condition and which is approved by DRE prior to 31 December 2011 is taken to satisfy the requirements of this condition.*				
8	The Proponent shall ensure that the management plans required under condition 7(i) above include: (a) an assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this approval; and (b) a detailed description of the measures that would be implemented to remediate predicted impacts	DPIE approval of Extraction Plan 05/09/17. NEBO Extraction Plan, dated 27/03/19 (not available for review during the audit). NEBO Extraction Plan, dated 2015 (not available for review during the audit). NEBO Longwalls N1-N6 Extraction Plan, dated November 2012 – Revision 1	DPIE approved the Extraction Plan on 05/09/17.	Compliant	
Payment of Reasonable Costs					
9	The Proponent shall pay all reasonable costs incurred by the Department to engage suitably qualified, experienced and independent experts to review the adequacy of any aspect of an Extraction Plan.	Interview with auditees 29/08/19	Independent review of the Extraction Plans is not known to have been required.	Not triggered	
SCHEDULE 4					
SPECIFIC ENVIRONMENTAL CONDITIONS – GENERAL					
NOISE					
Noise Criteria					

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Response</th></tr>
<tr><td>1</td><td>The Proponent shall ensure that the noise generated by the project (including train loading and shunting within the yard but excluding train movements on the Wongawilli rail spur) does not exceed the criteria in Table 3 and Table 4 at any residence on privately-owned land or on more than 25 percent of any privately owned land.

Table 3: Noise Criteria dB(A) – Intrusive Noise Limits – Existing Residences
<table>
<tr><th rowspan="2">Receiver Area</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr>
<tr><th>$L_{Aeq\ (15\ min)}$</th><th>$L_{Aeq\ (15\ min)}$</th><th>$L_{Aeq\ (15\ min)}$</th><th>$L_{A1\ (1\ min)}$</th></tr>
<tr><td>RA1</td><td>43</td><td>43</td><td>43</td><td>59</td></tr>
<tr><td>RA2</td><td>44</td><td>43</td><td>43</td><td>60</td></tr>
<tr><td>RA3</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
<tr><td>All other existing residential receivers</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
</table>
Table 4: Noise Criteria dB(A) – Amenity Noise Limits – All Residences
<table>
<tr><th rowspan="2">Receiver Area</th><th>Day</th><th>Evening</th><th>Night</th></tr>
<tr><th>$L_{Aeq\ (11\ hour)}$</th><th>$L_{Aeq\ (4\ hour)}$</th><th>$L_{Aeq\ (9\ hour)}$</th></tr>
<tr><td>All privately-owned land</td><td>60</td><td>50</td><td>45</td></tr>
</table>
Notes to Tables 3 and 4:
• To interpret the locations referred to Tables 2 and 3, see Appendix 4.
• 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.

However, these noise criteria do not apply if the Proponent has an agreement with the relevant owner/s of the residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</td><td>Wongawilli Coal Noise Monitoring reports, dated Sep 2016, Nov 2016, Feb 2017, Dec 2017, Mar 2018 (Pacific Environment)

Wongawilli Noise Compliance Monitoring Report Q2 2018 (ERM)

Draft Noise Monitoring Reports, Q3 and Q4 2018, and Q1 and Q2 2019.</td><td>All noise monitoring data provided for review returned compliant results for the audit period.

WWC are conducting additional (in-house WCL staff) monitoring at new residential locations (named WW1, WW2, WW3) monthly, consisting of care and maintenance data.

Observation: There has been no noise monitoring data published on the website since July 2018. Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website.

We recommend the website be periodically reviewed with current documents uploaded on a regular basis.</td><td>Compliant</td><td>WCL advise that the website has been updated.</td></tr>
<tr><td colspan="5">Noise Goals</td><td></td></tr>
<tr><td>2</td><td>The Proponent shall make continual endeavours to reduce the noise generated by the project, with the objective being that noise generated by the project (including train loading and shunting within the yard but excluding train movements on the Wongawilli rail spur) does not exceed the criteria in Table 5 at any existing residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 5: Noise Criteria dB(A) – Intrusive Noise Goals – Existing Residences
<table>
<tr><th rowspan="2">Receiver Area</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr>
<tr><th>$L_{Aeq\ (15\ min)}$</th><th>$L_{Aeq\ (15\ min)}$</th><th>$L_{Aeq\ (15\ min)}$</th><th>$L_{A1\ (1\ min)}$</th></tr>
<tr><td>RA1</td><td>40</td><td>40</td><td>38</td><td>51</td></tr>
<tr><td>RA2</td><td>40</td><td>40</td><td>38</td><td>51</td></tr>
<tr><td>RA3</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
<tr><td>All other existing residential receivers</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
</table>
Notes:
• To interpret the locations referred to Table 5, see Appendix 4.
• Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.
• The noise goals in Table 5 may be varied by way of direction to the Proponent by the Secretary, following consideration of the results of the noise audit required under condition 7 below.</td><td>Wongawilli Coal Noise Monitoring reports, dated Sep 2016, Nov 2016, Feb 2017, Dec 2017, Mar 2018 (Pacific Environment)

Wongawilli Noise Compliance Monitoring Report Q2 2018 (ERM)

Draft Noise Monitoring Reports, Q3 and Q4 2018, and Q1 and Q2 2019.</td><td>All noise monitoring data provided for review returned compliant results for the audit period.

WWC are conducting additional (in-house WCL staff) monitoring at new residential locations (named WW1, WW2, WW3) monthly, consisting of care and maintenance data.

Observation: There has been no noise monitoring data published on the website since July 2018. Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website.

We recommend the website be periodically reviewed with current documents uploaded on a regular basis.</td><td>Compliant</td><td>WCL advise that the website has been updated.</td></tr>
<tr><td colspan="5">Rail Noise</td><td></td></tr>
<tr><td>3</td><td>The Proponent shall ensure that the noise generated by railway activities on the Wongawilli rail spur outside of the yard limits (excluding any train shunting or when loading is taking place) does not exceed the criteria in Table 6 at any existing residence on privately-owned land.

Table 6: Noise Criteria dB(A) – Rail Noise Limits – Existing residences
<table>
<tr><th rowspan="2">Receiver Area</th><th>Day</th><th>Night</th></tr>
<tr><th>$L_{Aeq\ (period)}$</th><th>$L_{Aeq\ (period)}$</th></tr>
<tr><td>All existing residential receivers</td><td>65</td><td>60</td></tr>
</table>
Note: Noise generated by the railway activities is to be measured in accordance with the relevant requirements, a exemptions of the Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects.

However, these noise criteria do not apply if the Proponent has an agreement with the relevant owner/s of the residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</td><td>Wongawilli Coal Noise Monitoring reports, dated Sep 2016, Nov 2016, Feb 2017, Dec 2017, Mar 2018 (Pacific Environment)

Wongawilli Noise Compliance Monitoring Report Q2 2018 (ERM)

Draft Noise Monitoring Reports, Q3 and Q4 2018, and Q1 and Q2 2019.</td><td>All noise monitoring data provided for review returned compliant results for the audit period.

WWC are conducting additional (in-house WCL staff) monitoring at new residential locations (named WW1, WW2, WW3) monthly, consisting of care and maintenance data.

Observation: There has been no noise monitoring data published on the website since July 2018. Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website.

We recommend the website be periodically reviewed with current documents uploaded on a regular basis.</td><td>Compliant</td><td>WCL advise that the website has been updated.</td></tr>
</table>

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
4	By the end of July 2013, or other timing as may be agreed by the Secretary, the Proponent shall use its best endeavours to ensure that its rail spur is only accessed by: (a) 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 (b) trains comprising no less than 30 wagons.	Independent Environmental Audit of Wongawilli Colliery FINAL September 2016 (Umwelt) Train Movement Summaries 2016-2019, project website	**Non-compliance:** The previous audit report identified that: Letter to DPIE from WCL dated 12 Dec 2013 regarding this issue. Identifies that Pacific National has been unwilling to increase train length but that new contract is proposed and will seek to address this issue. No evidence could be provided that the Secretary of DPIE is satisfied that WCL has used its best endeavours to meet this condition. Confirmation of DPIE satisfaction is required to demonstrate compliance. Train movement summaries presented on the website includes trains with less than 30 wagons, e.g. December 2018 & Jan 2019 (21 wagons). **We recommend WCL either expedite resolution of this issue or seek a modification to this condition to reflect intended train lengths.**	Administrative non-compliance	Subject to ongoing discussions with rail operator.
5	The Proponent shall restrict train speeds on the Wongawilli rail spur to a maximum of 20 km/h.	NVB-PRO-SAF Rail Operations Wongawilli Railway	A procedure has been developed by Pacific National for use by its drivers. It stipulates 20km/h speed limits.	Compliant	
Operating Conditions					
6	The Proponent shall: (a) implement best practice noise management, including all reasonable and feasible noise mitigation measures to minimise the operational, road traffic and rail noise generated by the project; and (b) regularly assess the results of noise monitoring to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Secretary.	Wongawilli Colliery Noise Management Plan (NMP), July 2016 Evidence referred to in Conditions 1-3 above. Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Reports (2016, 2017, 2018) Complaints Register 2016 - 2019	The NMP identifies the noise mitigation measures to be implemented during project works. Noise Monitoring Reports verify that noise recorded is below the criteria specified in the approval (MP 09_161). Two noise complaints were received during the audit period. These were investigated and resolved. No follow up complaints are known to have been received. The AEMRs identify the noise mitigation measures in place and whether there are any issues with noise (exceedances or complaints). No issues were identified during the reporting period. No new mitigation measures have been proposed or implemented during the audit period.	Compliant	
Noise Audit					
7	The Proponent shall prepare and implement a Noise Audit for the project to the satisfaction of the Secretary. The audit must: (a) be prepared by a suitably qualified and experienced expert, whose appointment has been approved by the Secretary; (b) be prepared in consultation with EPA, and be submitted to the Secretary for approval by the end of June 2013; (c) undertake improved background noise monitoring; (d) investigate and evaluate: • all reasonable and feasible measures to mitigate operational noise levels to comply with the noise goals in Table 5; and • all reasonable and feasible measures to mitigate rail noise associated with the project (e.g. locomotive use, use of longer trains and 3-pack wagons, track works); (e) review the feasibility of reducing the maximum train movements, particularly at night (see condition 6 of schedule 2), based on the minimum train length required under condition 4 above; and (f) include an action plan to implement the audit recommendations and a protocol for monitoring the effectiveness of these measures.	NRE Wongawilli Colliery Noise Audit, Version B, December 2013 (Wilkinson Murray) Independent Environmental Audit (IEA) of Wongawilli Colliery FINAL September 2016 (Umwelt)	A Noise Audit was conducted by Wilkinson Murray in December 2013. The noise audit was prepared in accordance with the requirements of Schedule 4, Condition 7. The Final Draft of the audit report was issued on 30.8.2013, and the Final on 16.12.2013. Submission of the report was non-compliant with the required timeframe (30 June 2013). A non-compliance was issued for late submission during the previous IEA (Umwelt, 2016). We have considered this part of the condition as 'not-triggered' as this requirement does not relate to the current audit period. **Observation**: The Noise Audit references consultation with the EPA and approval of the noise audit dated 6/1/2014. The noise audit published on the website appears to be a superseded version (Dec 2013). **We recommend the website be periodically reviewed with current documents uploaded on a regular basis.**	Compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
Noise Management Plan					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
8	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with EPA and Council, and submitted to the Secretary for approval within 6 months of this approval; (b) describe the noise mitigation measures that would be implemented to ensure compliance with the relevant conditions of this approval; (c) include a protocol for continual improvement of noise performance, and reporting progress in meeting the noise goals in Table 5; (d) include a protocol for notifying residents of advertised campaigns (see condition 6 of schedule 2); and (e) include a noise monitoring program that: • uses a combination of attended and unattended monitoring to evaluate the performance of the project; and • includes a protocol for determining exceedances of the relevant conditions of this approval.	Wongawilli Colliery Noise Management Plan, dated 25.7.2016 (Wollongong Coal) Independent Environmental Audit (IEA) of Wongawilli Colliery FINAL September 2016 (Umwelt) All new WWC management plans were re-submitted to DPIE on 27/3/19 and 28/3/19 as part of 3-month review following the AEMR. The updated plans have not been approved. Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals	Initial NMP prepared, dated May 2013. The previous IEA (Umwelt, 2016) notes the initial NMP was a late submission (required 13.4.2012). Umwelt, 2016 also refers to a letter from DPE dated 18/12/14 granting approval for plans to not be updated until 31/12/16 as the site is on care and maintenance. Current NMP dated 25.7.2016. Letter of approval from DPIE sighted. The current NMP has been prepared in accordance with the requirements of this condition. Mitigation measures are documented in Section 6.1.2. Noise criteria and noise goals are addressed in Section 4. Protocol for notifying residents of advertising campaigns, Section 6.1.1. A noise monitoring program is set out in Section 5 and includes real-time and attended noise monitoring and includes compliance evaluation methodology. **Observation:** There is an intensification of residential development at the foot of the WWC. **We recommend that the noise management plan be reviewed (and potentially revised) in light of new residential development at foothills.**	Compliant	As above.
AIR QUALITY & GREENHOUSE GASES					
Odour					
9	The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act, unless otherwise authorised by an EPL.	Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016 Interview with auditees 29/08/19 Complaints Register 2016 - 2019	The AQ & GHG MP identifies odour criteria in Section 4.1, Monitoring (observation) in Section 5.1, and TARP in Attachment C. No odour issues were detected by site personnel during the audit period. No complaints in relation to odour are known to have been received during the audit period.	Compliant	
Greenhouse Gas Emissions					
10	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary. *Note: This condition does not extend to Scope 3 emissions, as defined in the National Greenhouse Energy Reporting Guidelines.*	Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016 Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018) Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals GHG monitoring results (requested but not provided for review during the audit) Ventilation Control Plan (requested but not provided for review during the audit)	The AQ & GHG MP identifies GHG monitoring commitments in Sections 5.1 and 5.2. DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. GHG management is reported in Section 5.16 of the AEMR. It refers to a Ventilation Control Plan to manage emissions. Section 5.16 notes that methane drainage is not currently considered warranted in current mining areas base on "*typically low gas content information from exploration boreholes*". Wongawilli Ventilation Status Reports 2016, 2017, 2018 and SCADA screen shots indicate implementation of the Ventilation Control Plan. **Observation:** Monthly data from GHG monitoring at the Pit Top Ventilation Shaft (i.e. temp, pressure, flow, CH4, CO2) is not discussed in the AEMR (2018). **We recommend the AEMR include details on GHG releases.**	Compliant	As above.
Air Quality Criteria					

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Response</th></tr>
<tr>
<td>11</td>
<td>The Proponent shall implement all reasonable and feasible mitigation measures to ensure that the particulate emissions generated by the project do not exceed the criteria listed in Tables 7, 8 and 9 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 7: Long term criteria for particulate matter
<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/m^3</td></tr>
<tr><td>Particulate matter < 10 µm (PM_{10})</td><td>Annual</td><td>[a] 30 µg/m^3</td></tr>
</table>
Table 8: Short term criterion for particulate matter
<table>
<tr><th>Pollutant</th><th>Averaging period</th><th>[d] Criterion</th></tr>
<tr><td>Particulate matter < 10 µm (PM_{10})</td><td>24 hour</td><td>[a] 50 µg/m^3</td></tr>
</table>
Table 9: Long term criteria for deposited dust
<table>
<tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr>
<tr><td>[c] Deposited dust</td><td>Annual</td><td>[b] 2 g/m^2/month</td><td>[a] 4 g/m^2/month</td></tr>
</table>
Notes to Tables 7-9:
[a] Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to o sources);
[b] Incremental impact (ie incremental increase in concentrations due to the project on its own);
[c] Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2 Methods for Sampling and Analysis of Ambient Air – Determination of Particulate Matter – Deposited Matter – Gravim Method; and
[d] Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activ or any other activity agree to by the Secretary in consultation with EPA.</td>
<td>Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016

Wongawilli Colliery Nebo Area Project Approval (MP 09_161) annual review/annual environmental management report (2016, 2017, 2018

Wollongong Coal Wongawilli Quarterly Air Quality and Noise Monitoring Reports, Jan 16 – Jun 17, Pacific Environment

Wollongong Coal Wongawilli Quarterly Air Quality and Noise Monitoring Reports, Jul 17 – Jun 18, ERM

Wongawilli Colliery Monthly Monitoring Report Environmental Protection Licence No: 1087 (2016 – 2019)</td>
<td>The AEMR reports on air quality performance throughout the year, along with management measures in Section 5.1.

The AQ & GHG MP identifies mitigation measures to ensure emissions don’t exceed the criteria. Performance Measures and Criteria is presented in Section 4, Monitoring and Reporting in Section 5, and Mitigation and Management Strategies in Section 6.

Observation: There is no evidence to show that the Trigger Action Response Plan (TARP) was initiated in response to exceedances in accordance with the AQ & GHG MP.

PM10 is measured continuously via the BAM method at the WWC site boundary. Monitoring data indicated satisfactory results with the exception of the following:

- EPL1087 Point 14 exceedance of PM10 criteria on 8 x occasions between April and October 2018, and
- EPL1087 Point 14 exceedance of PM10 on 3 x occasions between May and August 2019 (two of which were not attributed to WWC).

Observation: Significant PM10 data gaps exist between Jan – March 16, Jan – March 17, Apr – Jun 17, Jul - Sep 17, Apr – Jun 18. Emissions are not able to be verified during these periods.

Observation: PM10 reports have not been published on the website since June 2018. The results are published in the EPL monitoring reports only.

Non-compliance: Deposited Dust: is measured at 5 x points along the site boundaries. 2016 – 2019 results for deposited dust are reported as being compliant for all periods and locations other than the following:

- EPL1087 Point 13 for Feb 2016.
- EPL1087 Point 9 for March 2018.
- EPL1087 Point 12 for March 2018.

TSP: There are no monitoring requirement for TSP matter and no TSP data for the site. Relationship between TSP and PM10 used.

We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.

We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).</td>
<td>Non-compliant</td>
<td>WCL have since investigated these exceedances and are of the position that they may not be attributable to the operations of the coal mine.</td>
</tr>
<tr><td colspan="5">Air Quality Acquisition Criteria</td><td></td></tr>
</table>

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Response</th></tr>
<tr><td>12</td><td>If the particulate matter emissions generated by the project exceed the criteria in Tables 10, 11, and 12 on a systematic basis at any residence on privately-owned land, or on more than 25 percent of any privately owned land, then upon receiving a written request for acquisition from the landowner the Proponent shall acquire the land in accordance with the procedures in conditions 4-5 of schedule 5.

Table 10: Long term acquisition criteria for particulate matter
<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 (PM_{10})</td><td>Annual</td><td>[a] 30 µg/m³</td></tr>
</table>
Table 11: Short term acquisition criteria for particulate matter
<table>
<tr><th>Pollutant</th><th>Averaging period</th><th>[d] Criterion</th></tr>
<tr><td>Particulate matter < 10 µm (PM_{10})</td><td>24 hour</td><td>[a] 150 µg/m³</td></tr>
<tr><td>Particulate matter < 10 µm (PM_{10})</td><td>24 hour</td><td>[b] 50 µg/m³</td></tr>
</table>
Table 12: Long term acquisition criteria for deposited dust
<table>
<tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr>
<tr><td>[c] Deposited dust</td><td>Annual</td><td>[b] 2 g/m²/month</td><td>[a] 4 g/m²/month</td></tr>
</table>
Notes to Tables 10-12:
[a] Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to sources);
[b] Incremental impact (ie incremental increase in concentrations due to the project on its own);
[c] Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1: Methods for Sampling and Analysis of Ambient Air – Determination of Particulate Matter – Deposited Matter – Gravi Method; and
[d] Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal act or any other activity agree to by the Secretary in consultation with EPA.</td>
<td>Refer evidence referred to in response to Condition 11 above.

Interview with auditees 29/08/19</td>
<td>Refer to response to Condition 11 above. Based on the results of PM10 monitoring, exceedances are not likely to be systemic.

Based on interviews, there were no property acquisitions requested, or required during the reporting period.</td>
<td>Not triggered</td><td></td></tr>
<tr><td colspan="5">Operating Conditions</td><td></td></tr>
<tr><td>13</td><td>The Proponent shall:
(a) implement best practice air quality management, including all reasonable and feasible measures to minimise off-site odour, fume and dust emissions generated by the project, including from any spontaneous combustion on site,
(b) minimise any visible air pollution generated by the project; and
(c) regularly assess the real-time air quality monitoring and meteorological forecasting data, and relocate, modify and/or suspend operations to ensure compliance with the relevant conditions of this approval;
to the satisfaction of the Secretary.</td>
<td>Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016.

Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018)

Wollongong Coal Wongawilli Quarterly Air Quality and Noise Monitoring Reports, Jan 16 – Jun 17, Pacific Environment.

Wollongong Coal Wongawilli Quarterly Air Quality and Noise Monitoring Reports, Jul 17 – Jun 18, ERM

Wongawilli Colliery Monthly Monitoring Report Environmental Protection Licence No: 1087 (2016 – 2019).</td>
<td>The AEMR reports on air quality performance throughout the year, along with management measures in Section 5.1.

The AQ & GHG MP identifies mitigation measures to ensure emissions don't exceed the criteria. Performance Measures and Criteria is presented in Section 4, Monitoring and Reporting in Section 5, and Mitigation and Management Strategies in Section 6.

Observation: There were non-compliances in air monitoring conditions identified (refer response to Condition 11 above) and there is no evidence to show that the TARP was initiated in response to exceedances in accordance with the AQ & GHG MP. Implementation of the requirements of Condition 13c by WWC was unable to be demonstrated during the audit.

We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.

We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).</td>
<td>Not verified</td>
<td>WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.</td></tr>
<tr><td colspan="5">Air Quality & Greenhouse Gas Management Plan</td><td></td></tr>
</table>

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
14	The Proponent shall prepare and implement a detailed Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, and submitted to the Secretary for approval within 6 months of this approval; (b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including a real-time air quality management system that employs both reactive and proactive mitigation measures; (c) describe the measures that would be implemented to minimise the greenhouse gas emissions from the site; and (d) include an air quality monitoring program that: • uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project; and • includes a protocol for determining exceedances with the relevant conditions of this approval.	Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016 Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals	DPIE approval of AQ & GHG MP, version 5, dated 25 July 2016 sighted. Includes air quality monitoring system and mitigation measures. GHG management is reported in Section 5.16 of the AEMR. It refers to a Ventilation Control Plan to manage emissions. Section 5.16 notes that methane drainage is not currently considered warranted in current mining areas base on "*typically low gas content information from exploration boreholes*". Wongawilli Ventilation Status Reports 2016, 2017, 2018 and SCADA screen shots indicate implementation of the Ventilation Control Plan. **Observation:** There were non-compliances in air monitoring conditions identified (refer response to Condition 11 above) and there is no evidence to show that the TARP was initiated in response to exceedances in accordance with the AQ & GHG MP. Implementation of the requirements of Condition 13c by WWC was unable to be demonstrated during the audit. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Not verified	As above
METEROLOGICAL MONITORING					
15	During the life of the project, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the site that: (a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise approved by EPA.	Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016 WWC Onsite Weather station data (requested but not provided for review during the audit)	A weather station (Station No. 068188) is located at the Pit Top. The AQ & GHG MP notes the weather station complies with the requirements in the Approved Methods for Sampling of Air Pollutants in NSW guideline. It measures mean wind speed, direction, rainfall and mean temperate every 15 mins. **Observation**: There is no evidence available to show that the weather station records temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise approved by EPA. **We recommend WCL verify the monitoring stations capability and implement a system that meets the requirements of this condition.**	Not verified	As above
SOIL & WATER					
Water Licences					
16	The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match its available water supply, to the satisfaction of the Secretary. *Note: The Proponent is required to obtain all necessary water licences and approvals for the project under the Water Act 1912 and/or Water Management Act 2000.*	Interview with auditees 29/08/19 Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018)	There are two water sources used on site Groundwater and captured surface water (in dam), and towns water. The volumes of each are not tracked. AEMRs indicate excess water is available for use at the site due to minimal mining activity during the audit period, groundwater flows and surface water storage.	Compliant	
Baseflow Offsets					
17	The Proponent shall offset the loss of any baseflow to watercourses caused by the project to the satisfaction of the Secretary. This condition does not apply if the Secretary subsequently determines that the loss of baseflow is negligible. *Note: Offsets for long-term losses should be provided via the retirement of adequate water entitlements to account for the loss attributable to the project*	Nebo Colliery End of Panel N4 Surface Water and Groundwater Report, Geoterra 10/01/18 2019 End of Panel Report (requested but not provided for review during the audit)	The Geoterra EOP Water Report states that overall, subsidence observed in the vicinity of N4 is considered to be less than or consistent with the predictions made in the EP/SMP and Part 3A Application (SCT Operations, 2017). It also states that, based on the low levels of ground movement observed as a result of Longwall N2 and Panel N4 extraction, there have been no adverse or unexpected impacts on the groundwater or surface water systems at Nebo. The 2018 report identifies no loss of baseflows, and therefore no offset has been required within the audit period. **Observation**: the 2019 EOP Report was not available for review during the audit.	Not triggered	
Compensatory Water Supply					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
18	The Proponent shall provide a compensatory water supply to any landowner of privately-owned land whose water entitlements are adversely impacted (other than an impact that is negligible) as a result of the project, in consultation with DPI Water, and to the satisfaction of the Secretary. The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must be provided (at least on an interim basis) within 24 hours of the loss being identified. If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution. If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Secretary.	Nebo Colliery End of Panel N4 Surface Water and Groundwater Report, Geoterra 10/01/18 2019 End of Panel Report (requested but not provided for review during the audit)	The Geoterra EOP Water Report states that overall, subsidence observed in the vicinity of N4 is considered to be less than or consistent with the predictions made in the EP/SMP and Part 3A Application (SCT Operations, 2017). It also states that, based on the low levels of ground movement observed as a result of Longwall N2 and Panel N4 extraction, there have been no adverse or unexpected impacts on the groundwater or surface water systems at Nebo. **Observation**: the 2019 EOP Report was not available for review during the audit.	Not triggered	
Surface Water Discharges					
19	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	Wongawilli Colliery Monthly Monitoring Report Environmental Protection Licence No: 1087 (2016 – 2019) Annual Review / AEMR 2017-18	Water quality monitoring results are published monthly. **Non-compliance:** Exceedances were recorded at EPL1087 Point 2 as follows: - Exceedance of pH criteria, Jan 2016 - Exceedance of TSS criteria, Jul 2016 - Exceedances of TSS criteria, Jan 2017 - Exceedances of TSS criteria, Jun 2017 - Exceedances of TSS criteria, Jul 2017 Note there is no evidence of triggering of the TARP in response to the above exceedances. The 2016-17 AEMR reports an official caution was issued to WCL for offsite discharge of turbid water during the reporting period. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Non-compliant	As above
Surface Facilities Water Management Plan					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
20	The Proponent shall prepare and implement a Surface Water Management Plan for the project to the satisfaction of the Secretary. This plan must: (d) be prepared in consultation with DPI Water, EPA and Council, and be submitted to the Secretary for approval within 6 months of this approval, or as otherwise agreed with the Secretary; (e) include a comprehensive water balance for the project, that includes details of: • sources of water supply and water make; • water use; and • water discharges; and (f) management plans for the surface facilities sites, that include: • a detailed description of water management systems for each site, including: o clean water diversion systems; o erosion and sediment controls; and o any water storages; • measures to minimise potable water use and to reuse and recycle water; • measures to comply with surface water discharge limits; • measures to manage sewage wastewater in accordance with Council requirements; and • monitoring and reporting procedures. *Note: This plan must be suitably integrated with the Water Management Plans that form part of Extraction Plans.*	Wongawilli Colliery Surface Water Management Plan (SWMP), dated 7.8.2016, Wollongong Coal Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018)	SWMP includes all requirements listed in Condition 20. Monitoring to be undertaken as outlined in the TARP (Attachment C, SWMP). Monitoring is also conducted in accordance with EPLs 1087 and 1089 and NCs raised in Annual Returns. Secretary approval of SWMP, Version 4.1, dated 7.8.2016 sighted Groundwater prioritised for use over townswater. Surface Water Management is addressed in Section 6.2 of the AEMRs **Non-compliance:** Exceedances were recorded at EPL1087 Point 2 as follows: - Exceedance of pH criteria, Jan 2016 - Exceedance of TSS criteria, Jul 2016 - Exceedances of TSS criteria, Jan 2017 - Exceedances of TSS criteria, Jun 2017 - Exceedances of TSS criteria, Jul 2017 Note there is no evidence of triggering of the TARP in response to the above exceedances as per the SWMP. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Non-compliant	As above
HERITAGE					
Heritage Management Plan					
21	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (d) be prepared in consultation with OEH, the Aboriginal community, Council and any local historical organisations, and be submitted to the Secretary for approval within 6 months of this approval, or as otherwise agreed with the Secretary; (e) include the following program/procedures for managing Aboriginal heritage management within the project area: • conserving, managing and monitoring Aboriginal sites and potential archaeological deposits within the project disturbance area; • conserving, managing, and monitoring Aboriginal sites outside the project disturbance area; • managing the discovery of any new Aboriginal objects or skeletal remains during the project; • maintaining and managing access to archaeological sites by the Aboriginal community; and • ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage within the project area; and (f) include the following for managing other historic heritage on site: • a conservation management plan for the Wongawilli Colliery, that balances heritage management with the operational, safety, and rehabilitation requirements of the mine; and • a program/procedures for: o photographic and archival recording of potentially affected heritage items; o protection and monitoring of heritage items outside the project disturbance area; and o additional archaeological excavation and/or recording of any significant heritage items requiring demolition. *Note: This plan must be suitably integrated with Heritage Management Plans that form part of Extraction Plans.*	Wongawilli Colliery Heritage Management Plan, dated 12.8.2016, Wollongong Coal Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals Interview with auditees	Heritage Management Plan approved and published on the website. Includes all items as required by Condition 21. WWC advised no works in and around heritage sites since 2016. Secretary approval of Heritage Management Plan, Version 4.1, dated 12.8.2016 sighted. Heritage items in subsidence affected areas are also managed in accordance with the Extraction Plan requirements. **Observation**: There has been no consultation with LALC since 2017. **We recommend that WCL ensure attempts to consult with the LALC are conducted as business as usual.**	Compliant (Observation)	As above

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
TRANSPORT					
Monitoring of Coal Transport					
22	The Proponent shall: (a) keep accurate records of the: • amount of coal transported from the site (on a monthly basis); • date and time of each train movement to and from the site; and (b) make these records publicly available on its website at the end of each calendar year.	Monthly Train Movement Summaries 2016-2019 Interview with auditees	Train Movement Summaries have been prepared for: • Aug-Dec 2016 • Jan-July & Dec 2017 • Jan-Dec 2018 • Jan & Feb 2019 Records include amount of coal and time of train movements. Train records are publicly available on the project website. There is no data published for: Aug-Nov 2017, or post-Feb 2019. Interviewees identified that no train movements occurred at each gap in the data since 2016.	Compliant	
VISUAL					
Visual Amenity and Lighting					
23	The Proponent shall: (d) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project; (e) ensure no unshielded outdoor lights shine above the horizontal; and (f) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, to the satisfaction of the Secretary.	Independent Environmental Audit (IEA) of Wongawilli Colliery FINAL September 2016 (Umwelt) SMEC Lighting Report, dated 24 Dec 2014 (as referenced in the previous IEA Report)	SMEC lighting report found that the vertical illuminous requirements of AS4282 were satisfied but recommended that some of the 100W or above external lights be reorientated to achieve compliance. **Observation:** WCL advised that not all of the required works were completed as the additional mitigations not required as impact is negligible and that this was reported in the 2016-17 AEMR. The AEMR was approved by DPIE 16/01/18. **We have no recommendations in relation to this condition.**	Compliant (Observation)	As above.
WASTE					
24	The Proponent shall: (e) minimise and monitor the waste generated by the project; (f) ensure that the waste generated by the project is appropriately stored, handled and disposed of; (g) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (h) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018) Site Waste Registers Wongawilli Colliery Annual Review 2017-18 Septic tank cleaning and waste removal records 2018 – 2019 Remondis invoices for collected of blackwater (septic tank waste)	Waste management is addressed in Section 4.6 of the AEMRs. Waste streams and quantities are identified in Table 4.2 Tracking of waste managed by env co-ordinator since 2017. Sighted waste registers, they track scrap steel, sewage, waste oil and GSW, paper etc. Waste contractors are listed in the AEMR as Remondis, Cleanaway, and East West Metal Trading. There is no sewer connection at the site. 4 x blackwater tanks are removed by Remondis. Sighted septic tank records, including volumes, and Remodis invoices for the collection. Waste reduction opportunities are limited due to low production volumes and care and maintenance mode. **Non-compliance**: Large volumes of unconsolidated waste coal were observed across the site in stockpiles, basins, flow paths and depressions, and had not been appropriately managed. Waste records for coal fines and coal wash were unavailable, and not included in the AEMR. Additionally, a non-compliance was reported in 2017-18 AEMR with EPL 1087 Condition O1.1 (b) in relation to "rubbish and loose material that has accumulated behind the perimeter bund in the Timber Yard has yet to be addressed". This was not reported in the EPL 1087 Annual Return for the same period. **We note that WCL have committed to a site wide clean up and recommend that this be programmed (with target completion dates) and implemented in full.**	Non-compliant	WCL advise that WWC is undergoing a site wide clean-up of drains and basins and coal fines / material.
BUSHFIRE					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
25	The Proponent shall: (a) ensure that the project is suitably equipped to respond to fires on site; and (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.	Wongawilli Colliery Bushfire Management Plan, August 2016, Rev 1.1, SBD Services Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals AEMRs 2015-16, 2016-17, &-2017-18, Section 5.13 WWC maintenance work orders for all diesel fire extinguishers, eye wash stations, surface and underground fire extinguishers.	A Bushfire Management Plan has been prepared for the site and approved by DPIE. Secretary approval of Bushfire Management Plan, Rev 1.1, dated August 2016 sighted. Water supplies on site include dams, water tankers, firefighting stations and reticulation. And interference on conveyor and powerline easements; Adequacy of firebreaks, cleared zones and landscape management works. Bushfire management activities are outlined in Section 5.13 of the AEMRs during the audit period. ERP for WWC includes provision for contact with RFS (ERP section 7.1 and section 8.6). Note this ERP was last published in 2016. An updated plan is awaiting authorisation. Firefighting equipment maintenance work orders sighted. .	Compliant	
REHABILITATION					
Rehabilitation Objectives					
26	The Proponent shall rehabilitate the site to the satisfaction of the DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA, and comply with the objectives in Table 13. *Table 13: Rehabilitation Objectives* **Feature** — **Objective** Mine site (as a whole) — Safe, stable & non-polluting. **Feature** — **Objective** Final land use compatible with surrounding land uses. Surface infrastructure — To be decommissioned and removed, unless the D agrees otherwise Portals and vent shafts — To be decommissioned and made safe and stable. Retain habitat for threatened species (eg bats), wh practicable Watercourses of 2nd order or above subject to subsidence impacts — Hydraulically and geomorphologically stable Cliffs — No additional risk to public safety compared to prior to min Other land affected by the project — Restore ecosystem function, including maintaining establishing self-sustaining ecosystems comprised of: • local native plant species (unless the DRE agr otherwise); and • a landform consistent with the surrounding environm Built features damaged by mining operations — Repair to pre-mining condition or equivalent unless: • the owner agrees otherwise; or • the damage is fully restored, repaired or compensa under the *Mine Subsidence Compensation Act 1961* Community — Ensure public safety. Minimise the adverse socio-economic effects associated w mine closure *Notes to Table 13:* • *These rehabilitation objectives apply to all subsidence impacts and environmental consequences caused b mining taking place after the date of this approval; and to all project surface infrastructure part of the projec whether constructed prior to or following the date of this approval.* • *Rehabilitation of subsidence impacts and environmental consequences caused by mining which took place to the date of this approval may be subject to the requirements of other approvals (eg under a mining lease Subsidence Management Plan approval) or the Proponent's commitments.*	Wongawilli Colliery Mining Operations Plan (Effective 17/05/2016) prepared in accordance with the DRE ESG 3 Mop Guidelines (DRE, 2013)? Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018) Site inspection 12/09/19	Section 7 of the Annual Return / AEMR addresses rehabilitation. Proposed rehabilitation activities are described in Table 7.1 of the AEMR. The mine was in production from mid-2016 to March 2019 and is currently under care and maintenance. There was no rehabilitation conducted during the audit period (2016-2019). None was observed during the site inspection. Total rehabilitated area (except for maintenance) recorded as 14ha, which was at the Avondale Colliery and completed by Huntley Heritage as previous operators (outside of audit period).	Not triggered	
Progressive Rehabilitation					
27	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	As per Condition 26	As per Condition 26	Not triggered	
Rehabilitation Management Plan					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
28	The Proponent shall prepare and implement a Rehabilitation Management Plan for the project, to the satisfaction of the Secretary of DRE. This plan must: (e) be prepared in consultation with the Department, OEH, DPI Water, WaterNSW, Council and the CCC, and be submitted to the DRE for approval within 6 months of this approval, or as otherwise agreed with the Secretary; (f) be prepared in accordance with any relevant DRE guideline, and be consistent with the rehabilitation objectives in the EA and in Table 13; (g) build, to the maximum extent practicable, on the other management plans required under this approval; and (h) address all aspects of rehabilitation and mine closure, including final land use assessment, rehabilitation objectives, domain objectives, completion criteria and rehabilitation monitoring. *Note: The Rehabilitation Management Plan should address all land impacted by the project, whether prior to or following the date of this approval.*	Interview with auditees 12/09/19 Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018) Wongawilli Colliery Mining Operations Plan (MOP), dated 17/05/2016 DPIE Resources Regulator letter, dated 31/07/17, approving MOP.	No rehab has occurred on the mining lease. AEMR 17-18 identifies some remedial works on emplacement area. The Rehabilitation Management Plan forms part of the MOP. **Non-compliance:** Sighted DPIE Resource Regulator conditional approval letter 31/07/17 for MOP through to 2020. It requires a sealing and rehabilitation plan to be submitted 31/07/18. There is no evidence of the sealing and rehab plan being submitted. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Administrative non-compliance	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
SCHEDULE 5					
ADDITIONAL PROCEDURES					
NOTIFICATION OF LANDOWNERS					
1	As soon as practicable following obtaining monitoring results showing: (c) an exceedance of the relevant criteria in schedule 4, the Proponent 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 project is complying with the relevant criteria again; or (d) an exceedance of the relevant criteria in conditions 11 or 12 of schedule 4, the Proponent shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowner and/or existing tenants of the land (including the tenants of any mine-owned land).	See Conditions 11 and 12 of Schedule 4	Exceedances in PM10 and deposited dust have occurred during the audit period (see Conditions 11 and 12, Schedule 4). **Non-compliance:** There was no evidence that affected landowners and/or tenants (if any) were notified of exceedances. There was also no evidence of WWC issuing a copy of the NSW Health fact sheet entitled "Mine Dust and You" as required. **We recommend WCL ensure appropriate consultation be carried out with the stakeholders identified.**	Non-compliant	As above
INDEPENDENT REVIEW					
2	If an owner of privately-owned land considers the project to be exceeding the relevant criteria in schedule 4, then he/she may ask the Secretary in writing for an independent review of the impacts of the project on his/her land. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Proponent shall: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the project is complying with the relevant criteria in schedule 4; and • if the project is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Secretary and landowner a copy of the independent review.	Interview with auditees 12/09/19	The requirement for an independent review is not known to have been triggered during the audit period.	Not triggered	
3	If the independent review determines that the project is complying with the relevant criteria in schedule 4, then the Proponent may discontinue the independent review with the approval of the Secretary. If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 4, and that the project is primarily responsible for this non-compliance, then the Proponent shall: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; or (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Secretary. 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 upon receiving a written request from the landowner, the Proponent shall acquire all or part of the landowner's land in accordance with the procedures in conditions 4-5 below.	As per Condition 2 above	As per Condition 2 above	Not triggered	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
LAND ACQUISITION					
4	Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on: (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the: • 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 undertaken by the Proponent on the land; (b) the reasonable costs associated with: • relocating within the Wollongong local government area, or to any other local government area determined by the Secretary; 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 (c) reasonable compensation for any disturbance caused by the land acquisition process. If the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired within 28 days after the Proponent makes its written offer, then either party may refer the matter to the Secretary for resolution. Upon receiving such a request, the Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to: • consider submissions from both parties; • determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above; • prepare a detailed report setting out the reasons for any determination; and • provide a copy of the report to both parties. Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination. However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report disputing the independent valuer's determination, and any other relevant submissions. Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination. If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land shall cease, unless the Secretary determines otherwise.	Interview with auditees 12/09/19	There have been no known requests for property acquisition from landowners during the audit period.	Not triggered	
5	The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 4 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.	As per Condition 4 above	As per Condition 4 above	Not triggered	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
SCHEDULE 6					
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
ENVIRONMENTAL MANAGEMENT					
Environmental Management Strategy					
1	The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must: (a) be submitted to the Secretary for approval within 6 months of this approval; (b) provide the strategic framework for environmental management of the project; (c) identify the statutory approvals that apply to the project; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project; (e) describe the procedures that would be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the project; • respond to any non-compliance; • respond to emergencies; and (f) include: • copies of any strategies, plans and programs approved under the conditions of this approval; and • a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.	Interview with auditees 12/09/19 Wongawilli Colliery Independent Environmental Audit Report, 2016, Umwelt Wongawilli Colliery Environmental Management Strategy, 13/9/2016, Wollongong Coal Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals	An earlier version of the EMS was approved by the Department on 15.7.2013 (Umwelt, 2016). The EMS is available on the project website, the content of which complies with the requirements of this condition. Version 3.1 of the EMS dated 13/9/2016 was approved by the Secretary in letter dated 19/9/2016.	Compliant	
Management Plan Requirements					
2	The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: • the relevant statutory requirements (including any relevant approval, 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; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: • impacts and environmental performance of the project; • effectiveness of any management measures (see (c) above); (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the project over time; (g) a protocol for managing and reporting any: • incidents; • complaints; • non-compliances with conditions of this approval and statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. *Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*	Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals Wongawilli Colliery Independent Environmental Audit Report, 2016, Umwelt	The following management plans were approved by DPIE in a letter dated 19/9/2016: Environment Management Strategy, dated 13/9/2016; Heritage management Plan, dated 12/8/2016; Air Quality & Greenhouse Gas Management Plan, dated 25/7/2016; Noise Management Plan, dated 25/7/2016; Surface Water Management Plan, dated 7/8/2016; and Bushfire Management Plan, dated August 2016. The requirement for management plans to include the requirements of this condition has been assessed as part of each management plan review.	Compliant	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
Annual Review					
3	By the end of December each year (or other such timing as agreed by the Secretary), the Proponent shall review the environmental performance of the project to the satisfaction of the Secretary. This review must: (g) describe the works (including any rehabilitation) carried out in the past year, and the works proposed to be carried out over the next year; (h) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the: • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EA; (i) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance; (j) identify any trends in the monitoring data over the life of the project; (k) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and (l) describe what measures will be implemented over the next year to improve the environmental performance of the project.	Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018) Letter from DPIE to WWC Re:2015-16 AEMR Approval, dated 20/5/2017 Letter from DPIE to WWC Re:2016-17 AEMR Approval, dated 16/1/2018 Letter from DPIE to WWC Re: RVC & WWC Extension Approval (to 21/12/2018), dated 2/10/2018 Letter from DPE to WWC Re: 2016-17 AEMR Acceptance, dated 17/4/2018 Letter from DPIE to WWC Re:2017-18 AEMR Approval, dated 1/4/2019 Letter from DPIE Resource Regulator dated 09/05/19 approving 2017-18 AEMR. Letter from DPIE approval for extension of 2015-16 AEMR, dated 27/09/16 DPIE Resources Regulator extension of 2016-17 AEMR, dated 30/11/17.	Annual reviews have been completed during the audit period and content is as required by Condition 3. **Annual Review 2015-16** extension granted to 30/10/16. AEMR published 17/2/2017. DPE approval 20/5/2017. **Observation:** Late submission, extension approval letter not sighted. **Annual Review 2016-17** extension granted to 30/11/17. AEMR published 30/11/2017 (on time). DPE Approval 16/1/2018. **Annual Review 2017-18** extension granted for submission by 21/12/18. Initial submission delivered by 21/12/18 (refer Resource Regulator letter dated 09/05/19). AEMR updated in response to comments from regulators and resubmitted in 2019. Approval granted from Resource Regulator 09/05/19. Approval granted by DPIE on 1/4/19..	Compliant	
Revision of Strategies, Plans and Programs					
4	Within 3 months of: (e) the submission of an annual review under condition 3 above; (f) the submission of an incident report under condition 6 below; (g) the submission of an audit report under condition 8 below; and (h) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review, the revised document must be submitted to the Secretary for approval. *Note: This condition ensures that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.*	Email from WCL to DPIE, dated 28.3.2019. Letter from DPIE to Wollongong Coal, dated 19 September 2016 RE: Wongawilli Colliery (09_0161) Management Plan Approvals	AEMRs submitted 17/02/17, 30/11/17, 21/12/18, which include reviews of project documents. Two reportable incidents identified during the audit period 29/11/16, 19/05/17. IEA finalised September 2016. No modifications occurred during the audit period. Management plans reviewed in September 2016, approved by Secretary. Sighted email from WCL to DPIE advising of the review conducted following submission of the AEMR, dated 28/3/2019. **Observation**: there is no evidence of the reviews being undertaken within 3 months of the reportable incident on 19/05/17, the submission of the 2015-16 AEMR on 17/02/17, or the submission of the 2016-17 AEMR on 30/11/17. **WCL advise that a review was conducted following the submission of 2016-17 AEMR. We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Not verified	WCL advise that EMP's were reviewed and updated following the submission of the 2016-17 AEMR on 30/11/17.
Community Consultative Committee					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
5	The Proponent shall establish and operate a Community Consultative Committee (CCC) for the project in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version), or alternative consultative framework as may be agreed by the Secretary, to the satisfaction of the Secretary. This CCC or alternative framework must be operating within 6 months of this approval. *Notes:* *• The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval.* *• In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.* *• In establishing the CCC, the Department will accept the continued representation from existing CCC members.*	CCC meeting minutes 2016-2019 Annual Review / AEMR 2017-18	CCC Meeting minutes sighted and published on the website. CCC established and operational and was in place for the duration of the audit period. **Non-compliance:** The 2017-18 AEMR states WWC was issued with a penalty notice on 23/10/2017 for the failure to undertake the required three CCC meetings per year. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
REPORTING					
Incident Reporting					
6	The Proponent shall notify the Secretary 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 project, the Proponent shall notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Incident Reports 2017-2019 AEMR 2015-16, 2016-17, 2017-18. EPL 1087 PIRMP test, dated 06/05/16, 08/09/17, 25/09/18 EPL 12242 PIRMP tests, dated 08/03/19 and 29/05/18	Two reportable incidents occurred during audit period 2016-17 These relate to: 29 November 2016 – Turbid water from underground mine workings at the premises was discharged through LDP2. The water drained downhill into the minewater dam which overflowed into a tributary of Robbins Creek. WCL received an official caution from EPA for the incident. 19 May 2017 - An incident occurred in the Catchment Area where two substations, one at Wongawilli No 1 Shaft and one at Nebo No 3 Shaft were broken into and transformer oil was released to gain access and remove copper cable from within the transformers. WaterNSW issued clean up notices for the incident. **Non-compliance**: there was no evidence to demonstrate that these were reported via the pollution hotline (or did not need to be). **We recommend that WCL incident investigation and reporting procedures be reviewed, and that personnel are trained in reporting requirements and that records relating to incidents and their reporting be retained in an orderly fashion.**	Non-compliant	As above
Regular Reporting					
7	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.	http://wollongongcoal.com.au/monitoring/ Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018) EPL 1087 Monthly Monitoring Reports, 2016-2019 Monthly Train Movement Summaries 2016-2019 Wongawilli Coal Noise Monitoring reports, dated Sep 2016, Nov 2016, Feb 2017, Dec 2017, Mar 2018 (Pacific Environment) Wongawilli Noise Compliance Monitoring Report Q2 2018 (ERM) Draft Noise Monitoring Reports, Q3 and Q4 2018, and Q1 and Q2 2019.	The WCL website includes copies of the management plans, Annual Reviews and environmental monitoring data as required by the Project Approval. **Non-compliance:** Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website. A NC was reported in 2017-18 AEMR for not regularly updating the website. **We recommend the website be periodically reviewed with current documents uploaded on a regular basis.**	Non-compliant	WCL advise that the website has been updated.
INDEPENDENT ENVIRONMENTAL AUDIT					

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response
8	By the end of June 2013 (or other such timing as agreed by the Secretary), and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must: (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and (e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals. Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Secretary.	Wongawilli Colliery Independent Environmental Audit Report, September 2016, Umwelt	The 2016 Independent E Audit Report is published on the project website, as well as WCL response to WWC IEA recommendations. The IEA Report includes consultation, assessment of environmental performance, review of strategies and plans, and recommendation for improvement. It is unclear whether the 2016 IEA was commissioned prior to the end of June 2016, but the report was finalised in September 2016, with the site visit conducted in August 2016.	Compliant	
9	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	WCL-Response-to-WWC-IEA-Recommedations-V2-Final-280916 Email from DPE re response to 2016 EIA, dated 21 October 2016	Submission of the 2016 EIA report to the Secretary, dated 21 October 2016, i.e. within 6 weeks of audit completion (in Sept 2016).	Compliant	
ACCESS TO INFORMATION					
10	From the end of December 2011, the Proponent shall: (c) make copies of the following publicly available on its website: • the EA; • all current statutory approvals for the project; • approved strategies, plans and programs required under the conditions of this approval; • a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; • a complaints register, which is to be updated on a monthly basis; • minutes of CCC meetings; • the annual reviews of the project; • any independent environmental audit, and the Proponent's response to the recommendations in any audit; • any other matter required by the Secretary; and (d) keep this information up-to-date, to the satisfaction of the Secretary.	http://wollongongcoal.com.au/environmental-assessment-w/ http://wollongongcoal.com.au/approvals-wongawilli-colliery/ http://wollongongcoal.com.au/management-compliance/ http://wollongongcoal.com.au/monitoring/ Wongawilli Colliery Nebo Area Project Approval (MP 09_161) Annual Review/Annual Environmental Management Report (2016, 2017, 2018)	Copies of documents and records listed in Condition 10 were published on the project website at the time of the audit. **Non-compliance:** Drafts Noise Monitoring Reports (Q3 and Q4 2018, and Q1 and Q2 2019) were sighted but were yet to be finalised and uploaded to the website. A NC was reported in 2017-18 AEMR for not regularly updating the website. The Extraction Plan is not the current approved version. A NC was reported in the 2017-18 AEMR for this condition, i.e. "*not keeping website information up to date*". **We recommend the website be periodically reviewed with current documents uploaded on a regular basis.**	Non-compliant	WCL advise that the website has been updated.

Appendix B. Wongawilli Colliery Environment Protection Licence 1087

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Response.</th></tr>
<tr><td colspan="5">1. ADMINISTRATIVE CONDITIONS</td><td></td></tr>
<tr><td colspan="5">A1 What the licence authorises and regulates</td><td></td></tr>
<tr><td>A1.1</td><td>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.
Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.
<table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>0 - 2000000 T annual handing capacity</td></tr><tr><td>Mining for coal</td><td>Mining for coal</td><td>> 500000 - 2000000 T annual production capacity</td></tr></table></td><td>Wongawilli Colliery Nebo Area Project Approval (MP 09_161) ANNUAL REVIEW / ANNUAL ENVIRONMENTAL MANAGEMENT REPORT (1 JULY 2017–30 JUNE 2018), dated 28.2.2019

Wongawilli Colliery Nebo Area Project Approval (MP 09_161) ANNUAL REVIEW / ANNUAL ENVIRONMENTAL MANAGEMENT REPORT (1 JULY 2016–30 JUNE 2017), dated 30.11.2017

Wongawilli Colliery Nebo Area Project Approval (MP 09_161) ANNUAL REVIEW / ANNUAL ENVIRONMENTAL MANAGEMENT REPORT (1 JULY 2015–30 JUNE 2016), dated 17.2.2017</td><td>Total Annual Run of Mine (ROM) Coal production for July 2017-June 2018 was reported as 199,839T. Mining operations ceased for part of this period, recommencing in October 2017.

Total Annual ROM Coal production for 2016-2017 was reported as 332,592T.

No mining was reported to have been undertaken for the 2015-2016 period.

Coal production volumes were well below licensed limits.</td><td>Compliant</td><td></td></tr>
<tr><td colspan="5">2. DISCHARGES TO AIR WATER AND APPLICATIONS TO LAND</td><td></td></tr>
<tr><td colspan="5">P1 Location of monitoring / discharge points and areas</td><td></td></tr>
<tr><td>P1.1</td><td>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.
Air
<table><tr><th>EPA identi-fication no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>9</td><td>Dust Deposition Site</td><td></td><td>South western boundary, Wongawilli emplacement. Lat Long -34.48802 150.74832</td></tr><tr><td>10</td><td>Dust Deposition Site</td><td></td><td>East of coal stockpile. Lat long -34.47903 150.75832</td></tr><tr><td>11</td><td>Dust Deposition Site</td><td></td><td>East of coal stockpile, behind Wongawilli township. Lat Long -34.47924 150.76111</td></tr><tr><td>12</td><td>Dust Deposition Site</td><td></td><td>Eastern boundary at Shone Avenue. Lat long -34.48240 150.76652</td></tr><tr><td>13</td><td>Dust Deposition Site</td><td></td><td>South eastern boundary, Iredell Road. Lat Long -34.48887 150.76326</td></tr><tr><td>14</td><td>Ambient Air Monitoring</td><td></td><td>PM10 monitor east of the coal stockpile area. Lat Long: -34.47874 150.75824</td></tr></table></td><td>Annual Reviews / Annual Environmental Monitoring Reports 2015-16, 2016-17 & 2017-18

Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.

Wongawilli Colliery Air Quality & Greenhouse Gas Management Plan, July 2016

Email from Robert Faddy-Vrouwe of Wollongong Coal, dated 30/11/2018

Site inspection 12/09/19</td><td>EPL Monitoring Points 9-13 for dust deposition are listed in the Air Pollution section of each Annual Review / AEMR for the audit period and monitoring results recorded where the mine was operational.

Monitoring results for PM10 are also discussed in each AEMR. It is understood that Monitoring Point 14 was added to the EPL on the 26th October 2018, after the end of the reporting period for 2017/18.

Annual Returns for Licence 1087 report dust deposition data for Monitoring Points 9, 10, 11, 12, and 13.

Ambient air monitoring data for Point 14 is not included (PM10 monitor east of the coal stockpile area). It is understood that Monitoring Point 14 was added to the EPL on the 26th October 2018, after the end of the reporting period for 2017/18.

On the day of the inspection, accessible air monitoring points were consistent with positions described.</td><td>Compliant</td><td></td></tr>
<tr><td>P1.3</td><td>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</td><td>Annual Reviews / Annual Environmental Monitoring Reports 2015-16, 2016-17 & 2017-18

Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.

Wongawilli Colliery Surface Water Management Plan

Monthly monitoring result reports Jan 2016-Oct 2019

(SWMP), dated 7.8.2016, Wollongong Coal

Site inspection 12/09/19</td><td>Water discharge monitoring points LDP1, LDP2, LDP3, LDP4, LDP7 & LDP8 are listed in the Water Management section of each Annual Review / AEMR for the audit period and monitoring results recorded where the mine was operational.

Non-compliance: WCL advise in their email dated 01/11/19 that the location description of EPA point 7/8 does not align with the coordinates they have on file. During the site inspection on 12/09/19, WCL advised that the monitoring location of EPA point 2 was not the same as that on file.</td><td>Non-compliant</td><td>WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.</td></tr>
</table>

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
	Water and land **EPA Identification no. | Type of Monitoring Point | Type of Discharge Point | Location Description** 1 | Discharge to waters Discharge quality monitoring | Discharge to waters Discharge quality monitoring | STP discharge from secondary stabilisation lagoon. Lat Long -34.478120 150.751867 2 | Discharge to waters Discharge quality monitoring | Discharge to waters Discharge quality monitoring | Minewater discharge from open drain at transport portal. Lat Long -34.469807 150.743920 4 | | Discharge to waters | Overflow from coal sedimentation/filter pond. Lat Long -34.480595 150.758240 7 | Discharge quality monitoring for mine water discharged via Point 8 | | Minewater discharge from old portals - junction of three separate pipes 15 metres from Forest 11 Portal. Lat Long -34.44215 150.78818 8 | | Discharge to waters | Minewater discharge from old portals - Hunter 2 Dam. Lat long -34.43431 150.78418	Email from WCL dated 01/11/19. Shape files and map of monitoring points 01/11/19	**We recommend that the monitoring points be verified and aligned with the EPL.**		
P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises. ***Noise/Weather*** **EPA identification no. | Type of monitoring point | Location description** 15 | Meteorological Station | Western end of the old emplacement area, south of the coal stockpile. Lat long -34.484898 150.749701	Annual Reviews / Annual Environmental Monitoring Reports 2015-16, 2016-17 & 2017-18 Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Site inspection 12/09/19	Monitoring data from the weather station is not included in the Annual return. AEMRs mention the existence of the weather station in the Air Pollution section. The station was observed on site 12/09/19	Compliant	
3. LIMIT CONDITIONS					
L1 Pollution of Waters					
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the *Protection of the Environment Operations Act 1997*.	Annual Reviews / Annual Environmental Monitoring Reports 2015-16, 2016-17 & 2017-18 Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Monthly monitoring result reports Jan 2016-Oct 2019 EPA Annual Return Assessment letter dated 15/01/18. EPA Advisory Letter, dated 8/1/19.	Exceedances of the applicable criteria were reported at EPA Point 2 in Jan-16, Mar-16, Jul-16, Jan-17, Jun-17, Jul-17, Aug-18. **Non-compliance:** 2015-16 reporting period: 3 x exceedances of condition L2.1, one non-compliance with condition O2.1 (which involved white precipitate in tributary of Robins Creek), 1 x spill event. EPA issued Formal Warning to licensee 24 March 2016. **Non-compliance:** 2016-17 reporting period: 5 x discharge or overflow of turbid water. EPA imposed a PRP on the licence to manage surface water. 2017-18 reporting period: 1 x discharge of turbid water. WCL indicate this was result of sample contamination. EPA Advisory Letter issued. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the**	Non-compliant	As above

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
			requirements of those plans (in addition to any statutory requirements).		
L2 Concentration Limits					
L2.1	For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Refer evidence sighted in relation to Condition L1.1, L2.3 and L2.4.	Refer response to Condition L1.1, , L2.3 and L2.4.	Non-compliant	As above
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Refer evidence sighted in relation to Condition L1.1, L2.3 and L2.4.	pH must be between 6.5-8.5 at all three discharge points 100% of the time. Refer response to conditions L1.1, L2.3 and L2.4. **2017-18**: No samples collected at LDP1 or 8. 12 of 12 samples collected at LDP2 (pH results within range). **2016-17**: No samples collected at LDP1 or 8. **11 of 12 samples collected** at LDP2 (pH results within range). **One of the required samples from LDP2 during 2016-17 was not collected, therefore pH cannot be verified.** No discharges reported from LDP1 or 8 (LDP3). **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Not verified	As above
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.	Refer evidence sighted in relation to Condition L1.1, L2.3 and L2.4.	Refer response to Condition L1.1, L2.2 and L2.4.	Non-compliant	As above
L2.4	Water and/or Land Concentration Limits	Refer evidence sighted in relation to Condition L1.1, L2.3 and L2.4.	Refer response to Condition L1.1, , L2.3 and L2.3. **Non-compliance:** Exceedances of the applicable criteria were reported at EPA Point 2 in Jan-16, Mar-16, Jul-16, Jan-17, Jun-17, Jul-17, Aug-18. No discharges occurred at Points 1 and 7(8) in the audit period. **We recommend that WCL implement controls on site to prevent reoccurrence of the water quality incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the**	Non-compliant	As above

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Response.</th></tr>
<tr><td></td><td>POINT 1
<table>
<tr><th>Pollutant</th><th>Units of Measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr>
<tr><td>Biochemical oxygen demand</td><td>milligrams per litre</td><td></td><td></td><td></td><td>20</td></tr>
<tr><td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10</td></tr>
<tr><td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5-8.5</td></tr>
<tr><td>Total suspended solids</td><td>milligrams per litre</td><td></td><td></td><td></td><td>30</td></tr>
</table>
POINT 2
<table>
<tr><th>Pollutant</th><th>Units of Measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr>
<tr><td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10</td></tr>
<tr><td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5-8.5</td></tr>
<tr><td>Total suspended solids</td><td>milligrams per litre</td><td></td><td></td><td></td><td>50</td></tr>
</table>
POINT 8
<table>
<tr><th>Pollutant</th><th>Units of Measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr>
<tr><td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10</td></tr>
<tr><td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5-8.5</td></tr>
<tr><td>Total suspended solids</td><td>milligrams per litre</td><td></td><td></td><td></td><td>50</td></tr>
</table>
</td><td></td><td>requirements of those plans (in addition to any statutory requirements).</td><td></td><td></td></tr>
<tr><td colspan="5">L3 Volume and mass limits</td><td></td></tr>
<tr><td>L3.1</td><td>For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
a) liquids discharged to water; or;
b) solids or liquids applied to the area;
must not exceed the volume/mass limit specified for that discharge point or area.
<table>
<tr><th>Point</th><th>Unit of Measure</th><th>Volume/Mass Limit</th></tr>
<tr><td>1</td><td>kilolitres per day</td><td>30</td></tr>
<tr><td>2</td><td>kilolitres per day</td><td>10000</td></tr>
<tr><td>8</td><td>kilolitres per day</td><td>2500</td></tr>
</table>
</td><td>Sighted SCADA results for LDP2.

Raw data LDP2 2016-17

Refer evidence sighted in relation to Condition L1.1, L2.3 and L2.4.</td><td>SCADA data for LDP2 shows volumes are well below the 10ML limit.

No discharges at EPA Point 1 or 7(8) during the audit period.

EPA Point 2: daily discharge volumes for the audit period range between 0 and 5347kL/day. Annual Mean 2016-17: 2191kL/Day, Annual Mean 2016-17: 2165kL/Day.</td><td>Compliant</td><td></td></tr>
<tr><td colspan="5">4. OPERATING CONDITIONS</td><td></td></tr>
<tr><td colspan="5">O1 Activities must be carried out in a competent manner</td><td></td></tr>
<tr><td>O1.1</td><td>Licensed activities must be carried out in a competent manner.
This includes:
a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</td><td>Refer evidence sighted in relation to Approval, Schedule 4, Condition 24.</td><td>Refer response to Approval, Schedule 4, Condition 24.

Non-compliance: Large volumes of unconsolidated waste coal were observed across the site in stockpiles, basins, flow paths and depressions, and had not been appropriately managed. Waste records for coal fines and coal wash were unavailable, and not included in the AEMR. Additionally, a non-compliance was reported in 2017-18 AEMR with EPL 1087 Condition O1.1 (b) in relation to “rubbish and loose material that has accumulated behind the perimeter bund in the Timber Yard has yet to be addressed”. This was not reported in the EPL 1087 Annual Return for the same period.

We note that WCL have committed to a site wide clean up and recommend that this be programmed (with target completion dates) and implemented in full.</td><td>Non-compliant</td><td>WCL advise that WWC is undergoing a site wide clean-up of drains and basins and coal fines / material</td></tr>
<tr><td colspan="5">O2 Maintenance of Plant and Equipment</td><td></td></tr>
</table>

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Refer evidence sighted in relation to Approval, Schedule 2, Condition 12.	Refer response to Approval, Schedule 2, Condition 12. **Non-compliance:** during the site inspections undertaken as part of the risk assessment in early 2019 a number of issues associated with encroachment of asset protection zones were observed, noting potential risks to fire. In short, asset protection zones had not been maintained as per the Industry Safety Steering Committee's (ISSC) "Guide for the Management of Vegetation in the Vicinity of Electricity Supply Infrastructure" (2016). **The recommendations from the Independent *Environmental Risk Assessment Wollongong Coal Limited Russell Vale & Wongawilli Collieries*, WolfPeak, May 2019 address these issues.**	Non-compliant	WCL advise that APZ work was undertaken around Wonga 4 Fan House Substation in August 2019. Power has been switched off to the fan and power line isolated. 6kva line clean-up at WWC is currently underway during Dec 2019.
O3 Dust					
O3.1	Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Site inspection 12/09/19. Refer evidence sighted in relation to Approval, Schedule 4, Condition 11.	Refer response to Approval, Schedule 4, Condition 11. **Non-compliance:** multiple exceedances of the dust criteria specified in Schedule 4, Condition 11 occurred during the audit period and there was no evidence of WCL initiating the TARP in accordance with their AQ & GHG MP. **We recommend that WCL implement controls on site to prevent reoccurrence of the dust incidents.** **We recommend that any non-conformances with the criteria set out in the Project management plans are responded to in accordance with the requirements of those plans (in addition to any statutory requirements).**	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.
O3.2	All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Site inspection 12/09/19	The mine is in care and maintenance. Traffic and movement of mobile plant is very limited. Roadways on the day appeared to be free from material. **Observation**: It was observed at the site inspection that large volumes of unconsolidated waste coal and sediment was present across the site in stockpiles, basins (reducing capacity from their intended design capacity), flow paths and depressions and had not been appropriately managed (note that these were not in areas used by vehicles or mobile plant and appear to be relatively stable – thus not having potential to generate airborne dust). **We note that WCL have committed to a site wide clean up and recommend that this be programmed (with target completion dates) and implemented in full.**	Compliant (Observation)	WCL advise that WWC is undergoing a site wide clean-up of drains and basins and coal fines / material

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
5. MONITORING AND RECORDING CONDITIONS					
M1 Monitoring records					
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Monthly monitoring result reports Jan 2016-Oct 2019. Sighted SCADA results for LDP2. Raw data LDP2 2016-17 LDP 2 laboratory reports 2016-17 Dust deposition laboratory reports 2016-17.	Records are being retained	Compliant	
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Monitoring records referenced as per this audit	Monitoring records reviewed were in a legible form and retained for at least 4 years.	Compliant	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Monthly monitoring result reports Jan 2016-Oct 2019. LDP 2 laboratory reports 2016-17 Dust deposition laboratory reports 2016-17	Date, time and sampling location recorded on monitoring data in monthly reports. The name of the person who collected the sample is recorded on sample CoAs.	Compliant	
M2 Requirement to monitor concentration of pollutants discharged					
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.	Noted A NC with Condition M2.1 was reported in the 2016-17 Annual Return, but references data in relation to LDP2, which is not the subject of this condition. See M2.3.	Not triggered	
M2.2	Air Monitoring Requirements POINT 9,10,11,12,13 Pollutant / Units of measure / Frequency / Sampling Method Ash / grams per square metre per month / Monthly / Australian Standard 3580.10.1-2003 Combustible solids / grams per square metre per month / Monthly / Australian Standard 3580.10.1-2003 Insoluble solids / grams per square metre per month / Monthly / Australian Standard 3580.10.1-2003 POINT 14 Pollutant / Units of measure / Frequency / Sampling Method PM10 / micrograms per cubic metre / Continuous / Australian Standard 3580.9.11 - 2008	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Email from Robert Faddy-Vrouwe of Wollongong Coal to John Ross, dated 30/11/2018 Monthly monitoring result reports Jan 2016-Oct 2019. Dust deposition laboratory reports 2016-17 (including CoCs and CoAs) Site inspection 12/09/19	**2017-18:** Monitoring Points 9-13: 12 out of 12 samples collected. **2016-17:** Monitoring Points 9-13: 12 out of 12 samples collected. There are no results from Monitoring Point 14 (PM10). It is understood that Monitoring Point 14 was added to the EPL on the 26th October 2018, after the end of the reporting period for 2017/18. Dust deposition gauges and PM10 (BAM) monitoring station sighted appeared to conform with the standard.	Compliant	
M2.3	Water and/ or Land Monitoring Requirements	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Monthly monitoring result reports Jan 2016-Oct 2019.	No discharges occurred at EPA Point 1 or 7(8) between 206 and 2019. EPA Point 2 samples occurred monthly and were collected via grab sample. The analytes listed were analysed and reported.	Non-compliant	WCL's response to the findings of this audit will be provided to DPIE in accordance with Condition 9 of Schedule 5 of the Approval which requires that within 6 weeks of the completion of this audit, or as otherwise agreed by the DPIE, WCL shall submit a copy of the audit report to DPIE, together with its response to any recommendations contained in the audit report.

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<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th><th>Response.</th></tr>
<tr><td></td><td>
POINT 1
<table>
<tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr>
<tr><td>BOD</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
</table>
POINT 2
<table>
<tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr>
<tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
</table>
POINT 7
<table>
<tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr>
<tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>pH</td><td>pH</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
<tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly during discharge</td><td>Grab sample</td></tr>
</table>
Note: Monthly monitoring for point 2 need only be carried out when discharge from LDP2 occurs either for more than 10 consecutive days in a month or where more than 1 ML has been discharged during the month.
</td><td>LDP 2 laboratory reports 2016-17</td><td>Non-compliance: Samples were collected on a monthly basis at EPA Point 2 with the exception of August 2017.

We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.</td><td></td><td></td></tr>
<tr><td colspan="5">M3 Testing methods – concentration limits</td><td></td></tr>
<tr><td>M3.1</td><td>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</td><td>Refer evidence referred to in relation to condition M2.2</td><td>Refer response to condition M2.2</td><td>Compliant</td><td></td></tr>
<tr><td>M3.2</td><td>Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</td><td>Refer evidence referred to in relation to condition M2.3</td><td>Refer response to condition M2.3</td><td>Compliant</td><td></td></tr>
<tr><td colspan="5">M4 Weather Monitoring</td><td></td></tr>
<tr><td>M4.1</td><td>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.
POINT 15
<table>
<tr><th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequen</th></tr>
<tr><td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>15 minutes</td><td>Continuou</td></tr>
</table>
</td><td>WW Onsite Weather station data sighted 29/08/19</td><td>A weather station is on site up on emplacement. It captures wind speed, direction, temperate, direction. It records every 10 mins.</td><td>Compliant</td><td></td></tr>
<tr><td colspan="5">M5 Recording of pollution complaints</td><td></td></tr>
<tr><td>M5.1</td><td>The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.</td><td>Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.

Wongawilli Complaints Summary 2011-2019</td><td>Complaints Summary included in ARs.

A Complaints Summary is published on the project website.</td><td>Compliant</td><td></td></tr>
</table>

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Wongawilli Complaints Summary 2011-2019	**Non-compliance:** the versions of the complaints registers sighted do not include personal details of the complainant, or the time of each complaint. **We recommend that WCL implement a complaints management system that records this information.**	Administrative non-compliance	As above.
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Wongawilli Complaints Summary 2011-2019	Records kept from 2011	Compliant	
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	NA	Complaints Summary is publicly available on the website	Compliant	
M6 Telephone complaints line					
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Community Contact Line: 1300 109 384	A 24Hr Community Contact Line, and email address is provided on the website. **Non-compliance:** The phone line goes to an answering machine and urgent enquiries for Wongawilli should be answered by pressing 2. The line rang out when tested on 1/11/2019. **We recommend that WCL implement a complaints management system that includes a fully operational complaints line.**	Non-compliant	As above.
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	http://wollongongcoal.com.au/contact-us/	The website provides notification to the public. **Non-compliance**: the website does not state that the community contact line is a complaints line as required by this condition. **We recommend that the website be updated to clearly state that the telephone line is for complaints.**	Non-compliant	As above.
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Noted	The licence was issued before commencement of the audit period.	Not triggered	
M7 Requirement to monitor volume or mass					
M7.1	For each discharge point or utilisation area specified below, the licensee must monitor: a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below. POINT 1 **Frequency** / **Unit of Measure** / **Sampling Method** Continuous / kilolitres per day / By Calculation (volume flow rate or pu capacity multiplied by operating time) POINT 2 **Frequency** / **Unit of Measure** / **Sampling Method** Continuous / kilolitres per day / By Calculation (volume flow rate or pu capacity multiplied by operating time) POINT 7 **Frequency** / **Unit of Measure** / **Sampling Method** Continuous / kilolitres per day / By Calculation (volume flow rate or pu capacity multiplied by operating time)	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Environmental Monitoring Reports, 2016, 2017, 2018 & 2019 Sighted SCADA results for LDP2. Raw data LDP2 2016-17	EPA Point 2: daily discharge volumes for the audit period range between 0 and 5347kL/day. Annual Mean 2016-17: 2191kL/Day, Annual Mean 2016-17: 2165kL/Day. EPA Point 1 and 7(8) had no discharges during audit period.	Compliant	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
M8 Other monitoring and recording conditions					
M8.1	Availability of equipment for continuous monitoring required by this licence. All continuous monitoring equipment must be operated and maintained with the aim of achieving 100% availability in each licence year. Where a monitoring device does not achieve 95% availability, the licensee must report reasons and corrective actions to the EPA in the Annual Return.	Wongawilli Colliery Nebo Area Project Approval (MP 09_161) annual review/annual environmental management report (2016, 2017, 2018 Wollongong Coal Wongawilli Quarterly Air Quality and Noise Monitoring Reports, Jan 16 – Jun 17, Pacific Environment Wollongong Coal Wongawilli Quarterly Air Quality and Noise Monitoring Reports, Jul 17 – Jun 18, ERM Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.	**Non-compliance:** PM10 is measured continuously via the BAM method at the WWC site boundary. Significant data gaps exist between Jan – March 16, Jan – March 17, Apr – Jun 17, Jul - Sep 17, Apr – Jun 18. Reports during this period indicate data recovery below 95%. This non-compliance was not reported in the 2015-16, 2016-17, 2017-18 Annual Returns. **We recommend WCL initiate improvements to the BAM monitoring system to ensure the required up-times are achieved.**	Non-compliant	As above.
6. REPORTING CONDITIONS					
R1 Annual return documents					
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.	Evidence of Annual Returns sighted	Compliant	
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.	Evidence of Annual Returns sighted	Compliant	
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	NA	NA	Not triggered	
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	NA	NA	Not triggered	
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. EPA Notice Annual Return – EPL 1087 due by 291117 2017-18 AR Receipt of submission on POEO Act public register.	AR reporting period is 01 Oct-30 Sept, therefore due 29 Nov. The Annual Return for 2015-16 was submitted 29/11/16. The Annual Return for 2016-17 was submitted 28/11/17. **Non-compliance:** the Annual Return for 2017-18 was submitted 30/11/18 (1 day late). **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Administrative non-compliance	As above

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18.	Annual Returns available upon request	Compliant	
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. *Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.* *Note: An application to transfer a licence must be made in the approved form for this purpose.*	Annual Return for Licence 1087 2015-16, 2016-17, 2017-18. Interview with auditees 12/09/19 and 29/08/19	2015-16 AR signed and certified by Andrew Firek (Director) and Sanjay Sharma (Company Secretary). **Observation:** the signed versions of the Annual Returns for 2016-17 and 2017-18 were not available during the audit. It is understood that signed versions were submitted to the EPA. **We recommend that WCL develops and implements a Compliance Management System as soon as possible. Ideally, such a system would enable coverage of the next 3 yearly audit period from July 2019 to June 2022. We also recommend that a dedicated resource (e.g. Environmental Compliance Coordinator or similar role) be assigned to managing such a system.**	Compliant (Observation)	As above.
R2 Notification of Environmental Harm					
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Interview with auditees 12/09/19 and 29/08/19 Incident Reports 2017-2019 AEMR 2015-16, 2016-17, 2017-18. EPL 1087 PIRMP test, dated 06/05/16, 08/09/17, 25/09/18 EPL 12242 PIRMP tests, dated 08/03/19 and 29/05/18	Two reportable incidents occurred during audit period 2016-17 These relate to: 29 November 2016 – Turbid water from underground mine workings at the premises was discharged through LDP2. The water drained downhill into the minewater dam which overflowed into a tributary of Robbins Creek. WCL received an official caution from EPA for the incident. 19 May 2017 - An incident occurred in the Catchment Area where two substations, one at Wongawilli No 1 Shaft and one at Nebo No 3 Shaft were broken into and transformer oil was released to gain access and remove copper cable from within the transformers. WaterNSW issued clean up notices for the incident. **Non-compliance**: there was no evidence to demonstrate that these were reported via the pollution hotline (or did not need to be). **We recommend that WCL incident investigation and reporting procedures be reviewed, and that personnel are trained in reporting requirements and that records relating to incidents and their reporting be retained in an orderly fashion.**	Not verified	As above.
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. *Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.*	Refer evidence in response to Condition R2.1	Refer response to condition R2.1 **Non-compliance**: there was no evidence to demonstrate that the identified incidents were reported in writing within 7 days (or did not need to be). **We recommend that WCL incident investigation and reporting procedures be**	Not verified	As above.

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
			reviewed, and that personnel are trained in reporting requirements and that records relating to incidents and their reporting be retained in an orderly fashion.		
R3 Written Report					
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Interview with auditees 12/09/19 and 29/08/19	WCL are not aware of any R3 reports being required during the audit period.	Not triggered	
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Interview with auditees 12/09/19 and 29/08/19	WCL are not aware of any R3 reports being required during the audit period.	Not triggered	
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Interview with auditees 12/09/19 and 29/08/19	WCL are not aware of any R3 reports being required during the audit period.	Not triggered	
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Interview with auditees 12/09/19 and 29/08/19	WCL are not aware of any R3 reports being required during the audit period.	Not triggered	
7. GENERAL CONDITIONS					
G1 Copy of licence kept at the premises or plant					
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	EPL 1087	EPL available on premises for review during audit	Compliant	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	EPL 1087	As above. The EPL is publicly available.	Compliant	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	EPL 1087	As above. The EPL is publicly available.	Compliant	
G1 Other general conditions					
G1.1	Completed programs **Program** / **Description** / **Completed Date** PRP1: Investigate effluent reuse and/or effluent treatme / BHP to investigate effluent reuse and/or effluent treatment options for stormwater captured in the stockpile filter pond.. By treating and discharging, or reusing the effluent from the pond it will be possible to maintain the pond at a low water level and reduce the frequency and volume of any overflows from the pond. / 18-December-1998 PRP2: Install a diesel pump and associated pipework at t / BHP to install a diesel pump and associated pipework at the stockpile filter pond to facilitate pumping water from the pond into a water tanker.. Water can be removed from the site or reused around the stockpile for dust suppression. / 28-February-1999 PRP3: Construct an additional filtration dam in the coal / BHP to construct an additional filtration dam in the coal stockpile yard on the inlet side to the primary lagoon. . Provide addtional water treatment for any runoff from the coal stockpile area of the premises. / 28-February-1999	Noted	Noted	Not triggered	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status	Response.
	PRP4: Install a pipeline at the stockpile filter pond BHP to install a pipeline at the stockpile filter pond that can be used to dewater the stockpile filter pond by pumping wastewater to the wastewater storage ponds at the Wongawilli Emplacement.. Management Plan objective must be to minimise the frequency and volume of overflows from the Elouera stockpile filter pond while also being compatible with the stormwater management plans in place for Wongawilli. 30-November-1999				
	PRP5: Investigate ways of reducing clean stormwater infl BHP to investigate ways of reducing clean stormwater inflows to the Elouera Colliery stockpile filter pond and then install the identified works. 30-November-1999				
	PRP6: 4 stage process to construct, install improved sto 4 stage process to construct, install improved storwater controls about the decline conveyor. Stages 1, 2 & 3 complete 31 December 2001.. To improve the performance of the stormwater controls about the decline conveyor. 25-July-2002				
	PRP7: Undertake investigations and to implement the reco Undertake investigations and to implement the recommedations to improve the effectiveness of dust suppression strategies at the Elouera Stockpiles.. Reduce dust emissions 30-August-2002				
	PRP 8: Investigation of Dust Sources in Dust Gaug Investigation of Dust Sources in Dust Gauges. If dust is determined to be sourced from coal mining activities, a dust reduction PRP will be added to the licence to reduce the impact on the community. To be reviewed in 12 months. (*) 17-November-2007				
	PRP9: Coal Mine Particulate Matter Control Best Practice Requires the licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions 29-June-2012				
	PRP10: Decline Conveyor Stormwater Management Licensee is to install diversion drains and sediment ponds to capture overflow from the decline conveyor sedimentation dam 28-February-2012				
	PRP11: Noise Reduction from the Screener/Sizer Building Requires the licensee to enclose the vibrating screen located in the Screener Sizer Building 31-May-2012				
8. SPECIAL CONDITIONS					
E1 Wongawilli Bioremediation Landfarm					
	In relation to the bioremediation landfarm located at the upper pit top, the licensee must: 1. develop an Environmental Management Plan that describes how environmental risks related to operation of the landfarm will be managed, 2. ensure the bioremediation area does not pollute ground or surface waters, 3. ensure the bioremediation area does not generate offensive odours beyond the premises boundary, 3. carry out regular inspections of the bioremediation area to ensure it is secure and stable, and 5. provide the EPA with 6 monthly reports following collection of soil samples to show progress of the remediation. After two years from establishment of the landfarm or earlier if appropriate remediation levels are present, submit a report to the EPA outlining an appropriate use for the material prior to removing it.	Site inspection 12/09/19	The landfarm area was sighted during the site inspection. It was protected so as to not pollute surface waters or groundwater. No odours were observed. **The landfill remediation report July 2019 was submitted to the EPA.**	Compliant	

Appendix C. Wongawilli Colliery Environment Protection Licence 12242 (Avondale)

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
1. ADMINISTRATIVE CONDITIONS				
A1 What the licence authorises and regulates				
A1.1	This licence regulates water pollution resulting from the activity/ies specified below carried out at the premises specified in A2. **Fee Based Activity** / **Scale** Miscellaneous licensed discharge to waters (at any time) / 0.00-20.00 ML maximum annual volume of discharge authorised	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No AQ monitoring conducted for Avondale pit top. No erosion issues reported due to good cover of grass and absence of disturbed areas. No non-compliances reported.	Not triggered
3. LIMIT OF CONDITIONS				
L1 Pollution of Waters				
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the *Protection of the Environment Operations Act 1997*.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19	WCL advise that no operations occurred at Avondale during the audit period. **Observation:** In the 2017-18 AEMR it is stated that during a site visit mine water was seen discharging from this point and while there is no requirement to monitor water from this point, WCL has recommenced water monitoring at two locations on site. When results are received they are uploaded on the WCL website. The website does not appear to have the results on it.	Not triggered
L2 Concentration Limits				
L2.1	For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No discharges to land were monitored during the reporting period as there is no monitoring requirement under EPL12442 No non-compliances reported.	Not triggered
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No discharges to land were monitored during the reporting period as there is no monitoring requirement under EPL12442 No non-compliances reported.	Not triggered
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No discharges to land were monitored during the reporting period as there is no monitoring requirement under EPL12442 No non-compliances reported.	Not triggered
L2.4	Water and/or Land Concentration Limits	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19	WCL advise that no operations occurred at Avondale during the audit period.	Not triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	POINT 1 | Pollutant | Units of Measure | 50 percentile concentration limit | 90 percentile concentration limit | 3DGM concentration limit | 100 percentile concentration limit | | Conductivity | microsiemens per centimetre | | | | 1000 | | Oil and Grease | milligrams per litre | | | | 10 | | pH | pH | | | | 6.5-8.5 | | Total suspended solids | milligrams per litre | | | | 30 |	Interview with auditees 12/09/19	No discharges to land were monitored during the reporting period as there is no monitoring requirement under EPL12442 No non-compliances reported.	
L3 Volume and mass limits				
L3.1	For each discharge point or utilisation area specified below (by a point number), the volume/mass of: a) liquids discharged to water; or; b) b) solids or liquids applied to the area; must not exceed the volume/mass limit specified for that discharge point or area. | Point | Unit of Measure | Volume/Mass Limit | | 1 | megalitres per day | 2 |	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No discharges to land were monitored during the reporting period as there is no monitoring requirement under EPL12442 No non-compliances reported.	Not triggered
4. OPERATING CONDITIONS				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period.	Not triggered
O2 Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period.	Not triggered
O2.2	Any discharge of mine water must not cause erosion or other damage to the receiving channel or stream.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period.	Not triggered
5. MONITORING AND RECORDING CONDITIONS				
M1 Monitoring records				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19	WCL advise that no operations occurred at Avondale during the audit period. No monitoring requirements exist under EPL 12442	Not triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Interview with auditees 12/09/19		
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No monitoring requirements exist under EPL 12442	Not triggered
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No monitoring requirements exist under EPL 12442	Not triggered
M2 Recording of pollution complaints				
M2.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No complaints were received during the audit period	Not triggered
M2.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No complaints were received during the audit period	Not triggered
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No complaints were received during the audit period	Not triggered
M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No complaints were received during the audit period	Not triggered
M3 Telephone complaints line				
M3.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No complaints were received during the audit period	Not triggered
M3.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Annual Review / AEMR 2015-16, 2016-17, 2017-18	WCL advise that no operations occurred at Avondale during the audit period.	Not triggered

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	No complaints were received during the audit period	
M3.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. No complaints were received during the audit period	Not triggered
6. REPORTING CONDITIONS				
R1 Annual return conditions				
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	Annual Returns for each reporting period within the audit period were sighted. They contained the information listed.	Compliant
R2 Notification of environmental harm				
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. *Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.*	Annual Review / AEMR 2015-16, 2016-17, 2017-18 Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. WCL advise that no incident had occurred at the premises during the audit period.	Not triggered
7. GENERAL CONDITIONS				
G1 Copy of licence kept at the premises or plant				
G1.2	A copy of this licence must be kept at the premises to which the licence applies.	Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	The EPLs were readily available	Compliant
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it	Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	WCL advise that no operations occurred at Avondale during the audit period. The EPLs were readily available should an EPA officer request to see it. The auditor is not aware of such a request.	Not triggered
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Annual Return 2015-16, 2016-17, 2017-18, 2018-19 Interview with auditees 12/09/19	The EPLs were readily available	Compliant

Appendix D. Planning Secretary agreement of Independent Auditors

Planning, Industry & Environment

Contact: Georgia Dragicevic
Phone: 4247 1852
Fax: 4224 9470
Email: Georgia.Dragicevic@planning.nsw.gov.au

Mr Eladio Perez
Acting Group Environment and Approvals Manager
Wollongong Coal Limited
7 Princess Highway
CORRIMAL NSW 2518

Dear Mr Perez

Russell Vale Colliery Preliminary Works Project (MP 10_0046)
NRE Wongawilli Colliery – Nebo Area Project (MP 09_0161)
Independent Environmental Audit 2019

I refer to your letter email of 26 August 2019 seeking approval of the audit team for the upcoming Russell Vale Colliery Preliminary Works Project and NRE Wongawilli Colliery – Nebo Area Project Independent Environmental Audit, in accordance with Schedule 5, Condition 8 of the project approval MP 10_0046, as modified and Schedule 6, Condition 8 of the project approval MP 09_0161, as modified (the approvals).

Having considered the qualifications and experience of the WolfPeak Pty Ltd audit team, namely;

- Steve Fermio – lead auditor; and
- Derek Low – audit support,

the Secretary endorses the appointment of this team to undertake the audit in accordance with Schedule 5, Condition 8 and Schedule 6, Condition 8 of the respective approvals. This approval is conditional on the audit team being independent of the developments.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and you may wish to consider the Independent Audit Guideline dated October 2015. A copy of this guideline can be located at http://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy.

The audit report is to include the following:

- a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
- not use the term "partial compliance";
- recommend actions in response to non-compliances;
- review the adequacy of plans and programs required under this approval; and
- identify opportunities for improved environmental management and performance.

Within six weeks of the completion of the audit, or as otherwise agreed by the Secretary, Wollongong Coal is to submit a copy of the audit report to the Secretary together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Department of Planning, Industry & Environment
L2, 84 Crown Street Wollongong NSW 2500 | PO Box 5475 Wollongong NSW 2520 | T 02 4247 1852 | F 02 4224 9470 | www.dpie.nsw.gov.au

Appendix E. Site inspection photographs.

Photo 1: Settling pond with significant volume of sediment present

Photo 2: EPL Licence discharge point


Photo 3: Settling pond with significant volume of sediment present


Photo 4: Example of waste coal across the site


Photo 5: dust deposition and noise monitoring station with BAM monitoring station in background


Photo 6: Catch drain with bund with evidence of overflow


Photo 7: Contaminated soil landfarm, as regulated by EPL 1087


Photo 8: Example of waste coal and uncontrolled erosion.

Photo 9: Example of waste coal.

Photo 10: Wash-bay in need of maintenance

Photo 11: Hazardous chemical storage

Photo 12: Hazardous chemical storage


Photo 13: Example of weed infestation across the site


Photo 11: Example of erosion and sedimentation issue at main portal site


Photo 12: Example of historical plant, equipment and waste held on site

WolfPeak Pty Limited

Suite 2, Level 10, 189 Kent Street, Sydney 2000

17A High Street, Wauchope 2446

www.wolfpeak.com.au