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UNITED WAMBO MINE

INDEPENDENT ENVIRONMENTAL AUDIT

for Glencore

22 December 2023

DOCUMENT CONTROL

Document Status

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LIMITATIONS OF REPORT

In preparing this Independent Environmental Audit on behalf of Glencore, James Bailey and Associates has assessed all activities appropriate and necessary to evaluate the environmental status of the site during the audit period. James Bailey and Associates has addressed all technical matters which might reasonably be considered to be relevant to such an audit conducted to standards which apply in New South Wales. Based on discussions with appropriate staff and a review of available documentation, it is James Bailey and Associates' opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, James Bailey and Associates can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues.

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

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

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1. INTRODUCTION

1.1 BACKGROUND

James Bailey & Associates (JBA) has been commissioned by Glencore to conduct an Independent Environmental Audit (IEA) of the United Wambo Mine.

The United Wambo Mine is situated approximately 16 km west of Singleton in the Hunter Valley of NSW. The United Wambo Joint Venture (UWJV) operates the United Wambo Mine and was formed between United Collieries Pty Limited (United Collieries) and Wambo Coal Pty Limited (Wambo Coal) in 2014.

The United Wambo Mine operates in accordance with SSD 7142 granted by the NSW Independent Planning Commission (IPCN) on 29 August 2019. Development under SSD 7142 commenced on 6 January 2020. **Figure 1** shows the conceptual layout of the development as approved under SSD 7142. One modification to SSD 7142 has been granted in November 2021 for an update to the site Run of Mine (ROM) stockpile arrangements.

The IEA has been conducted generally in accordance with the NSW DPIE 'Independent Audit Post Approval Requirements May 2020' (IEA Guidelines).

1.2 AUDIT TEAM

The IEA was completed by Dorian Walsh (Certified Auditor Certificate Number: 201881) and Tegan Brown of JBA. No specialist sub-consultants were required to assist with the IEA.

A copy of the Department of Planning and Environment (DPE) endorsement of the IEA team is included in **Appendix A**. The Independent Environmental Audit Report Declaration for this IEA is included as **Appendix B**.

1.3 AUDIT OBJECTIVES

The IEA assesses UWJV activities during the audit period (see **Section 1.5**) and compliance with key regulatory approvals for the Project. The IEA assessed the status of conditions and commitments from:

- SSD 7142;
- SSD 7142 management plans, strategies and programs; and
- Consolidated Coal Lease (CCL) 775.

1.4 AUDIT SCOPE

The IEA scope is defined under Conditions E12-13 of SSD 7142 which is reproduced below in **Table 1**.

1.5 AUDIT PERIOD

The IEA covers the period from 31 November 2020 to 12 October 2023, the date of the audit site visit (the audit period).

Table 1 SSD 7142 IEA Requirements

Condition	Requirement	Report Section
Schedule 2 Condition E12	Within one year of commencement of development under this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:	This IEA report
Schedule 2 Condition E12 (a)	be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary	**Section 1.2** and **Appendix A**
Schedule 2 Condition E12 (b)	be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary	**Section 1.2** and **Appendix A**
Schedule 2 Condition E12 (c)	be carried out in consultation with the relevant agencies and the CCC	**Appendix D**
Schedule 2 Condition E12 (d)	assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals)	**Appendix C**
Schedule 2 Condition E12 (e)	review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent	**Section 2.4.5** and **Appendix C**
Schedule 2 Condition E12 (f)	recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and	**Section 4** and **Appendix C**
Schedule 2 Condition E12 (g)	be conducted and reported to the satisfaction of the Planning Secretary	This IEA report
Schedule 2 Condition E13	Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary	N/A, UWJV to complete

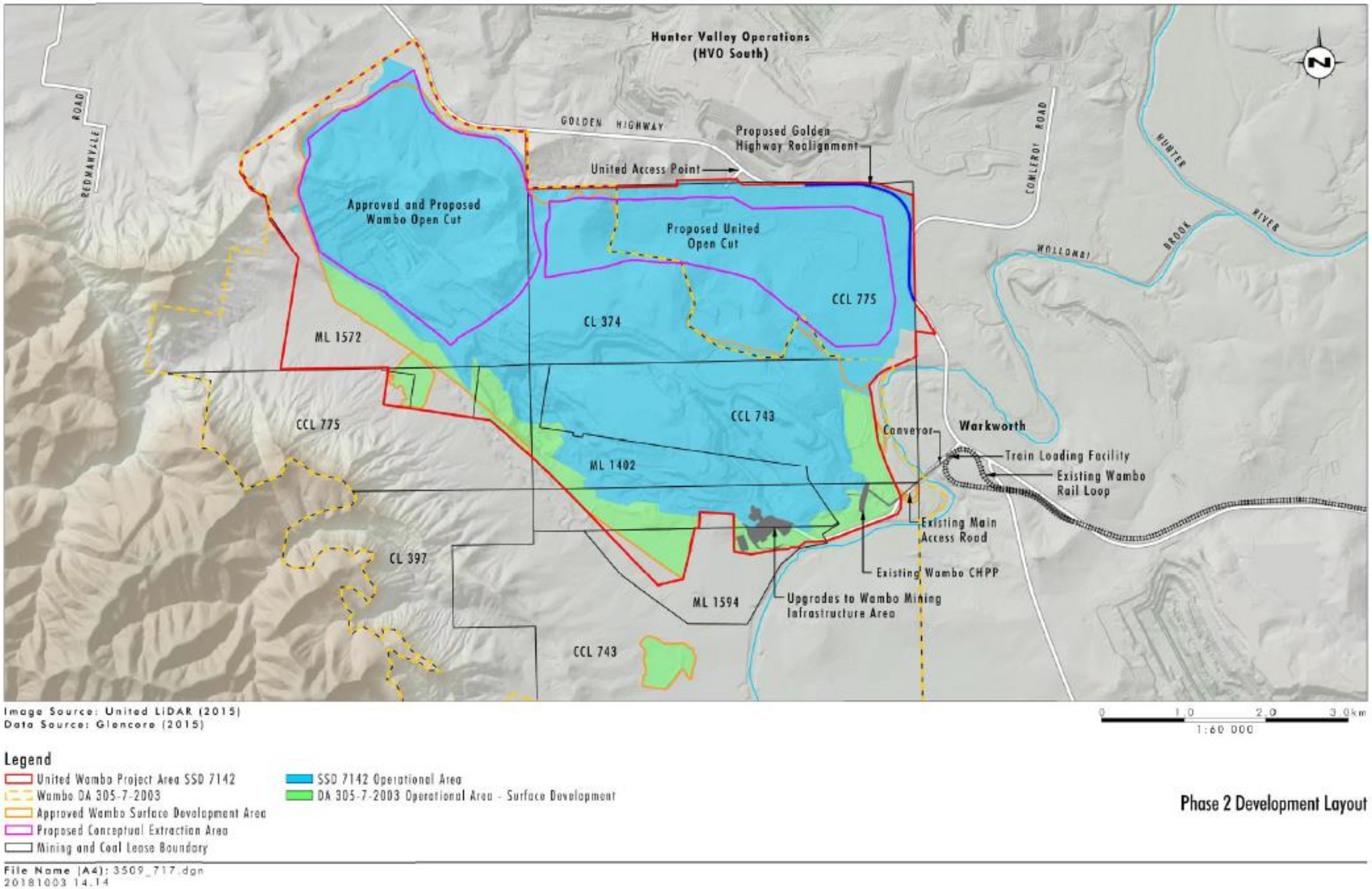


Figure 1 SSD 7142 Project Layout (Phase 2)

2. AUDIT METHODOLOGY

2.1 OVERVIEW

This IEA was undertaken in accordance with the requirements of SSD 7142 (see **Section 1.4**) and the IEA Guidelines. **Appendix A** includes a copy of DPE endorsement for the IEA team (see **Section 1.2**) and confirmation over audit requirements.

The compliance status of UWJV activities during the audit period was determined by assessment of key approval documents regulating site activities (see **Section 3.1**) and a desktop review of all plans, strategies, programs, monitoring data and correspondence relevant to the audit period. The desktop review was used as a basis for this IEA report and identified potential compliance issues that were verified during the Project site inspection and in interviews with key UWJV personnel.

The audit methodology also included consultation with NSW DPE, Environment Protection Authority (EPA), Singleton Council, Water NSW, Resources Regulator and CCC to seek any specific environmental issues that should be a focus of the IEA (see **Section 2.5**).

2.2 IEA PREPARATION

Preparation of the IEA involved:

- Submission of an information request to UWJV for the provision of evidence to verify the compliance status of United Wambo Project activities during the audit period;
- Engagement with key regulatory agencies for the Project regarding any specific issues that should be a particular focus of the IEA;
- Submission of an audit agenda to UWJV (see **Appendix E**) and confirmation over the scope of the site inspection component of the IEA;
- Desktop review of documentation provided by UWJV to determine the compliance status of approval and licencing conditions, identify good site practice and opportunities for improvement, in accordance with the requirements of the IEA Guidelines; and
- Preparation of compliance tables and protocols for the site inspection, including a checklist of specific regulatory requirements obtained from documents provided.

2.3 COMPLIANCE EVALUATION

The IEA consisted of a detailed desktop review of approval documentation and a site inspection. The findings of this IEA were based on verifiable evidence collected by:

- Review of documentation provided by UWJV (including document reference, revision numbers, dates and authors);
- Interviews with key site personnel; and
- Inspection of the United Wambo site, activities and processes on 10 and 12 October 2023, with selected images taken during the site inspection included as **Appendix F**.

Aislinn Farnon, UWJV Environment and Community Manager, was the primary contact for the audit and was present during the audit site inspection. A list of the key documentation reviewed for the IEA is found in **Section 3.1**. The evidence that was used to determine the compliance status with respect to each condition has been documented in the tables provided in **Appendix C**, along with relevant observations, notes and recommended opportunities for improvement.

2.4 SITE INSPECTION

The site review component of the IEA was completed on 10 and 12 October 2023. This review assessed all aspects of environmental management and performance of the development against the requirements of SSD 7142 and UWJV environmental management documentation.

2.4.1 Opening Meeting

The IEA site inspection commenced with an opening meeting; attendees included Dorian Walsh (JBA), Tegan Brown (JBA) and representatives from the United Wambo Environment and Community (E&C) Department (see **Section 2.4.3**). The briefing included clarification of the audit objectives, scope, resources required and the methodology of the IEA.

2.4.2 Site Overview and Orientation Session

An orientation session was conducted by UWJV site personnel to provide JBA with a general overview of the project during the audit period, an indication of the environmental setting, near neighbours, safety and emergency requirements and known environmental issues.

2.4.3 IEA Interviews

The IEA included interviews with key UWJV personnel involved with the management and operation of the Project. The IEA interviews during the site inspection were conducted to assist with verifying the compliance status of the Project. UWJV personnel interviewed as part of the IEA included:

- Aislinn Farnon (Environment & Community Manager);
- Lori Depczynski (Environment & Community Coordinator);
- Jake Hawkins (Environment & Community Officer);
- Alex Coleman (Environment & Community Officer); and
- Skye Vickers (Environment & Community Officer).

2.4.4 Focused Site Inspection

A focused site inspection was conducted as part of the site review. The purpose of the site inspection was to review specific operation and environmental aspects of the Project and to assess UWJV environmental management systems and performance in detail.

2.4.5 Site Documentation Review

Relevant site documentation was reviewed with UWJV personnel during the site inspection interviews to verify compliance. Key documents reviewed included SSD 7142, UWJV monitoring results, correspondence with regulatory agencies, Environmental Management Plans and procedures.

2.4.6 Follow Up Auditing

Follow up interviews and document reviews were conducted to clarify any outstanding compliance issues to be resolved prior to inclusion in the final IEA report.

2.4.7 Exit Briefing

An exit briefing was conducted prior to JBA departure from the site. Attendees of exit briefing included Dorian Walsh, Tegan Brown, and Aislinn Farnon. The exit meeting included findings of the preliminary audit, recommendations and explanation of actions required by UWJV and by JBA to complete the audit process required under the IEA Guidelines.

2.5 AUDIT CONSULTATION

Correspondence was sent to the DPE, EPA, Resources Regulator, Water NSW, CCC and Singleton Council requesting their input into the scope of the IEA. Responses were received from Singleton Council, DPE Water, EPA and Resources Regulator (see **Appendix D**), with comments reproduced in **Table 2**.

2.6 COMPLIANCE STATUS DESCRIPTORS

The compliance status of each condition reviewed during the IEA was assessed based on evidence provided and determined in accordance with the descriptors provided in the IEA Guidelines. No other terms have been used to describe the compliance status of conditions within this IEA.

Table 2 Feedback from Regulatory Consultation

Comment	Response
Singleton Council	
Council notes that the development has a number of conditions for which the applicant is required to consult and engage with Council. These include conditions A18, A19, B82, B91, B100, B103, B106, B108, C6, D18 and Appendix 9. The Audit should include consideration of how the applicant has sought Council's input into these conditions, the input received and the extent to which the Applicant has taken into consideration and adopted the feedback received	UWJV correspondence with Council during the audit period and the status of individual SSD 7142 conditions that require consultation are included in **Appendix C**.
The Applicant is also required, at conditions B55 to B60, to provide compensation for the loss of biodiversity proposed by the Project. In addition, the Applicant has proposed to potentially use ecological mine rehabilitation to offset up to 20% of the CEEC ecosystem credits required for the Project. The Audit should identify the status of biodiversity offsetting for the Project, including whether these offset obligations were secured at the appropriate time and how they were secured.	The status of UWJV biodiversity offsetting requirements are described against SSD 7142 Conditions B55 – B60 in **Appendix C**.
The Audit should identify whether the Applicant intends to use ecological mine rehabilitation to offset ecosystem credits and, if so, undertake a detailed assessment of the works undertaken to date to comply with condition B61	The status of UWJV ecological mine rehabilitation being used to satisfy biodiversity credits is described against SSD 7142 Condition B61 in **Appendix C**.
Where conditions are determined to be 'not triggered' a detailed explanation as to why should be included in the Audit Report	Noted. Each condition deemed to be Not Triggered (NT) during the audit period includes a contextual statement.
Resources Regulator	
The independent audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including the mining operations plan	Noted. CCL 775 conditions were reviewed as representative of UWJV mining authorities during the audit period. This included consideration of the UWJV MOP and rehabilitation undertaken prior to July 2022.
From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard	The compliance status conditions of CCL775 following July 2022 are included in **Appendix C**.

Comment	Response
conditions, as set out in the Mining Regulation 2016	
The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice	Rehabilitation documentation reviewed to assess compliance with SSD 7142 is included against the relevant conditions in **Appendix C**.
It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit	Noted. A copy of the final audit report will be provided and made available on the UWJV website.
EPA	
The EPA encourages the preparation of independent environmental audits as valuable tools for maintaining compliance and improving environmental performance. However, it is important to clarify that the EPA does not review or comment on the content of such audit reports. Our role primarily involves monitoring compliance and taking necessary enforcement actions when there are breaches of environmental regulations Due to the complexities and overlap of the United and Wambo sites – I will also offer the following notes to consider during the audit process: • the United Wambo Mine operates under separate two development consents and holds two distinct environment protection licenses (United - EPL 3141 and Wambo - EPL 529) however there is significant overlap in the day to day operations between both premises • under the Joint Venture (JV) arrangement, Wambo has responsibility for surface and groundwater management across both sites. The EPA recognizes that, since the establishment of the JV, there have been challenges related to water management, including two overflow reports from the MIA sediment dam on the United site • The EPA understands there is CITEC alarm system utilised across both Wambo and United to deal with overlap of water between the sites • Noise complaints make up a large percentage of community complaints – majority from Jerrys Plains area as well as a self -reported noise exceedance on 14/10/22 at EPL Point 13	Noted. A review of general water performance measures, the sediment dam incidents and community complaints noted in the response from EPA is included against the relevant conditions in **Appendix C**.
Ensuring the overlap between the United and Wambo premises is captured in the audit is essential for ensuring a comprehensive environmental report	The scope of this IEA is required to assess compliance with SSD 7142, however the interactions between UWJV partners is considered where environmental management procedures, systems and management measures are linked.
DPE Water	
The department understands that the scope of the audit as outlined under the development consent and the reference guideline, "Independent Audit Post Approval Requirements (2020)" extends to at least the following:	Noted. Documentation reviewed to determine compliance with SSD 7142 and associated plans, strategies and programs are noted in **Appendix C**. A summary of non-compliances and recommendations identified during the IEA are

Comment	Response
• Identification of compliance requirements and documentation of any non-compliances • Assessment of the adequacy and implementation of management plans and sub plans • Assessment of compliance against relevant regulatory requirements and legislation • Assessment of compliance between actual and predicted impacts in the environmental assessment • Reporting requirements for management plans • Identification of strengths of the project in environmental management and opportunities for improvement	included in **Section 3.5** and **Section 4**.
The Department requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope: • The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include: – Water Management Plans and related sub-plans eg. Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan – Extraction Plans and related sub-plans eg. Water Management Plan, Subsidence Management Plan • The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting • Water supply availability is clearly defined for the project • Water take at the site via storage, diversion, interception, or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018 • Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant • Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from • Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated	Water management documentation and implementation during the audit period was assessed against the performance and reporting requirements of SSD 7142 and is included against the relevant conditions in **Appendix C**. This included a review of UWJV water licencing, management plans, monitoring records, and annual water balance reporting described in site Annual Review reports.

3. AUDIT FINDINGS

3.1 APPROVAL AND DOCUMENT LIST

UW documentation for the IEA was sighted during a detailed desktop review and the audit site inspection of October 2023. Approvals and documents assessed during the audit were related to:

- SSD 7142 approval conditions;
- SSD 7142 EIS Statement of Commitments;
- SSD 7142 environmental management plans and procedures;
- CCL 775 conditions;
- UWJV environmental monitoring data;
- UWJV correspondence with regulatory agencies and other records of consultation;
- UWJV internal communications in relation to environmental management and compliance matters;
- UWJV response to the findings and recommendations in the previous IEA; and
- UWJV internal environmental policies and procedures.

The tables included in **Appendix C** discuss the documentation that was used to determine compliance with the conditions of SSD 7142 assessed during the IEA.

3.2 COMPLIANCE PERFORMANCE

Table 3 provides a summary of compliance for key UWJV approvals during the audit period that were considered during this IEA. A description of each identified non-compliance is provided in **Section 3.5** and **Appendix C**.

Table 3 Summary of Compliance

Document	C	NC	NT	Note	Total
SSD 7142	113	5	67	7	192
SSD 7142 Statement of Commitments	65	0	11	0	76
CCL 775	2	1	2	0	5

3.3 SUMMARY OF AGENCY NOTICES AND ORDERS

One Penalty Infringement Notice (PIN) was issued to UWJV by DPE during the audit period. The PIN was issued in December 2020 in relation to an exceedance of UWJV blast impact criteria in Condition B8 of SSD 7142 that was reported in the previous IEA (see **Appendix C**).

3.4 ACTIONS FROM PREVIOUS AUDIT

A summary of the actions arising from the previous SSD 7142 IEA (IEMA, 2021) is provided in **Table 4**. Actions that have not been completed by UWJV at the time of this audit have been retained in **Section 3.5** and **Section 4** below.

3.5 NON-COMPLIANCES DURING THE AUDIT PERIOD

Table 5 lists the non-compliances identified during the audit period. Recommendations made in relation to these non-compliances are provided in **Section 4**, with further context provided in **Appendix C**.

Table 4 Status of Actions Arising from Previous IEA

Ref	Previous IEA Findings	UWJV Proposed Completion Date	2023 IEA Status
SSD 7142 Non-Compliances & Recommendations			
NC REC 1:	Finalise the relevant construction certificates for the site.	September 2021	Complete. Temporary facilities were removed from site in 2021 following construction of new UWJV facilities under SSD 7142.
NC REC 2:	Ensure there is a process in place so the site applies for construction certificates in the correct timeframe.	Marked complete in UWJV response to previous IEA	Complete. UWJV sourced construction certificates for the new site offices developed in 2021 (see Condition A29 in Table 1 of **Appendix C**).
NC REC 3:	United Wambo to review options for back-up or alternative power supplies to reduce the chance of lost data from dust monitoring locations. Back-up batteries are currently in place at the receivers however Redmanvale Road has electrical problems outside of United Wambo's control.	Marked complete in UWJV response to previous IEA	Complete (batteries installed on monitors under UWJV management). However, non-compliant outages in PM10 monitoring units were identified and reported during the audit period, however these were typically outside of UWJV control (see Condition B28 in Table 1 of **Appendix C**). Evidence was provided to review maintenance status of monitors during the audit period.
NC REC 4:	Provide the updated UWJV Blast Management Plan on the website once approved by DPIE.	Once approved by DPE	The approved version of the Blast Management Plan was available on the UWJV website at the time of audit.
NC REC 5:	Any future property inspections should be completed as per the requirements of B13.	As required	One property inspection undertaken during the audit period was undertaken in accordance with SSD 7142 requirements (see Condition B28 in Table 1 of **Appendix C**).
NC REC 6:	Complete a lighting audit as per relevant Australian Standards including the latest version of Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting after completion of the MIA.	Complete	Complete. A lighting audit for UWJV was undertaken in 2021 by EMM Consulting.
NC REC 7:	Focus on point source light management for United at the moment.	Noted – management of lighting plant impacts	**Not compliant** (see Condition B85 in Table 1 of **Appendix C)**. The 2021 EMM Consulting lighting audit identified two non-compliances with

Ref	Previous IEA Findings	UWJV Proposed Completion Date	2023 IEA Status
		is a key focus at UWJV	AS 4282 requirements, and UWJV received a number of lighting complaints during the audit period in relation to the siting of lighting plant. UWJV have implemented improvements since late 2022 with the objective of improving lighting performance (see Condition B85 in Table 1 of **Appendix C**).
NC REC 8:	External advice on visual impact to the Golden Highway from external contractor.	Complete	Complete. Sighted copy of ERR Australia (ERR) UW Visual Screening Review dated 23 August 2023. (see Condition B85 in Table 1 of **Appendix C**). It is recommended that UWJV implement the program of plantings to reduce views to active mining areas available from the Golden Highway.
NC REC 9:	Attach plan as mentioned in Part C to the Bushfire Management Plan.	Complete	Complete. The 2022 UWJV Bushfire Management Plan reviewed at the time of audit is a stand-alone document.
NC REC 10:	Ensure the title of the relevant management plan is the same as mentioned in the consent condition.	Complete	Complete. UWJV management plan document titles align with the names used in SSD 7142 conditions, where required.

Table 5 IEA Non-Compliances

Ref	Non-Compliance
SSD 7142	
Condition B28	UWJV reporting during the audit period note a number of non-compliances regarding data capture from the site air quality monitoring network due to unplanned power outages, mechanical issues, software issues and unplanned maintenance.
Condition B40	Non-compliances were identified against the condition of WAL 18455, WAL 10541, 20WA208714 and 20WA200928 held by UWJV during the audit period.
Condition B56, Condition B70	UWJV did not make suitable arrangements for the long-term protection of the Compensatory Habitat Area nor secure the required offset credits by 6 January 2022.
Condition B85	A number of lighting complaints were recorded in 2020 and 2021 which on investigation by UWJV were found to be related to the siting of lighting plant. Review of these complaints and UW responses indicate that additional reasonable and feasible steps to minimise off-site lighting impacts could have been implemented during 2020, 2021 and 2022.

Ref	Non-Compliance
CCL 775	
Special Condition 5	Written approval of the Minister was not received prior to mining within the Notification Area of the Riverview Void In-pit Water Storage Dam.

3.6 ENVIRONMENTAL PERFORMANCE

3.6.1 Environmental Management Documents

The adequacy of SSD 7142 environmental management documents for the Project and the implementation of these plans was reviewed as a component of this IEA. SSD 7142 management plans reviewed included the approved Environmental Management Strategy and sub-plans, Noise Management Plan, Blast Management Plan, Air Quality and Greenhouse Gas Management Plan, Export Management Plan, Water Management Plan and sub-plans, Biodiversity Management Plan, Rehabilitation Management Plan, Aboriginal Cultural Heritage Management Plan, Historic Heritage Management Plan Bushfire Management Plan and Social Impact Management Plan.

The review of documentation found that site operations are being undertaken in accordance with the environmental procedures and systems required under SSD 7142. UWJV have robust systems to track the status and implementation of commitments and obligations in environmental management documentation, which is demonstrated by the level of compliance with approvals and licencing conditions noted during the audit period. E&C personnel interviewed during the audit process also demonstrated awareness of required monitoring and management controls and compliance issues that had arisen during the audit period.

Non-compliances identified in relation to SSD 7142 management plans are listed in **Table 5**.

3.6.2 Operation of Plant and Equipment

SSD 7142 requires all plant and equipment used on site, or in connection with the development, to be maintained in a proper and efficient condition and operated in a proper and efficient manner.

During the site inspection, selected copies of induction packages, training records and competencies for UWJV personnel were sighted. These records indicate that UWJV has appropriate processes in place to promote the effective operation of plant and equipment to minimise amenity impacts. During the site inspection, some instances of visible dust generation were observed due to the prevailing weather conditions from vehicle operations in more elevated and heavily trafficked areas of internal haul roads, however relevant monitoring records and communications from the period of inspections indicated that operators and Supervisors are aware of operational responses to minimise dust emissions. Four of the site watercarts were operating during the site inspections, with the fifth under maintenance at the time of audit.

UWJV records and specifications for new project equipment sourced since the determination of SSD 7152 were also viewed as examples of ongoing maintenance actions being carried out.

3.6.3 Site Infrastructure Areas

The site inspection of October 2023 included a review of the UWJV workshop, maintenance and bulk storage areas approved under SSD 7142. These areas were generally found to be well maintained, with controls in place to promote the efficient handling and storage of hydrocarbons and other materials required for maintenance activities that have the potential to harm the environment. Only minor housekeeping issues were observed, which were able to be rapidly rectified.

Segregated waste skip bins were sighted at the time of the audit for general waste, recycling, scrap steel and timber. Segregated bins were also present within the workshop for general waste, clean rag supply and oily rags. A mobile sweeper was observed at the UWJV workshop.

Chemicals being used for the project were observed to be stored in appropriately bunded areas within the site area at the time of audit, with suitable equipment to respond to any spills also available and signposted for use by Project personnel. Fire hoses were also sighted which are tagged six-monthly, along with stocked spill response kits being located at strategic locations.

External fixed lighting and mobile lighting plant observed during the site inspection were found to be shielded and directed down below the horizontal, to minimise the potential for direct lighting impacts from these facilities.

3.6.4 Amenity Impact Management

A review of air quality and noise monitoring reporting completed during the audit period indicated that UWJV are generally operating within the relevant SSD 7142 operation noise, blasting and air quality criteria. Identified non-compliances were generally found to be administrative in nature (see **Section 3.5**). Air quality and noise impacts are monitored through a real-time network surrounding the site which is representative of the nearest receivers. Systems with both predictive and reactive elements have been put in place to allow UWJV personnel to make operational changes based on predicted risks (e.g. weather conditions with the potential to increase dust risks) and on monitoring data as it is recorded. Monitoring data at selected sites is used to provide alerts to Mining Supervisors requiring changes to be made in advance of exceedances of criteria and examples of such responses during the audit period were provided.

During the audit period, UWJV received a number of community complaints from local residents in relation to night-lighting impacts. It is recommended that UWJV continue to review procedures for the siting of mobile night-lighting in elevated locations and determine if additional controls within site are required to minimise impacts for surrounding receivers (see **Section 4**).

It was also noted that direct views of active mining areas are available to motorists travelling on the Golden Highway. This was observed in areas where existing bunding and vegetation screening is absent or limited due to the relative height of UWJV mining areas in relation to external viewing locations. It is recommended that UWJV consider the findings of the screening review completed during the audit period and implement a program of works to minimise visual impacts along those sections of the Golden Highway where screening elements are required, or would be required for future operations.

3.6.5 Water Management

A review of water reporting and monitoring data during the audit period found that UWJV were generally compliant with water management requirements during the audit period. UWJV hold appropriate water licencing for the development and water management plans were found to include the required performance measures. Examples of monitoring, maintenance and reporting actions were provided, which indicate that the site personnel are aware of water management obligations in UWJV licencing and approvals.

Non-compliances identified for water matters during the audit period were related to providing notifications and retaining data for site Water Access Licences and the Works Approvals, and UWJV had identified these non-compliances and reported them to the relevant regulator following the findings of an internal review.

Five water-related incidents that occurred during the audit period were from the overflow of UWJV sediment dams following significant rain events. These incidents were reported to the relevant agencies in accordance with SSD 7142 requirements and UWJV made changes to the structures in response, to minimise the potential of reoccurrence.

3.6.6 Environmental Incidents

A review of environmental incidents relating to SSD 7142 requirements during the audit period found that UWJV had responded to issues as they were identified and had notified the relevant parties following the incidents being recorded. Examples of internal incident records provided indicated that systems are in place to assign and action incident investigation items to completion. Audit period Annual Reviews also provide summaries of incidents that occurred each calendar year and actions taken to rectify the issues identified.

Non-compliances and recommendations made in relation to environmental incidents recorded during the audit period are summarised in **Section 3.5**, **Section 4** and described in **Appendix C**.

3.6.7 Environmental Complaints

Environmental complaints received during the audit period included:

- Three in 2020;
- 48 in 2021;
- 16 in 2022; and
- Five in 2023 (to October).

Of the complaints received, the majority were in relation to noise and lighting issues, which have been a focus area for UWJV personnel in 2022/23. Each Annual Review for the audit period includes a summary of complaints received and the complaints register on the UWJV website indicates that complaints received during the audit period were recorded and actioned in accordance with SSD 7142 requirements. Non-compliances and recommendations made in relation to environmental issues noted in community complaints are summarised in **Section 3.5**, **Section 4** and described in **Appendix C**.

4. RECOMMENDATIONS

A summary of the non-compliances with UWJV licences and approvals identified during the audit period is provided in **Table 5**. Recommendations made to respond to these non-compliances, as well as opportunities identified to improve UWJV's general environmental performance, are provided in **Table 6**.

Table 6 IEA Recommendations

Ref	Recommendation Description
SSD 7142	
Condition B2	It is recommended that future UWJV noise monitoring reports refer to the INP. *It is noted that the UWJV September 2023 noise monitoring report includes this reference.*
Condition B28	It is recommended that UWJV continue to maintain and manage the site air quality monitoring network in accordance with the AQGHGMP to ensure data is available to verify compliance with SSD 7142 criteria.
Condition B32	It is recommended that the document control sections of the Export Management Plan are updated to include the effective and review dates.
Condition B37	It is recommended that future Weather Station Calibration Reports include a statement confirming the units are in compliance with the respective requirements of the Approved Methods and the INP.
Condition B40	It is recommended that UWJV regularly review the conditions of water licences held for the development to ensure that appropriate compliance notifications are made and monitoring information is retained.
Condition B52	It is recommended that the links to the public documents referred to in Section 8.1 the Water Management Plan are updated at the next revision of the document.
Condition B52	It is recommended that the WMP is updated to include a summary of the capacity for UW water storages, or a reference to the approved UW SWMP, which includes this information.
Condition B52	It is recommended that the web links Section 6 of the Surface Water Management Plan (SWMP) are reviewed and updated to at the next revision of the plan.
Condition B52	Section 10.3 of the SWMP does not include reference to the program for monitoring of seepage / leachate from the site. It is recommended that the SWMP is reviewed and updated to refer to this monitoring program.
Condition B56	It is recommended that UWJV continue to engage closely with the relevant agencies to secure Biodiversity Stewardship Agreement for the project, in accordance with DPE advice of October 2021.
Condition B71	It is recommended that UW retire the biodiversity credits specified in Table 5 of the consent, or the equivalent number of credits as set out in the BDMP, to offset the biodiversity impacts of the development. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.
Condition B85	It is recommended that UWJV continue to regularly review the siting and operation of mobile lighting plant required for night-time operations and consider the potential for off-site lighting impacts.

Ref	Recommendation Description
Condition B85	It is recommended that UWJV consider the findings of the ERR (2023) visual review and implement additional roadside plantings along the Golden Highway to screen views of the site, in consultation with RMS.
Condition B91	It is recommended that the UWJV Waste Management Plan is reviewed and updated to include a date the document was created or updated and a reference number.
Condition B91	It is recommended that waste segregation requirements are regularly communicated to UWJV personnel during training.
SSD 7142 Statement of Commitments	
SOC_8.0_Management Measures_048, 049	It is recommended that UWJV continue to liaise with the relevant agencies to secure the required biodiversity offsets for the project using a suitable contemporary mechanism.
SOC_8.0_Management Measures_059	It is recommended that UWJV consider the findings of the ERR (2023) visual review and implement additional roadside plantings along the Golden Highway to screen views of the site, in consultation with RMS.
CCL 775	
Special Condition 5	It is recommended that UWJV continue to engage with DS NSW to gain the approval of the Minister for CCL 775 operations within the declared dam notification areas.

APPENDIX A

ENDORSEMENT OF IEA TEAM

Department of Planning and Environment

Our ref: SSD-7142-PA-119

Aislinn Farnon
Environment & Community Manager
United Wambo Joint Venture
Wonnaruah Country

26/09/2023

Sent via the Major Projects Portal only

Subject: United Wambo Coal Mine - Auditor Endorsement

Dear Ms Farnon

Reference is made to your post approval matter, SSD-7142-PA-119, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit (IEA) of the United Wambo Joint Venture, submitted as required by Condition E12 of SSD-7142 as modified (the consent) to NSW Department of Planning and Environment (NSW Planning) on 15 September 2023.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

Consequently, as nominee of the Planning Secretary, I endorse the following independent audit team for the upcoming 2023 IEA:

- Dorian Walsh – Lead Auditor
- Tegan Brown – Assistant Auditor
- Andrew Wu – Technical Review

Please ensure this correspondence is appended to the IEA report.

The IEA must be prepared, undertaken, and finalised in accordance with the conditions of consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

The IEA period shall be from 1 December 2020 until the final day of the site inspection, and no later than 6 January 2024.

Should you wish to discuss the matter further, please contact Ann Hagerthy, Senior Compliance Officer on 02 6575 3407 or email compliance@planning.nsw.gov.au

Yours sincerely

HWatters

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

APPENDIX B

IEA DECLARATION

Independent Environmental Audit Report Declaration	
Project Name:	United Wambo Mine
Consent No.:	SSD 7142
Description of Project:	Independent Environmental Audit (IEA)
Project Address:	300 Watt Street, Warkworth NSW 2330
Proponent	United Wambo OC Operations Pty Ltd
Proponent Address:	PMB 13, Singleton NSW 2330
Title of Audit:	Independent Environmental Audit (IEA) of the United Wambo Mine
Date:	12/09/2023
Declaration	I declare that I will undertake the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge: i. The IEA will be conducted in accordance with the NSW Department of Planning and Environment (DPE) 2015 'Independent Audit Guideline, post approval requirements for State significant developments'; ii. the findings of the audit will be reported truthfully, accurately and completely; iii. I will exercise due diligence and professional judgement in conducting the audit; iv. I will act professionally, objectively and in an unbiased manner; v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child; vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child; vii. neither I nor my employer have provided consultancy services for the audited project that is subject to this audit except as otherwise declared to the Department prior to the audit; and viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so. Notes: a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000; and b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both.
Name of Auditors:	Dorian Walsh Andrew Wu Tegan Brown
Signature:	
Auditor Qualification	Auditor for Environmental Management, EMS and Compliance Audits. Dorian Walsh: Exemplar Global No. 201881
Company:	James Bailey & Associates
Company Address:	6/127-129 John Street, Singleton NSW 2330

APPENDIX C

IEA COMPLIANCE TABLES

Table C1 Development Consent SSD 7142

Cond	Development Consent SSD 7142	Status	Evidence
SCHEDULE 2: PART A – ADMINISTRATIVE CONDITIONS			
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
A1.	In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	C	Exceedances of SSD 7142 performance measures and criteria were recorded during the audit period, however material harm to the environment did not occur. Findings and recommendations in relation to each non-compliance are provided against the relevant conditions below.
TERMS OF CONSENT			
A2.	The development may only be carried out: (a) in compliance with the conditions of this consent;	C	Non-compliances (NC) with SSD 7142 conditions were identified during this IEA. Findings and recommendations in relation to each non-compliance are provided against the relevant conditions below.
	(b) in accordance with all written directions of the Planning Secretary;	C	AF (pers comms) confirmed that no written directions have been made by DPE during the audit period.
	(c) generally in accordance with the EIS and Modification Report (Mod 1); and	C	A desktop review of UW documentation found that the project is being carried out generally in accordance with the EIS and the Modification 1 report.
	(d) generally in accordance with the Development Layout.	C	Operations during the audit period were carried out generally in accordance with the conceptual development layout plans.
A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or	NT	AF (pers comms) confirmed that there has been no written directions from the Secretary during the audit period.

Cond	Development Consent SSD 7142	Status	Evidence
	correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and		
	(b) the implementation of any actions or measures contained in any such document referred to in paragraph (a).	NT	See Condition A3 above.
A4.	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	NT	AF (pers comms) confirmed no inconsistencies were identified during the audit period.
STAGED DEVELOPMENT			
A5.	The development must be undertaken in the following stages: (a) Phase 1A (as defined), including construction works at United open cut mine;	C	Sighted UWJV letter addressed to the DPIE dated 20 December 2019 noting commencement of Phase 1A of the United Wambo Open Cut Coal Mine Project will be on 6/1/20.
	(b) Phase 1B (as defined), including mining operations at United open cut mine;	C	Sighted UWJV letter addressed to the DPIE dated 3 July 2020 noting commencement of Phase 1B of the United Wambo Open Cut Coal Mine Project will be on 17July 2020 or the date of the approval of final Management Plan. Phase 1B commenced 20 July 2020.
	(c) Phase 2 (as defined), including mining operations at the United open cut mine and Wambo open cut mine; and	C	AF (pers comms) confirmed that the development is now currently in Phase 2.
	(d) Phase 3 (as defined), including mine closure.	NT	AF (pers comms) confirmed that the Project has not yet reached Phase 3.
A6.	Condition A5 does not prevent the continuation and completion of Phase 1A construction works during either Phase 1B or Phase 2.	C	Note only.
NOTIFICATION OF COMMENCEMENT OR COMPLETION OF A DEVELOPMENT STAGE			
A7.	The date of commencement of each of the Phases (as set out in condition A5) of the development must be notified to the Department in writing, at least two weeks before those dates.	C	UWJV letter to DPIE dated 13/10/20 provided notification of the commencement of Phase 2 in accordance

Cond	Development Consent SSD 7142	Status	Evidence
			with this requirement.
A8.	The Department must be notified in writing of any period of suspension of mining operations during Phase 1B or Phase 2, immediately following both the commencement and completion of those periods.	NT	AF (pers comms) confirmed that there has been no suspension of mining operations during the audit period.
LIMITS OF CONSENT			
Mining Operations			
A9.	Mining operations may be carried out on the site until 31 August 2042.	C	The audit period is within the timeframe approved for site mining operations.
	Note: *Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard.*	Note only	Noted.
Coal Extraction and Transportation			
A10.	During Phase 2, a maximum of 10 million tonnes of ROM coal may be extracted from the site in any calendar year.	C	ROM coal volumes during the audit period were: • 2020: 0.61 Mt (2020 Annual Review (AR)); • 2021: 6.49 Mt (2021 AR); • 2022: 5.67 Mt (2022 AR); and • 2023: Sighted *United Open Cut Yearly Excav Summary* document dated 1/10/23 which notes 2023 ROM coal to date as 5.01 Mt.
A11.	During Phase 2, ROM coal from the site may be transferred to Wambo mine infrastructure for processing, stockpiling and transportation.	C	Noted. AF (pers comms) confirmed that this activity has continued during the audit period.
	Note: *Wambo mine infrastructure is separately approved under DA 305-7-2003 and despatch of product coal is separately approved under DA 177-8-2004.*	Note only	Noted.
A12.	During Phase 2, the Applicant may undertake highwall or auger mining on the site, within the approved disturbance areas, subject to the approval of the Resources Regulator.	NT	AF (pers comms) confirmed that there has been no highwall or auger mining on site

Cond	Development Consent SSD 7142	Status	Evidence
			during the audit period.
A13.	During Phase 2 and Phase 3, overburden and coal reject material may be received from the Wambo Mining Complex for emplacement.	C	Noted.
Hours of Operation			
A14.	The Applicant may undertake approved mining operations 24 hours a day, 7 days a week, except during Phase 1A.	C	AF (pers comms) confirmed that mining operations occurred 24 hours a day, 7 days a week during the audit period.
	Notes: - *For limitations on blasting operations see condition B10.* - *For limitation on construction hours see condition C1.*	Note only	Noted.
Identification of Approved Disturbance Area			
A15.	Within three months of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must provide to the Department a survey plan of the boundaries of the approved disturbance areas.	C	Deemed compliant in previous IEA.
SURRENDER OF EXISTING CONSENT			
A16.	Within 12 months of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must surrender the existing development consent for United Underground Coal Mine (DA 410-11-2002-i) in accordance with the EP&A Regulation.	C	AF (pers comms) confirmed DA 410-11-2002-i has been surrendered. Sighted UWJV letter addressed to DPIE dated 10 December 2020 requesting an extension to the timeframe to surrender DA 410-11-2002-i to 25 February 2021. A DPIE letter dated 23 December 2020 agreed to grant an extension to the date required to surrender DA 410-11-2002 until 30 June 2021. The letter also notes the Planning Secretary requests that Glencore provides the Department with a written commitment that no further development will take place under DA 410-11-2002-i. Sighted email dated 28 January 2021 from

Cond	Development Consent SSD 7142	Status	Evidence
			DPIE which notes this email is to acknowledge the receipt of the Cessation of Development under DA 410-11-2002-i for the United Wambo Open Cut Mine and that the Department has no comments on the document at the time. Sighted UWJV letter to DPIE dated 13 September 2021 which provides additional information requested by Department regarding UWJV surrender of DA 410-11-2002-i. The letter also seeks an extension to 31 December 2021 to finalise the surrender. Sighted DPIE letter dated 25 February 2022 which refers to a UWJV letter of 20 December 2021 seeking to surrender of DA 410-11-2002-i and confirms that the Planning Secretary has approved the application.
	Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.	Note only	Noted.
A17.	Upon the commencement of development under this consent, and before the surrender of the existing development consent required under condition A16, the conditions of this consent prevail to the extent of any inconsistency with the conditions of DA 410-11-2002-i.	C	Noted.
PLANNING AGREEMENT			
A18.	Within six months of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a PA with the Council in accordance with: (a) Division 7.1 of Part 7 of the EP&A Act; and	C	See Condition A5(a). The development commenced on 6/01/20. Viewed DPE letter dated 04/06/20 extending the timeframe for UWJV to enter into the Planning Agreement to end of the 2020. Sighted Planning Agreement document

Cond	Development Consent SSD 7142	Status	Evidence
			signed on 16/12/20 by Council and UWJV representatives and Tax Invoice 7660 from Council dated 31/12/20, Glencore Remittance dated 5/01/21.
	(b) the terms of the offer in Appendix 9.	C	See Condition A18(a).
COMMUNITY CONSULTATIVE COMMITTEE			
A19.	The Applicant must operate a Community Consultative Committee (CCC) for the development. The CCC must be operated in accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2019) for the life of the development, or other timeframe agreed by the Planning Secretary.	C	Sighted minutes of Wambo Coal Pty Ltd and UWJV CCC Meetings held during the audit period, including from 4/05/21, 2/08/22, and 31/01/23.
	Notes: • *The CCC is an advisory committee only.* • *In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community.*	Note only	Noted.
A20.	With the approval of the Planning Secretary, the Applicant may combine the CCC required by this consent with any similar CCC required by an adjoining mining consent or approval, in common, shared or related ownership or management, including DA 305-7-2003 (Wambo mine).	NT	Deemed compliant in previous IEA.
EVIDENCE OF CONSULTATION			
A21.	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and	C	Evidence of required UWJV consultation for plans, strategies and programs was verified, with correspondence described in the relevant conditions.
	(b) provide details of the consultation undertaken to the Planning Secretary, including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	C	See Condition A21(a) above.
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS			
A22.	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a	NT	AF (pers comms) confirmed that there has been no staging of any strategy, plan or

Cond	Development Consent SSD 7142	Status	Evidence
	clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);		program within the audit period.
	(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);	NT	AF (pers comms) confirmed no strategy, plan or program has been combined during the audit period.
	(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and	C	AF (pers comms) confirmed that SSD 7142-required plans, strategies and programs have been progressively updated during the audit period (see comments on relevant conditions below)
	(d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by a consent or approval for an adjoining mine subject to common, shared or related ownership or management, including DA 305-7-2003 (Wambo mine) and DA 177-8-2004 (Wambo train loading facility).	NT	AF (pers comms) confirmed there has been no combining of any strategies, plans or programs during the audit period.
A23.	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition of this consent.	NT	AF (pers comms) confirmed that no, plan or program has been approved for update without the required consultation during the audit period.
A24.	If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.	NT	AF (pers comms) confirmed that no strategy, plan or program has been staged during the audit period.
SUPPLY OF OVERBURDEN			
A25.	With the approval of the Planning Secretary, the Applicant may supply overburden material to infrastructure developments (for example, roadworks and the like) in the vicinity of the site if the use of such material in those developments is the subject of development consent granted under Part 4 of the EP&A Act, an environmental assessment carried out under Division 5.1 of Part 5 of the EP&A Act, or an approval granted under Division 5.2 of Part 5 of the EP&A Act.	NT	AF (pers comms) confirmed that no overburden material has been supplied to other infrastructure developments during the audit period.
PUBLIC INFRASTRUCTURE			
Protection of Public Infrastructure			
A26.	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	NT	AF (pers comms) confirmed that no public

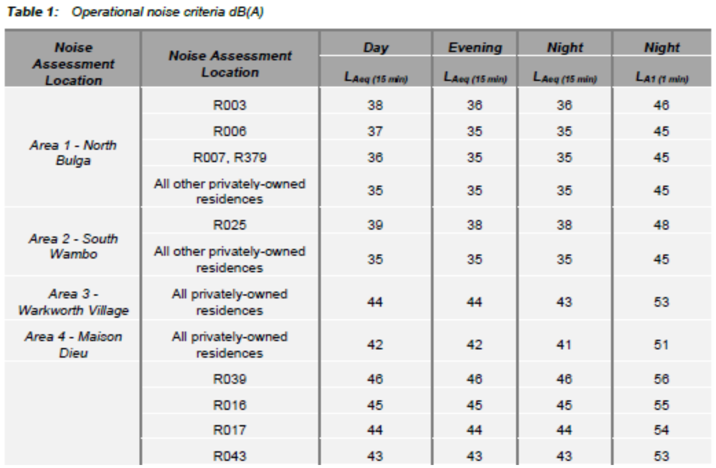
Cond	Development Consent SSD 7142	Status	Evidence
	(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and		infrastructure has been damaged during the audit period.
	(b) relocate, or pay the full costs associated with relocating, any public infrastructure[a] that needs to be relocated as a result of the development. *[a] This condition does not apply to damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition A18 or to damage subject to compensation under the Mining Act 1992.*	C	AF (pers comms) confirmed that Ausgrid powerlines were relocated as part of the development. Viewed associated design documents and executed agreement for the relocation between UWJV and the asset owner dated 17/01/20.
Realignment of Public Infrastructure			
A27.	Prior to disturbing public infrastructure, the Applicant must carry out the relevant realignment works described in the EIS, including the: (a) Golden Highway realignment, which must be designed and constructed in accordance the relevant Austroads guidelines, Australian Standards and RMS requirements, in consultation with and to the satisfaction of RMS;	NT	AF (pers comms) confirmed the Golden Highway realignment has not been undertaken.
	(b) transmission line relocation, which must be constructed in consultation with and to the satisfaction of Ausgrid and Transgrid; and	C	Sighted copy of Transgrid designs for the relocated transmission lines dated 21/01/18. AF (pers comms) confirmed that Transgrid undertook the transmission line relocation. Viewed the *Transgrid Transmission Line Relocation* agreement, which was signed off on 17/1/20 by Transgrid.
	(c) telecommunications line relocation, which must be constructed in consultation with and to the satisfaction of Telstra.	NT	AF (pers comms) confirmed the Telstra line relocation has not been undertaken.
	Notes: • *Additional approvals may be required from the relevant authorities prior to commencing this construction.* • *Refer to PART C for more construction-related requirements.*	Note only	Noted.
DEMOLITION			
A28.	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The	C	Sighted *Notice of Contract of Completion*

Cond	Development Consent SSD 7142	Status	Evidence
	Demolition of Structures (Standards Australia, 2001).		*for the United CPP and Conveyors Demolition* project dated 9 April 2020. The initial supply contract for these works dated 17 December 2019 notes that all work must be carried out in accordance with AS 2601-2001. Viewed UWJV Scope of Works for demolition works on Lot 92, DP 579587, Jerrys Plains Road dated February 2021. The scope notes that all work is to be carried out in accordance with the requirements of *AS2601-2001*.
STRUCTURAL ADEQUACY			
A29.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development (including the infrastructure in condition A27), must be constructed in accordance with: (a) the relevant requirements of the BCA; and	C	Sighted copy of Construction Certificates approval dated 30 November 2020 from BCA Certifiers for '*single storey demountable buildings (including Office and Amenities) – Wambo North and South*'.
	(b) any additional requirements of SA NSW where the building or structure is located on land within a declared Mine Subsidence District.	C	Viewed UWJV site infrastructure plans stamped by SA NSW on 27/11/20.
	Notes: • *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.* • *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.* • *Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of SA NSW's approval before carrying out certain development in a Mine Subsidence District.*	Note only	Noted.
OPERATION OF PLANT AND EQUIPMENT			
A30.	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and	C	AF (pers comms) confirmed that all equipment maintenance records are recorded in SAP. Overarching policies for the management of equipment are

Cond	Development Consent SSD 7142	Status	Evidence
			outlined in the GCAA *Asset Management Framework* (2020). Sighted examples of maintenance records during the audit period, including: • Sentinex noise unit field service report work order number 3991 dated 7/6/23; • Certificate of Calibration for Sound Level Meter dated 14/4/21 which notes all test passed for Class 1; • Sentinex weather station Calibration Report dated 7/01/23; • Maintenance order for 793D truck service 500 hour, order start date 3/08/23; • UWJV Planned Maintenance Schedule dated 13/06/23 for noise unit servicing and weather station inspections, Annual SVAN calibration and dust unit servicing; • Screenshot of Maintenance Schedule for Plant and Equipment at UWJV which shows change prevention work order 103655225 for 12 February 2023; • UWJV Maintenance Services 2021-2023 register which includes truck services, truck fire system services, grader services, excavator services, water truck services and loader services.
	(b) operated in a proper and efficient manner.	C	Sighted copy of the crew competency report dated 29 April 2023. Sighted copy of crew competency report for production crew 1 dated 25 May 2023 and valid training records for selected

Cond	Development Consent SSD 7142	Status	Evidence
			UWJV employees. Sighted copy of the skills matrix for equipment which was generated on 25/5/23 for UW Production Crew 4. The matrix shows the valid training for equipment operations for crew personnel.
COMPLIANCE			
A31.	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	C	AF (pers comms) confirmed that all contractors, visitors and employees complete a site familiarisation prior to working on site. Sighted copy of the Glencore Environment and Community Awareness presentation which is completed by all employees, and examples of environmental competency forms completed by UWJV staff and contractors during the site familiarisation process.
APPLICABILITY OF GUIDELINES			
A32.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Note only	Noted
A33.	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	NT	AF (pers comms) confirmed that there has been no direction from Planning Secretary on the application of new guidelines during the audit period.
CROWN LAND			
A34.	The Applicant must acquire Lot 170 DP 823775 from the Crown by way of an application for sale or obtain a suitable licence or agreement, prior to the Applicant undertaking any works on this lot.	NT	AF (pers comms) confirmed that there has been no work undertaken on Lot 170 DP 823775 during the audit period.
A35.	Any other Crown land significantly affected by the development must be acquired by the Applicant by way of an application for sale or through a suitable licence or agreement, prior to undertaking any	C	AF (pers comms) confirmed that there has been no significant impact to Crown Land

Cond	Development Consent SSD 7142	Status	Evidence
	works on that land.		during the audit period. Sighted UWJV letter addressed to DPE dated 20/12/21 which notes the Golden Highway is a declared highway and not a Crown Road and provides legal advice to support this position. A DPE letter dated 16/03/22 noted the Department carefully reviewed the documents provided and sought advice from the Department of Planning – Crown Lands, who confirmed the Golden Highway is not a Crown Road for the purpose of the *Roads Act 1993*.
A36.	Any Crown road reserves located within the site must be purchased and closed by the Applicant prior to surface disturbance within the reserve.	C	Viewed UWJV correspondence to DPE dated 20/12/21 seeking DPE concurrence that the existing easement of the Golden Highway is not considered to be Crown Land. DPE confirmed their agreement with the UWJV position via letter date 16/03/22.
	Note: Acquisition of Crown land would be subject to considerations under the Native Title Act 1993, the Aboriginal Land Rights Act 1983 and/or DPIE Crown Lands policy on direct negotiation.	Note only	Noted
PART B – SPECIFIC ENVIRONMENTAL CONDITIONS			
NOISE			
Operational Noise Criteria			
B1.	The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence[a] on privately-owned land.	C	A review of monthly UWJV Environmental Noise Monitoring Reports completed by Global Acoustics and EMM during the audit period by found that no exceedances of SSD 7142 noise criteria were recorded. AF (pers comms) confirmed that the noise exceedance recorded during monitoring on 22 July 2021 at location NM02 was in relation to UWJV Environment Protection

<table>
<tr><th>Cond</th><th>Development Consent SSD 7142</th><th>Status</th><th>Evidence</th></tr>
<tr><td></td><td></td><td></td><td>Licence (EPL) criteria only and not the criteria provided in Table 1 of SSD 7142. A summary of this exceedance and the associated UWJV investigation was provided in the 2021 AR and a DPE letter to UWHV dated 2 September 2021 confirms that no non-compliance with SSD 7142 noise criteria occurred.</td></tr>
<tr><td></td><td>
Table 1: *Operational noise criteria dB(A)*
<table>
<tr><th rowspan="2">Noise Assessment Location</th><th rowspan="2">Noise Assessment Location</th><th>Day</th><th>Evening</th><th>Night</th><th>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 rowspan="4">*Area 1 - North Bulga*</td><td>R003</td><td>38</td><td>36</td><td>36</td><td>46</td></tr>
<tr><td>R006</td><td>37</td><td>35</td><td>35</td><td>45</td></tr>
<tr><td>R007, R379</td><td>36</td><td>35</td><td>35</td><td>45</td></tr>
<tr><td>All other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr>
<tr><td rowspan="2">*Area 2 - South Wambo*</td><td>R025</td><td>39</td><td>38</td><td>38</td><td>48</td></tr>
<tr><td>All other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr>
<tr><td>*Area 3 - Warkworth Village*</td><td>All privately-owned residences</td><td>44</td><td>44</td><td>43</td><td>53</td></tr>
<tr><td>*Area 4 - Maison Dieu*</td><td>All privately-owned residences</td><td>42</td><td>42</td><td>41</td><td>51</td></tr>
<tr><td rowspan="4"></td><td>R039</td><td>46</td><td>46</td><td>46</td><td>56</td></tr>
<tr><td>R016</td><td>45</td><td>45</td><td>45</td><td>55</td></tr>
<tr><td>R017</td><td>44</td><td>44</td><td>44</td><td>54</td></tr>
<tr><td>R043</td><td>43</td><td>43</td><td>43</td><td>53</td></tr>
</table>
</td><td></td><td></td></tr>
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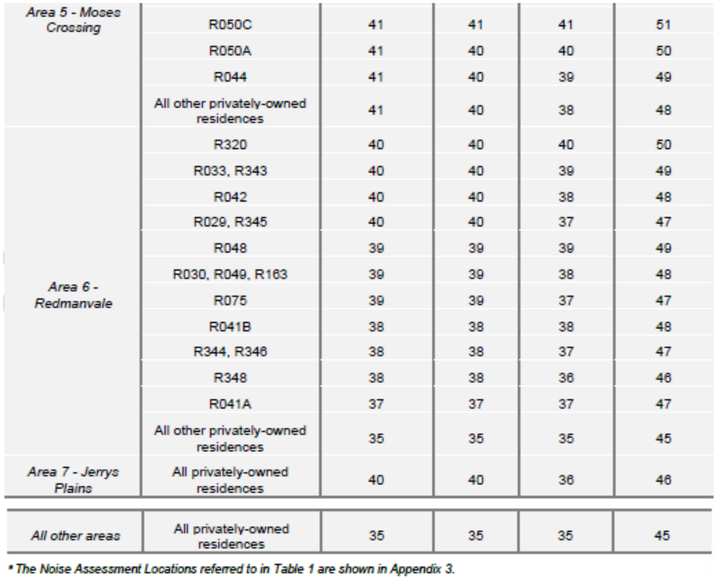
<table>
<tr><th>Cond</th><th>Development Consent SSD 7142</th><th>Status</th><th>Evidence</th></tr>
<tr><td></td><td>
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<tr><td>Area 5 - Moses Crossing</td><td>R050C</td><td>41</td><td>41</td><td>41</td><td>51</td></tr>
<tr><td></td><td>R050A</td><td>41</td><td>40</td><td>40</td><td>50</td></tr>
<tr><td></td><td>R044</td><td>41</td><td>40</td><td>39</td><td>49</td></tr>
<tr><td></td><td>All other privately-owned residences</td><td>41</td><td>40</td><td>38</td><td>48</td></tr>
<tr><td>Area 6 - Redmanvale</td><td>R320</td><td>40</td><td>40</td><td>40</td><td>50</td></tr>
<tr><td></td><td>R033, R343</td><td>40</td><td>40</td><td>39</td><td>49</td></tr>
<tr><td></td><td>R042</td><td>40</td><td>40</td><td>38</td><td>48</td></tr>
<tr><td></td><td>R029, R345</td><td>40</td><td>40</td><td>37</td><td>47</td></tr>
<tr><td></td><td>R048</td><td>39</td><td>39</td><td>39</td><td>49</td></tr>
<tr><td></td><td>R030, R049, R163</td><td>39</td><td>39</td><td>38</td><td>48</td></tr>
<tr><td></td><td>R075</td><td>39</td><td>39</td><td>37</td><td>47</td></tr>
<tr><td></td><td>R041B</td><td>38</td><td>38</td><td>38</td><td>48</td></tr>
<tr><td></td><td>R344, R346</td><td>38</td><td>38</td><td>37</td><td>47</td></tr>
<tr><td></td><td>R348</td><td>38</td><td>38</td><td>36</td><td>46</td></tr>
<tr><td></td><td>R041A</td><td>37</td><td>37</td><td>37</td><td>47</td></tr>
<tr><td></td><td>All other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr>
<tr><td>Area 7 - Jerrys Plains</td><td>All privately-owned residences</td><td>40</td><td>40</td><td>36</td><td>46</td></tr>
<tr><td>All other areas</td><td>All privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr>
</table>
* The Noise Assessment Locations referred to in Table 1 are shown in Appendix 3.</td><td></td><td></td></tr>
<tr><td>B2.</td><td>Noise generated by the development must be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy (EPA, 2000). Appendix 4 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</td><td>C</td><td>Noise generated by UW during the audit period was measured in accordance with the Industrial Noise Policy, however the Noise Policy for Industry (2017) is referenced as the applicable monitoring standard within the monthly Noise Monitoring Reports prepared for UWJV during the audit period.
It is recommended that future UWJV noise monitoring reports refer to the INP.
AF (pers comms) confirmed that the noise consultant had already been requested to change future noise monitoring reports to reference the INP. A copy of UW Open Cut Coal Mine Environmental noise monitoring report dated September 2023</td></tr>
</table>

Cond	Development Consent SSD 7142	Status	Evidence
			was provided. Section 2.6 of the report has been updated to note that compliance against the requirements of the INP were assessed in the report, as required under SSD 7142. Further feedback was provided in correspondence between AF and the UWJV noise monitoring consultants on 6/12/23 noting the differing application of the Industrial Noise Policy in comparison to the Noise Policy for Industry (2017) during certain weather conditions.
B3.	The noise criteria in Table 1 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	NT	AF (pers comms) confirmed that no agreements to exceed noise criteria were made with any landowners during the audit period.
Noise Operating Conditions			
B4.	The Applicant must: (a) take all reasonable steps to minimise all noise from construction and operational activities, including low frequency noise and other audible characteristics, as well as road noise associated with the development, particularly during Phase 1B;	C	Sighted copy of UW Noise Management Plan (NMP) version 7, dated 31 August 2023. NMP describes the noise management and mitigation strategies, procedures, controls and monitoring programs that will be implemented to manage noise emissions from open cut operations at UW. AC (pers comms) provided an overview of SiteEye system used as a management tool to guide operational noise responses and confirmed all new equipment has noise attenuation and a number of old plant have been updated with noise attenuation. AC (pers comms) confirmed that noise is typically managed based on noise levels recorded at monitoring sites representative of receivers and alarms

Cond	Development Consent SSD 7142	Status	Evidence
			received based on the levels adopted in the site noise model and the SiteEye system.
	(b) implement reasonable and feasible noise attenuation measures on all new plant and equipment that will operate in noise sensitive areas;	C	Sighted *230915 UWJV Fleet specs* spreadsheet which records the noise attenuation installed on each vehicle. Copies of UWJV technical specification sheets for the project were also viewed, which note noise goals for new UWJV equipment, including the Komatsu 980E. Viewed examples of stationary and dynamic sound power level testing reports for UW fleet vehicles completed during the audit period by Global Acoustics, including for: • Liebherr R9800 Unit 101, dated 7 March 2021; • Liebherr R9600 Unit 102, dated 10 August 2021; • Liebherr R9400 Unit 131, dated 15 March 2021; • Komatsu 930E-5 Unit 201, dated 16 February 2021; • Komatsu 930E-5 Unit 214, dated 21 February 2021; and • Cat 994K, dated 2 March 2021.
	(c) monitor and record all major equipment use and make this data readily available at the request of the Department or the EPA;	C	Section 10.4.1 of the NMP notes that UW fleet usage data will be provided to DPE or EPA within 72 hours of receiving a request. AC (pers comms) confirmed no requests have been received during the audit period.
	(d) operate a comprehensive noise management system that uses a combination of predictive	C	AF (pers comms) confirmed that the real

Cond	Development Consent SSD 7142	Status	Evidence
	meteorological and noise forecasting and real-time monitoring to guide the day to day planning of mining operations, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;		time system on site has alarms. AF (pers comms) confirmed that noise mitigation measures include daily forecast, awareness of inversions, when there are high winds or inversions noise is reduced by going to lower dumps, reducing truck speed and moving parts of the fleet from exposed areas. Responses are managed by Mining Supervisors. AF (pers comms) confirmed that alarms are managed through SiteEye. The alarms are sent as text message to supervisors phones and mitigations are recorded.
	(e) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions when the noise criteria in this consent do not apply (see Appendix 4); and	C	Sighted example of Winter 2023 Inversion Class spreadsheet, noting alarm dates, crew and actions recorded.
	(f) carry out regular attended noise monitoring (at least once a month, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent.	C	Sighted United Wambo Open Cut Coal Mine Environmental Noise Monitoring report dated June 2022, December 2022 and February 2023. All three reports concluded that UW complied with relevant noise limits at all monitoring locations.
Noise Management Plan			
B5.	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Sighted Noise Management Plan (NMP) dated 31/8/23, version 7. Section 7 of the NMP notes that the United Wambo NMP has been reviewed by a suitably experienced and qualified person, Tony Welbourne of Global Acoustics. A letter of confirmation from Global Acoustics is provided in Appendix B of the NMP.
	(b) be prepared in consultation with the EPA;	C	Sighted NMP which notes that the EPA

Cond	Development Consent SSD 7142	Status	Evidence
			was contacted and provided with the opportunity to provide comment and feedback on the management plans prepared for SSD 7142, including the NMP, on 21 September 2018 and 11 September 2019. EPA correspondence from included as Appendix A to the NMP notes that they do not undertake consultation for management plans and, as such, offered no comment in relation to these plans apart from ensuring that the plans consider the conditions of any Environment Protection Licence (EPL) conditions in force at the time.
	(c) describe the measures to be implemented to ensure: (i) compliance with the noise criteria and operating conditions in this consent; (ii) best practice management is being employed; and (iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions under which the noise criteria in this consent do not apply (see Appendix 4);	C	Section 10 of the NMP describes noise mitigation and management measures, adaptive management, additional receiver noise management measures, predictive meteorological forecasting and continuous improvement strategies. Section 11 of the NMP describes the UWJV noise monitoring program. AC (pers comms) confirmed that the SiteEye system shows maps of noise monitoring and weather conditions are also displayed.
	(d) seek to minimise road traffic noise generated by employee commuter vehicles on public roads;	C	Section 10.6 of the NMP notes that site familiarisations will include awareness to all employees to minimise road traffic noise generated by employee commuter vehicles on public roads, including: • Awareness of local residential areas, including Jerrys Plains and Warkworth areas; and

Cond	Development Consent SSD 7142	Status	Evidence
			- Driving respectively through areas with residences, including limiting use of horns, no revving of engines and obeying speed limits. UWJV presentation '*2023 Awareness Presentation for New Starters*' includes content requiring all employees and contractors working at UWJV to minimise road traffic noise through residential areas and drive in a courteous manner when travelling to and from work.
	(e) describe the noise management system in detail; and	C	Section 10 of the NMP describes the implementation of noise management and mitigation measures at UW. Section 11 of the NMP describes the noise monitoring program for the site including real time noise monitoring, Trigger Action Response Plan (TARP), attended noise monitoring, meteorological monitoring, corrective actions, Change Management and record keeping.
	(f) include a monitoring program that: (i) uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development; (ii) includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time; (iii) adequately supports the noise management system; (iv) includes a protocol for distinguishing noise emissions of the development and the Wambo Mining Complex; and (v) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event.	C	(i) Section 11.1 of the NMP notes that UW will establish four permanent real-time noise monitoring locations NM02-RT South Wambo, NM04-RT Maison Dieu, NM05-RT Moses Crossing and NM07-RT Redmanvale Rd. Section 11.2 of the NMP notes that attended noise monitoring will occur at five representative locations including NM01 North Bulga, NM02 South Wambo, NM04 Maison Dieu, NM05 Moses Crossing, NM06 Redmanvale

Cond	Development Consent SSD 7142	Status	Evidence
			South and NM07 Redmanvale North.
B6.	The Applicant must not commence Phase 1B until the Noise Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
B7.	The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.	C	A review of UWJV systems and data from the audit period (see Conditions B4 – B5) found the site generally operates in accordance with the approved NMP.
BLASTING			
Blasting Criteria			
B8.	The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations a shown in Table 2.	C	An exceedance of UWJV blasting criteria of 100 mm/s was recorded on 24 September 2020 for 66kV transmission suspension tower MD70045. The initial incident notifications and investigations were described in the previous IEA. Correspondence relating to this exceedance during the audit period includes: • UWJV letter dated 3/11/20 responding to a DPE request for additional information on 27/10/20. The response includes an investigation report prepared by Terrock Consulting Engineers dated 3/11/20; • UWJV letter dated 8/12/20 responding to DPE Invitation to Show Cause of 27 November 2020; • DPE email dated 18 December 2020, issuing a Penalty Infringement Notice for breach of S4.2 of the EP&A Act;

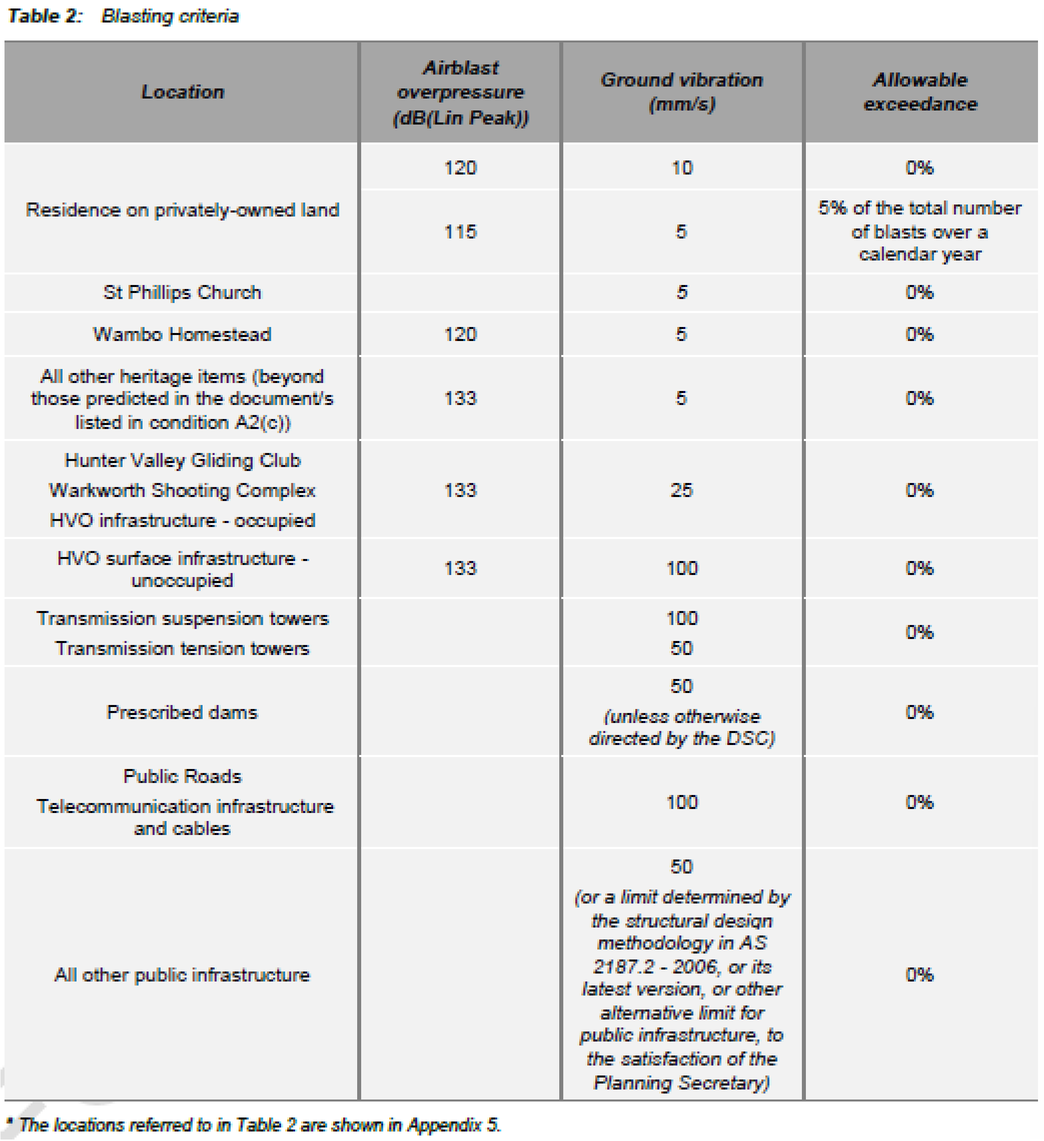
Cond	Development Consent SSD 7142	Status	Evidence
			

Table 2: Blasting criteria

Location	***Airblast overpressure (dB(Lin Peak))***	***Ground vibration (mm/s)***	***Allowable exceedance***
Residence on privately-owned land	120	10	0%
	115	5	5% of the total number of blasts over a calendar year
St Phillips Church		5	0%
Wambo Homestead	120	5	0%
All other heritage items (beyond those predicted in the document/s listed in condition A2(c))	133	5	0%
Hunter Valley Gliding Club Warkworth Shooting Complex HVO infrastructure - occupied	133	25	0%
HVO surface infrastructure - unoccupied	133	100	0%
Transmission suspension towers Transmission tension towers		100 50	0%
Prescribed dams		50 *(unless otherwise directed by the DSC)*	0%
Public Roads Telecommunication infrastructure and cables		100	0%
All other public infrastructure		50 *(or a limit determined by the structural design methodology in AS 2187.2 - 2006, or its latest version, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)*	0%

** The locations referred to in Table 2 are shown in Appendix 5.*

Cond	Development Consent SSD 7142	Status	Evidence
B9.	The blasting criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or infrastructure to exceed the blasting criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	NT	Viewed 'Increased Blast Vibration Limit Agreement' between UWJV and Hunter Valley Operations dated 3/11/21 for the Former Warkworth School site. The agreements makes reference to this condition and blast impacts predicted in the SSD 7142. AC (pers comms) confirmed that no other agreements have been made with the owner/s of relevant residence or infrastructure to exceed the blasting criteria during the audit period.
Blasting Hours			
B10.	The Applicant must only carry out blasting on the site between 9 am and 5 pm (Monday to Saturday inclusive). No blasting is allowed on Sundays, public holidays or any other time without the prior written approval of the Planning Secretary.	C	Section 4.5 of the Blast Management Plan describes blasting restrictions and notes Blasting will only be undertaken between 9:00 am and 5:00 pm Monday to Saturday (inclusive). The UWJV *Blast Firing Procedure* dated 7/03/22 *Pre-Blast Environment and Community Checklist* includes confirmation that planned blast events are within approved hours and frequencies. Viewed examples of pre-blast checks completed during the audit period. The Blast Monitoring Results database records confirm that blast times during the audit period were within approved hours.
Blasting Frequency			
B11.	The Applicant may carry out a maximum of: (a) 3 single blast events[a] a day; and	C	Sighted Blast Monitoring Results database which records blast firing dates and times over the reporting period which confirms

Cond	Development Consent SSD 7142	Status	Evidence
			that UWJV did not exceed 3 single blast events per day during the audit period.
	(b) 15 single blast events[a] a week, averaged over a calendar year.	C	Sighted Blast Monitoring Results database which records blast firing dates and times over the reporting period which confirms that UW did not exceed 15 single blast events a week, averaged over a calendar year.
B12.	Condition B11 does not apply to single blast events[a] that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blast misfires or blasts required to ensure the safety of the mine, its workers or the general public. [a] *Within conditions B11 and B12, 'single blast event' means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event*	Note only	Noted.
Property Inspections			
B13.	If the Applicant receives a written request from the owner of any privately-owned land within 3 kilometres of any approved open cut mining pit on the site for a property inspection to establish the baseline condition of any buildings and structures on their land, or to have a previous property inspection updated, then within 2 months of receiving this request the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to: (i) establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and (ii) identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and structures; and	C	AC (pers comms) confirmed that there has been no written requests from the owner of any privately-owned land within 3km of any open cut mining pit during 2023. Sighted copy of email dated 5 August 2021 addressed to a landowner outside of the 3km radius which notes the resident had identified some cracks in walls and requested a professional opinion to ensure no structural issues were present. The email notes following this request in accordance with Condition B15 of UW Development Consent SSD7142 UW commissioned a suitably qualified person to undertake a property inspection within 2 months of the request. It is also noted within the email that a baseline assessment was completed at the

Cond	Development Consent SSD 7142	Status	Evidence
			property in August / September the previous year. Sighted copy of Arkhill Engineers property inspection report dated July 2021. The report concluded that the latest inspection performed in 2021 found that the building remains in good condition and is considered stable. The report notes the dwelling has not experienced any impact from blasting and that there are no major defects observed.
	(b) give the landowner a copy of the new or updated property inspection report.	C	Sighted copy of email dated 5 August 2021 addressed to the landowner which notes a property inspection was completed to compare against the previous report and comment on the structural stability of the residence to review any potential impacts from blasting by UW. A copy of the July 2021 Arkhill Engineers inspection report was attached to this email.
B14.	If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Planning Secretary for resolution.	NT	AF (pers comms) confirmed there has been no dispute over the suitably qualified, experienced an independent person.
Property Investigations			
B15.	If the owner of any privately-owned land within 3 kilometres of any approved open cut mining pit on the site or any other landowner where the Planning Secretary is satisfied an investigation is warranted, claims in writing that buildings or structures on their land have been damaged as a result of blasting on the site, then within 2 months of receiving this written claim the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and	C	See Condition B13 above.
	(b) give the landowner a copy of the property investigation report.	C	See Condition B13 above.

Cond	Development Consent SSD 7142	Status	Evidence
B16.	If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Planning Secretary.	C	See Condition B13 above.
B17.	If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Planning Secretary for resolution.	NT	AF (pers comms) confirmed there has been no dispute over the suitably qualified, experienced an independent person.
Blast Operating Conditions			
B18.	The Applicant must: (a) take all reasonable steps to: (i) ensure the safety of people and livestock from blasting impacts of the development; (ii) protect public and private infrastructure and property in the vicinity of the site from blasting damage associated with the development; and (iii) minimise the dust and fume emissions of any blasting;	C	Sighted copy of UWJV Blast Firing Procedure version 6, dated 7 March 2022 which describes the process for firing blasts and the control measures that will be applied to eliminate or minimise risks to health and safety so far as reasonably practicable. Sighted examples of Pre-Blast Environment and Community Checklist for events during the audit period, including for: • Blast ID UTD_502_RL50_50 dated 23 February 2020; • Blast ID UTD_502_WHAY_146 dated 19 August 2021; • Blast ID UTD_505_AFA_393 and UTD_506_WHD3A_399 dated 13 January 2023. The completed forms confirm all neighbours have been notified of the blast via SMS. Sighted 2022 Annual Review section 9.1.2 which notes UWJV initiated a blast (UTD_S04_RL16_208TS) in the United Pit at 13:10 on Monday 10 January 2022. Post initiation, a level 4A rated blast fume

Cond	Development Consent SSD 7142	Status	Evidence
			developed on the southern side of the blast and moved slowly to the north-east where it dissipated prior to crossing the site boundary. It is noted that the blast plume did not appear to cross the Golden Highway and dispersed east as it crested the northern highwall of the United Pit. Viewed DPE letter to UWJV dated 14/04/23 in response to the incident and initial notification, which notes that the Department did not consider that a breach of condition B18 of the consent occurred.
	(b) ensure that blasting on the site does not damage heritage items[a], beyond those predicted in the document/s listed in condition A2(c), and develop specific measures to protect heritage items outside the approved disturbance areas from any blasting damage associated with the development;	C	Sighted UWJV Annual Reviews for 2020,2021 and 2022 and monitoring reports for 2023, which do not record any damage from blasting to heritage items. Table 1 in the Historic Heritage Management Plan (HMMP) notes a detailed photographic archival recording of the shearing shed and creamery will be undertaken in accordance with Heritage Branch guidelines Photographic Recording of Heritage Items Using Film or Digital Capture (2006) prior to any physical impacts occurring to the item. Table 8-1 in the HMPP notes the following items will not be subject to any identified impacts as a result of vibration caused by blasting: • Springwood Homestead (formerly Abandoned Homestead B); and • piggery and butcher's hut Section 8.6.1 of the HMMP notes the Montrose property is located to the northwest of the Project Area

Cond	Development Consent SSD 7142	Status	Evidence
			approximately 750 metres from proposed extension to the north-west corner of the approved Wambo Open Cut. The maximum predicted level of ground vibration for the site is 14 mm/s. It is noted that this figure is a worst-case scenario prediction for the largest predicted blast at the closest point to the Montrose property. However, the Montrose property, and in particular, the shearing shed, may be susceptible to damage from ground vibration. Section 8.6.1.1 of the HHMP notes as a result of the property's susceptibility to damage from ground vibration, a photographic/archival recording of the shearing shed on the Montrose property was undertaken in accordance with Heritage Branch guidelines Photographic Recording of Heritage Items Using Film or Digital Capture (2006) on the 26 March 2020 by Umwelt. This investigation was completed prior to any blasting being undertaken as part of the Project, with blasting under the requirements of SSD 7142, which commenced on the 6/04/20. Section 8.6.2 of the HHMP notes the former Warkworth Public School is located 480 metres outside, to the east of, the Project Area boundary, approximately 930 metres from the proposed United Open Cut. The maximum predicted ground vibration level for building is 6.7 mm/s. As such, the former Warkworth Public School may be susceptible to damage from ground vibration.

Cond	Development Consent SSD 7142	Status	Evidence
			Section 8.6.2 of the HHMP also notes as an additional precautionary measure, subject to discussions with the landowner, United Wambo will undertake an inspection of the former Warkworth Public School prior to commencement of the Project. Regular inspections will also be undertaken, in accordance with the United Wambo Joint Venture Blast Management Plan, to confirm that no damage has occurred due to the Project at the former Warkworth Public School Section 8.6.2.1 of the HHMP notes blast sizes will be managed to 5 mm/s for this building via the application of lower charge masses, except where agreed otherwise with the owner and/or based on a structural assessment that identifies an alternate acceptable vibration level. Ongoing blast vibration monitoring will be undertaken as part of the Project to monitor compliance with the relevant criteria. Section 8.6.2.1 of the HHMP notes UW committed to complete a baseline condition assessment of the former Warkworth Public School prior to blasting as part of the Project, subject to landowner consent. Due to being denied access to the property over concerns and restrictions regarding COVID-19 the baseline assessment was not able to undertaken until 25 May 2020, after blasting had commenced for the Project on the 6 April 2020.

Cond	Development Consent SSD 7142	Status	Evidence
			Viewed Arkhill Engineers March 2023 Former Warkworth Public School Inspection Report prepared to assess the stability of the site and review potential UWJV blasting-induced impacts. The report refers to previous annual inspections completed during the audit period by Acumen (2020), Umwelt (2020), and Arkhill Engineers) and concludes that UWJV blasting is unlikely to have caused structural damage to the site.
	(c) minimise the frequency and duration of any public road closures for blasting, and use all reasonable efforts to avoid road closures during peak traffic periods;	C	Sighted copy of Road Closure Management Plan version 3, dated 13 January 2023. Section 3 of the Road Closure Management Plan notes United Wambo will implement road closures for blasting within 500 metres of Golden Highway or Comleroi Road. The plan notes that the road will not be closed for periods longer than is necessary, delays of approximately 15 minutes are anticipated and no more than once per day, except where required for blast misfires or blasts required to ensure the safety of the mine, its workers or the general public
	(d) operate a suitable system to enable interested members of the public to get up-to-date information on the proposed blasting schedule on the site and associated public road closures, including notification via SMS message of the blasting schedule and associated road closures for that day and any variations to that schedule and closures;	C	Scheduling information regarding upcoming blasts is published on the UWJV website. AF (pers comms) confirmed that a system called Consultation Manager is used on site to manage blasting SMS notifications for interested neighbours. AC (pers comms) confirmed that a SMS is sent 24 hours prior to blast
	(e) use all reasonable efforts to co-ordinate the timing of blasting at the site with nearby mines to	C	Viewed examples of completed blast

Cond	Development Consent SSD 7142	Status	Evidence
	minimise cumulative blasting impacts;		notification emails, which include contacts for neighbouring mine operations, in accordance with Section 11.2 of the Blast Management Plan.
	(f) consult with HVO prior to undertaking any blasting within 500 metres of its operations; and	C	AC (pers comms) confirmed that consultation is undertaken with HVO prior to undertaking any blasting within 500m of its operations
	(g) carry out regular blast monitoring to determine whether the development is complying with the relevant conditions of this consent. *[a] The locations of the heritage items referred to in paragraph (b)are shown in Appendix 5.*	C	AF (pers comms) confirmed that regular blasting monitoring is undertaken to determine whether UW is complying with consent conditions. Sighted examples of Pre-Blast Environment and Community Checklist for events during the audit period, including for: • Blast ID UTD_502_RL50_50 dated 23 February 2020; • Blast ID UTD_502_WHAY_146 dated 19 August 2021; • Blast ID UTD_505_AFA_393 and UTD_506_WHD3A_399 dated 13 January 2023.
B19.	The Applicant must not undertake blasting on the site within 500 metres of any public road or any land outside the site not owned by the Applicant, unless the blast generates ground vibration of 0.5 mm/s or less, or the Applicant has: (a) a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the public road or land, and the Applicant has advised the Department in writing of the terms of this agreement; or	C	UWJV currently hold RMS Road Occupancy Licence No: 2036250 for temporary road closures of the Golden Highway during the period 17/04/23 – 16/04/24. Also sighted copy of HVO Agreement for four blasts within 500m of HVO land dated 3 April 2020. Sighted copy of Increased Blast Vibration Limit Agreement dated 3 November 2021 between HV Operations Pty Ltd and UW OC Operations Pty Limited for property

Cond	Development Consent SSD 7142	Status	Evidence
			100 High Rd, Warkworth, NSW 2330 former Warkworth Public School.
	(b) demonstrated, to the satisfaction of the Planning Secretary, that the blasting can be carried out closer to the public road or land without compromising the safety of people or livestock or damaging the road or other buildings and structures, and updated the Blast Management Plan to include specific mitigation measures to be implemented while blasting is being carried out within 500 metres of the road or land.	C	Specific measures for the management of blasting with 500m of public roads are included in the United Wambo Road Closure Management Plan date 28/02/20, appended to the Blast Management Plan.
B20.	The Applicant may not close the Golden Highway more than once per day due to blasting, except where required for blast misfires or blasts required to ensure the safety of the mine, its workers or the general public.	C	AF (pers comms) confirmed that the Golden Highway has not been closed more than once per day due to blasting during the audit period. Sighted emails from Guardian Traffic Services which includes examples for UWJV Golden Highway road closures during the audit period, including: • Guardian Traffic Services Work Completion Docket number 46853 dated 1 August 2023 and Guardian Traffic Guidance Scheme Details form which notes the job start time as 11:00 am and the job finish time as 3:00 pm; • Sighted copy of Guardian Traffic Services Work Completion Docket number 50755 dated 22 September 2023 and Guardian Traffic Guidance Scheme Details form which notes the job start time as 11:00 am and the job finish time as 3:00 pm.
Blast Management Plan			
B21.	The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Sighted copy of United Wambo Joint Venture Blast Management Plan (BMP) dated 31/8/23, version 7. Section 8 of the BMP notes the BMP was

Cond	Development Consent SSD 7142	Status	Evidence
			originally prepared by a suitably experienced and qualified person, Thomas Lewandowski of Enviro Strata Consulting
	(b) be prepared in consultation with the EPA;	C	Section 7.1 of the BMP notes that on the 21 September 2018, 26 March 2020, and 30 July 2020 the EPA was contacted and provided with the opportunity to provide comment and feedback on the management plans prepared for SSD 7142, including the BMP and Appendix A – Blast Fume Management Strategy. The BMP notes the EPA noted that they do not undertake consultation for management plans and as such offered no comment in relation to these plans apart from ensuring that the plans consider the conditions of any EPL conditions in force at the time.
	(c) describe the measures that will be implemented to ensure compliance with the blasting criteria and conditions of this consent;	C	See Conditions B8, B18 above.
	(d) include a Blast Fume Management Strategy for: (i) minimising blast fume emissions; (ii) rating in accordance with Visual NOx Fume Rating Scale (AEISG, 2011), or equivalent, and recording blast fume events; and (iii) reporting significant blast fume events to the Department;	C	Appendix A of the BMP includes a Blast Fume Management Strategy that includes the required information. Sighted letter addressed to the Department dated 17 January 2022 which notes UW provided notification to the Department of a level 4 Blast Fume event via the Major Projects Portal on 10 January 2022 recorded as SSD-7142-PA-57. Sighted DPE letter dated 14 April 2023 referring to the incident report (SSD-7142-PA-76) on 17 January 2022 in accordance with Condition E9 of SSD-7142 in relation to a 4A blast fume event from a blast in the United Pit at 13:10 on Monday 10 January 2022. The Department reviewed

Cond	Development Consent SSD 7142	Status	Evidence
			the incident report and noted the Department has determined that UW implemented reasonable and feasible mitigation measures to minimise blast fume emissions in accordance with the approved Blast Management Plan and Condition B 18 of the consent. Accordingly, the Department did not consider a breach of the consent has occurred and did not propose to take any further action
	(e) describe the proposed blast fume trial for investigating alternative monitoring equipment and how the results would be implemented on the site;	C	Drill and Blast Review document sighted and dated 2022.
	(f) include a Road Closure Management Plan for any blasting within 500 metres of a public road, that has been prepared in consultation with relevant roads authorities and includes provisions for: (i) minimising the duration of closures, both on a per event basis and weekly basis; (ii) avoiding peak traffic periods as far as reasonable; and (iii) co-ordinating closures with nearby mines to minimise the cumulative effect of road closures;	C	See Condition B18 above. Appendix B of the BMP includes a Road Closure Management Plan (United Wambo) which includes the required information. Section 3 of the Road Closure Management Plan notes United Wambo will implement road closures for blasting within 500 metres of Golden Highway or Comleroi Road. The road will not be closed for periods longer than is necessary, delays of approximately 15 minutes are anticipated and no more than once per day, except where required for blast misfires or blasts required to ensure the safety of the mine, its workers or the general public. Section 4.5 of the Road Closure Management Plan includes the following blasting restrictions:

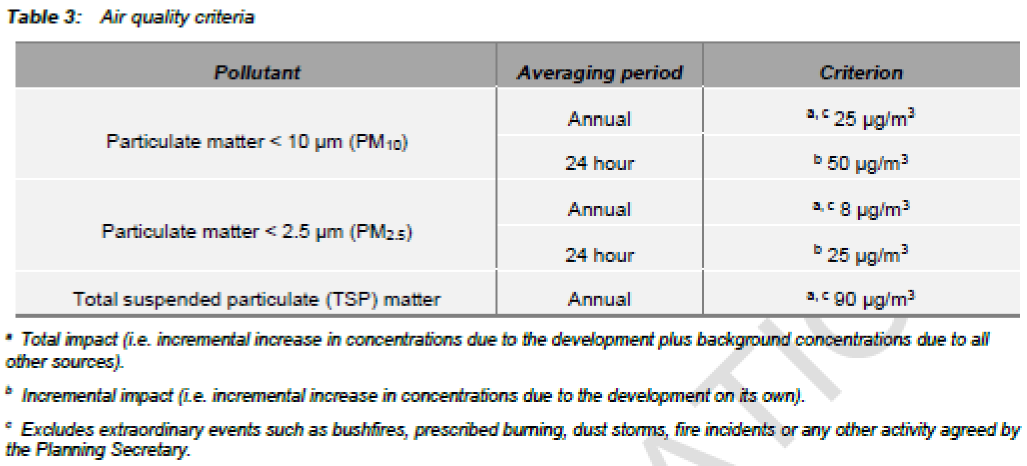
Cond	Development Consent SSD 7142	Status	Evidence
			- Blasting will only be undertaken between 9:00 am and 5:00 pm Monday to Saturday (inclusive); - There will be a maximum of three blasts a day and 15 blasts a week; - Blasting related closures of the Golden Highway and Comleroi Road will be limited to one per day; - Blasting will be restricted during adverse meteorological conditions in accordance with the Pre-Blast Assessment Procedure; and - Consultation will be undertaken with adjacent mines to avoid concurrent blasting
	(g) identify any agreed alternative ground vibration limits for public or private infrastructure in the vicinity of the site (if relevant);	C	Section 10.1.2 of the BMP includes vibration limits for public and private infrastructure, including transmission towers, water storages and public roads, bridges and telecommunications systems.
	(h) include a strategy to manage potential blast interactions with nearby mines, including identifying appropriate blast criteria for nearby underground workings to ensure structural integrity and the safety of underground workers;	C	Section 10 of the BMP describes the impact assessment criteria for private and publicly owned infrastructure in proximity to UW. Table 10-2 of the BMP includes infrastructure and the associated ground vibration criterion
	(i) include a communication protocol with Hunter Valley Gliding Club and Warkworth Shooting Complex to notify the clubs of upcoming blasts which may impact their activities;	C	Section 11.2.2.1 of the BMP includes a communication protocol for Hunter Valley Gliding Club and Singleton Clay Target Club. The BMP notes that UW will notify the Hunter Valley Gliding Club and Singleton Clay Target Club at the start of each week of the blast dates and times for the upcoming week. Should a planned

Cond	Development Consent SSD 7142	Status	Evidence
			blast date align with days that activities are being undertaken at either location, then further consultation will be undertaken regarding specific management measures such as exclusion areas, forecast meteorological conditions and predicted impacts.
	(j) include a strategy to monitor, mitigate and manage the effects of blasting on heritage items, particularly those identified in the figure in Appendix 5, including undertaking baseline (i.e. pre-blasting) and ongoing risk-based dilapidation surveys (subject to landowner access arrangements); and	C	Section 11.4 describes monitoring and mitigation of historic heritage items including the Wambo Homestead Complex, Montrose Shearing Shed, Shearing shed and creamery and Warkworth School. Sighted Bill Jordan and Associates review of ground vibrations records, December 2020 to June 2021 dated 2 September 2021. The report reviews ground vibration records for Wambo Homestead for the period 1 December 2020 to 30 June 2021. The report notes there were no blasts within 2km of the Homestead in the period. The report concludes that based on the data provided, ground vibrations will have no effect on the Wambo Homestead buildings in the period 1 December 2020 to 30 June 2021 Section 6.3.2 of the 2020 Annual Review describes heritage monitoring data and notes that there were no blasting exceedances in airblast overpressure or ground vibration for heritage locations during the 2020 calendar year. Section 6.3.2 of the 2021 Annual Review describes heritage monitoring data and notes that there were no blasting

Cond	Development Consent SSD 7142	Status	Evidence
			exceedances in airblast overpressure or ground vibration for heritage locations during the 2021 calendar year. Section 6.3.2 of the 2022 Annual Review describes heritage monitoring data and notes that there were no blasting exceedances in airblast overpressure or ground vibration for heritage locations during the 2022 calendar year.
	(k) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent.	C	Section 12 of the BMP describes the UW Blast Monitoring Program. Section 15.1 of the BMP describes reporting including Annual Reviews and EPL reporting.
B22.	The Applicant must not undertake any blasting until the Blast Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA, which notes the initial BMP approval letter from DPIE dated 31 March 2020 and first blast occurred on 6 April 2020
B23.	The Applicant must implement the Blast Management Plan as approved by the Planning Secretary.	C	Sighted UW Blast Monitoring Results database which monitors blasts and road closures. UWJV generally operated in accordance with the approved BMP.
AIR QUALITY AND GREENHOUSE GAS			
Odour			
B24.	The Applicant must ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	C	AC (pers comms) confirmed that there has been 1 blast fume complaint received 2023. Sighted copy of UW Community Complaints Register dated August 2023 which notes a blasting complaint was received on 21 August 2023 via the community Information Line where the

Cond	Development Consent SSD 7142	Status	Evidence
			complainant noted dust and fume from mining operations. The complaints register notes that the Environment & Community Officer (ECO) reviewed the available data which included meteorological data which was consistent with blast modelling as well as footage from the blast, noting fume moving in a south-easterly direction, remaining in the project boundary. The UWJV complaints register notes that the complainant was called back by the ECO where the complainant expressed their concern of proximity to the blast, it is noted the ECO advised the outcomes of the investigation. Record of the complaint and follow-up investigations and response actions were documented by AC in CMO event 20230822150.4 '*Blast Fume Complaint – Anonymous*'. There were no offensive odours detected during the JBA site inspection.
Air Quality Criteria			
B25.	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately-owned land.	C	AC (pers comms) confirmed that text messages with dust alarms are sent out to UW Supervisors, Dispatch and data is stored in the Sentinex system. Sighted examples of Environmental Forecast System emails providing five-day weather forecasts dated: • 4 September 2022; and • 24 September 2023. Sighted copy of Air Quality Control System report for United Wambo dated

Cond	Development Consent SSD 7142	Status	Evidence
			20 October 2023 which reports on dust, winds and noise. Sighted examples of UW dust summary data emailed to the United Environmental team on: • 4 March 2022; • 21 December 2022; • 25 December 2022; • 24 May 2023. Sighted copy of dust alarm response dated 14 October 2023 which records who the alarm was acknowledged by, alarm source options, review against visual triggers, action by the user and comments. The comments on the dust alarm response detail that a visual inspection was completed by the OCE and opted EX102 trucks to haul to a lower dump option. Sighted copy of dust alarm response dated 11 October 2023 which records who the alarm was acknowledged by, alarm source options, review against visual triggers, action by the user and comments. The comments on the dust alarm response detail that watercarts were manned in both pits and continued monitoring. Sighted copy of Sentinex 22 alarm dated 5 September 2023 sent to the UW Environmental team, Dispatch, mining Supervisors and UWJV Mining Team Step-Ups.

<table>
<tr><th>Cond</th><th>Development Consent SSD 7142</th><th>Status</th><th>Evidence</th></tr>
<tr><td></td><td>
Table 3: Air quality criteria
<table>
<tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr>
<tr><td rowspan="2">Particulate matter < 10 µm (PM_{10})</td><td>Annual</td><td>^{a,c} 25 µg/m^3</td></tr>
<tr><td>24 hour</td><td>^{b} 50 µg/m^3</td></tr>
<tr><td rowspan="2">Particulate matter < 2.5 µm ($PM_{2.5}$)</td><td>Annual</td><td>^{a,c} 8 µg/m^3</td></tr>
<tr><td>24 hour</td><td>^{b} 25 µg/m^3</td></tr>
<tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^{a,c} 90 µg/m^3</td></tr>
</table>
[a] Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).
[b] Incremental impact (i.e. incremental increase in concentrations due to the development on its own).
[c] Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.</td><td></td><td></td></tr>
<tr><td>B26.</td><td>The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</td><td>NT</td><td>AC (pers comms) confirmed that there has been no agreements to exceed air quality criteria at relevant residence or land during the audit period</td></tr>
<tr><td colspan="2">**Mine-owned Land**</td><td></td><td></td></tr>
<tr><td>B27.</td><td>Particulate matter emissions generated by the development must not exceed the criteria listed in Table 3 at any occupied residence on mine-owned land (including land owned by another mining company) unless:
(a) the tenant and landowner (if the residence is owned by another mining company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under PART C of this consent;</td><td>C</td><td>Sighted example Notification of Rights under UW Open Cut Coal Mine Project SSD 7142 letter dated 26 September 2019 and addressed to a Warkworth resident. The letter notes that to assist with understanding of the health risks associated with the air quality impacts from mines, UW has attached a copy of the NSW Health fact sheet entitled "*Mine Dust and You*". The letter also notes that this has been provided to the resident as the UW Open Cut Coal Mine Project Environmental Impact Statement identified that the project will exceed the</td></tr>
</table>

Cond	Development Consent SSD 7142	Status	Evidence
			relevant air quality criterion at the occupied residence at some stage of the project's life. The notification also: • Provides a link to UWJV air quality monitoring data and notes further information can be provided on request in an appropriate format to assist with medical advice; and • Confirms the tenant's right to terminate their agreement, in accordance with Condition B29(b). Also see Condition D5.
	(b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving 14 days' notice;	C	See Condition B27(a).
	(c) air quality monitoring is regularly undertaken to inform the tenant and landowner (if the residence is owned by another mining company) of the likely particulate matter emissions at the residence; and	C	See Condition B27(a).
	(d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.	C	AC (pers comms) confirmed that tenants have not requested specific information on dust during the audit period.
Air Quality Operating Conditions			
B28.	The Applicant must: (a) take all reasonable steps to: (i) minimise odour, fume and particulate matter (including PM10 and crustal and combustion PM2.5) emissions of the development; (ii) eliminate or minimise the risk of spontaneous combustion; (iii) improve energy efficiency and reduce greenhouse gas emissions of the development; (iv) minimise any visible off-site air pollution generated by the development; and (v) minimise the extent of potential dust generating surfaces exposed on the site at any given point in time;	C	(i) AC (pers comms) confirmed that UW have developed an Air Quality and Greenhouse Gas Management Plan (AQGHGMP). Sighted AQGHGMP dated 7/9/2022, version 7 which notes the UW BMP details the control measures and procedures to be implemented to reduce the incidence and impact of blast related dust, fume, and odour

Cond	Development Consent SSD 7142	Status	Evidence
			emissions from the operation. Section 12.2.3 of the AQGHGMP includes a TARP detailing the mines operational responses to varying levels of risk results from meteorological and dust conditions. Section 11.1.2.1 of the AQGHGMP notes that UW will utilise daily weather and dust risk forecasting to predict the likelihood of adverse conditions for dust generation and assist operational dust management. Section 11.1.2.2 of the AQGHGMP notes that UW has implemented a dust surveillance camera network to remotely monitor operational dust management. (ii) AF (pers comms) confirmed that there is no history of spontaneous combustion at UW. The UW AQGHGMP notes that site-specific coal testing shows a low propensity for spontaneous combustion and that UW will continue to evaluate and manage potential issues associated with spontaneous combustion. (iii) Section 11.4 of the AQGHGMP describes Greenhouse Gas Management. (iv) Section 11.1 of the AQGHGMP described design, operational and proactive controls in place to minimise visible dust. Some

Cond	Development Consent SSD 7142	Status	Evidence
			areas of localised dust were observed during the site inspection (see **Plate 8**), however dust emissions were generally being minimised in accordance with the reactive controls identified in the AQGHGMP. (v) AF (pers comms) confirmed that water carts are dust for dust suppression on exposed surfaces. Water carts were seen to be in operation during the site inspection (see **Plate 9**, **Plate 15**, **Plate 26**).
	(b) excluding existing equipment transferred from the Wambo Mining Complex, ensure that all 'non-road'[a] mobile diesel equipment used in undertaking the development includes reasonable and feasible diesel emissions reduction technology;	C	Section 5.1 of the AQGHGMP notes that excluding existing equipment transferred from the Wambo Mining Complex, ensure that all 'non-road' mobile diesel equipment used in undertaking the development includes reasonable and feasible diesel emissions reduction technology. Viewed fleet specification sheet used by UWJV for sourcing of new heavy haul trucks, which includes consideration of emissions reduction packages.
	(c) operate a comprehensive air quality management system that uses a combination of predictive meteorological and air quality forecasting and real-time monitoring to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent;	**NC**	See Condition B28 above. **UWJV reporting during the audit period note a number of non-compliances regarding data capture from the site air quality monitoring network due to unplanned power outages, mechanical issues, software issues and unplanned maintenance.** These include: • 2020 AR (Section 10.2.2):

Cond	Development Consent SSD 7142	Status	Evidence
			– AQ1 TEOM outages in May and June; – AQ2 TEOM outage in September; – AQ3 TEOM outages in February, June, July, September, October and December; – AQ4 TEOM outages in July and September; – HVAS01 failure to run on 15 January, 21 January and 4 December; – HVAS02 failure to run on 4 December; • 2021 AR (Section 10.2.1): – AQ1 TEOM outages in March and November; – AQ2 TEOM outage in December; – AQ3 TEOM outages in January, February, June, July and December; – AQ4 TEOM outages in August and December; • 2022 AR (Section 10.2.1): – AQ1 TEOM outages in January, February, March, April, August, October and November; – AQ2 TEOM outage in January; – AQ3 TEOM outages in April, July, October and November; – AQ4 TEOM outages in November and December;

Cond	Development Consent SSD 7142	Status	Evidence
			- 2023 Quarter 1 and Quarter 2 Quarterly Environmental Reports: – AQ1 TEOM outage in February; – AQ2 TEOM outage in February; – AQ3 TEOM outage in February and April; – HVAS01 failure to run on 12 and 18 March, 11 and 17 April; – HVAS02 failure to run on 24 April and 5 May. **It is recommended that UWJV continue to maintain and manage the site air quality monitoring network in accordance with the AQGHGMP to ensure data is available to verify compliance with SSD 7142 criteria.**
	(d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note c to Table 3 above);	C	The AQGHGMP describes the systems used for the early identification of adverse meteorological conditions likely to result in dust impacts, and the triggering of timely 'high management actions' to reduce dust emissions during such periods. Section 11.1.2.1 of the AQGHGMP notes that UW will utilise a daily weather and dust risk forecast tool to predict the likelihood of adverse conditions for dust generation. Sighted example of dust alarm responses, including from: - 14 October 2023 which records who the alarm was acknowledged by, alarm source options, review against visual triggers, action by the user and

Cond	Development Consent SSD 7142	Status	Evidence
			comments. The comments on the dust alarm response detail that a visual inspection was completed by the OCE and opted EX102 trucks to haul to a lower dump option; and • 11 October 2023 which records who the alarm was acknowledged by, alarm source options, review against visual triggers, action by the user and comments. The comments on the dust alarm response detail that watercarts were manned in both pits and continued monitoring.
	(e) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and	C	AC (pers comms) confirmed that the UW air quality monitoring program consists of a combination of High Volume Air Samplers (HVAS) and continuous Tapered Element Oscillating Microbalance (TEOM) monitoring units, consistent with the AQGHGMP. Sighted Quarterly Environmental Report Quarter 4, 2022 which shows air quality monitoring results in Section 3.
	(f) regularly assess meteorological and air quality monitoring data, and modify operations on the site to ensure compliance with the relevant conditions of this consent.	C	See Condition B28 (d) and (e) above
Air Quality and Greenhouse Gas Management Plan			
B29.	The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Sighted AQGHGMP dated 7/9/2022 version 7. Section 8 of the AQGHGMP notes the AQGHGMP was reviewed by a suitably experienced and qualified person, Shane Lakmaker, from Jacobs. A letter of confirmation from Jacobs is provided in

Cond	Development Consent SSD 7142	Status	Evidence
			Appendix A of the AQGHGMP. Sighted Jacobs letter dated 23 July 2020 addressed to AF which notes Jacobs reviewed and updated version 1.1 of the AQGHGMP and confirmed satisfaction of the document for finalisation.
	(b) be prepared in consultation with the EPA;	C	Section 7 of the AQGHGMP notes the EPA was contacted and provided with the opportunity to provide comment and feedback on the management plans prepared for SSD 7142, including the AQGHGMP, on 21 September 2018 and 5 August 2020. The EPA noted that they do not undertake consultation for management plans and, as such, offered no comment in relation to these plans apart from ensuring that the plans consider the conditions of any EPL conditions in force at the time.
	(c) describe the measures to be implemented to ensure: (i) compliance with the air quality criteria and operating conditions in this consent; (ii) best practice management is being employed (including in respect of minimisation of greenhouse gas emissions from the site and energy efficiency); and (iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;	C	(i) Section 11.1 describes air quality (dust) mitigation and management measures that have been developed to minimise the impact of UWJV operations on privately and mine owned residences. (ii) Section 11.6.1 of the AQGHGMP describes best practice air quality mitigation measures. (iii) Section 11.1.2.1 of the AQGHGMP describes meteorological monitoring including the daily forecast system that provides early warning of potential adverse

Cond	Development Consent SSD 7142	Status	Evidence
			meteorological conditions and dust risks, thus facilitating proactive management of operational activities to reduce dust generation potential.
	(d) describe the air quality management system in detail; and	C	Section 11 and section 12 of the AQGHGMP describes the air quality management system at UW.
	(e) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that: (i) establishes a diesel combustion emissions baseline; (ii) uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of operations; (iii) adequately supports the air quality management system; and (iv) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events.	C	(i) Table 11-4 of the AQGHGMP shows the baseline estimate of PM2.5 emissions from diesel engines (ii) Section 12.1 of the AQGHGMP notes that the UW air quality monitoring program includes a combination of TSP and PM10 HVAS, continuous PM10 TEOMS and a campaign of two continuous PM2.5 TEOMS. (iii) Section 12 of the AQGHG MP notes monitors are positioned to allow for the contribution of United Wambo operations to local air quality to be determined for both nearby residents and tenanted properties owned by United Wambo and other mining companies. (iv) Section 13.1 describes incident reporting and compliance evaluation.
B30.	The Applicant must not commence Phase 1B until the Air Quality and Greenhouse Gas Management Plan is approved by the Planning Secretary.	C	Deemed compliant in last audit.

Cond	Development Consent SSD 7142	Status	Evidence
B31.	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	C	See Condition B28 above.
Management of Scope 3 Greenhouse Gas Emissions			
B32.	The Applicant must prepare an Export Management Plan for the development to the satisfaction of the Planning Secretary. This plan must set out protocols that require the Applicant to use all reasonable and feasible measures to ensure that any coal extracted from the development that is to be exported from Australia, is only exported to countries that are: (a) parties to the Paris Agreement within the United Nations Framework Convention on Climate Change; or	C	Sighted Export Management Plan version 1. Viewed DPE letter approving the plan on 20/07/20, however the document status is listed as draft and no effective document date. **It is recommended that the document control sections of the Export Management Plan are updated to include the effective and review dates**. Table 1-1 of the Export Management plan notes this plan must set out protocols that require the Applicant to use all reasonable and feasible measures to ensure that any coal extracted from the development that is to be exported from Australia, is only exported to countries that are parties to the Paris Agreement within the United Nations Framework Convention on Climate Change
	(b) countries that the Planning Secretary considers have policies for reducing greenhouse gas emissions that would otherwise be similar to policies that would be required of that country if it were a party to the Agreement at (a) above; as at the date of sale. The purpose of the Export Management Plan is to ensure that all reasonable and feasible measures are adopted by the Applicant to minimise greenhouse gas emissions identified as Scope 3 emissions in the EIS to the greatest extent practicable.	C	Table 1-1 of the Export Management Plan notes This plan must set out protocols that require the Applicant to use all reasonable and feasible measures to ensure that any coal extracted from the development that is to be exported from Australia, is only exported to countries that are countries that the Planning Secretary considers have policies for reducing greenhouse gas emissions that would otherwise be similar to policies that would be required of that country if it were a party to the

Cond	Development Consent SSD 7142	Status	Evidence
			Agreement at a) above
B33.	The Applicant must not commence Phase 1B until the Export Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
B34.	The Applicant must implement the Export Management Plan as approved by the Planning Secretary for the life of the development.	C	Table 1-1 of the Export Management Plan notes that the UWJV must implement the Export Management Plan as approved by the Planning Secretary for the life of the development. A copy of the Export Destination List dated 08/03/22 is included as Appendix A of the Export Management Plan.
B35.	The Planning Secretary may determine that the Export Management Plan should be amended if it is satisfied that a change to obligations arising under the United Nations Framework Convention on Climate Change or Paris Agreement, or the policies of a country that is within B32(b) above, necessitates an amendment to the Export Management Plan.	NT	AC (pers comms) confirmed that no amendment of the Export Management Plan has been determined by the Planning Secretary.
B36.	The Planning Secretary may determine that the Applicant is no longer required to implement the Export Management Plan if due to the existence of other State or Federal legal mechanisms introduced by the NSW or Commonwealth Governments regulating the subject matter of the Export Management Plan, there is no longer any need for the Export Management Plan to be implemented by the Applicant.	NT	AC (pers comms) confirmed that the Planning Secretary has not determined that the Export Management Plan is no longer required.
METEOROLOGICAL MONITORING			
B37.	Prior to the commencement of Phase 1B and for the remaining life of the development, the Applicant must 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 and Analysis of Air Pollutants in New South Wales (DEC, 2007);	C	AF (pers comms) confirmed that there is a suitable meteorological station operating in the vicinity of the site. Viewed CBased Meteorological Station Statement of Conformance to NSW Approved Methods letter dated 12 May 2020 that notes CBased was engaged to supply and install a meteorological station at the United Wambo JV site. Viewed email from Novecom to UWJV dated 3/08/23, confirming that meteorological station SX22 was installed

Cond	Development Consent SSD 7142	Status	Evidence
			and is operating in accordance with the Approved Methods (2007) and the INP (2000). Viewed examples of Sentinex Weather Station Calibration Reports completed by Novecom on 27/01/23 and 15/08/23. **It is recommended that future Calibration Reports include a statement confirming the units are in compliance with the respective requirements of the Approved Methods and the INP.**
	(b) is capable of continuous real-time measurement of wind speed, wind direction sigma theta and temperature; and	C	Sighted Sentinex Weather Station Calibration Report work order number 41095 completed by Novecom dated 12 September 2023 which provides calibration results for rainfall, temperature, relative humidity, barometric pressure, solar radiation and wind speed and direction.
	(c) is capable of measuring meteorological conditions in accordance with the NSW Industrial Noise Policy (EPA, 2000), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.	C	See Condition B37(a) above.
WATER			
Soil Erosion			
B38.	The Applicant must install and maintain suitable erosion and sediment control measures on the site, in accordance with the relevant requirements in the guidance series *Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004) and 2E Mines and Quarries (DECC, 2008).*	C	LD (pers comms) confirmed that civil engineers generally complete the design work for erosion and sediment controls. Viewed the *2021 Montrose Pre-Strip Area ESCP* (SLR, 06/07/21) and *2023 Montrose Pre-Strip Area ESCP* (SLR, 30/05/23). SLR ESCPs note that controls have been designed in accordance with 'general best practice', including Landcom (2004).

Cond	Development Consent SSD 7142	Status	Evidence
			Viewed examples of GDPs completed during the audit period, which include directions on erosion and sediment controls required for each task under Part 3. GDPs include: • GD 23-02-22-07-29, approved 22/02/23; • GD 23-10-04-09-11, approved 11/10/23. Sighted copy of Erosion and Sediment Control Inspection Form dated 3 July 2022 which notes the inspection is to be completed for areas of risk prior to, and following rainfall events of >25mm in any 24-hour period or for ad hoc verification of erosion and sediment controls constructed in accordance with a GDP ESCP. Sighted copy of Erosion and Sediment Control Inspection Form dated 9 June 2021 completed post rainfall event, the form notes that silt filters and silt fence material was in good condition at the time of the inspection. Sighted Erosion and Sediment Control Inspection Form dated 6 June 2023, for general inspection of ESC structures.
Water Supply			
B39.	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.		LD (pers comms) confirmed that there has been adequate water availability during the audit period and there has been no need to modify operations due to water deficit. UWJV AR's for the audit period present an annual water balance for site that confirms available water supplies.

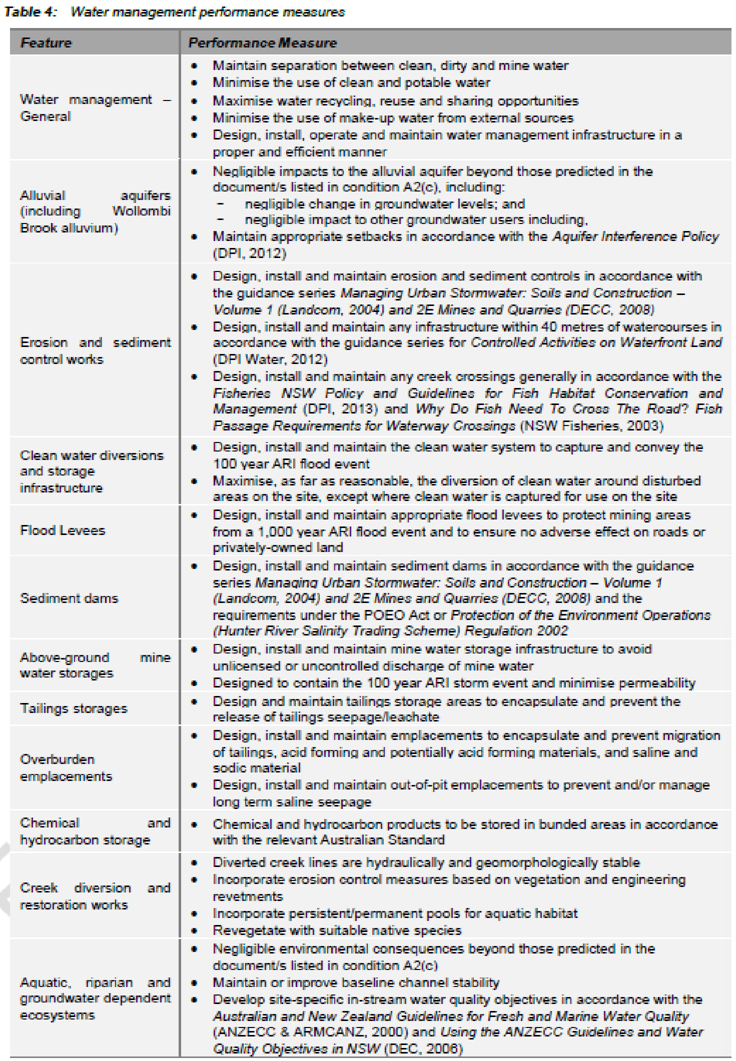
Cond	Development Consent SSD 7142	Status	Evidence
B40.	The Applicant must report on water extracted from the site each year (direct and indirect) in the Annual Review, including water taken under each water licence.	**NC**	LD (pers comms) confirmed that water extracted from the site each year (direct and indirect) is reported in the sites Annual Review. Sighted 2021 Annual Review, Section 6.8.8 which reports on water extracted from the site each year (both direct and indirect) Sighted 2022 Annual Review, Section 6.8.10 which reports on the water extracted from the site each year. Viewed UWJV WAL 10541 / 20WA200928 Logbook, which recorded water extraction from 31 January – 3 February 2020. Alo sighted Calibration Certificate customer order number PO-20215 for Waterflux 3000. Sighted UWJV email to DPE Water dated 9 October 2023. The letter notes during a review of conditions of UW Water Access Licences (WALs) and the Works Approvals (WAs), **non-compliances were identified against the condition of several WALs and WAs held by UWJV. The non-compliances include:** • Evidence not being available to confirm that the licensor was notified that decommissioning of UWJV Dam 1 was completed within the appropriate timeframe. This was identified as a non-compliance against the conditions of WAL 18455 and 20WA208714; • Incomplete logbook records being kept (i.e. extracted volumes only and not start and end of pumping times)

Cond	Development Consent SSD 7142	Status	Evidence
			and full logbook records not being retained for five years. This was identified as a non-compliance against the conditions of WAL 18455 and 20WA208714; - Evidence not being available to confirm that the licensor was notified that decommissioning of the Wollombi Brook water supply work in 2009. This was identified as a non-compliance against the conditions of WAL 18549 and 20WA208706; - Incomplete logbook records being kept (i.e. extracted volumes only and not start and end of pumping times) and full logbook records not being retained for five years. This was identified as a non-compliance against the conditions of WAL 10541 and 20WA200928. **It is recommended that UWJV regularly review the conditions of water licences held for the development to ensure that appropriate compliance notifications are made and monitoring information is retained.**
	Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development, including during rehabilitation and post mine closure.	Note only	Noted
Compensatory Water Supply			
B41.	Prior to the commencement of mining operations, the Applicant must notify owners of privately-owned licensed groundwater bores that are predicted to have a drawdown of greater than 2 metres as a result of the development.	NT	Deemed compliant in previous IEA.

Cond	Development Consent SSD 7142	Status	Evidence
B42.	The Applicant must provide a compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than an impact that is minor or negligible) as a result of the development, in consultation with DPIE Water, and to the satisfaction of the Planning Secretary.	NT	See Condition B41.
B43.	The compensatory water supply measures must provide an alternative long term supply of water that is equivalent, in quality and volume, to the loss attributable to the development. Equivalent water supply should be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner.	NT	See Condition B41.
B44.	If the Applicant and the landowner cannot agree on whether the loss of water is to be attributed to the development or 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 Planning Secretary for resolution.	NT	See Condition B41.
B45.	If the Applicant is unable to provide an alternative long term supply of water, then the Applicant must provide compensation, to the satisfaction of the Planning Secretary.	NT	See Condition B41.
	Notes: • *The Water Management Plan (see condition B52) is required to include trigger levels for investigating potentially adverse impacts on water supplies.* • *The burden of proof that any loss of surface water or groundwater access is not due to mining rest with the Applicant.*	C	The Groundwater TARPs included as Appendix B to the GWMP (see Condition B52) include triggers for investigation of impacts to water supplies.
Water Discharges			
B46.	The Applicant must ensure that all surface discharges from the site comply with: (a) discharge limits (both volume and quality) set for the development in any EPL; or	C	Sighted Surface Water Management Plan dated 7/9/2022 which notes that site discharges are managed by Wambo in accordance with the Wambo Water Management Plan. Sighted UWJV letter to DPE dated 11/01/21 providing the *United Wambo JV Project MIA Sediment Dam Overflow - Investigation Report* to DPE. The Investigation Report (UWOC-1796953183-12) notes that the MIA Sediment Dam would be increased to capture a minimum 95th percentile design rainfall event and

Cond	Development Consent SSD 7142	Status	Evidence
			provides updated design documents. Sighted DPE letter dated 23 May 2022 referring to the UWJV incident report submitted to the DPE on 12 November 2021 in relation to MIA and Redbank Creek sediment dam overflows that were reported to the Department on 12 November 2021. Sighted DPE letter dated 27 May 2022 which refers to the incident notification submitted to the DPE on 7 March 2022 and incident report submitted to the Department on 15 March 2022 in relation to the MIA sedimentation dam overflow event on 7 March 2022. Sighted DPE letter dated 27 May 2022 which refers to the incident notification submitted to the DPE on 8 March 2022 and incident report submitted to the Department on 16 March 2022 in relation to the Redbank Creek Coffer Dam overflow event on 18 March 2022.
	(b) relevant provisions of the POEO Act or *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.*	C	Sighted copy of HRSTS 2020-2021 Discharge Record Sheet for discharge point number EPA ID 4. Sighted copy of HRSTS Discharge Record Sheet for discharge point 4 during 2022.
Water Management			
B47.	The Applicant may receive water from, and transfer water to, neighbouring mines including HVO, MTW, Ravensworth Operations and the Wambo Mining Complex.	C	Sighted copy of 2020 Annual Review table 6-29, which notes 179 ML transfer from Wambo and 10 ML transfer to Wambo. Sighted copy of 2021 Annual Review table 6-29, notes 1274 ML transfer to Wambo. Table 6-39 of the 2021 Annual Review

Cond	Development Consent SSD 7142	Status	Evidence
			notes 593.0 ML transfer from Wambo. Sighted copy of 2022 Annual Review table 6-25, which notes 410 ML transfer from Wambo and 5,599 ML transfer to Wambo.
B48.	The Applicant may integrate the site water management system with water management for the Wambo Mining Complex.	NT	LD (pers comms) confirmed that no water management system integration occurred during the audit period.
Water Management Performance Measures			
B49.	The Applicant must ensure that the development complies with the performance measures in Table 4.	C	

<table>
<tr><th>Cond</th><th>Development Consent SSD 7142</th><th>Status</th><th>Evidence</th></tr>
<tr><td></td><td>
Table 4: Water management performance measures
<table>
<tr><th>Feature</th><th>Performance Measure</th></tr>
<tr><td>Water management – General</td><td>• Maintain separation between clean, dirty and mine water
• Minimise the use of clean and potable water
• Maximise water recycling, reuse and sharing opportunities
• Minimise the use of make-up water from external sources
• Design, install, operate and maintain water management infrastructure in a proper and efficient manner</td></tr>
<tr><td>Alluvial aquifers (including Wollombi Brook alluvium)</td><td>• Negligible impacts to the alluvial aquifer beyond those predicted in the document/s listed in condition A2(c), including:
– negligible change in groundwater levels; and
– negligible impact to other groundwater users including,
• Maintain appropriate setbacks in accordance with the Aquifer Interference Policy (DPI, 2012)</td></tr>
<tr><td>Erosion and sediment control works</td><td>• Design, install and maintain erosion and sediment controls in accordance with the guidance series Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004) and 2E Mines and Quarries (DECC, 2008)
• Design, install and maintain any infrastructure within 40 metres of watercourses in accordance with the guidance series for Controlled Activities on Waterfront Land (DPI Water, 2012)
• Design, install and maintain any creek crossings generally in accordance with the Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management (DPI, 2013) and Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003)</td></tr>
<tr><td>Clean water diversions and storage infrastructure</td><td>• Design, install and maintain the clean water system to capture and convey the 100 year ARI flood event
• Maximise, as far as reasonable, the diversion of clean water around disturbed areas on the site, except where clean water is captured for use on the site</td></tr>
<tr><td>Flood Levees</td><td>• Design, install and maintain appropriate flood levees to protect mining areas from a 1,000 year ARI flood event and to ensure no adverse effect on roads or privately-owned land</td></tr>
<tr><td>Sediment dams</td><td>• Design, install and maintain sediment dams in accordance with the guidance series Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004) and 2E Mines and Quarries (DECC, 2008) and the requirements under the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002</td></tr>
<tr><td>Above-ground mine water storages</td><td>• Design, install and maintain mine water storage infrastructure to avoid unlicensed or uncontrolled discharge of mine water
• Designed to contain the 100 year ARI storm event and minimise permeability</td></tr>
<tr><td>Tailings storages</td><td>• Design and maintain tailings storage areas to encapsulate and prevent the release of tailings seepage/leachate</td></tr>
<tr><td>Overburden emplacements</td><td>• Design, install and maintain emplacements to encapsulate and prevent migration of tailings, acid forming and potentially acid forming materials, and saline and sodic material
• Design, install and maintain out-of-pit emplacements to prevent and/or manage long term saline seepage</td></tr>
<tr><td>Chemical and hydrocarbon storage</td><td>• Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standard</td></tr>
<tr><td>Creek diversion and restoration works</td><td>• Diverted creek lines are hydraulically and geomorphologically stable
• Incorporate erosion control measures based on vegetation and engineering revetments
• Incorporate persistent/permanent pools for aquatic habitat
• Revegetate with suitable native species</td></tr>
<tr><td>Aquatic, riparian and groundwater dependent ecosystems</td><td>• Negligible environmental consequences beyond those predicted in the document/s listed in condition A2(c)
• Maintain or improve baseline channel stability
• Develop site-specific in-stream water quality objectives in accordance with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ, 2000) and Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006)</td></tr>
</table></td><td></td><td>• Section 9.1 of the WMP notes that UW categorises water into three types to effectively manage water and to mitigate any potential for environmental harm to occur. The three water categories are described as clean water (runoff from undisturbed or rehabilitated areas), Dirty Water (runoff from disturbed areas, such as active overburden emplacement areas or overburden emplacement areas where vegetation is not fully established and Mine Water (water exposed to coal or used in coal processing and runoff within mining infrastructure areas or coal stockpile areas.
• Sections 9.1 and 10 of the WMP describe strategies for management of clean and potable water.
• Section 10.1.8 of the WMP notes that a key objective of the UW water management system is to allow for water sharing between United and Wambo operations to optimise the overall water balance through maximising water recycling, minimising external water demand and water discharge to provide operational flexibility.
• See Condition B38 for the design, implementation and review of implementation of erosion and sediment controls.
• Table 1 of the Groundwater Management Plan (GWMP) notes</td></tr>
</table>

Cond	Development Consent SSD 7142	Status	Evidence
			mitigation and management measures including Negligible impacts to the alluvial aquifer beyond those predicted in the document/s listed in Condition A2(c) (i.e. the Project EIS (Umwelt 2016)), including: – negligible change in groundwater levels; and – negligible impact to other groundwater users. • Section 6.3 of the GWMP notes that AGE (2016) modelling predicted impacts will be less than the Level 1 minimal impact considerations at all private water bore locations under the AIP. UWJV AR's prepared during the audit period include annual groundwater reviews. SLR (July 2022) also completed a consolidated groundwater model update for the UW and Wambo Coal operations. • AF (pers comms) confirmed there has been no creek crossings during the audit period. • Section 8.5 of the SWMP notes the flood levee from Redbank Creek (west of the Golden Highway) has been designed to protect mining areas from a 0.1% AEP flood level. • Table 4-2 of the Erosion and Sediment Control Plan describes erosion and sediment control performance measures including design, install and maintain sediment dams in accordance with the guidance series

Cond	Development Consent SSD 7142	Status	Evidence
			Managing Urban Stormwater: Soils and Construction – Volume 1(Landcom, 2004) and 2E Mines and Quarries (DECC, 2008).
B50.	The performance measures in Table 4 do not apply to water management structures constructed under previous consents.	Note only	Noted
Groundwater Dependent Ecosystem Study			
B51.	Within 12 months of the commencement of development under this consent, the Applicant must undertake a Groundwater Dependent Ecosystem Study. This study must: (a) be prepared by suitably qualified and experienced person/s;	C	Deemed compliant in previous IEA.
	(b) be developed in consultation with DPIE Water;	C	See condition B51(a) above
	(c) assess the hydrological and hydrogeological settings of the site;	C	See condition B51(a) above
	(d) be integrated with the similar studies being undertaken by nearby mines (where practicable);	C	See condition B51(a) above
	(e) further characterise groundwater dependent ecosystems (vegetation and communities) potentially impacted by the development, including the Central Hunter Swamp Oak Forest EEC (GDE1), Hunter Valley River Oak Forest (GDE2) and individual River Red Gums (GDE1 and GDE2) identified along the riparian buffers of Redbank Creek and Wollombi Brook;	C	See condition B51(a) above
	(f) detail the reliance of groundwater dependent ecosystems on surface and groundwater resources;	C	See condition B51(a) above
	(g) identify the potential risks to groundwater dependent ecosystems from the development and the Wambo Mining Complex, and other nearby mines (where practicable); and	C	See condition B51(a) above
	(h) use the results of this study to develop performance criteria to achieve the performance measures in Table 4 and inform the Groundwater Management Plan in condition B52.	C	See condition B51(a) above. Results from the GDE review are included in the UWJV GMP (see Condition B52).
Water Management Plan			
B52.	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	C	Sighted Water Management Plan (WMP) version 6.1, dated 7 September 2022. Sighted DPE letter dated 11 December 2019 that notes the Department has reviewed the credentials of Susan Shield

Cond	Development Consent SSD 7142	Status	Evidence
			(Engeny) and Liz Webb (EMM) and considers that they are suitably qualified and experienced to prepare the WMP.
	(b) be prepared in consultation with DPIE Water and the EPA;	C	Section 7 of the WMP notes that the EPA was contacted and provided the opportunity to provide comment and feedback on the management plans prepared for SSD 7142, including the WMP on 21 September 2018. The EPA noted that they do not undertake consultation for management plans and, as such, offered no comment in relation to these plans aside from ensuring that the plans consider the conditions of any EPL conditions in force at the time. Section 7 also notes that the WMP was provided to DPIE Water for consultation on the 9 September 2019. Following receipt of feedback, the WMP was reviewed and updated prior to resubmission to the Secretary for approval on 11 December 2019.
	(c) describe the measures to be implemented to ensure that the Applicant complies with the water management performance measures (see Table 4);	C	Section 10 of the WMP describes measures implemented to ensure compliance with water management measures.
	(d) utilise existing data from nearby mines and build on existing monitoring programs, where practicable;	C	Section 8.1 of the WMP describes baseline water studies applicable to the UWJV. **It is recommended that the links to the public documents referred to in Section 8.1 the WMP are updated at the next revision of the document.**
	(e) include a:	C	Section 10.2 of the WMP includes a Site Water Balance

Cond	Development Consent SSD 7142	Status	Evidence
	(i) **Site Water Balance** that includes details of: • predicted annual inflows and outflows on the site;		Table 10-1 of the WMP includes details of predicted annual inflows and outflows on the site
	• sources and security of water supply for the life of the development (including authorised entitlements and licences);	C	Section 10.5 of the WMP describes security of supply
	• water storage capacity;	C	Section 10-2 of the WMP presents an inventory for site water storage capacity out to 2031. **It is recommended that the WMP is updated to include a summary of the capacity for UW water storages, or a reference to the approved UW SWMP, which includes this information.**
	• water use and management on the site, including any water transfers or sharing with neighbouring mines;	C	Sighted table 6-25 of the 2022 Annual Review which describes water transfers to and from Wambo. Section 10.2.2 of the WMP describes water use and management. Section 10.2.2 notes that wastewater from onsite facilities, including sewage, is collected and treated onsite by a number of aerated wastewater treatments plants, which are licenced by singleton council. Water treatment plants were sighted during the site inspection. Section 10.2.2 also notes managing water demand and maximising reuse of water onsite, so as to minimise the import/ use of potable/ clean water, is an important aspect of the water management system. UWJV AR's prepared during the audit period document annual water transfers with Wambo (see Condition B47).

Cond	Development Consent SSD 7142	Status	Evidence
	• licensed discharge points and limits; and	C	Section 10.1.2 of the WMP states that water from the complex will be discharged via the Wambo licensed discharge point in accordance with Wambo EPL 529 under the HRSTS.
	• reporting procedures, including the annual preparation of an updated site water balance;	C	Section 12 of the WMP describes reporting procedures. Section 11.1 of the WMP notes that the results from the site water balance are reported in the Annual Review.
	(ii) **Salt Balance** that includes details of: • sources of saline material on the site;	C	Section 10.3.1 of the WMP describes the sources of saline material at UW.
	• saline material and saline water management on the site;	C	Table 10-2 of the WMP details the management of the different sources of saline material at UW.
	• measures to minimise discharge of saline water from the site; and	C	Section 10.3.2 of the WMP describes measures to minimise discharge of saline water from site.
	• reporting procedures, including the annual preparation of an updated salt balance;	C	The site water balances included in UWJV AR's summarise the annual preparation of an updated salt balance. This is included in Section 6.8.3 of the 2020 and 2021 AR documents and Section 6.8.5 of the 2022 AR.
	(iii) **Erosion and Sediment Control Plan** that: • is consistent with the requirements of Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) and Volume 2E: Mines and Quarries (DECC, 2008);	C	Erosion and Sediment Control Plan (ESCP) version 6, dated 7 September 2022 sighted. Section 3 of the ESCP notes the objective of the document is to meet the requirements of the Blue Book (Managing Urban Stormwater: Soils and Construction Volumes 1 and Volume 2E).

Cond	Development Consent SSD 7142	Status	Evidence
	- identifies activities that could cause soil erosion, generate sediment or affect flooding;	C	Section 8 of the ESCP lists potential sources of erosion and sedimentation. Section 8.3 of the ESCP describes the flood modelling undertaken of the Wollombi Brook during the preparation of the Surface Water Impact Assessment
	- describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;	C	Section 9 of the ESCP describes the implementation of erosion and sediment control
	- describes the location, function, and capacity of permanent erosion and sediment control structures and flood management structures, including the ROM coal stockpile containment sump detailed in Modification Report (Mod 1); and	C	Section 9 of the ESCP describes the location, function and capacity of permanent erosion and sediment control structures. Section 9.2 of the ESCP notes a flood levee will be constructed to provide flood protection for the open cut pit for the 0.1% AEP flood event. Section 8.3 of the ESCP notes that a flood levee has been constructed and designed to provide flood protection.
	- describes what measures would be implemented to maintain (and if necessary decommission) the structures over time;	C	Section 9.1.7 of the ESCP describes decommissioning of control structures
	(iv) **Surface Water Management Plan** that includes: - detailed baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development, including: – stream and riparian vegetation health; – channel stability (geomorphology); and – water supply for other surface water users;	C	Sighted Surface Water Management Plan (SWMP) version 6, dated 7 September 2022. Section 6 of the SWMP describes baseline data. Web link to Major Projects website in Section 6 of the SWMP not working at the time of the audit. **It is recommended that the web links Section 6 of the SWMP are reviewed and updated to at the next revision of the plan.**
	- a detailed description of the surface water management system;	C	Section 7 of the SWMP describes the site

Cond	Development Consent SSD 7142	Status	Evidence
			water management system with reference to the WMP
	• detailed plans, design objectives and performance criteria for water infrastructure, including: – any approved creek diversions or restoration works associated with the development; – water run-off diversions and catch drains; – water storages and sediment dams; – emplacement areas; and – backfilled pits and any final voids for the development (see also Table 6); and – reinstated drainage networks on rehabilitated areas of the site;	C	• Section 8.1 of the SMWP describes creek diversions. Section 8.2 of the SWMP describes creek restoration and works within 40 m of a watercourse; • Section 8.3 of the SWMP describes water catch drains; • Section 8.4 of the SWMP describes water storages and sediment dams; • Section 8.6 of the SWMP describes emplacement areas; • Section 8.7 of the SWMP describes final voids; • Section 8.8 of the SWMP describes reinstated drainage networks on rehabilitated areas.
	• detailed performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts associated with the development, for: – downstream surface water flows and quality; – channel stability; – downstream flooding impacts; – stream and riparian vegetation heath; – water supply for other water users; and – post-mining water pollution from rehabilitated areas of the site;	C	Section 10.1 of the SWMP details surface water performance criteria. Table 10-1 details performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts associated with the development, for downstream surface water quality, channel stability, downstream flooding impacts, stream and riparian health, surface water user supplies and post mining water pollution from rehabilitated areas of the site
	• a program to regularly monitor: – compliance with the relevant performance measures listed in Table 4 and the performance criteria established above; – controlled and uncontrolled discharges and seepage/leachate from the site;	C	Section 10.3 of the SWMP details the surface water monitoring program, and Section 10.3.3 of the SMWP describes surface water flows.

Cond	Development Consent SSD 7142	Status	Evidence
	– impacts on water supply for other water users; – surface water inflows, outflows and storage volumes to inform the Site Water Balance; and – the effectiveness of the surface water management systems and the measures within the Erosion and Sediment Control Plan;		**Section 10.3 of the SWMP does not include reference to the program for monitoring of seepage / leachate from the site. It is recommended that the SWMP is reviewed and updated to refer to this monitoring program.** Section 10.3.4 of the SWMP describes impacts on water supply for other water users. Section 10.3.5 of the SWMP notes that surface water quality monitoring sites are strategically located to enable the effectiveness of erosion and sediment control measures (implemented in accordance with the United Wambo ESCP) to be assessed. Inspection, maintenance and management of erosion and sediment control structures is undertaken in accordance with the requirements of the ESCP. Also see Condition B38 and B52e(iii) above.
	• reporting procedures for the results of the monitoring program; and	C	Section 11.1 of the SWMP describes reporting and review of results
	• a plan to respond to any exceedances of the performance measures or performance criteria, and repair, mitigate and/or offset any adverse surface water impacts of the development;	C	Section 11.1.4 of the SWMP describes reporting of exceedances. Appendix B of the SWMP includes a Surface Water TARP.
	(v) **Groundwater Management Plan**, which is consistent with Groundwater Monitoring and Modelling Plans – Introduction for prospective mining and petroleum activities (DPI Water, 2014) and the National Water Quality Management Strategy (DoEE, 2015) and includes: • detailed baseline data of groundwater levels, yield and quality for groundwater resources and groundwater dependent ecosystems potentially impacted by the development,	C	Sighted UWJV Groundwater Management Plan (GWMP) version 6, dated 7 September 2022. Section 4.1.2 lists Groundwater Monitoring and Modelling Plans –

Cond	Development Consent SSD 7142	Status	Evidence
	including groundwater supply for other water users;		Introduction for prospective mining and petroleum activities (NSW Department of Industry, Water (DPIE Water (formerly DPI Water)) 2014) and National Water Quality Management Strategy (Department of Environment and Energy (DoEE) 2015) as relevant documents to the GWMP.
	• a detailed description of the groundwater management system;	C	Section 9.1 of the GWMP describes the groundwater management system at UW.
	• groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts associated with the development, on: – regional and local aquifers (alluvial and hardrock); – groundwater supply for other water users such as privately-owned licensed groundwater bores; – groundwater dependent ecosystems; and – aquatic habitat and stygofauna;	C	Section 7.3 of the GWMP describes groundwater performance criteria for all alluvial and bedrock aquifers, groundwater inflows and seepage/ leachate. Tabe 7-4 describes performance measures, performance indicators / triggers and response. Section 7.3 of the GWMP notes that no groundwater performance criteria are included in table 7-4 for private water bores or GDEs. There are no private bores within the predicted zone of impact of the development, as such no performance criteria is required. Section 9.10 of the GWMP describes unforeseen impacts protocol including impacts to GDEs
	• a program to monitor and evaluate: – compliance with the relevant performance measures listed in Table 4, and the performance criteria established above; – water loss/seepage from water storages into the groundwater system; – groundwater inflows, outflows and storage volumes to inform the Site Water Balance; – any hydraulic connectivity between the alluvial and hardrock aquifers;	C	• Section 7.1 of the GWMP describes the Groundwater Monitoring Program • Section 7.1.3 of the GWMP describes mine water seepage monitoring and notes that water samples of pumped (dewatered) mine water will be collected bi-monthly with the objective of providing an early

Cond	Development Consent SSD 7142	Status	Evidence
	– impacts on groundwater supply for other water users; – impacts on groundwater dependent ecosystems; and – the effectiveness of the groundwater management systems;		indication of any mixing with (lower salinity) natural groundwater. AF (pers comms) noted that UWJV use sampling data from Dam U2 and Dam U3 as representative of dewatered mine water. • Section 7.1.4 of the GWMP notes that there are five bores on mine-owned land predicted to be impacted during mining operations and there will be no impact on residual agricultural areas located up to four kilometres distance from the mine. As such, there is no program proposed to monitor the impact on groundwater supply for other water users. • GDE monitoring is described in section 7.1.2.4 of the GWMP. • Section 10 of the GWMP describes review and improvement.
	• reporting procedures for the results of the monitoring program;	C	Section 9.6 of the GWMP describes reporting procedures for results of the monitoring program.
	• a plan to respond to any exceedances of the groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development; and	C	Appendix B of the GWMP describes the Groundwater TARPs.
	• a program to periodically validate the groundwater model for the development, including an independent review of the model every 3 years, and comparison of monitoring results with modelled predictions; and	C	Section 9.9 of the GWMP describes groundwater model validation which notes Every three years, an independent review of the groundwater model (AGE 2016) will be undertaken to determine the validity of the groundwater model predictions and will include a comparison of monitoring results with modelled predictions.

Cond	Development Consent SSD 7142	Status	Evidence
	(vi) a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition E11.	C	Section 9.6 of the GWMP notes Monitoring results will be reviewed annually and reported as required in the Annual Review, which is distributed to government agencies and the Community Consultative Committee.
B53.	The Applicant must not commence Phase 1A until the Water Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
B54.	The Applicant must implement the Water Management Plan as approved by the Planning Secretary.	C	See Conditions B52 above.
BIODIVERSITY			
Biodiversity Credits Required			
B55.	The Applicant must retire the biodiversity credits specified in Table 5 below, or the equivalent number of credits (calculated in accordance with the BC Act) as set out in the Biodiversity Management Plan, to offset the biodiversity impacts of the development. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.	C	AF (pers comms) confirmed there are currently six offset sites, 4 of the 6 letters received and 2 awaiting sign off from BCD credit taskforce. AF noted that UW currently have enough credits to satisfy Stage 1 listed in Table 5.

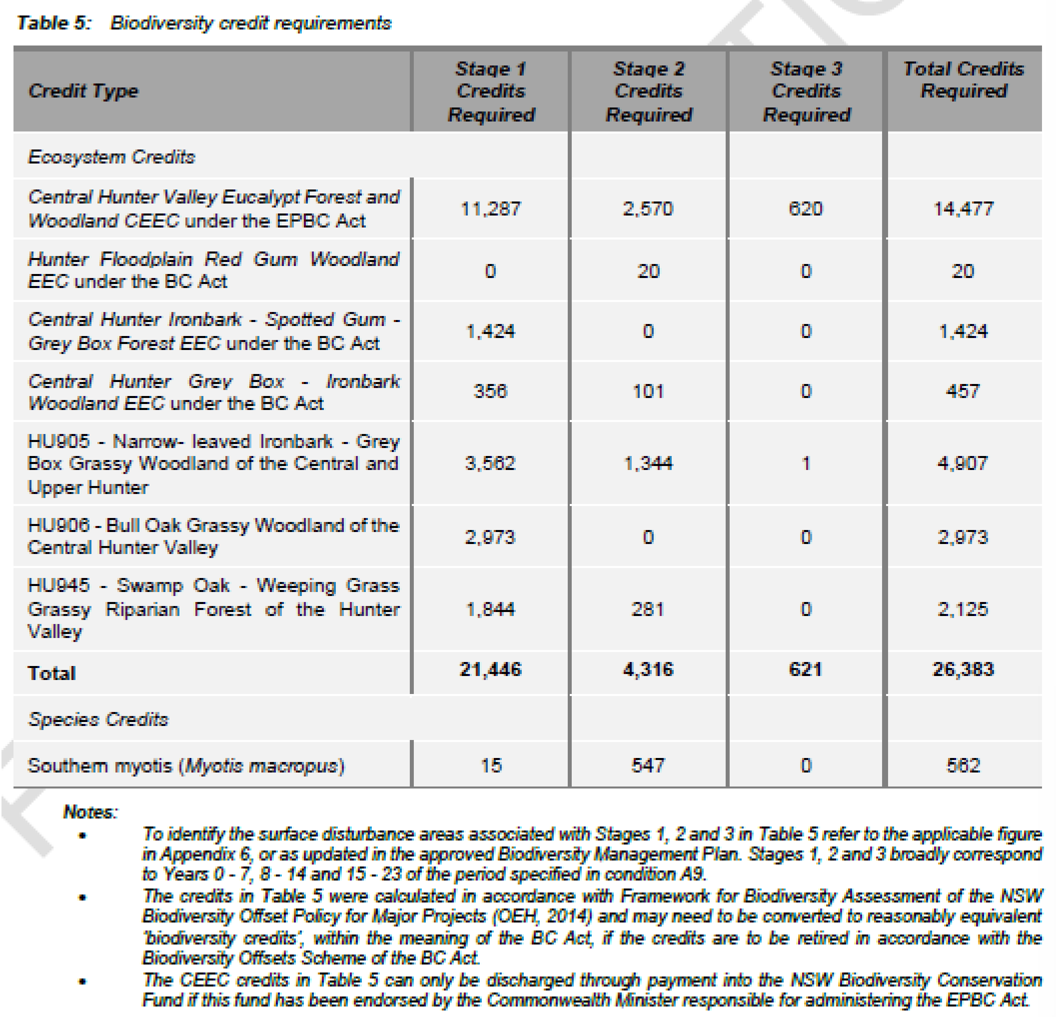
Cond	Development Consent SSD 7142	Status	Evidence
			

Table 5: Biodiversity credit requirements

Credit Type	*Stage 1 Credits Required*	*Stage 2 Credits Required*	*Stage 3 Credits Required*	*Total Credits Required*
Ecosystem Credits				
Central Hunter Valley Eucalypt Forest and Woodland CEEC under the EPBC Act	11,287	2,570	620	14,477
Hunter Floodplain Red Gum Woodland EEC under the BC Act	0	20	0	20
Central Hunter Ironbark - Spotted Gum - Grey Box Forest EEC under the BC Act	1,424	0	0	1,424
Central Hunter Grey Box - Ironbark Woodland EEC under the BC Act	356	101	0	457
HU905 - Narrow- leaved Ironbark - Grey Box Grassy Woodland of the Central and Upper Hunter	3,562	1,344	1	4,907
HU906 - Bull Oak Grassy Woodland of the Central Hunter Valley	2,973	0	0	2,973
HU945 - Swamp Oak - Weeping Grass Grassy Riparian Forest of the Hunter Valley	1,844	281	0	2,125
Total	**21,446**	**4,316**	**621**	**26,383**
Species Credits				
Southern myotis (*Myotis macropus*)	15	547	0	562

Notes:

- *To identify the surface disturbance areas associated with Stages 1, 2 and 3 in Table 5 refer to the applicable figure in Appendix 6, or as updated in the approved Biodiversity Management Plan. Stages 1, 2 and 3 broadly correspond to Years 0 - 7, 8 - 14 and 15 - 23 of the period specified in condition A9.*
- *The credits in Table 5 were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEH, 2014) and may need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the BC Act, if the credits are to be retired in accordance with the Biodiversity Offsets Scheme of the BC Act.*
- *The CEEC credits in Table 5 can only be discharged through payment into the NSW Biodiversity Conservation Fund if this fund has been endorsed by the Commonwealth Minister responsible for administering the EPBC Act.*

Staged Retirement			
B56.	Within 12 months of commencing Phase 1A, or other timeframe agreed by the Planning Secretary, the	**NC**	Sighted letter dated 20 December 2021

Cond	Development Consent SSD 7142	Status	Evidence
	Applicant must retire the Stage 1 credits as specified in Table 5, excluding ecosystem credits to be satisfied using Ecological Mine Rehabilitation. The Applicant must notify the Planning Secretary of its intention to satisfy Stage 1 credits using Ecological Mine Rehabilitation and provide details of the particular ecosystem credits proposed to be satisfied in this manner within 12 months of commencing Phase 1A.		addressed to the Department requesting an extension of the timeframe specified Condition 56 for a further 12 months to 6 January 2023 to allow for sufficient time for the Biodiversity Stewardship Site applications to be processed and the issues discussed to be resolved and Biodiversity Stewardship Agreements made. **Sighted DPE letter dated 16 May 2022 which notes the credits were originally required to be retired by 6 January 2021 and the offset properties were originally required to be secured by 20 July 2021.** The letter notes several extensions have already been approved by the Planning Secretary allowing additional time to retire the credits and secure the offsets by 6 January 2022. **The Department noted that considerable progress has been made, however, despite these extensions, the offset obligations specified in Conditions B56 and B70 have not been met. The letter details that the credit retirement and offset security should be expedited as soon as possible and that UW are currently non-compliant with the conditions and the matter will need to be considered by the Departments compliance team in accordance with the Departments Compliance Policy.** Sighed email dated 1 May 2023 with attached BCF Quote Application for credit obligations relating to SSD 7142. **AF (pers comms) confirmed that at the**

Cond	Development Consent SSD 7142	Status	Evidence
			time of audit, UWJV remain in consultation with regulatory agencies regarding the retirement of credits and the long-term satisfaction of Compensatory Habitat requirements (see Condition B70 below) of SSD 7142. **It is recommended that UWJV continue to engage closely with the relevant agencies to secure Biodiversity Stewardship Agreement for the project, in accordance with DPE advice of October 2021.**
B57.	Prior to the commencement of surface disturbance associated with both Stage 2 and Stage 3, or other timeframe agreed by the Planning Secretary, the Applicant must retire the credits for these Stages as specified in Table 5, excluding ecosystem credits to be satisfied using Ecological Mine Rehabilitation. The Applicant must notify the Planning Secretary of its intention to satisfy Stage 2 and/or Stage 3 credits using Ecological Mine Rehabilitation and provide details of the particular ecosystem credits proposed to be satisfied in this manner prior to commencing those Stages.	NT	Deemed as Not Triggered as Stage 2 and 3 generally apply from Year 8 of the development.
B58.	With the agreement of the Planning Secretary, the Applicant may adjust the staging of surface disturbance and the associated credit retirements in Table 5. Except in accordance with condition B59, the relevant credits must be retired, excluding credits to be satisfied using Ecological Mine Rehabilitation, prior to the commencement of the associated surface disturbance.	NT	See Condition B57 above.
B59.	With the agreement of the Planning Secretary, the Applicant may carry over surplus retired credits to satisfy the credit requirements of a later Stage. This may occur, for example, where approved clearing for an earlier Stage was not undertaken, but the impact has already been offset.	NT	See Condition B57 above.
B60.	With the agreement of the Planning Secretary, biodiversity credits associated with areas agreed under condition B59 as not to be subject to any surface disturbance may be removed from the total credit obligations in Table 5.	NT	See Condition B57 above.
Rehabilitation Offsets			
B61.	The Applicant may use Ecological Mine Rehabilitation to satisfy up to 20% of the CEEC ecosystem credit requirements in Table 5. The land used for Ecological Mine Rehabilitation[a] cannot be the same as land used to establish Open Woodland Revegetation under condition B69 and DA 305-7-2003.	NT	Section 6.2.5 of the Rehabilitation Management Plan (RMP) outlines the methodologies to establish and manage appropriate vegetation communities for

Cond	Development Consent SSD 7142	Status	Evidence
	[a] *Conceptual mapping of Ecological Mine Rehabilitation is shown in Appendix 6.*		the intended final land use.
B62.	Within 10 years of the cessation of mining operations, or other timeframe agreed by the Planning Secretary, the Applicant must retire the ecosystem credits generated from Ecological Mine Rehabilitation. If the Ecological Mine Rehabilitation areas do not comply with the residual credit requirements in Table 5 and/or the relevant objectives in Table 6, then the Applicant must retire the residual credit requirements in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.	NT	Not applicable to the audit period.
	Note: Rehabilitation offset performance and completion criteria are required to be developed and included in the Rehabilitation Management Plan required under condition B103.	Note only	Noted
Conservation Bond			
B63.	If the Applicant elects to undertake Ecological Mine Rehabilitation under condition B56 and/or condition B57, then it must lodge a Conservation Bond with the Planning Secretary to ensure that the Ecological Mine Rehabilitation is successfully implemented or the purchase of residual credit requirements under condition B103 is fully funded. This Bond must be lodged together with the notification required under condition B56 and condition B57, respectively.	NT	AF (pers comms) confirmed UWJV did not complete Ecological Mine Rehabilitation during the audit period.
B64.	The sum of the Conservation Bond required in condition B63 is to be the greater of: (a) the cost of implementing and managing the Ecological Mine Rehabilitation and the retirement of credits generated at third party rates; and	NT	See Condition B63 above.
	(b) the cost of acquiring and retiring the equivalent number of ecosystem credits for which Ecological Mine Rehabilitation is to be used; and and must be determined by the Applicant employing a suitably qualified, independent and experienced person to verify the calculated costs.	NT	
B65.	The calculation of the Conservation Bond must be submitted to the Department for approval at least 2 months prior to lodgement of the Bond.	NT	See Condition B63 above.
B66.	The Conservation Bond must be reviewed and, if required, an updated bond must be lodged with the Department within 3 months following: (a) any revision of the Rehabilitation Management Plan;	NT	See Condition B63 above.
	(b) the completion of an Independent Environmental Audit containing recommendations relating to the implementation of the Ecological Mine Rehabilitation; or	NT	
	(c) in response to a request by the Planning Secretary,	NT	

Cond	Development Consent SSD 7142	Status	Evidence
B67.	If the Applicant provides the Planning Secretary with proof that all biodiversity credits required to be satisfied by Ecological Mine Rehabilitation have been retired, then the Planning Secretary will release the Conservation Bond.	NT	See Condition B63 above.
B68.	If the Applicant provides proof that a condition under Part 12A of the Mining Act 1992 has been imposed on a mining lease applicable to the site that requires the holder of the lease to provide and maintain a security deposit to the Resources Regulator to secure funding for the fulfilment of obligations under the lease relating to the successful implementation of Ecological Mine Rehabilitation, then the Planning Secretary may determine that no Conservation Bond is required under condition B63, or if a Conservation Bond has already been provided to the Planning Secretary, then the Planning Secretary may release the Conservation Bond.	NT	See Condition B63 above.
Open Woodland Revegetation			
B69.	The Applicant must establish 1,300 hectares of Open Woodland Revegetation[a] on the site during the life of the development. The land used to satisfy this condition cannot be the same as land used to establish Ecological Mine Rehabilitation under condition B61 or Open Woodland Revegetation under DA 305-7-2003. [a] Conceptual mapping of Open Woodland Revegetation is shown in Appendix 6.	C	AF (pers comms) confirmed that this is currently progressing. Rehabilitation establishment is reported in audit period AR's, which includes: • 2020: 0 ha; • 2021: 9.9 ha; and • 2022: 15.5 ha.
	Note: • *This obligation was previously imposed under DA 305-7-2003 as 1,570 hectares. This consent has taken over 1,300 hectares of this obligation.*	Note only	Noted
Compensatory Habitat Area			
B70.	Within 12 months of commencing Phase 1B, or other timeframe agreed by the Planning Secretary, the Applicant must make suitable arrangements for the long-term protection of 18.5 hectares of compensatory habitat to account for disturbing the previous compensatory habitat area for United Underground Coal Mine (DA 410-11-2002-i).	**NC**	**UWJV did not make suitable arrangements for the long-term protection of the Compensatory Habitat Area within twelve months of the commencement of Phase 1B of the Project.** **See Condition B55 above.** Sighted DPIE letter dated 26 October 2021 that refers to UW request dated 12 July

Cond	Development Consent SSD 7142	Status	Evidence
			2021 for an extension of the time to address the requirements of Condition B70 of SSD 7142. The letter notes that an extension was previously granted to extend the timeframe specified under the associated condition B56 of SSD 7142. The letter notes that the retirement of credits under condition B56 and the long term protection of compensatory habitat under condition B70 are linked and would be satisfied via the same Biodiversity Stewardship Agreement (BSA) and the Department agrees that the timeframe for satisfying these conditions should align. The letter notes that despite this extension, the offset obligations specified in condition B70 would still be met prior to commencement of works in the former Compensatory Habitat Area. The Planning Secretary granted an extension of time until 6 January 2022 in order to allow sufficient time for BSA to be finalised and the requirements of these conditions to be met.
	Notes: - *This requirement is in addition to the credit requirements under condition B55.* - *Suitable arrangements include securing the land under a Biodiversity Stewardship Agreement or by transferring the land to National Parks Estate (along with sufficient funds for ongoing management).*	Note only	Noted
Biodiversity Management Plan			
B71.	The Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Sighted Biodiversity Management Plan (BDMP) version 7, dated 6 February 2023. Section 8 of the BDMP notes the draft BDMP prepared by United Wambo has

Cond	Development Consent SSD 7142	Status	Evidence
			been reviewed by suitably experienced and qualified ecologists at Umwelt. The detailed review of the BDMP has been undertaken by Senior Ecologist and Accredited BAM Assessor Bill Wallach with additional review undertaken by Principal Ecologist/Environmental Scientist, Naomi Buchhorn.
	(b) be prepared in consultation with BCD;	C	Section 7 of the BDMP notes that The BDMP was provided to BCD for consultation on 5 September 2019. BCD declined to comment on the BDMP, noting that the BDMP could be provided to the Energy and Resources Division of DPIE without their comment.
	(c) describe the short, medium, and long-term measures to be undertaken to manage vegetation and fauna habitat on the site;	C	Section 11.10 of the BDMP includes a mitigation measures summary. Table 11-2 of the BDMP provides a summary of the mitigation measures that will be implemented in the short, medium and long term to minimise the impacts of UW
	(d) describe how biodiversity management would be integrated with similar measures within the Water Management Plan referred to in condition B52 and the Rehabilitation Management Plan referred to in condition B103;	C	Section 9.8 and 12.2 of the BDMP describes how biodiversity management would be integrated with similar measures within the Water Management Plan referred to in condition B52 and the Rehabilitation Management Plan referred to in condition B103
	(e) include a Biodiversity Offset Strategy that: (i) recalculates, if necessary, in accordance with the BC Act the number of biodiversity credits required under condition B55 to offset the impacts of the development; (ii) describes how the biodiversity credits in Table 5 (or as recalculated) will be identified, secured and retired; (iii) if adjustments are made to the staging of credit retirements in Table 5 (see conditions B58	C	Section 10 of the BDMP includes a Biodiversity Offset Strategy. (i) Section 10.2 of the BDMP (ii) Section 10.2 of the BDMP. **It is recommended that UW retire the biodiversity credits specified in Table 5**

Cond	Development Consent SSD 7142	Status	Evidence
	and B59), detail the adjusted stages and associated surface disturbance areas; and (iv) describes how significantly impacted threatened species and communities listed under the EPBC Act would be suitably offset;		**of the consent, or the equivalent number of credits as set out in the BDMP, to offset the biodiversity impacts of the development. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.** (iii) Section 10.2 of the BDMP (iv) Section 10 of the BDMP
	(f) describe the measures to be implemented within approved disturbance areas on the site to: (i) minimise the amount of clearing and employ temporary vegetation strategies (see condition B98); (ii) minimise impacts on fauna, including undertaking pre-clearance surveys; (iii) provide for the salvage, transplanting and/or propagation of any threatened flora found during pre-clearance surveys, in accordance with the Guidelines for the Translocation of Threatened Plants in Australia (Vallee et al., 2004); and (iv) maximise the salvage of resources, including tree hollows, vegetation and soil resources, for beneficial reuse, including fauna habitat enhancement;	C	(i) Section 11.8 in the BDMP (ii) Section 11.1.1 of the BDMP summarises Pre-Clearence Surveys. (iii) Section 11.1.4 of the BDMP described salvage of threatened flora species. (iv) Section 11.1.3 of the BDMP describes resource salvage and states Where practical, a selection of habitat features will be salvaged for reuse in rehabilitation areas. This will include suitable seed resources, tree hollows, hollow logs and fallen timber and woody debris. Sighted Future Harvest Tax Invoice for seed collection and seed storage during the audit period 31 August 2020, 29 September 2021. Viewed examples of Pre-Clearing Survey Forms (UWOC-

Cond	Development Consent SSD 7142	Status	Evidence
			1689771511-393) completed 1/08/22 and 6/10/23. Forms include requirements for management of habitat resources present.
	(g) describe the measures to be implemented on the site to: (i) minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees, fallen timber and hollow-bearing trees; (ii) enhance the quality of vegetation, vegetation connectivity and wildlife corridors including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata; (iii) introduce naturally scarce fauna habitat features such as nest boxes and salvaged tree hollows and promote the use of these introduced habitat features by threatened fauna species; (iv) manage any potential conflicts with Aboriginal heritage values; and (v) protect vegetation and fauna habitat outside of the approved disturbance areas, including stands of Weeping Myall (Acacia pendula); (vi) manage potential indirect impacts on threatened flora and fauna species, including Swift Parrot, Regent Honeyeater, Spotted-tail Quoll and Koala; (vii) manage the collection and propagation of seed from the local area; (viii) control weeds, including measures to avoid and mitigate the spread of noxious weeds; (ix) control feral pests with consideration of actions identified in relevant threat abatement plans; (x) control erosion; (xi) manage any grazing and agriculture; (xii) control access to vegetated or revegetated areas; and (xiii) manage bushfire hazards;		(i) Section 11.1 and 11.5 of the BDMP (ii) Section 12 of the BDMP describes ecological mine rehabilitation and notes the objective of developing native vegetation corridors linking surrounding remnant vegetation areas to the southwest of United Wambo to existing remnants in the north-east and south-east, and the proposed future native rehabilitation areas of Hunter Valley Operations mine and Mount Thorley Warkworth. (iii) Section 11.5 of the BDMP notes habitat enhancement and reinstatement mitigation measures will be considered in the detailed planning of rehabilitation of the site including habitat enhancement of retained vegetation such as provision of nest boxes, salvaged hollows, fallen timber, hollow logs and boulders, as deemed necessary. (iv) Section 11.1.1 of the BDMP notes Prior to disturbance, a review of Aboriginal heritage values will

Cond	Development Consent SSD 7142	Status	Evidence
			also be undertaken. This will be undertaken in accordance with the UW Aboriginal Heritage Management Plan. (v) Section 11.8 of the BDMP. (vi) Section 11.8 and 11.8 of the BDMP. (vii) Section 11.6 of the BDMP describes seed collection and propagation. (viii) Section 11.2 of the BDMP describes weed control. Sighted copy of job record for weed control dated 13 April 2024, job number 01310. Sighted copy of Hunter Land Management Daily Work Record dated 30 March 2023 for weed control – Foliar spray and Brushcutting. (ix) Section 11.3 of the BDMP describes pest and feral animal control and provides links to threat abatement plans. Sighted copy of work record for pig trapping dated 2 February 2021, job number 01272. Sighted copy of work record for dog baiting dated 25 May 2022, job number 1527. Sighted copy of Vertebrate Pest Control Report for Glencore UWJV Mine Site dated Spring 2022 which notes baits were laid

Cond	Development Consent SSD 7142	Status	Evidence
			on 11 October 2022 and untaken baits removed by 24 October 2022. (x) Section 11.8 of the BDMP. (xi) Section 11.4 of the BDMP describes bushfire management including: • exclusion of planned bushfire from revegetation and regeneration areas to allow replanted and regenerating communities to mature to a stage where they are able to withstand bushfire and regenerate naturally following such an event. • consideration of the sensitivities of threatened species and threatened ecological communities to bushfire and appropriate bushfire planning and management in relation to known occurrences of these. • the use of ecologically appropriate fire regimes (be they related to burn frequency, duration or intensity), as these have the potential to impact negatively on significant ecological features. • asset protection; and • appropriate incorporation of all relevant ecological requirements into bushfire management plans.

Cond	Development Consent SSD 7142	Status	Evidence
	(h) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance and completion criteria, and improvements that could be implemented to improve biodiversity outcomes;	C	Section 13 of the BDMP describes monitoring including quarterly inspections will be undertaken within the United Wambo Biodiversity Stewardship Sites and on mine buffer land over the life of the Project. These will comprise walkover inspections targeting revegetation / regeneration areas and creek lines. Sighted copy of UW 2021 Annual Rehabilitation Walkover Report prepared by ERR Australia dated November 2021. Sighted Copy of UW 2022 Annual Rehabilitation Walkover Report prepared by ERR Australia dated January 2023. Sighted copy of 2020 Q3 Inspection Report Biodiversity Offset Areas prepared by HLM Environment September 2020. Sighted copy of 2022 Q2 Inspection Report Biodiversity Offset Areas prepared by HLM Environment dated July 2022. Sighted copy of 2022 Q3 Inspection Report Biodiversity Offset Areas prepared by HLM Environment dated October 2022. Sighted copy of 2023 Q1 Inspection Report Biodiversity Offset Areas prepared by HLM Environment dated March 2023. Koru Environmental annual Rehabilitation Monitoring Reports for 2021 and 2022 provide an assessment of rehabilitation establishment and performance against reference sites for targeted rehabilitation communities.
	(i) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures to be implemented to mitigate against	C	Section 14.1 of the BDMP includes an adaptive management process and

Cond	Development Consent SSD 7142	Status	Evidence
	these risks; and		Biodiversity TARP.
	(j) include details of who would be responsible for monitoring, reviewing, and implementing the plan.	C	Section 16 of the BDMP includes a table of accountabilities.
B72.	The Applicant must not commence Phase 1A until the Biodiversity Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
B73.	The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.	C	AF (pers comms) confirmed that Pre-clearance surveys have been completed during the audit period. Sighted copy of Pre-Clearing Survey Form dated 1 August 2022 for 2022 Rehab and topsoil stripping at RL105. Sighted copy of Pre-Clearing Survey Form dated 6 October 2023 for the Homestead South Dump. Sighted copy of habitat tree spreadsheet ref: 20230415 UW Habitat Trees which records location, LGA, Status, Tree ID, Tree species and coordinates
HERITAGE			
Heritage Operating Conditions			
B74.	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage items located outside the approved disturbance area, beyond those predicted in the document/s listed in condition A2(c).	C	Sighted copy of UWJV Former Warkworth Public School Inspection Report dated 11 January 2023, Job number JN4162-01. The report concludes that the inspection performed in December 2022 found that the building remains in good condition and is considered stable. The report also notes that the dwelling does not appear to have experienced any impact from blasting, and it is noted that there are no major defects observed. Sighted Bill Jordan and Associates review

Cond	Development Consent SSD 7142	Status	Evidence
			of ground vibrations records, December 2020 to June 2021 dated 2 September 2021. The report reviews ground vibration records for Wambo Homestead for the period 1 December 2020 to 30 June 2021. The report notes there were no blasts within 2km of the Homestead in the period. The report concludes that based on the data provided, ground vibrations will have had no effect on the Wambo Homestead buildings in the period 1 December 2020 to 30 June 2021.
	Note: Identified heritage items are shown in the figures in Appendix 7.		
B75.	If suspected human remains are discovered on the site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police Force and BCD, and work must not recommence in the area until authorised by NSW Police Force and BCD.	NT	SV (pers comms) confirmed that no suspected human remains have been discovered on site during the audit period.
B76.	If any previously unknown Aboriginal object or Aboriginal place is discovered on the site, or suspected to be on the site: (a) all work in the immediate vicinity of the object or place must cease immediately;	C	Sighted copy of UW Open Cut Coal Mine Artefact Find letter dated 16 February 2023 addressed to NSW DPE which notes UWJV have discovered two artefacts on the bank of a constructed dam in the approved disturbance area of SSD 7142. The letter notes that the artefacts are not insitu and have likely been moved to the location where they were identified as part of a project dam construction that incorporated clay material sourced from the site and that 'no works are currently being undertaken in the area'. DPE responded via letter on 27 March 2023 requiring that UW contact BCD and follow the relevant procedures from the approved ACHMP. BCD were notified via email from UWJV dated 16 February 2023 in accordance with

Cond	Development Consent SSD 7142	Status	Evidence
			the ACHMP procedure, with a follow up letter provided on 23 March 2023. The area where the artefacts are located was confirmed to be demarcated during the audit field inspection to prevent access (see **Plate 28**). Sighted copy of UW Open Cut Coal Mine Artefact Find letter addressed to the BCD, dated 23 March 2023 which notes UWJV have discovered two artefacts on the bank of a construction dam in the approved disturbance area of SSD 7142. The letter notes that the artefacts are not insitu and have likely been moved to the location where they were identified as part of a project dam construction that incorporated clay material sourced from the site and that 'no works are currently being undertaken in the area'. The letter states notification was made to the DPE on 16 February 2023. BCD were notified via email from UWJV dated 23 March 2023, in accordance with the ACHMP procedure. Sighted OzArk Aboriginal Cultural Heritage Salvage Report dated 6 December 2023 which notes on 19 January 2023, the UWJV E&C Department provided OzArk with photos of three potential Aboriginal objects identified during inspection of the proposed Strip 7 haul road alignment at the UW Open Cut Coal Mine. The potential Aboriginal objects were identified as being at the same location of previously salvaged Aboriginal site United Collieries 12 (37-5-

Cond	Development Consent SSD 7142	Status	Evidence
			0515; E 312031 N 6396588 GDA2020 MGA Zone 56). Viewed 19 January 2023 email and plan sent by LD to UWJV Mining and Tech Services personnel notifying them of the identified artefacts, fencing around the area and the need to cease work within 20m of the area while the ACHMP process is worked through. On 23 January 2023, OzArk confirmed that one of the potential items was an Aboriginal object. An inspection of other nearby Aboriginal sites completed by UWJV E&C staff identified potential Aboriginal objects at the same location of previously salvaged Aboriginal site Redbank Creek 8 (37-5-0115; E 312119 N 6396619 GDA2020 MGA Zone 56). Photographs of these potential Aboriginal objects were sent to OzArk Senior Archaeologist Stephanie Rusden on 27 January 2023 who confirmed that some objects are the result of Aboriginal cultural practices. Section 2.2 of the OzArk report confirms that artefacts associated with the newly identified sites were salvaged for storage by UWJV on 15 February 2023. Viewed ASIRF's that were submitted to AHIMS for both sites by OzArk the following day.
	(b) a 10 metre buffer area around the object or place must be cordoned off; and		See condition B76 above.
	(c) BCD must be contacted immediately.		See condition B76 above.
B77.	Work in the immediate vicinity may only recommence if: (a) the potential Aboriginal object or Aboriginal place is confirmed by BCD, in consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal Place;	C	See Condition B76 above.

Cond	Development Consent SSD 7142	Status	Evidence
	(b) the Aboriginal Cultural Heritage Management Plan is revised to include the Aboriginal object or Aboriginal place and appropriate measures in respect of it; or	C	See Condition B76 above.
	(c) the Planning Secretary is satisfied with the measures to be implemented in respect of the Aboriginal object or Aboriginal place and makes a written direction in that regard.	C	See Condition B76 above. DPE letter dated 27 Narch 2023 requires that work in undertaken in accordance with the ACHMP.
B78.	The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site or within any offset areas are properly recorded, and those records are kept up to date, in the Aboriginal Heritage Information Management System (AHIMS) Register.	C	Known Aboriginal heritage objects and places identified during UWJV assessments are listed in Appendix C of the ACHMP (see Condition B79).
Aboriginal Cultural Heritage Management Plan			
B79.	The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must: (a) be prepared by suitably qualified and experienced persons;	C	Sighted Aboriginal Cultural Heritage Management Plan (ACHMP) version 4, dated 7 September 2022. Section 6 of the ACHMP notes the ACHMP has been prepared by Ben Churcher of OzArk Environmental & Heritage Management Pty Ltd (OzArk).
	(b) be prepared in consultation with BCD, Registered Aboriginal Parties and other local knowledge holder groups;	C	Section 5 of the ACHMP summarises consultation and notes the plan has been prepared in consultation with the RAPs for the Project and the Biodiversity & Conservation Division (BCD) within the DPIE.
	(c) describe the measures to be implemented on the site to: (i) ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions; (ii) protect, monitor and/or manage identified Aboriginal objects and Aboriginal places (including any proposed archaeological investigations and salvage measures) in accordance with the commitments made in the document/s listed in condition A2(c);	C	(i) Section 11 of the ACHMP describes operational and training protocols and notes United Wambo recognises that training and awareness is an important aspect of the Environmental Management System. All United Wambo personnel and contractors are

Cond	Development Consent SSD 7142	Status	Evidence
	(iii) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development; (iv) manage the discovery of human remains and any new Aboriginal objects or Aboriginal places, including detailed provisions for burials, over the life of the development; (v) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and (vi) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site;		required to complete an induction prior to commencing works on the site. SV (pers comms) confirmed induction include information on Aboriginal cultural heritage. Sighted Induction Site Familiarisation ref: 12062023; Section 6.7 describes Aboriginal Cultural Heritage. (ii) Section 12 of the ACHMP describes the salvage and management of Aboriginal sites. (iii) Section 9.5 of the ACHMP describe the protection measures for Cultural Heritage sites. Section 10.2.2 of the ACHMP describes the procedure for any new Aboriginal sites identified outside the approved disturbance areas. (iv) Section 10 of the ACHMP describes discovery of Aboriginal ancestral remains and the discovery of new Aboriginal sites (see Condition B76 and B77 above). (v) Section 5.3.2 of the ACHMP describes access to Aboriginal sites and Section 5.3.3 describes access to stored Aboriginal objects. (vi) Section 5.3.1 of the ACHMP describes ongoing consultation with RAPs and notes UW will

Cond	Development Consent SSD 7142	Status	Evidence
			continue to consult with RAPs regarding impacts associated with mining, progression rates of the mining, rehabilitation undertaken and conservation of Aboriginal archaeological sites (see Condition B81).
	(d) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term; and		Section 9.6 of the ACMHP describes the artefact storage facility used for the storage of artefacts salvaged at UWJV.
	(e) include a program to fund and undertake projects in accordance with Strengthening Aboriginal Community Wellbeing Toolkit (OEH, 2012) to promote caring for land, bringing people together and cultural awareness/education.	C	Appendix D of the ACHMP includes the BCD Aboriginal Community Wellbeing Toolkit.
B80.	The Applicant must not commence Phase 1A until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary.	C	Deemed Compliant in previous IEA.
B81.	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	C	See Conditions B74 – B79 above. SV (pers comms) confirmed that annual RAPs meetings were held during the audit period, combined with Bulga Coal. Sighted copy of Bulga Annual Aboriginal Stakeholder Meeting Minutes for the meeting held on 15 December 2021. The meeting minutes confirm that UWJV employees attended the meeting. Sighted copy of Bulga Annual Aboriginal Stakeholder Meeting Minutes for the meeting held on 25 November 2022. The meeting minutes confirmed that an employee from UWJV was in attendance. SV (pers comms) confirmed that artefacts salvaged at UW remain in storage on site and that UWJV are working towards relocating these heritage items to a local

Cond	Development Consent SSD 7142	Status	Evidence
			Keeping Place, in consultation with UW RAPs.
Historic Heritage Management Plan			
B82.	The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non-Aboriginal cultural heritage items, to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Sighted HHMP version 4, dated 7 September 2022. Section 4.1 of the HHMP notes plan has been prepared by Tim Adams and Karyn Virgin of Umwelt, both suitably qualified and experienced persons.
	(b) be prepared in consultation with the Heritage Branch, Council and relevant landowners and in accordance with the relevant Heritage Branch guidelines;	C	Section 8.1 of the HHMP describes consultation and notes the HHMP was submitted to the Heritage Branch on 24 May 2019 and Singleton Council on 25 June 2019 with a request to provide comment. Correspondence was received from the Heritage Branch on 12 July 2019 and Singleton Council on 2 September requesting edits to the HHMP. These edits have been addressed prior to finalisation of the HHMP. Letters from Heritage Branch and Singleton Council regarding their satisfaction with the changes were received 11 October 2019 and 21 November 2019, respectively. HHMP also notes consultation has been undertaken with neighbouring private landholders and mining companies, Wambo Coal and Coal & Allied (now Hunter Valley Operations – Yancoal / Glencore, and Mount Thorley Warkworth - Yancoal) since the beginning of the Environmental Impact Statement assessment process. Sighted letter from Heritage Council of NSW dated 12 July 2019 which notes UW emailed on 24 May 2019 seeking Heritage

Cond	Development Consent SSD 7142	Status	Evidence
			comments on the draft UW Project HHMP prepared by Umwelt. Sighted letter from NSW Heritage Council that comments were provided by Heritage NSW on the draft HHMP in a letter dated 12 July 2019. The letter details that the final HHMP has been assessed and is considered to have addressed the outstanding issues. Sighted letter from Singleton Council dated 2 September 2019 that notes UM emailed requesting comment from Council on the HHMP on 25 June Sighted email from Singleton Council dated 20 November 2019 which notes the final version 1.1 of the HHMP is satisfactory in addressing councils concerns.
	(c) identify all heritage items in the vicinity of the site and include a statement of significance for each item;	C	Section 6 of the HHMP identifies all heritage items within, and in the vicinity of, the Project Area that are listed, or that have been assessed, to have heritage significance on some level (potential heritage items).
	(d) include an interpretation strategy for the Dog-leg fence that includes undertaking additional research, archival recording, salvage, reconstruction and public display within 2 years of commencement of development under this consent;	C	Section 8.5.1 includes an interpretation strategy for the Dog-leg fence
	(e) describe the measures to be implemented on the site or within any offset areas to: (i) ensure all workers receive suitable heritage inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions; (ii) prepare an archaeological research design and methodology prior to undertaking any necessary archaeological excavations;	C	(i) Section 8.8.1 of the HHMP describes Historic Heritage Inductions and notes the induction is required for all personnel prior to working at UW. Section 6.8 of Induction Site Familiarisation ref:

Cond	Development Consent SSD 7142	Status	Evidence
	(iii) ensure that the archaeological excavations are undertaken by a suitably qualified and experienced archaeologist; (iv) undertake photographic/archival recording of any items of heritage significance potentially impacted by the development, prior to disturbance, including recording the views to and from the Shearing Shed and Creamery; (v) protect heritage items located outside the approved disturbance area from unpredicted impacts of the development and vandalism (where practicable); and (vi) manage any new heritage items discovered during the life of the development; and		12062023. (ii) Appendix C of the HHMP includes a research design and methodology. (iii) Appendix C of the HHMP notes that 'Any archaeological investigation is to be undertaken by a suitably qualified and experienced archaeologist, as per condition B82 e) (iii) of SSD 7142.' (iv) Section 8.5.1.1 of the HHMP notes a detailed survey and photographic/archival recording was undertaken in accordance with Heritage Branch guidelines Photographic Recording of Heritage Items Using Film or Digital Capture (2006) on the 27 August 2021 (v) Section 8.8.2 of the HHMP describes the fencing of heritage sites. (vi) Section 8.8.3 of the HHMP describes management of discovery of new heritage sites / items.
	(f) include a strategy for the care, control and storage of relics salvaged from any historical archaeological excavations, both during the life of the development and in the long term.	C	Appendix C of the HHMP provides a strategy for the care and control of any excavated relics, if required.
B83.	The Applicant must not commence Phase 1A until the Historic Heritage Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
VISUAL			

Cond	Development Consent SSD 7142	Status	Evidence
Visual Amenity and Lighting			
B85.	The Applicant must: (a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development;	**NC**	Sighted a copy of UWJV complaints register export dated 9 November 2023. **A number of lighting complaints were recorded in 2020 and 2021 which on investigation by UWJV were found to be related to the siting of lighting plant. Review of these complaints and UW responses indicate that additional reasonable and feasible steps to minimise off-site lighting impacts could have been implemented during 2020, 2021 and 2022.** Lighting complaints during the audit period included: • 2020: five complaints; • 2021: 15 complaints; • 2022: nine complaints; and • 2023: four complaints to end October. Sighted a copy of UWJV Lighting Plants Procedure (UWOC-1689771511-195) which describes the process for the use of mobile lighting plants to prevent injury to personnel, damage to equipment and to minimise the impact on the local community, as well as the UWJV Lighting Management Procedure (UWOC-1689771511-1806) dated 13 January 2023 in response to lighting complaints, which further describes management of lighting plants/direction on siting to minimise impact on the community. Section 3.2.1 of the UWJV Lighting Plant Procedure includes mitigation measures such as lighting plant head tilt should

Cond	Development Consent SSD 7142	Status	Evidence
			always be angled down below horizontal, lighting will be kept to the minimum necessary for operational needs and safety, positioning lights so they are shielded by walls, dumps or vegetation and use of lower, less exposed dumps on night shift. Sighted copy of EMM UW Lighting Audit dated September 2021. The report concludes that all fixed outdoor lights were found in compliance with Condition B85(c). **The EMM (2021) report notes that the qualitative assessment of lighting at UW identified two non-compliances with Condition B85(a) and d of SSD 7142**, both non-compliances were in the form of incorrectly configuring mobile lighting plant, either by panels directing light spill off site, or panels angled above the horizontal. The report recommended that all mobile lighting plant are setup in accordance with AS 4282 guidelines, and that reminders of correct configuration as per condition B85 are included into toolbox talks, pre-starts and potentially as high-visibility stickers on the units. During the site inspection it was confirmed that permanent lighting and mobile lighting plant heads were angled down below horizontal (see **Plate 2**, **Plate 7**, **Plate 11**, **Plate 12**, **Plate 13**). AF (pers comms) provided an update on improvements to lighting management implemented at UW since late 2022, including the new Lighting Management Procedure. Sighted email from JH dated

Cond	Development Consent SSD 7142	Status	Evidence
			14 December 2022 addressed to UW employees that notes a toolbox talk is to be distributed to all personnel following the lighting complaint received on the 12 December 2022. It is noted that the toolbox talk is a refresher message for those in Production and will provide guidance to those in Maintenance. The email details that it is important to be aware that the set up of lighting plant and any subsequent impacts external to site can be directly controlled through how they are set up. AF (pers comms) confirmed that shift inspections are now completed by UW Supervisors to minimise any visual impacts. Sighted copy of shift inspection report number UWOC-1796953183-13 which checks that lighting plants are directed away from public roads and that there are sufficient lighting plants for night-time operations and that they are appropriately bunded and delineated. AF (pers comms) confirmed that UWJV were the process of reviewing the model of lighting plants to be used in more elevated areas of the site and provided the March 2023 version of the UWJV Lighting Plant Procedure. **It is recommended that UWJV continue to regularly review the siting and operation of mobile lighting plant required for night-time operations and consider the potential for off-site lighting impacts.**

Cond	Development Consent SSD 7142	Status	Evidence
	(b) undertake roadside tree planting along the Golden Highway, in consultation with RMS, to screen views of the development from road users;	C	AF (pers comms) confirmed there were originally plans in the UWJV EIS to realign the Golden Highway therefore no infill roadside tree planting has started. UWJV had recently re-commenced this process. Sighted copy of ERR Australia (ERR) UW Visual Screening Review dated 23 August 2023. The review notes that ERR was engaged to conduct a review of the visual screening of the mine along the Golden Highway with the purpose to: • Evaluate the recommendations of a previous assessment completed by EMM in 2021, considering vegetation growth in the intervening time; and • Assist with compliance with Schedule 2, Condition B85 (a), (b) and (g) of SSD 7142. Section 3 of the ERR review notes that the previous EMM report identified four locations along the Golden Highway where the mining operations were visible to passing motorists and there were actions UWJV could take to reduce these views. It is noted that there were no further locations identified during the inspection on 7 August 2023 where views of the operation were visible to the public. **It is recommended that UWJV consider the findings of the ERR (2023) visual review and implement additional roadside plantings along the Golden Highway to screen views of the site, in consultation with RMS.**

Cond	Development Consent SSD 7142	Status	Evidence
	(c) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;	C	During the site visit, it was confirmed that no fixed outdoor lights were directed to shine above horizontal or above the building line or any illuminate structure, (see **Plate 2**, **Plate 7**, **Plate 11**). Refer to condition B85(a) above.
	(d) ensure no in-pit mobile lighting rigs shine directly above the pit wall and other mobile lighting rigs do not shine directly above the horizontal (except where required for emergency safety purposes);	C	See Condition 85(a) above.
	(e) ensure that all external lighting associated with the development complies with relevant Australian Standards including the latest version of *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*;	C	See condition 85(a) above.
	(f) ensure that the visual appearance of all new buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape; and	C	AF (pers comms) confirmed that the visual appearance of all new buildings is aimed to blend in as far as possible with the surrounding landscape. The site inspection confirmed that all permanent UWJV buildings, structures, facilities and works is aimed at blending as far as possible with the surrounding landscape, see **Plate 7**.
	(g) take all reasonable steps to shield views of mining operations and associated equipment from users of public roads and privately-owned residences.	C	AF (pers comms) confirmed that there is a visual bund on site to shield views from the public roads. The visual bund was sighted during the site audit. **See comments above in Condition B85(b) regarding additional screening plantings recommended to be established along the Golden Highway.** Sighted lighting camera photo from an inspection dated 13 August 2023. Sighted copy of Shift Inspection Report – Statutory (Inspection Area 1 – Montrose Pit) form ref: UWOC-1796953183-13 which

Cond	Development Consent SSD 7142	Status	Evidence
			includes checks for sufficient lighting plants for night-time operations and are they appropriately bunded and delineated
Additional Visual Mitigation			
B86.	The Applicant must consult with the owners of potentially affected residences in the Moses Crossing and South Wambo areas to identify appropriate site-specific visual mitigation measures, including tree screens or landscaping, to minimise visual impacts of the development.	C	AF (pers comms) confirmed that there were attempted negotiations with the South Wambo resident and UWJV were awaiting a response from them. Sighted UWJV letter dated 8 September 2021 addressed to Jerrys Plains residents in regards to a visual mitigation offer from UW operations. The letter notes following discussion on Friday 3 September 2021. UW note their agreement to make a formal offer to the resident in writing with regards to commitment to provide visual mitigation alteration works to the property as per Condition B86 and B87 of the UW development consent SSD 7142. Sighted UWJV consultation summary report with the landholder over this mitigation. Records indicate that consultation with the landholders over visual mitigation measures commenced on 07/10/20.
B87.	If both parties agree on the measures that should be implemented to minimise the visual impact of the development, then the Applicant must implement these measures to the satisfaction of the Planning Secretary.		Viewed Mining Impact Agreement 1 July 2022 reached with Moses Crossing resident regarding visual impacts.
B88.	If the Applicant and the landowner disagree on the level of impact or the measures that should be implemented to minimise the visual impact of the development, then either party may refer the matter to the Planning Secretary for resolution.	NT	AF (pers comms) confirmed that there have been no disagreements by either party.
Hunter Valley Gliding Club			

Cond	Development Consent SSD 7142	Status	Evidence
B89.	Prior to the commencement of Phase 2, or other timeframe agreed by the Planning Secretary, the Applicant must enter into an agreement (unless or until both parties agree there is no need for an agreement) with Hunter Valley Gliding Club Co-operative Limited to address the potential impacts of the development on the Hunter Valley Gliding Club facilities and associated recreational activities. This agreement must take into consideration requirements under this consent and any other opportunities to minimise visual, dust, blasting and noise impacts and air safety risks, including: (a) adjusting operations when the facilities are in use;	C	Viewed Deed of Agreement for Mitigation Measures between UWJV and the HVGC dated 29 January 2021.
	(b) planting tree screens along the realigned section of the Golden Highway; and	NT	AF (pers comms) confirmed the Golden Highway has not been realigned.
	(c) constructing new infrastructure and overburden emplacements to comply with Civil Aviation Safety Authority codes and/or guidelines, where relevant.	C	See Condition B89(a) above.
B90.	If the Applicant and Hunter Valley Gliding Club Co-operative Limited cannot come to an agreement under condition B89, then either party may refer the matter to the Planning Secretary for resolution.	NT	See Condition B89.
WASTE			
B91.	The Applicant must: (a) take all reasonable steps to minimise the waste (including coal rejects) generated by the development;	C	Sighted copy of the UWJV Waste Management Plan which noted the purpose of the document is to describe the standards and strategies for the management of waste produced at UW. The document outlines legislation and policy impacting on waste management as well as providing instructions on the correct handling, storage and disposal of waste materials. The desktop review confirmed that the copy of the Waste Management Plan provided at the time of the audit did not have a date or reference number on the document. **It is recommended that the UWJV Waste Management Plan is reviewed and updated to include a date the document was created or updated and a reference**

Cond	Development Consent SSD 7142	Status	Evidence
			number. The site inspection confirmed that there were segregated waste skip bins in place around the site, see **Plate 18**, **Plate 24**, **Plate 25**. Sighted copy of Monthly Environmental Inspection form dated 24 April 2023 which records correct disposal of waste. Findings in the form include bins full although scheduled to be serviced that day, filled above the lip of the skip bin, pallets in general waste bin that should be in timber skip bin. **It is recommended that waste segregation requirements are regularly communicated to UWJV personnel during training.** Sighted copy of JR Richards tax invoice dated 31 August 2023 for vac out blast holes. Sighted copy of JR Richards Total Waste Report dated August 2023 which records invoices for mixed solid waste, recyclables, scrap metal, regulated waste, and additional services including drain cleaning.
	(b) dispose of all waste at appropriately licensed waste facilities;	C	AF (pers comms) confirmed that JRR Richards are the waste contractor for the site and complete regular services. Sighted copy of Monthly Environmental Inspection form dated 30 June 2022 which notes that JR Richards is the waste service provider.

Cond	Development Consent SSD 7142	Status	Evidence
	(c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and	C	See Condition B91(a) above.
	(d) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition E11.	C	Section 6.7.1 of the 2020 Annual Review provides a summary of waste performance in 2020. Section 6.7.1 of the 2021 Annual Review provides a summary of waste performance in 2021. Section 6.7.1 of the 2022 Annual Review provides a summary of waste performance in 2022.
B92.	Except as expressly permitted in an applicable EPL, specific resource recovery order or exemption under the *Protection of the Environment Operations (Waste) Regulation 2014*, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	C	AF (pers comms) confirmed there is no receival of waste on site for storage, treatment, processing, reprocessing or disposal.
DANGEROUS GOODS			
B93.	The Applicant must ensure that the storage, handling, and transport of: (a) dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code; and	C	AF (pers comms) confirmed that there is a Hydrocarbon Management Plan for the site. AF (pers comms) confirmed there is also a Hazardous chemical manifest for the site. Sighted UWJV Schedule 11 Hazardous Chemicals Manifest date of preparation 14 August 2023 which lists chemicals in class/ division, UN number, description/ shipping name, product, location and maximum quantity stored. During the site inspection all chemicals were observed to be on bunding, (see **Plate 1 - Plate 4**, **Plate 5**, **Plate 6**).
	(b) explosives are managed in accordance with the requirements of the Resources Regulator.	C	Sighted Safework Notification of Hazardous Chemicals on Premises letter

Cond	Development Consent SSD 7142	Status	Evidence
			dated 10 April 2022.
BUSHFIRE MANAGEMENT			
B94.	The Applicant must: (a) ensure that the development: (i) provides for asset protection in accordance with the relevant requirements in the Planning for Bushfire Protection (RFS, 2006) guideline; and (ii) ensure that there is suitable equipment to respond to any fires on the site; and	C	Sighted copy of the Bushfire Management Plan version 3, dated 31 March 2022. Section 6.2 of the Bushfire Management Plan describes asset protection. Sighted copy of UW Bushfire Emergency Plan version 3, dated August 2023. Sighted copy of UWJV Monthly Environmental Inspection dated 24 April 2023 which notes that vegetation around infrastructure is being managed, weeds and overgrown grass is being managed, primary and secondary access tracks are clear for use where there are visible signs of weed infestation the areas are being assessed and managed as required. Sighted copy of UWJV Monthly Environmental Inspection dated 30 June 2022 which notes that vegetation around infrastructure is being maintained and infrastructure areas are clear of vegetation and combustible materials. It is noted that the observations / findings section has not been filled in for adequate access tracks and visible signs of weed infestations. Tagged fire equipment was sighted during the site inspection, see **Plate 10**.
	(b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.	C	Section 7 of the Bushfire Management Plan notes the RFS will have the lead role in emergency response for the UW site. However, due to the potential presence of gases and explosive material, NSW Fire and Rescue (NSWF&R) may also be

Cond	Development Consent SSD 7142	Status	Evidence
			involved if a HAZMAT is declared.
B95.	Prior to the commencement of Phase 1A, the Applicant must prepare a Fire Management Plan for the development in consultation with RFS. This plan must include a: (a) contact person and 24 hour contact phone number;	C	AF (pers comms) confirmed that the updated Bushfire Management Plan has been sent to the RFS although no response has been received to date. Section 9 of the Bushfire Management Plan includes a contact person and 24 hour contact phone number
	(b) schedule and description of proposed bushfire mitigation works, including: (i) location of managed and unmanaged vegetation within the site; (ii) location of water supply; and (iii) internal access roads;	C	(i) Section 5.3 of the Bushfire Management Plan and Figure 5-2 describe the location of managed and unmanaged vegetation within the site (ii) Section 6.3.6.2 and Figure 6-3 of the Bushfire Management describes the location of Water Points (iii) Section 6.3.6.2 and Figure 6-3 of the Bushfire Management describes the location of UW Tracks
	(c) plan identifying the location and storage of bulk flammable liquids and materials;	C	Appendix B of the Bushfire Management Plan includes a UW Bushfire Emergency Plan with the location of hydrocarbon storage areas
	(d) 'hot works' management plan, including: (i) restrictions on when 'hot works' are limited and prohibited; and (ii) safety measures to be implemented when 'hot works' are being conducted; and	C	(i) Section 6.3.5 of the Bushfire Management Plan describes hot works management and Hot Work (Surface) Permits. (ii) Section 6.3.5 of the Bushfire Management Plan describes safety measures to be implemented when hot works are conducted. Tagged portable fire equipment was sighted during the site inspection.

Cond	Development Consent SSD 7142	Status	Evidence
	(d) emergency/evacuation plan in accordance with the Guidelines for the Preparation of Emergency/Evacuation Plans (RFS) and Australian Standard AS3745 Planning for emergencies in facilities.	C	Section 7.1 of the Bushfire Management Plan notes the United Wambo Emergency Management Plan (EMP) has been developed for UW to assist with the response to emergency situations. It includes a number of potential emergency scenarios and the response procedures to be initiated in the event of an emergency, including fires.
B96.	The Applicant must implement the Fire Management Plan in consultation with RFS.	C	Viewed UWJV email to RFS dated 29/09/23, seeking their review of the updated Bushfire Management Plan.
REHABILITATION			
Rehabilitation Objectives			
B97.	The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the document/s listed in condition A2(c) (and shown conceptually in the figure in Appendix 8), and must comply with the objectives in Table 6.	C	Sighted copy of UWJV Rehabilitation Management Plan (RMP) version 1, dated 1 August 2022. Section 4.1 of the RMP describes rehabilitation objectives and rehabilitation completion criteria for the site.

<table>
<tr><th>Cond</th><th>Development Consent SSD 7142</th><th>Status</th><th>Evidence</th></tr>
<tr><td></td><td>
Table 6: Rehabilitation objectives
<table>
<tr><th>Feature</th><th>Objective</th></tr>
<tr><td>All areas of the site affected by the development</td><td>• Safe, stable and non-polluting
• Fit for the intended post-mining land use/s</td></tr>
<tr><td>Areas proposed for Ecological Mine Rehabilitation under condition B61</td><td>• Restore self-sustaining native woodland ecosystems that:
– align with reference sites in the local area; and
– use State-recognised plant communities to meet the applicable EPBC Act or BC Act listing criteria for the CEEC or EEC in Table 5</td></tr>
<tr><td>Areas proposed for native woodland</td><td>• Establish a minimum of 1,300 hectares of Open Woodland Revegetation to satisfy condition B69
• Restore self-sustaining native woodland ecosystems using species found in the local area and complement the areas proposed for Ecological Mine Rehabilitation
• Establish areas of self-sustaining:
– riparian vegetation, within any diverted and/or re-established creek lines and retained water features;
– habitat resources for threatened flora and fauna species, particularly the Swift Parrot, Regent Honeyeater, Spotted-tailed Quoll and Koala; and
– vegetation connectivity and wildlife corridors, as far as is reasonable and feasible</td></tr>
<tr><td>Areas proposed for agricultural land</td><td>• Establish/restore grassland areas to support sustainable agricultural activities
• Achieve Land and Soil Capability Class IV
• Locate adjacent to surrounding agriculture land</td></tr>
<tr><td>Final Landform</td><td>• Stable and sustainable for the intended post-mining land use/s
• Integrated with surrounding natural landforms and rehabilitated landforms of surrounding mines, to the greatest extent practicable
• Incorporate micro-relief and drainage lines that are consistent with surrounding topography, to the greatest extent practicable
• Maximise surface water drainage to the natural environment (excluding final void catchment)
• Minimise visual impacts, to the greatest extent practicable</td></tr>
<tr><td>Final voids</td><td>• Designed as long term groundwater sinks to maximise ground water flows across back filled pits to the final void
• Minimise to the greatest extent practicable:
– the size and depth of final voids;
– the drainage catchment of final voids;
– any high wall instability risk; and
– the risk of flood interaction
• Maximise potential for beneficial reuse, to the greatest extent practicable</td></tr>
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</td><td></td><td></td></tr>
<tr><td></td><td>
<table>
<tr><th>Feature</th><th>Objective</th></tr>
<tr><td>Surface infrastructure of the development, including the United CHPP and surface infrastructure constructed under DA 410-11-2002-i</td><td>• To be decommissioned and removed, unless the Resources Regulator agrees otherwise</td></tr>
<tr><td>Rehabilitation materials</td><td>• Materials from areas disturbed under this consent (including topsoils, substrates and seeds) are to be recovered, managed and used as rehabilitation resources, to the greatest extent practicable</td></tr>
<tr><td>Water quality</td><td>• Water retained on the site is fit for the intended post-mining land use/s
• Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation</td></tr>
<tr><td>Community</td><td>• Ensure public safety
• Minimise adverse socio-economic effects associated with mine closure</td></tr>
</table>
</td><td></td><td></td></tr>
<tr><td>B98.</td><td>The rehabilitation objectives in Table 6 apply to the entire site, including all landforms constructed</td><td>Note only</td><td>Noted.</td></tr>
</table>

Cond	Development Consent SSD 7142	Status	Evidence
	under either this consent or previous consents. However, the Applicant is not required to undertake any additional earthmoving works on landforms that have been approved and constructed under previous consents.		
Progressive Rehabilitation			
B99.	The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.	C	Rehabilitation established at UW during the audit period is listed in Condition B69. AF (pers comms) confirmed that interim stabilisation and temporary vegetation strategies have not been employed during the audit period, due to limited areas available for this activity. The site inspection confirmed that progressive rehabilitation is occurring on the site, **Plate 16**.
	Note: This condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated.	Note only	Noted
Rehabilitation Strategy			
B100.	The Applicant must prepare a Rehabilitation Strategy for the development to the satisfaction of the Planning Secretary. This strategy must: (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;	C	Sighted Rehabilitation Strategy version 3, dated 7 September 2022. Section 9 of the Rehabilitation Strategy notes the Strategy has been prepared by a suitably experienced and qualified person, Chris Jones from SLR, who's appointment has been endorsed by the Planning Secretary. Appendix B of the Rehabilitation Strategy includes a Endorsement of Specialist letter dated 13 July 2020 for Chris Jones of SLR.
	(b) be prepared in consultation with the Resources Regulator and Council;	C	Appendix A of the Rehabilitation Strategy describes consultation with the Resources Regulator and Singleton Council
	(c) include a program to review and refine the final landform and final void outcomes every five years,	C	AF (pers comms) noted the next five-

Cond	Development Consent SSD 7142	Status	Evidence
	in consultation with the Resources Regulator and Council, to meet the relevant Rehabilitation Objectives in Table 6;		yearly review is due as part of the 2025 Life of Mine review.
	(d) build upon the Rehabilitation Objectives in Table 6 and the Rehabilitation Plans in Appendix 8 including identification of opportunities for increasing the areas of woodland and habitat connectivity within the rehabilitated landscape;	C	Section 5 of the Rehabilitation Strategy includes a summary of rehabilitation objectives, which refers to future opportunities to increase habitat connectivity.
	(e) include details of the canopy, sub-canopy, understorey and ground strata species to be established in the rehabilitation areas, with a particular focus on ensuring the achievement of an appropriate level of diversity and mix of functional groups within each target community;	C	Appendix D of the Rehabilitation Strategy includes the proposed seed mix for rehabilitation species.
	(f) identify opportunities for the incorporation of preferred feed trees, foraging resources and habitat features for threatened fauna species; and	C	Section 12.8 and Appendix D of the Rehabilitation Strategy includes the proposed seed mix for rehabilitation species, including resources for threatened species.
	(g) include an indicative schedule for the staged rehabilitation of the development.	C	Appendix E of the Rehabilitation Strategy includes Indicative Mine Stage Plans.
B101.	The Applicant must not commence Phase 2 until the Rehabilitation Strategy is approved by the Planning Secretary.	C	Deemed compliance in previous IEA.
B102.	The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary.	C	AF (pers comms) confirmed there have been no AMD issues, reject buried below surface area and no spontaneous combustion issues identified during the audit period.
Rehabilitation Management Plan			
B103.	The Applicant must prepare a Rehabilitation Management Plan for all land disturbed by the development in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Sighted copy of RMP version 1, dated 1 August 2022. Table 2-1 of the RMP notes The draft RMP was prepared by Chris Jones and Renae Gifford from SLR and an RMP update was

Cond	Development Consent SSD 7142	Status	Evidence
			completed in 2022 to be in accordance with the new Resources Regulator guidelines by Tawna Ryan and Chris Jones from IEMA.
	(b) be prepared in consultation with the Department, DPIE Water, BCD, MEG and Council;	C	Section 4.2.2 of the RMP outlines stakeholder consultation in 2022. A copy of the draft RMP was sent to the DPE, Water NSW, BCD, MEG and Singleton Council July 2022.
	(c) be prepared in accordance with any relevant Resources Regulator Guideline;	C	Section 2.1 of the RMP refers to contemporary rehabilitation guidelines.
	(d) describe how the rehabilitation of the site would achieve the objectives identified in Table 6, the outcomes described in the Rehabilitation Strategy referred to in condition B100 and be integrated with the measures in the Biodiversity Management Plan referred to in condition B71;	C	Section 4 of the RMP describes Rehabilitation Objectives and Rehabilitation Completion Criteria.
	(e) include detailed mine plan and final landform designs;	C	Figure 5-1 and 5-2 in the RMP show final landform features and final landform contours.
	(f) include detailed plans for the establishment of: (i) Ecological Mine Rehabilitation under condition B61; (ii) Open Woodland Revegetation under condition B69; and (iii) other rehabilitated native woodland areas and grassland areas, which include detailed performance and completion criteria for evaluating rehabilitation success for these communities and the establishment of land capability in grassland areas;	C	Section 6.2.5 of the RMP outlines the methodologies to establish and manage appropriate vegetation communities for the intended final land use.
	(g) include a protocol for regular reviews to demonstrate that rehabilitation of the vegetation communities listed under paragraph (f) is on target to be achieved, and for triggering any necessary remedial action;	C	Section 7 of the RMP describes the Rehabilitation Quality Assurance Process that aims to ensure rehabilitation is being implemented in accordance with the nominated methodologies, those responsible for the implementation are identified and risks to rehabilitation are adequately identified and addressed at each phase of rehabilitation.

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	(j) describe the measures to be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform (including final voids), final land use/s and water management in the final landform;	C	The RMP describes decommissioning, landform establishment and water management in the final landform.
	(i) include procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise the area exposed for dust generation;	C	Section 6.2.1.15 of the RMP describes Interim stabilisation and temporary vegetation strategies.
	(j) include a program to monitor, independently audit and report on the effectiveness of the measures in paragraph (h), and progress against the detailed performance and completion criteria in paragraph (f);	C	Section 8 of the RMP includes a Rehabilitation Monitoring Program.
	(k) to the greatest extent practicable build on and integrate with the other management plans required under this consent; and	C	Section 7 and Table 7-1 describe other relevant UW management plans.
	(l) include detailed scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next three years.	C	Figure 6-4 shows Rehabilitation Schedule 2025 and Figure 6-5 shows the Rehabilitation Schedule 2030.
B104.	Deleted.		
B105.	Deleted.		
	Notes: - *The Resources Regulator may permit the Rehabilitation Management Plan to be combined with a Mining Operations Plan, or similar plan, required under any mining lease granted for the development.*	Note only	Noted
Mine Closure			
B106.	At least 5 years prior to the planned cessation of mining operations, the Applicant must prepare a Mine Closure Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared in consultation with the Resources Regulator and Council;	C	Sighted copy of UWJV Operational Mine Closure Plan version 4, dated 3 August 2023. Section 2.3.1 of the document notes that due to the status of site operations, consultation with external stakeholders has not been undertaken.
	(b) integrate final rehabilitation and mine closure requirements with those of the Wambo Mining Complex, to the greatest extent practicable;	C	Table 2-2 of the UWJV Operational Mine Closure Plan describes the operational mine closure plan requirements

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	(c) include a final land use strategy to investigate potential post-mining beneficial land uses for the site (including the final voids), that: (i) align with local strategic planning instruments; (ii) provide a sustainable future for the local community; (iii) utilise existing mining infrastructure, where practicable; and (iv) do not compromise ecological rehabilitation requirements;	C	Section 4.4 of the of UWJV Operational Mine Closure Plan describes the conceptual final land use domains for the Project. Section of the 4.5 UWJV Operational Mine Closure Plan notes that conceptually, the plan proposes that the predominant final post-mining land use for the site will generally include returning the site to native vegetation made up of predominantly endemic species (comprising trees, shrubs and grasses), interspersed with pasture. All infrastructure will be demolished and removed from the site. The exception may be where it can be demonstrated that there is a feasible post-mining use of the facility.
	(d) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local employment levels; and	NT	Section 4.7 of the UWJV Operational Mine Closure Plan notes A Social Impact Assessment (SIA) would be developed as part of the detailed Mine Closure Plan, within five years of end of mine life. This SIA would be undertaken to quantify to the implications of closure of UW on the community.
	(e) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development and describe how the performance of these measures would be monitored over time.	C	Appendix B to the Mine Closure Plan presents pre-closure risks that were identified in the 2022 review and the status of each.
B107.	The Applicant must implement the Mine Closure Plan as approved by the Planning Secretary.	C	See Condition B106 above.
SOCIAL			
Social Impact Management Plan			

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B108.	The Applicant must prepare a Social Impact Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	C	Section 4.1 of the Social Impact Management Plan (SIMP) notes the document was prepared by Umwelt (Australia) Pty Limited (Umwelt) under the direction of the National Social Practice Lead – Dr Sheridan Coakes.
	(b) be prepared in consultation with Council, the CCC, affected communities (Jerrys Plains, Warkworth Village, Maison Dieu and Bulga) and other interested stakeholders (to the greatest extent practicable);	C	Section 4.3 of the SIMP describes stakeholder engagement and notes A range of stakeholders were identified to be involved in the SIMP engagement program, including those who were engaged during the SIOA for the Project, with additional stakeholders identified to meet condition requirements including the Singleton Council, members of the United/Wambo CCC, and residents of potentially impacted communities (Jerrys Plains, Warkworth Village, Maison Dieu and Bulga). Appendix E of the SIMP includes a consultation record with Singleton Council, CCC, DPIE and DPE.
	(c) identify negative social impacts resulting from the development both locally and regionally;	C	Table B-1 in Appendix B identifies the social impacts of the project.
	(d) specify adaptive management and mitigation measures to avoid, minimise, and/or mitigate negative social impacts;	C	Table C-1 of the SIMP describes Community Identified strategies for consideration.
	(e) identify opportunities to secure and enhance positive social impacts of the development, including opportunities to: (i) assist in maintaining community services and facilities; and (ii) improve the way of life, wellbeing, and social cohesion within the local community;	C	(i) Table C-1 of the SIMP notes Appendix 9 of the SSD 7142 consent details the PA with Council and stipulates $1.325 Million dollars to be spent on funding of community infrastructure and services for local affected communities, including Jerrys Plains

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			and Warkworth. (iv) Table C-1 of the SIMP describes commitments to improve way of life. Section 5.4 of the SIMP also notes Planning Agreement is being negotiated with Singleton Council, with Condition A18 and Appendix 9 of the Development Consent conditions outlining the requirements of the Agreement. As part of the Planning Agreement, funds are to be allocated to a Singleton Community and Economic Development Fund ($1.325 million) to be used across the local government area, with a further provision of funds ($1.325 million) to be used to fund community infrastructure and services for the locally affected communities, including Jerrys Plains and Warkworth.
	(f) include a program to monitor, review, and report on the effectiveness of these measures, including: (i) identifying representative parameters or indicators to be monitored, how and when data is to be collected, and who is responsible for collecting it; (ii) ongoing analysis of social risks; and (iii) undertaking additional research, if necessary, to reduce uncertainties; and	C	(i) Section 5 of the SIMP describes Managing and Monitoring Social Impacts. (ii) Section 6.2 of the SIMP describes monitoring and evaluation. (iv) Appendix B of the SIMP describes a detailed Social Impacts and Opportunities Assessment that was undertaken for the UW during the preparation of the EIS in 2016.
	(g) include a Stakeholder Engagement Plan to guide the evaluation and implementation of social	C	Table 5-3 of the SIMP includes a

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	impact management and mitigation measures.		Stakeholder Engagement Plan.
B109.	The Applicant must not commence Phase 1B until the Social Impact Management Plan is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
B110.	The Applicant must implement the Social Impact Management Plan as approved by the Planning Secretary.	C	Section 5 of the SIMP outlines actions to be implemented to address the predicted social impacts, including a Stakeholder Engagement Strategy, Impact Mitigation Strategy and Community Development Strategy.
PART C – CONSTRUCTION SPECIFIC ENVIRONMENTAL CONDITIONS			
CONSTRUCTION			
Construction Hours			
C1.	During Phase 1A, the Applicant may undertake approved construction works 24 hours a day, excluding the construction of the Golden Highway realignment, which must be undertaken during standard construction hours (7 am to 6 pm, Monday to Friday and 8 am to 1 pm on Saturdays), unless the Planning Secretary agrees otherwise.	NT	Phase 1A occurred outside of the audit period. The Golden Highway realignment has not commenced.
Construction Noise			
C2.	The Applicant must ensure that the construction noise from Phase 1A does not exceed the operational noise criteria in Table 1, except where an alternative temporary limit has been approved by the Planning Secretary for specific works or where the Applicant has an agreement with the owner/s of the relevant residence/land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.	NT	Phase 1A occurred outside of the audit period.
Flood Modelling			
C3.	The detailed design of the proposed flood levee and Golden Highway realignment must be based on the latest available flood data for the area.	NT	The Golden Highway realignment has not commenced.
Golden Highway Realignment			
C4.	The Applicant must submit detailed design drawings for the proposed realignment of the Golden Highway, including a Design Report in accordance with Austroads Guidelines, relevant Australian Standards and to RMS requirements. The design must be submitted to RMS for review prior to issue of	NT	See Condition C3 above.

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	a construction certificate for the Golden Highway realignment and be in accordance with the RMS CADD Manual.		
C5.	The Applicant shall enter into a Works Authorisation Deed (WAD) prior to the Construction Certificate for the realignment & construction of the Golden Highway. RMS would exercise its powers and functions of the roads authority, to undertake road works in accordance with sections 64, 71, 72 and 73 of the Roads Act 1993, as applicable, for all works under the WAD.	NT	See Condition C3 above.
C6.	All road works associated with the Golden Highway realignment works associated with the subject development shall be undertaken at full cost to the Applicant and at no cost to RMS or Council.	NT	See Condition C3 above.
C7.	Following the completion of the Golden Highway realignment works, the Applicant shall enact the closure of the redundant section of the Golden Highway in accordance with the Roads Act 1993, by submitting the road closure to the relevant roads authority for approval.	NT	See Condition C3 above.
Construction Traffic Management Plan			
C8.	The Applicant must prepare a Construction Traffic Management Plan for the Golden Highway realignment to the satisfaction of RMS. This plan must: (a) describe the measures to be implemented to minimise traffic safety issues and disruption to other road users;	NT	See Condition C3 above.
	(b) include a vehicle movement plan and traffic control plan for: (i) managing light, heavy and over-dimensional vehicles during construction works; (ii) transporting construction waste materials; and (iii) restricting construction or transportation hours to avoid road user conflicts;	NT	See Condition C3 above.
	(c) include a plan to ensure that suitable access is maintained for all properties affected by the construction works; and	NT	See Condition C3 above.
	(d) include procedures for notifying other road users of any construction works that may disrupt their usual use of the road.	NT	See Condition C3 above.
C9.	The Applicant must not commence construction works associated with the Golden Highway until the Construction Traffic Management Plan is accepted by RMS.	NT	See Condition C3 above.
Construction Environmental Management Plan			
C10.	The Applicant must prepare a Construction Environmental Management Plan for Phase 1A to the satisfaction of the Planning Secretary. This plan must:	C	Deemed Compliant in previous IEA.

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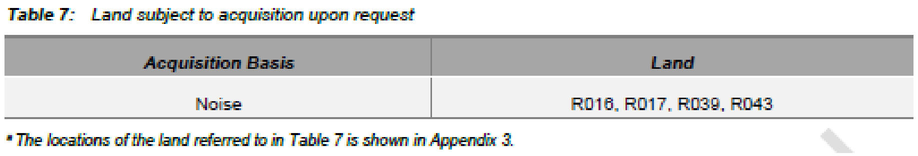
	(a) be prepared in consultation with the EPA and the relevant roads or utilities authorities;		
	(b) provide the specific environmental management measures for Phase 1A construction works (excluding the Golden Highway realignment); and	C	Deemed Compliant in previous IEA.
	(c) describe the measures to be implemented to minimise construction-related traffic, noise, dust and visual impacts, including minimising surface disturbance.	C	Deemed Compliant in previous IEA.
C11.	The Applicant must not commence Phase 1A until the Construction Environmental Management Plan is approved by the Planning Secretary.	C	Deemed Compliant in previous IEA.
C12.	The Applicant must implement the Construction Environmental Management Plan as approved by the Planning Secretary.	C	Deemed Compliant in previous IEA.
PART D – ADDITIONAL PROCEDURES			
ACQUISITION UPON REQUEST			
D1.	Upon receiving a written request for acquisition from the owner of the privately-owned landa listed in Table 7, the Applicant must acquire the land in accordance with the procedures in conditions D11 to D18, inclusive.	NT	AF (pers comms) confirmed that there have been no written requests for acquisition under Condition D1 during the audit period.
	 *Table 7: Land subject to acquisition upon request* **Acquisition Basis** – **Land** Noise – R016, R017, R039, R043 ** The locations of the land referred to in Table 7 is shown in Appendix 3.*		
ADDITIONAL MITIGATION UPON REQUEST			
D2.	Upon receiving a written request from the owner of any residence on the privately-owned land$_a$ listed in Table 7 or Table 8, the Applicant must implement additional mitigation measures at or in the vicinity of the residence in consultation with the landowner. These measures must be consistent with the measures outlined in the Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (NSW Government, 2018). They must also be reasonable and feasible, proportionate to the level of predicted impact and directed towards reducing the relevant noise and/or air quality impacts of the development. The Applicant must also be responsible for the reasonable costs of ongoing maintenance of these additional mitigation measures until the cessation of mining operations.	NT	AF (pers comms) confirmed there have been no written requests for mitigation under Condition D2 during the audit period.

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	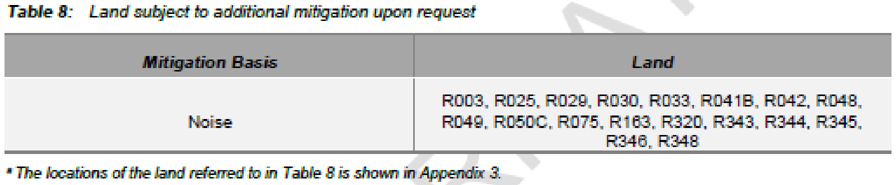 *Table 8: Land subject to additional mitigation upon request* **Mitigation Basis** – **Land** Noise – R003, R025, R029, R030, R033, R041B, R042, R048, R049, R050C, R075, R163, R320, R343, R344, R345, R346, R348 ** The locations of the land referred to in Table 8 is shown in Appendix 3.*	NT	AF (pers comms) confirmed there have been no written requests during the audit period.
D3.	If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.	NT	AF (pers comms) confirmed there have been no written requests during the audit period.
NOTIFICATION OF LANDOWNERS/TENANTS			
D4.	Within one month of the date of this consent, the Applicant must: (a) notify in writing the owner of: (i) the land listed in Table 7 that they have the right to require the Applicant to acquire their land at any stage during the development; (ii) the residences on the land listed in Table 7 and Table 8 that they are entitled to ask the Applicant to install additional mitigation measures at the residence; and (iii) any privately-owned land within 3 kilometres of the approved open cut mining pit/s that they are entitled to ask the Applicant for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated;	C	Deemed Compliant in previous IEA.
	(b) notify the tenants of any mine-owned land of their rights under this consent; and	C	Deemed Compliant in previous IEA.
	(c) send a copy of the NSW Health fact sheet entitled *"Mine Dust and You"* (NSW Health, 2017) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the document/s listed in condition A2(c) identify that dust emissions generated by the development are likely to be greater than the relevant air quality criterion in PART B of this consent at any time during the life of the development.	C	Deemed Compliant in previous IEA.
D5.	Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must: (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled *"Mine Dust and You"* (NSW Health, 2017); and	C	AF (pers comms) confirmed that a copy of the NSW Health Fact Sheet 'Mine Dust and You' is provided to tenants with their Residential Tenancy Agreement. Sighted Residential Tenancy Agreement dated 29 March 2022. Section 49 of the Tenancy Agreement notes the landlord

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			agrees that if, during the tenancy, the landlord becomes aware that the premises are subject to significant health or safety risk, the landlord will advise the tenant in writing, within 14 days of becoming aware, that the premises are subject to the significant health or safety risk and the nature of the risk. Sighted copy of NSW Health Factsheet 'Mine Dust and You' attached to tenancy agreement. Sighted copy of Wambo Mining Corp LTD Additional Terms of Residential Tenancy Agreement which notes the landlord and tenant acknowledge that dust from their coal mining operations may impact the premises. The tenant acknowledges that the additional terms of this Residential Tenancy Agreement apply in respect of any impacts to the premises from dust and that the tenant acknowledges they have received the NSW Mine Dust and You Fact sheet.
	(b) advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Planning Secretary.	C	See Condition D5 above.
NOTIFICATION OF EXCEEDANCES			
D6.	As soon as practicable and no longer than 7 days after obtaining monitoring results showing an exceedance of any noise, blasting or air quality criterion in PART B of this consent, the Applicant must provide the details of the exceedance to any affected landowners, tenants and the CCC.	C	Sighted UWJV email addressed to CCC dated 29 July 2021 notifying of a UWJV non-compliance with EPL3141 noise criteria recorded on 22 July 2021, in accordance with Condition D6. Sighted UWJV emails dated 4 November 2021, which provides a notification to UW CCC of air quality criteria exceedance at a mine-owned residence on 29 October

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			2021, in accordance with Condition D6. Sighted UWJV emails dated 21 September 2023, 4 November 2021, 10 February 2022, 9 October 2023 and 30 October 2023 notifying tenants of exceedances of air quality criteria recorded on mine-owned land.
D7.	For any exceedance of any air quality criterion in PART B, the Applicant must also provide to any affected land owners and tenants a copy of the NSW Health fact sheet entitled "Mine Dust and You" (NSW Health, 2017).	C	See Condition D5 above.
INDEPENDENT REVIEW			
D8.	If a landowner considers the development to be exceeding any relevant air quality, noise or blasting criterion in PART B of this consent, they may ask the Planning Secretary in writing for an independent review of the impacts of the development on their residence or land.	NT	AF (pers comms) confirmed that no landowner has asked the Planning Secretary for an independent review during the audit period.
D9.	If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.	NT	See Condition D8 above.
D10.	If the Planning Secretary is satisfied that an independent review is warranted, within 3 months, or other timeframe agreed by the Planning Secretary and the landowner, of the Planning Secretary's decision, the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to: (i) consult with the landowner to determine their concerns; (ii) conduct monitoring to determine whether the development is complying with the relevant criterion in PART B of this consent; and (iii) if the development is not complying with the relevant criterion, identify measures that could be implemented to ensure compliance with the relevant criterion;	NT	See Condition D8 above.
	(b) give the Planning Secretary and landowner a copy of the independent review; and	NT	See Condition D8 above.
	(c) comply with any written requests made by the Planning Secretary to implement any findings of the review.	NT	See Condition D8 above.

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LAND ACQUISITION			
D11.	Within 3 months of receiving a written request for acquisition from a landowner with acquisition rights, the Applicant must 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 development, having regard to the: (i) existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and (ii) presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise and/or air quality mitigation measures in condition D2;	NT	AF (pers comms) confirmed that no written requests for acquisition were received during the audit period.
	(b) the reasonable costs associated with: (i) relocating within the Singleton local government area, or to any other local government area determined by the Planning Secretary; and (ii) obtaining independent legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and	NT	See Condition D11 above.
	(c) reasonable compensation for any disturbance caused by the land acquisition process.		
D12.	If, within 2 months of the binding written offer being made under condition D11, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Planning Secretary for resolution.	NT	See Condition D11 above.
D13.	Upon receiving a request under condition D12, the Planning Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to: (a) consider submissions from both parties;	NT	See Condition D11 above.
	(b) 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 condition D11;	NT	See Condition D11 above.
	(c) prepare a detailed report setting out the reasons for any determination; and	NT	See Condition D11 above.
	(d) provide a copy of the report to both parties.	NT	See Condition D11 above.

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D14.	Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.	NT	See Condition D11 above.
D15.	However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, either party may refer the matter to the Planning 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 Planning Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in condition D11, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.	NT	See Condition D11 above.
D16.	Within 14 days of this determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the Planning Secretary's determination.	NT	See Condition D11 above.
D17.	If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Planning Secretary determines otherwise.	NT	See Condition D11 above.
D18.	The Applicant must pay all reasonable costs associated with the land acquisition process described in conditions D11 to D17 inclusive, 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.	NT	See Condition D11 above.
PART E - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
ENVIRONMENTAL MANAGEMENT			
Environmental Management Strategy			
E1.	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must: (a) provide the strategic framework for environmental management of the development;	C	Sighted Environmental Management Strategy (EMS) version 5, dated 31 August 2023. Section 8 of the EMS describes Strategy and Planning for Environmental Management.
	(b) identify the statutory approvals that apply to the development;	C	Section 4 of the EMS describes Statutory Requirements and Section 8.4 describes

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			Regulatory Requirements.
	(c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	C	Section 9.1 of the EMS outlines roles and responsibilities.
	(d) set out the procedures to be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive record, handle and respond to complaints; (iii) resolve any disputes that may arise during the course of the development; (iv) respond to any non-compliance and any incident; and (v) respond to emergencies; and	C	(i) Section 9.3.1 of the EMS describes consultation and communication with external stakeholders. (j) (ii) Section 9.3.1.1 of the EMS outlines the procedures for handling community complaints. AF (pers comms) noted that UW maintain a 24-hour, seven-day a week community and employee information telephone line, 1800 801 440, to manage complaints and enquires received for United Wambo. The audit desktop review confirmed that the information telephone line is presented on the UW website. (k) (iii) Section 9.3.1.2 of the EMS describes dispute resolution. (l) (iv) Section 9.4 of the EMS describes incident response. Section 10.1.2 of the EMS describes the procedure for environmental monitoring non-compliances. (v) Section 9.4.1 of the EMS describes Emergency Response and Preparedness. Section 9.4.1 notes an Emergency Response Team is maintained and trained to coordinate and respond to emergency situations and accidents, and undertake rescues as required. Preparedness for emergencies by staff, personnel, contractors and

Cond	Development Consent SSD 7142	Status	Evidence
			service providers is undertaken in accordance with on-site training requirements whereby personnel will be appropriately trained in the use of emergency response equipment and procedures, and will be made aware of their responsibilities should such an event occur. UWJV also operate under a Pollution Incident Response Management Plan (PIRMP) (UWOC-1689771511-847), dated 27/04/23.
	(e) include: (i) references to any strategies, plans and programs approved under the conditions of this consent; and (ii) a clear plan depicting all the monitoring to be carried out under the conditions of this consent.	C	(i) Appendix B of the EMS provides a list of UW strategies, plans and programs. (ii) Appendix C of the EMS provides environmental monitoring plans for air quality, blast, noise, surface water and groundwater.
E2.	The Applicant must not commence Phase 1B until the Environmental Management Strategy is approved by the Planning Secretary.	C	Deemed compliant in previous IEA.
E3.	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.	C	See Condition E1 above.
Adaptive Management			
E4.	The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and performance measures in this consent. Any exceedance of these criteria or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation. Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity: (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;	C	AF (pers comms) confirmed that Sediment Dam overflow increased the size of Dam post incident (see Condition B46). AF (pers comms) confirmed that noise attenuation has occurred on some new plant and equipment (see Condition B4).
	(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and	C	Sighted letter dates 11 January 2021 addressed to the DPIE noting enclosed report that provides the investigation

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			findings for the environmental incident that was reported on 4 January 2021. Sighted email dated 20 March 2021 addressed to the Department notifying of an environmental incident involving water overflow from a sedimentation dam at UW MIA construction area. The email notes an investigation will be undertaken and a report provided within seven days.
	(c) implement reasonable remediation measures as directed by the Planning Secretary.	NT	AF (pers comms) noted that DPE has not required any remedial measures to be undertaken during the audit period.
Management Plan Requirements			
E5.	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include where relevant: (a) summary of relevant background or baseline data;	C	The desktop review confirmed that management plans required under the consent include a summary of relevant background data. Section 10.3 of the AQGHGMP describes baseline data. Section 8 of the NMP describes baseline data. Section 6 of the SWMP describes baseline data.
	(b) details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;	C	The desktop review confirmed that management plans required under the consent include details of the relevant statutory requirements (including any relevant approval, licence or lease conditions), any relevant limits or performance measures and criteria and the specific performance indicators that are proposed to be used to judge the performance of, or guide the

Cond	Development Consent SSD 7142	Status	Evidence
			implementation of, the development or any management measures.
	(c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c);	C	The desktop review confirmed that management plans required under the consent include any relevant commitments or recommendations identified in the document/s listed in condition A2(c).
	(d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	C	The desktop review confirmed that management plans required under the consent include a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria.
	(e) a program to monitor and report on the: (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (d);	C	The desktop review confirmed that management plans required under the consent include a program to monitor and report on the impacts and environmental performance of the development and effectiveness of the management measures set out pursuant to paragraph (d).
	(f) 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;	C	The desktop review confirmed that management plans required under the consent include 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.
	(g) a program to investigate and implement ways to improve the environmental performance of the development over time;	C	The desktop review confirmed that management plans required under the consent include a program to investigate

Cond	Development Consent SSD 7142	Status	Evidence
			and implement ways to improve the environmental performance of the development over time.
	(h) a protocol for managing and reporting any: (i) incident, non-compliance or exceedance of any impact assessment criterion and performance criterion; (ii) complaint; or (iii) failure to comply with other statutory requirements; and	C	The desktop review confirmed that management plans required under the consent include a protocol for managing and reporting any incident, non-compliance or exceedance of any impact assessment criterion and performance criterion, complaint failure to comply with other statutory requirements.
	(k) a protocol for periodic review of the plan.	C	The desktop review confirmed that management plans required under the consent include a protocol for periodic review of the plan.
	Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	Note only	Noted.
REVISION OF STRATEGIES, PLANS AND PROGRAMS			
E6.	Prior to commencement of Phase 2, the Applicant must review and, where necessary, update and resubmit to the Planning Secretary for approval, all strategies, plans and programs required under this consent.	C	Deemed compliant in previous IEA.
E7.	Within three months of: (a) the submission of an incident report under condition E9;	C	Sighted UW Revision of EMS Documents register which lists details of trigger for update, date triggered, date required to complete, date required to submit updated documents and if a full EMS review is required.
	(b) the submission of an Annual Review under condition E11;	C	Sighted UW Revision of EMS Documents register which details a 2021 review completed and submitted to DPIE on the 24 June 2021 after the Annual Review. Sighted UW Revision of EMS Documents

Cond	Development Consent SSD 7142	Status	Evidence
			register which details a 2023 review completed and submitted to DPE on 29 June 2023 after an Annual Review.
	(c) the submission of an Independent Environmental Audit under condition E12; or	C	Sighted UW Revision of EMS Documents register which details that a review was completed after the 2020 IEA and submitted to the DPIE on 24 June 2021, less than three months from the trigger date
	(d) the approval of any modification of the conditions of this consent, the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.	C	Sighted UW Revision of EMS Documents register which details that a review was completed after Modification 1 and submitted to DPIE on 7 April 2022
E8.	If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.	C	Sighted EMS submission confirmation email dated 6 April 2022. Sighted post approval document received email dated 28 June 2023 which notes the Air Quality & Greenhouse Gas Management Plan was lodged on 28 June 2023.
	Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	Note only	Noted
REPORTING AND AUDITING			
Incident Notification			
E9.	The Applicant must immediately notify the Department and any other relevant agencies after it becomes aware of an incident. The notification must be in writing to the Department's Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.	C	Viewed UWJV correspondence with DPE to verify notification of incidents during the audit period. Incidents that occurred during the audit period are described against the relevant conditions above.
Non-Compliance Notification			

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E10.	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing to the Department's Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	C	Viewed UWJV correspondence with DPE to verify notification of incidents during the audit period. Notification of non-compliances that occurred during the audit period were reported DPE within seven days and are described under the relevant conditions above.
	Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Note only	Noted
Annual Review			
E11.	By the end of March each year, after the commencement of development, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must: (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;	C	Sighted DPE post approval document portal emails responding to submission of audit period Annual Reviews dated 31/3/21, 31/3/22 and 31/3/23.
	(b) report on the progress of biodiversity credits retirements and the associated actual versus proposed surface disturbance for each stage;	C	Section 6.5.2 of the 2020 and 2021 Annual Reviews report on the progress of biodiversity credits retirements, this is included in Section 6.5.3 of the 2022 Annual Review.
	(c) report on the progress of implementing reasonable and feasible diesel emissions reduction measures for the Project;	C	Table 6-12 of the 2020,2021 and 2022 Annual Review reports on the progress of implementing reasonable and feasible diesel emissions reduction measures for the Project.
	(d) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the: (i) relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) monitoring results of previous years; and	C	Section 6 of the Annual Review includes a comprehensive review of the monitoring results. Section 6 and Section 8.3 of the Annual Reviews include a review of complaint records.

Cond	Development Consent SSD 7142	Status	Evidence
	(iv) relevant predictions in the document/s listed in condition A2(c);		
	(e) identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;	C	Section 10 in the 2020 and 2021 Annual Review and Section 9 in the 2022 Annual review identifies incidents and non-compliances.
	(f) evaluate and report on: (i) the effectiveness of the noise and air quality management systems; and (ii) compliance with the performance measures, criteria and operating conditions in this consent;	C	Noise and air quality management performance and compliance is discussed in Sections 6.2 and 6.4 of the UW AR's, respectively.
	(g) identify any trends in the monitoring data over the life of the development;	C	A desktop review of Annual Review documents during the audit period confirmed that long term trend data is included for Air Quality, Biodiversity, Surface water and Groundwater.
	(h) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	C	The review of environmental performance included in Section 6 of audit period AR's includes a comparison with EIS predictions for each environmental aspect.
	(i) describe what measures will be implemented over the next calendar year to improve the environmental performance of the development.	C	Sections 6 and 11 of the AR's for 2020,2021 and 2022 describes what measures will be implemented over the next calendar year to improve the environmental performance of the development.
Independent Environmental Audit			
E12.	Within one year of commencement of development under this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must: (a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;	C	JBA was endorsed as suitably qualified, suitable and independent by DPE letter to UWJV on 26/09/23.
	(b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the	C	See Condition E12(a) above.

Cond	Development Consent SSD 7142	Status	Evidence
	Planning Secretary;		
	(c) be carried out in consultation with the relevant agencies and the CCC;	C	Consultation with relevant agencies and the CCC is appended to this IEA report.
	(d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);	C	This IEA report includes an evaluation of UWJV compliance with the conditions of this consent (including related plans, strategies and programs), water licences and mining leases.
	(e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;	C	Sighted a copy of the UW IEA 2018-2020 CMO report (ID: 20210601240.10) dated 22 March 2021 which lists actions from the previous IEMA IEA and the status of each item. All items have a completed status, with the most recent action completed on 2 November 2021. Sighted screenshot of action summary which notes the IEA action of reviewing the Historic Heritage Management Plan and all references checked and updated as necessary has been marked as completed on the 3 June 2021.
	(f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and	C	This IEA recommends actions for UWJV to improve environmental performance of the development during the 2020 – 2023 audit period.
	(g) be conducted and reported to the satisfaction of the Planning Secretary.	NT	DPE to review.
E13.	Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.	C	UWJV to complete.

Cond	Development Consent SSD 7142	Status	Evidence
Monitoring and Environmental Audits			
E14.	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit. For the purposes of this condition, as set out in the EP&A Act, "monitoring" means monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" means a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	Note Only	Noted
E15.	Noise, blast and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Part B, providing that these representative monitoring locations are set out in the respective management plan/s.	Note only	Noted
ACCESS TO INFORMATION			
E16.	Before the commencement of Phase 1A, until the completion of all rehabilitation required under this consent, the Applicant must: (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website: (i) the document/s listed in condition A2(c); (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) detailed plans for the Phases of the development; (v) minutes of CCC meetings; (vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;	C	(i) Sighted Main EIS text and Modification 1 Report on UW website. (ii) Sighted DA-410-11-2002-I and SSD 7142 on UW website. (iii) Sighted copies of ACHMP, AQGHGMP, BMP, Blast Management Plan, EMS, Erosion and Sediment Control Plan, Export Management Plan, GWMP, HHMP, NMP, Project Construction Management Plan, Rehabilitation Strategy, SIMP, SWMP and WMP on the UW website. (iv) Copies of the required documentation was available on the UW website. (v) Copies of CCC meeting minutes for the audit period were sighted

Cond	Development Consent SSD 7142	Status	Evidence
	(viii) a summary of the current phase and progress of the development; (ix) contact details to enquire about the development or to make a complaint; (x) a complaints register, updated monthly; (xi) the Annual Reviews of the development; (xii) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; and (xiii) any other matter required by the Planning Secretary; and		on the UW website. (vi) Sighted Monthly Noise Monitoring Report for the audit period on the UW website. (vii) Sighted Quarterly Environmental Monitoring Reports for the audit period on the UW website. (viii) Sighted summary of Phases and progress of the development on the UW website. (ix) 24 hours/ 7 days Community Response Line number was available on the UW website at the time of the audit. (x) Sighted monthly community complaints registers for the audit period available on the UW website. (xi) Copies of Annual Reviews for the audit period were available on the UW website at the time of the audit. (xii) United Collieries 2010, 2013, 2016, 2019 IEA reports were available on the UW website at the time of the audit. The United Colliery's 2019 IEA action plan was available on the UW website at the time of the audit. The UW 2021 audit report and response to audit recommendations were available on the UW website at the time of the audit. (xiii) AF (pers comms) confirmed DPE have not requested that

Cond	Development Consent SSD 7142	Status	Evidence
			additional information is available on the UWJV website.
	(b) keep such information up to date, to the satisfaction of the Planning Secretary.	C	AF (pers comms) confirmed DPE have not required any updates to the information available on the UWJV website during the audit period.

Table C2 SSD 7142 United Wambo Open Cit Coal Mine Project EIS Commitments (Umwelt, 2016)

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_001	Mining and associated activities for the Project will be undertaken 24 hours per day, 7 days per week.	C	AF (pers comms) confirmed that mining and associated activities for the Project are undertaken 24 hours per day, 7 days per week.
SOC_8.0_Management Measures_002	Blasting will be undertaken 9.00 am to 5.00 pm on Monday to Saturday, with no blasting to be undertaken on Sundays or public holidays.	C	AF (pers comms) confirmed that blasting is undertaken at UW between 9.00 am to 5.00 pm on Monday to Saturday Sighted copy of Blast Management Plan version 1. Section 11.1.1 of the Blast Management describes blast timing and frequency and notes the approved blasting hours are Monday to Saturday (inclusive) 9 am – 5 pm and that no blasting will be undertaken on Sundays, public holidays or at any other time, unless written approval is obtained from the Secretary of DPIE. Sighted copy of Blast Monitoring Results Database which records both date and time of blasts. No blasts during the audit period occurred outside of the approved hours.
SOC_8.0_Management Measures_003	Construction of the Golden Highway realignment works will generally occur during standard construction hours of 7.00 am to 6.00 pm, Monday to Friday and 8.00 am to 1.00 pm on Saturday. Construction activities may also be required outside these times, as required by RMS. Construction activities undertaken outside these hours will be managed to meet the relevant construction noise criteria.	NT	AF (pers comms) confirmed that the Golden Highway realignment works have not occurred during the audit period.
SOC_8.0_Management Measures_004	Construction of infrastructure including the 330 kV powerline realignment will be undertaken 24 hours per day, 7 days per week as required. All construction work undertaken outside the standard construction hours will be managed to provide for compliance with Project noise criteria unless otherwise agreed with affected landholders.	C	UW AR's for 2020 and 2021 note that construction of the 330 kV powerline was being undertaken. No exceedances of SSD 7142 noise criteria were recorded during the construction period.
SOC_8.0_Management	All other on site construction activities will be undertaken 24 hours per day,	C	AF (pers comms) confirmed that mining and

Ref	Commitment	Status	Evidence
Measures_005	7 days per week.		associated activities for the Project are undertaken 24 hours per day, 7 days per week.
SOC_8.0_Management Measures_006	To address the Project impacts identified as part of the SIOA, United proposes to implement a number of strategies and programs to mitigate and/or enhance Project impacts. The measures to be implemented as part of the Project are outlined in Section 6.14.5.	C	UWJV has implemented the programs outlined in Section 6.14.5 of the EIS, including: • Preparation of a Social Impact Management Plan (UWOC-1689771511-949) approved by DPE letter dated 22/03/23, including a Stakeholder Engagement Plan; • Ongoing community consultation through the CCC; and • Execution of a VPA with Singleton Council.
SOC_8.0_Management Measures_007	United will develop and implement a Stakeholder Engagement Plan for the Project. The plan will guide the implementation and evaluation of the social aspects of the Project and will outline the social monitoring program for the Project.	C	Viewed Social Impact Management Plan (UWOC-1689771511-949) approved by DPE letter dated 22/03/23.
SOC_8.0_Management Measures_008	United will implement an ongoing community engagement program for the Project, including periodic community BBQs/information days as well as community newsletters.	C	Viewed UW Community Newsletters prepared during the audit period and published on the UWJV website. Newsletters were published six-monthly during the audit period.
SOC_8.0_Management Measures_009	United will update and implement the existing United complaints response and management program as part of the Project.	C	Viewed UW Community Complaints Register available on the UWJV website. The Community Complaints Register was updated monthly during the audit period. A Community response telephone line for site is listed on the UWJV website.
SOC_8.0_Management Measures_010	United will continue to operate the United Community Consultative Committee following relevant DPE guidelines.	C	Sighted example minutes of CCC Meeting – Wambo Coal Pty Ltd and UWJV dated 4/5/21, 2/8/22, and 31/1/23.

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_011	United will enter into a Voluntary Planning Agreement with Singleton Council for the Project to contribute funds to meet local community needs.	C	Viewed DPE letter dated 04/06/20 extending the timeframe for UWJV to enter into the Planning Agreement to end of the 2020. Sighted Planning Agreement document signed on 16/12/20 by Council and UWJV representatives and Tax Invoice 7660 from Council dated 31/12/20, Glencore Remittance dated 5/01/21.
SOC_8.0_Management Measures_012	United will implement an approach to the design and development of the final landform for the Project to achieve a more natural landform. The final landform will be designed to: o be safe, stable and non-polluting o incorporate micro relief o incorporate drainage lines consistent with topography and natural drainage where reasonable and feasible o sustain the intended land use for the post-mining domains o minimise the visual impacts of the development o be in keeping with the natural terrain features of the area o be integrated with the rehabilitated landforms of surrounding mines where practicable.	C	Section 6.2.3.2 of the RMP notes the micro-relief design process also results in a more natural looking landform, which reduces the visual impact of the final landform. Section 2.3 of the RMP notes the approved final landform as detailed in SSD 7142 and presented in the Environmental Impact Statement (EIS) will include: • Ecological rehabilitation under a Stewardship Agreement; • Native open woodland vegetation; and • Agricultural pastureland. Areas of landform that were being prepared for, or had been rehabilitated during the audit period were viewed during the site inspection (see **Plate 16**).
SOC_8.0_Management Measures_013	The revegetation strategy for the Project will involve the revegetation of the site to achieve three broad types of rehabilitation vegetation (refer to Figure 6.57): o approximately 878 hectares of ecological rehabilitation, consisting of native woodland conforming to the Central Hunter Valley Eucalypt Forest and Woodland CEEC, as part of the biodiversity offset strategy for the Project and to provide biodiversity function in the rehabilitated landscape o native woodland o agricultural pasture land.	C	Section 2.3 of the approved UWJV RMP dated 01/08/22 notes that revegetation for the Project will include broad rehabilitation types including ecological rehabilitation, native open woodland vegetation and agricultural pastureland.

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_014	A Rehabilitation Management Plan or MOP will be prepared for the Project in consultation with DPE, DRE and OEH which will include: o the details of the proposed development of a rehabilitation and revegetation strategy for the Project to re-establish native vegetation communities consistent with the concept strategy described in this EIS and considering the Ecological Rehabilitation Guidelines (OEH 2015c); o the approach to developing agricultural pasture land, with the primary focus being on the northwest portion of the Project Area and near North Wambo Creek (refer to Figure 6.57). The objective will be to rehabilitate these areas to Land and Soil Capability Class IV agricultural land; o completion criteria, determined in consultation with relevant agencies, that will be utilised to demonstrate achievement of rehabilitation objectives; o monitoring of rehabilitated areas on an annual basis.	C	Sighted copy of RMP version 1, dated 1 August 2022. Section 4.2.2 of the RMP outlines stakeholder consultation undertaken in 2022 during preparation of the plan. Section 4.2.2 of the RMP notes that a copy of the draft RMP was sent to the DPE, Water NSW, BCD, MEG and Singleton Council in July 2022. Viewed responses to UWJV on the draft RMP received from DPE, BCD and Singleton Council in September 2019.
SOC_8.0_Management Measures_015	United will undertake a rehabilitation monitoring program as part of the Project in accordance with Glencore standards. The objectives of the program will be to: o assess the long term stability and functioning of re-established ecosystems on mine affected land o assess rehabilitation performance against the closure criteria o facilitate continuous improvement in rehabilitation practices.	C	Section 8 of the RMP describes the Rehabilitation Monitoring Program. Viewed Koru Environmental annual Rehabilitation Monitoring Reports for 2021 and 2022, which provide an assessment of rehabilitation establishment and performance against reference sites for targeted rehabilitation communities.
SOC_8.0_Management Measures_016	o United will develop and implement a management approach to address any areas of potential acid forming materials that may be identified as part of the Project.	C	Section 6.2.1.8 of the RMP notes analysis was undertaken by Geoterra Pty Ltd (Geoterra) as part of the EIS (Umwelt, 2016) to assess the acid rock drainage (ARD) potential of the materials to be mined. The Geoterra study indicated that the vast bulk of overburden, interburden, and floor materials represented by the samples tested are unlikely to be acid producing or release significant salinity and will be acid consuming. The Geoterra laboratory results did, however, identify some

Ref	Commitment	Status	Evidence
			small areas of potential acid forming (PAF) material present within the project area (one out of 87 samples collected). The risk assessment identified management of PAF material to be low, given previous Geochemical Assessments completed as part of the EIS (Umwelt 2016) identified the material to have a high ANC, and the operating history suggests no significant issues. The need for ongoing monitoring will be reviewed periodically should testing and monitoring indicate negligible risk of ARD with the management practices in Section 6.2.1.8 of the RMP being implemented.
SOC_8.0_Management Measures_017	o A detailed mine closure plan will be developed at least two years prior to the anticipated mine closure date (i.e. cessation of mining).	NT	Deemed as Not Triggered as outside of the audit period.
SOC_8.0_Management Measures_018	United will develop and implement an Air Quality Management Plan for the open cut operations. The Plan will outline the range of proactive and reactive dust control strategies to be implemented as part of the Project. The controls to be implemented are outlined in Sections 6.4.1 and 6.4.6 and in Appendix 7 and include the following key measures: o Proactive air quality management involving the planning of activities in advance of potentially adverse conditions, including- implementation of a system to provide relevant personnel with a daily forecast of expected dust conditions in the vicinity of the operation- discussion of the weather conditions and dust considerations at daily pre-shift meetings- modifying the planned mining activities, as appropriate, to minimise dust impacts. o Reactive air quality management measures including modification or suspension of activities in response to identified triggers including- visual conditions, such as visible dust from trucks above wheel height. Visual conditions will be established from both observations by site personnel and from a camera network to be established on site to cover the main dust sources of the operation- meteorological conditions, such as dry, windy conditions, with winds blowing towards sensitive receptors- ambient air	C	AC (pers comms) confirmed that UW have developed an Air Quality and Greenhouse Gas Management Plan (AQGHGMP). Sighted AQGHGMP dated 7/9/2022, version 7. Section 11.1 of the notes UW will utilise a range of proactive and reactive dust mitigation and management measures informed by real-time dust and meteorological monitoring systems. Proactive strategies will include utilising meteorological forecasting to plan activities in advance of potentially adverse conditions. Reactive strategies will include the modification or suspension of activities in response to a series of triggers such as visual conditions, meteorological conditions or elevated ambient air quality conditions. Sighted examples of Environmental Forecast

Ref	Commitment	Status	Evidence
	quality conditions (that is, elevated short-term PM10 concentrations). o Development of an Air Quality Monitoring Program for the Project that supports the proposed proactive and reactive air quality management system. The monitoring program will be designed to allow evaluation of the effectiveness of the air quality management system and compliance with air quality operating conditions.		System emails providing five-day weather forecasts dated: • 4 September 2022; and • 24 September 2023. Sighted copy of Air Quality Control System report for United Wambo dated 20 October 2023 which reports on dust, winds and noise. Sighted examples of UW dust summary data emailed to the United Environmental team on: • 4 March 2022; • 21 December 2022; • 25 December 2022; and • 24 May 2023. Sighted copy of dust alarm response dated 14 October 2023 which records who the alarm was acknowledged by, alarm source options, review against visual triggers, action by the user and comments. The comments on the dust alarm response detail that a visual inspection was completed by the OCE and opted EX102 trucks to haul to a lower dump option. Sighted copy of dust alarm response dated 11 October 2023 which records who the alarm was acknowledged by, alarm source options, review against visual triggers, action by the user and comments. The comments on the dust alarm response detail that watercarts were manned in both pits and continued monitoring. Sighted copy of Sentinex 22 alarm dated 5 September 2023 sent to the UW Environmental team, Dispatch, mining

Ref	Commitment	Status	Evidence
			Supervisors and UWJV Mining Team Step-Ups.
SOC_8.0_Management Measures_019	The proposed dust management measures for the Project will be prepared in consideration of the NSW Coal Benchmarking Study: International Best Practice Measures to Prevent and/or Minimise Emissions of Particulate Matter from Coal Mining (Katestone 2011).	C	Section 15.2 of the AQGHGMP includes reference to the Katestone (2011) study.
SOC_8.0_Management Measures_020	United will implement Glencore blasting procedures relating to fume management as part of the Project, including a pre-blast review of weather conditions so as to avoid blasting in adverse conditions. A site specific Blast Management Plan will also be developed and implemented during operations, including key fume management actions, such as defining the potential risk zone based upon weather patterns prior to blasting based on an assessment of real-time weather conditions.	C	Sighted UW Pre-Blas Environment and Community Checklist Procedure version 1, dated 7 September 2022. Section 9 of the Pre-Blas Environment and Community Checklist Procedure notes forecasted meteorological conditions will be reviewed as part of the pre-blast checks. Sighted Pre-Blast Environment and Community Checklist template version 1, ref: UWOC-1689771511-1648 and examples completed during the audit period. Sighted copy of UWJV Blast Management Plan (BMP) dated 31/8/23, version 7. Appendix A of the BMP includes a Blast Fume Management Strategy (UWOC-1796953183-5) dated 28/02/20.
SOC_8.0_Management Measures_021	United will develop and implement a Spontaneous Combustion Management Plan for the Project which will provide guidelines for eliminating or minimising the risk of incidents as a result of spontaneous combustion.	C	A stand-alone Spontaneous Combustion Management Plan has not been prepared for the Project, however Section 11.3 of the approved AQGHGMP provides a hierarchy of controls for the management and response to any spontaneous combustion incidents that may occur.
SOC_8.0_Management Measures_022	United will implement reasonable and feasible energy management controls as part of the Project including the management controls identified Section 6.5.5 and Appendix 8.	C	Section 11.4 of the AQGHGMP describes mitigation measures for energy efficiency including:

Ref	Commitment	Status	Evidence
			• Scheduling activities so that equipment operation is optimised to reduce energy usage and associated emissions; • Blasting strategies to improve extraction and processing energy use efficiency and reduce associated emissions; • Maximising resource recovery efficiency to maximise energy use efficiency and reduce associated emissions; • Working machines to their upper design performance to optimise energy usage and associated emissions; • Preventing unnecessary water ingress to reduce pump energy usage and associated emissions; and • Where new equipment is purchased during the life of the Project; fuel/energy efficiency and reasonable and feasible diesel emissions reduction technology will be considered in the selection criteria.
SOC_8.0_Management Measures_023	At an operational level, United will aim to improve energy efficiency and reduce greenhouse emissions from the Project via: o limiting the length of haulage routes (where feasible) and associated fuel consumption o considering energy and fuel efficiency when selecting new equipment o scheduling activities so that equipment and vehicle operation is optimised.	C	See SOC_8.0_Management Measures_023 above.
SOC_8.0_Management Measures_024	United will develop and implement a Noise Management Plan for the open cut operations. The Noise Management Plan will detail the implementation of monitoring and management controls to be utilised to manage noise impacts associated with the Project, and will include the key aspects outlined in Section 6.6.11.2.	C	Sighted Noise Management Plan (NMP) dated 31/8/23, version 7. Section 11 of the NMP describes the noise monitoring program including real time noise monitoring and attended monitoring. Sighted UW environmental noise monitoring

Ref	Commitment	Status	Evidence
			report for February 2023 and July 2022. Section 9.1 of the NMP describes the operational noise criteria for the site. Section 10.1 of the NMP describes noise mitigation and management measures. Section 10.7 of the NMP notes UW will use its best endeavours to coordinate noise management with nearby mines to reasonably and feasibly minimise cumulative noise impacts. Section 10.6 of the NMP notes that The UW site induction to be provided to all employees and contractors will include information on noise management. The site familiarisation will include awareness to all employees to minimise road traffic noise generated by employee commuter vehicles on public roads. Section 10.1 of the NMP lists proactive noise controls. Section 11.1.2 of the NMP includes a Trigger Action Response Plan (TARP). Section 6 of the NMP describes stakeholder consultation. Section 13 of the NMP describes complaint and incident management including the operation of a 24-hour Community Information Line. Section 16 of the NMP describes accountabilities.
SOC_8.0_Management Measures_025	United will seek to achieve the predicted noise levels detailed in Section 6.6.3.4 through the implementation of a performance based adaptive management approach focused on implementing appropriate operational controls and management strategies to minimise noise impacts. The approach will vary during different mine stages, weather conditions and	C	Section 12 of the NMP describes adaptive management and notes in the event unpredicted impacts occur, UW will implement the Noise TARP.

Ref	Commitment	Status	Evidence
	consider technological improvements and associated equipment noise levels. A range of controls and strategies may be adopted as required to meet noise performance requirements for the Project as outlined in Section 6.6.10.1.		
SOC_8.0_Management Measures_026	United commits to the implementation of the following key proactive noise management measures: o Incorporation of reasonable and feasible noise attenuation on key items of plant and equipment that will be re-used from the current Wambo Open Cut operations or other controls achieving the same overall noise outcome. o Incorporation of reasonable and feasible noise attenuation measures on new plant and equipment that has the potential to contribute to the Project's noise level. o Using 'silent horns' to communicate with trucks and smart broadband 'Quacker' reversing alarms. o The inclusion of bunds in strategic locations along haul roads, where practicable, to shield trucks and equipment on exposed sections of the haul road ramps. o Locating key haul roads below ground surface or behind topographical features to maximise shielding to surrounding receiver areas, where practicable. o Designing emplacement areas to create sheltered dumping locations that can be used during adverse weather conditions where feasible and practicable. o Managing the drop height of the first load into truck bodies to minimise impact noise from the material.	C	Sighted 230915 UWJV Fleet specs spreadsheet which records what vehicles has sound suppression. Copies of UWJV technical specification sheets for the project were also viewed, which note noise goals for new UWJV equipment, including the Komatsu 980E. Table ES-1 of the NMP notes that UW will use 'silent horns' or equivalent technology when practicable to communicate with trucks and smart broadband 'Quacker' reversing alarms.
SOC_8.0_Management Measures_027	United will implement reasonable and feasible receiver based noise mitigation measures which may include measures such as double glazing, insulation or air conditioning to residences located within the Active Noise Management Zone (refer to Section 6.6.3.4) upon written request.	NT	AF (pers comms) confirmed that no written requests from residents within the Active Noise Management Zone have been received.
SOC_8.0_Management Measures_028	United will implement an appropriate continuous Noise Monitoring Program that will enable the proactive and real time management of operations during adverse noise propagating conditions, as outlined in Section 6.6.10.3.	C	AF (pers comms) confirmed that there are continuous noise monitors in place. Viewed real time noise monitoring results available on SiteEye and Sentinex systems used by UW. Section 11.1 of the NMP describes the real time noise monitoring network and notes UW will establish four permanent real-time noise monitoring locations in the locations listed in and shown on Figure 11-1. The real-time monitoring locations will be situated at

Ref	Commitment	Status	Evidence
			locations representative of the nearest private residences.
SOC_8.0_Management Measures_029	United will implement the blast management controls necessary to meet the relevant criteria for private residences (except where a negotiated agreement exists), infrastructure and other sensitive receivers.	C	Section 11.1.2 of the Blast Management Plan describes management and control measures. A review of UW blast monitoring data during the audit period found that no exceedances of criteria had been recorded at private residences, however a Penalty Infringement Notice was issued by DPE in December 2020 in relation to exceedance of UWJV blasting criteria of 100 mm/s for 66kV transmission suspension tower MD70045. This non-compliance occurred during the previous audit period and was described in the IEMA audit report.
SOC_8.0_Management Measures_030	United will manage blasting to meet the existing agreed vibration and overpressure criteria at the Wambo Homestead Complex.	C	Section 11.4.1 of the Blast Management Plan describes management of potential ground vibration impacts on the Wambo Homestead Complex (WHC) including mitigations such as, monitoring is undertaken at the WHC for all blasts within two kilometres of the Complex. Sighted Blast Monitoring Results Database that records vibration and overpressure results at site BM01 Wambo Homestead. All results recorded during the audit period are within impact criteria.
SOC_8.0_Management Measures_031	Blasting activities will be undertaken in accordance with a Blast Management Plan to be prepared and implemented for the Project which includes controls to manage safety to people, property and livestock, vibration and airblast emissions and dust and fume emissions. The cumulative effects of blasting will be managed through: o a pre-blast assessment protocol that outlines the process for designing	C	Section 11.1.2 of the Blast Management Plan describes blast management and control measures and notes UWJV will implement best practice blast management procedures to minimise ground vibration, airblast overpressure, flyrock, fume, dust, and misfire

Ref	Commitment	Status	Evidence
	blasts to meet the relevant criteria o continued operation of the existing multi-station blast monitoring system for the Wambo Open Cut and installation of an additional monitoring station located to the northeast in the Maison Dieu area o operation of a weather monitoring system which allows for the assessment of pre-blast meteorological conditions as part of the pre-blast assessment protocol o implementation of appropriate exclusion zones to manage the risk of flyrock.		to protect the safety of people and livestock. Sighted examples of Environmental Forecast System emails providing five-day weather forecasts dated: • 4 September 2022; and • 24 September 2023. Sighted Pre-Blast Environment and Community Checklist Procedure version 1, dated 7/09/22. Section 10 of the Pre-Blast Environment and Community Checklist Procedure describes cumulative impacts and notes UW is required to liaise with Hunter Valley Operations to avoid concurrent blasting where potential cumulative impacts can occur, such as impacts on air quality, vibration, and air blast overpressure.
SOC_8.0_Management Measures_032	Blasting will be undertaken between 9.00 am and 5.00 pm Monday to Saturday, with no blasting to be undertaken on Sundays or public holidays.	C	Section 11.1.1 of the Blast Management Plan describes blast timing and frequency noting that the approved blast hours are Monday to Saturday (inclusive) 9:00am – 5:00pm. The Blast Management Plan notes no blasting will be undertaken on Sundays, public holidays or at any other time, unless written approval is obtained from the Secretary of DPIE Sighted copy of Blast Monitoring Results Database which records both date and time of blasts. No blasts during the audit period occurred outside of the approved hours

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_033	Blasting associated with the Project will be limited to a maximum of 15 blasts per week and three blasts per day, with an allowance for additional blasts where there are low vibration blasts or misfires.	C	AF (pers comms) confirmed that blasting associated with the project is limited to 15 blasts per week and that this requirement is included within the Blast Management Plan. Section 11.1.1 of the Blast Management Plan notes the approved blasting frequency as 3 single blast events a day and 15 single blast events a week, averaged over a calendar year.
SOC_8.0_Management Measures_034	Blasting related closures of the Golden Highway associated with the Project will be limited to a maximum of one per day.	C	AF (pers comms) confirmed closures of the Golden Highway associated with UW are limited to a maximum of one per day. Section 11.1.1 of the Blast Management Plan notes that blasting-related closures of the Golden Highway will be limited to a maximum of one per day.
SOC_8.0_Management Measures_035	United will develop and implement a Blasting Road Closure Management Plan in consultation with RMS and Singleton Council prior to any blasting within 500 metres of any public road.	C	Appendix B of the Blast Management Plan includes a link to the Road Closure Management Plan (UWOC-1796953183-3). The Road Closure Strategy was initially developed in consultation with RMS and Council. UWJV currently hold RMS Road Occupancy Licence No: 2036250 for temporary road closures of the Golden Highway during the period 17/04/23 – 16/04/24.
SOC_8.0_Management Measures_036	United will liaise with the operators of adjacent mines in relation to the coordination of blasts to seek to avoid concurrent blasting.	C	Section 11.2.3 of the Blast Management Plan notes that UW will liaise with the operator of Hunter Valley Operations in relation to the coordination of blasts to avoid concurrent blasting and, therefore, cumulative airblast and vibration impacts. Viewed examples of completed UWJV Pre-Blast Environment and Community Checklists and pre-blast notification emails distributed during the

Ref	Commitment	Status	Evidence
			audit period, which includes contacts for adjacent mining operations.
SOC_8.0_Management Measures_037	United will liaise with HVO regarding blasting within 500 metres of the Riverview Pit Dam wall.	C	Section 10.1.2 of the Blast Management Plan notes that UW will consult with HVO to ensure appropriate dam inspections are undertaken. Viewed '*Temporary agreement for four blasts within 500m of HVO land*' dated 28/04/20 and formalised Blast Deed between HVO and United Collieries dated 24/07/20.
SOC_8.0_Management Measures_038	United will offer all private landholders located within 2 kilometres of the Project extraction areas a property inspection prior to the commencement of blasting for the Project in order to establish the condition of private structures.	C	Section 11.3 of the Blast Management Plan notes that In accordance with Condition D4 (a)(iii) of SSD 7142, UW has notified in writing, all private landholders located within three kilometres of the approved open cut mining pits, that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated.
SOC_8.0_Management Measures_039	A condition assessment will also be completed on all historical sites (excluding those that will be removed or subject to archival recording by the Project and the Dog leg fence) located within 2 kilometres of the extraction areas prior to the commencement of blasting for the Project.	C	Section 11.4 of the Blast Management Plan notes that a baseline condition assessment has also been completed on the Warkworth Public School and a structural assessment of the Warkworth Public School will be completed annually. Viewed Arkhill Engineers March 2023 Former Warkworth Public School Inspection Report prepared to assess the stability of the site and review potential UWJV blasting-induced impacts. The report refers to previous annual inspections completed during the audit period by Acumen (2020), Umwelt (2020), and Arkhill Engineers) and concludes that UWJV blasting is unlikely to have caused structural damage to the site.

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_040	United will prepare and implement a Water Management Plan (WMP) for the Project in consultation with DPI Water and DPE. Subject to the requirements of the conditions of consent, the WMP will include: o a water balance including details of water supply, use, management and transfers o an Erosion and Sediment Control Plan that is consistent with the requirements of Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries, or its latest version o a Surface Water Management Plan, including- relevant baseline data on channel stability and water quality- a description of the water management system on site including design objectives and performance criteria- trigger levels for investigating any potentially adverse impacts- a surface water monitoring program o a Groundwater Management Plan, including- relevant baseline data on groundwater levels, yield and quality- groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts- a groundwater monitoring program.	C	Sighted WMP version 6.1, dated 7 September 2022. Sighted DPE letter dated 20 November 2020 that notes that the Department has carefully reviewed approves the WMP (revision 3.1, October 2020) for Phase 2 of UW operations. Section 10.2 of the WMP describes the site water balance. The results of annual water balance reviews for UW were reported in audit period AR's. The executive summary section of the WMP notes the WMP should also be read in conjunction with the approved UWJV Groundwater Management Plan, Surface Water Management Plan and Erosion and Sediment Control Plan.
SOC_8.0_Management Measures_041	The WMP will include a revised surface water and groundwater monitoring program, building on the existing monitoring program in place at United and Wambo.	C	The executive summary section of the WMP notes The WMP should also be read in conjunction with the Surface Water Management Plan and Groundwater Management Plan. Section 11.4 of the WMP notes Water monitoring is undertaken on key water storages and receiving waterways around UW. Section 11.4 of the WMP also notes Water monitoring is undertaken for groundwater levels and quality as part of the groundwater monitoring program. Viewed UWJV Quarterly Environmental Reports and AR's prepared during the audit period, which provide surface and groundwater monitoring program results.

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_042	United will construct a flood levee to protect the United Open Cut from flood inundation along Redbank Creek from Wollombi Brook.	C	Section 8.5 of the SWMP notes that the flood levee for Redbank Creek (west of the Golden Highway) has been designed to protect mining areas from a 0.1% AEP flood event and to ensure no adverse effect on roads or privately-owned land.
SOC_8.0_Management Measures_043	United will consult with the private bore owner that is predicted to have a drawdown of greater than 2 metres as a result of the Project to determine appropriate management and mitigation measures.	C	Section 7.3 of the GWMP notes that no groundwater performance criteria are included in Table 7-4 for private water bores or GDEs. The GWMP states there are no private bores within the predicted zone of impact of the development, as such no consultation is required.
SOC_8.0_Management Measures_044	A Construction Erosion and Sediment Control Plan will be prepared to guide the implementation of appropriate erosion and sediment controls as part of the construction phase of the Project.	NT	Project construction period occurred prior to the current IEA period.
SOC_8.0_Management Measures_045	The Project will avoid direct impacts on the 0.1 hectare stand of Hunter Valley Weeping Myall Woodland of the Sydney Basin Bioregion within the Project Area. The stand will be managed for the recovery of the community and will be fenced to exclude grazing stock and unauthorised intrusions (with an approximate 20 metre buffer between the stand and the fence, where practicable given the location of existing infrastructure).	C	Section 11.8 of the Biodiversity Management Plan notes that the Weeping Myall population located south of the Project Disturbance Area has been avoided and will be fenced to prevent unauthorised access. Photos supplied by UWJV on 5 December 2023 confirm that fences for this area remain in place.
SOC_8.0_Management Measures_046	United will prepare and implement a Biodiversity Management Plan for the Project including a detailed impact mitigation strategy prepared generally in accordance with the UHSA Guidelines for the Mitigation of Coal Mining Impacts on Biodiversity (OEH 2015b). The impact mitigation strategy will address the following key elements: o landform establishment o implementation of clearing procedures to minimise the impacts of the clearing process and maximise the recovery of any valuable biodiversity resources (e.g. seed collection, re-use of hollow logs and tree hollows where	C	Sighted Biodiversity Management Plan (BDMP) version 7, dated 6 February 2023. Sighted DPE management plan approval letter dated 19 November 2020 which notes the Planning Department has approved the UW BDMP – Phase 2 (Revision 2.1, dated November 2020). Appendix D of the BDMP references a UW Pre-Clearing Survey and Habitat Tree Felling Procedure. Viewed examples of Pre-Clearing

Ref	Commitment	Status	Evidence
	appropriate) o feral animal and noxious weed control o fencing and access control o management of domestic stock o pathogen management o bushfire management o ensuring appropriate environmental management measures are in place as part of the mining operations to minimise the potential for indirect impacts including- water management systems that seek to minimise the potential for damage to flora and fauna and their habitats from erosion and unnatural flooding events- noise control systems to minimise noise impacts- dust control measures to minimise dust impacts- lighting controls to minimise night light impacts- blasting controls to minimise blast overpressure and vibration impacts o employee education and training.		Survey Forms (UWOC-1689771511-393) completed 1/08/22 and 6/10/23. Forms include requirements for management of habitat resources present. Section 11.6 of the BDMP describes seed collection and propagation and notes local provenance seed will be targeted for collection at UW including during clearing activities (i.e. collection of seeds from felled trees) and potential harvesting of native grass species. Sighted Future Harvest Tax Invoice for seed collection and seed storage during the audit period 31 August 2020, 29 September 2021. Section 11.3 of the BDMP describes pest and feral animal control. Sighted copy of Vertebrate Pest Control Report for Glencore UWJV Mine Site dated Spring 2022 Section 14.1.1 of the BDMP includes a Biodiversity TARP that includes the corrective actions of commission suitably qualified personnel to undertake pathogen control works and ensure any vehicles and equipment that may have come into contact with contaminated equipment is appropriately cleaned if signs of Phytophthora cinnamomi are identified during ecological monitoring. AF (pers comms) confirmed that the need for pathogen control works has not been triggered. The TARP in Section 14.1.1 includes the potential corrective action of Review procedures in place and update Bushfire Management Plan based on findings and Monitor plant succession after bushfire event if an Unplanned bushfire event occurs.

Ref	Commitment	Status	Evidence
			Section 11.7 of the BDMP outlines biodiversity awareness training for UWJV, noting inductions for staff, contractors and visitors will be undertaken to make them aware of key ecological issues so that they know their role and responsibilities in the protection and/or minimisation of impacts to all native biodiversity. Viewed copy of UWJV Site Familiarisation Induction package completed and examples of completed site induction forms, dated 12/06/23. Section 6.13 of the induction includes content on biodiversity obligations for all personnel.
SOC_8.0_Management Measures_047	The Biodiversity Management Plan will include a biodiversity monitoring program for the Project. The monitoring program will be used to assess and inform the ongoing improvement of management actions.	C	Section 13 of the BDMP describes monitoring and inspections and notes the effectiveness and long-term success of mitigation actions will be evaluated against key outcomes, performance indicators and completion criteria and this will be achieved by using formal monitoring programs and assessments that periodically examine measurable changes over time and provide information on impacts and the success or otherwise of mitigation actions.
SOC_8.0_Management Measures_048	United will implement a comprehensive Biodiversity Offset Strategy for the Project as outlined in Section 6.9.6, including: o establishment of proponent-managed offset sites possibly including the Highfields Offset Site, Mangrove Offset Site and Wambo Offset Site o mine site ecological rehabilitation contributing 25 per cent of the overall biodiversity offset requirement (estimated at around 878 hectares of ecological rehabilitation) o Payments into the Upper Hunter Offsets Scheme fund and/or establishment of further offset sites for the residual credits that need to be retired.	C	Section 10 of the BDMP describes the Biodiversity Offset Strategy (BOS). The BOS notes that in-perpetuity conservation will be achieved through the retirement of biodiversity credits through the establishment of the following BSSs and progress reported in AR's: • Highfields Biodiversity Stewardship Site; • Mangrove Biodiversity Stewardship Site; • Wambo Biodiversity Stewardship Site;

Ref	Commitment	Status	Evidence
			• Jerrys Plains Biodiversity Stewardship Site; • Brosi Biodiversity Stewardship Site; and • South Wambo Biodiversity Stewardship Site. **It is recommended that UWJV continue to liaise with the relevant agencies to secure the required biodiversity offsets for the project using a suitable contemporary mechanism.**
SOC_8.0_Management Measures_049	The proposed offset sites will be established as BioBank sites under BioBanking Agreements, providing for in-perpetuity conservation and reporting consistent with the NSW BioBanking scheme.	C	Section 10.2 of the BDMP notes the biodiversity credit requirements listed in Condition B55 were calculated using the BioBanking Assessment Methodology (BBAM). Following the commencement of the *Biodiversity Conservation Act 2016* and the completion of savings and transitional arrangements, BBAM credits can no longer be created. **It is recommended that UWJV continue to liaise with the relevant agencies to secure the required biodiversity offsets for the project using a suitable contemporary mechanism.**
SOC_8.0_Management Measures_050	The retirement of credits/staging of offsets will be in accordance with the staging of progressive disturbance of native vegetation areas during the development of the Project. This staging will be consistent with the staging of the MOPs for the Project, as governed by the *Mining Act 1992*.	C	Section 10.2 of the BDMP provides an overview of the proposed progression of credit requirements for Stages 1 – 3 of the Project.
SOC_8.0_Management Measures_051	United will update and implement the Aboriginal Cultural Heritage Management Plan for the Project. The updated Plan will be prepared in consultation with the RAPs and will include the Aboriginal Cultural heritage management measures to be implemented as part of the Project. These management measures will be based on the proposed measures outlined in Table 6.36.	C	Sighted copy of ACHMP version 4, dated 7 September 2022. Appendix A of the ACHMP includes a list of RAPs included in consultation on the ACHMP. Section 9 of the ACHMP includes a

Ref	Commitment	Status	Evidence
			management strategy and plan.
SOC_8.0_Management Measures_052	Salvage (excavation, analysis and collection) of the 128 sites to be impacted by the Project will be undertaken as per the recommendations of the Archaeological Values Assessment Report.	C	Section 12 of the approved ACHMP describes the program for salvage of the 128 sites identified in the OzArk (2016) report.
SOC_8.0_Management Measures_053	The Dog-leg fence will be subject to a detailed survey and photographic / archival recording in accordance with Heritage Division, OEH guidelines Photographic Recording of Heritage Items Using Film or Digital Capture (2006) prior to any impact as a result of the Project. The recording will include the full surviving alignment of the Dog-leg, including the section located outside the Project Area (subject to the agreement of the landholder for the section north of the Project Area). As part of the archival recording additional research will be undertaken to identify (if the information is available) an exact date of construction and who may have built the fence.	C	Section 8.5.1.1 of the HHMP states that 'A detailed survey and photographic/archival recording was undertaken in accordance with Heritage Branch guidelines Photographic Recording of Heritage Items Using Film or Digital Capture (2006) on the 27 August 2021.' The HHMP also notes that 'As part of this interpretation strategy, a plan to salvage, reconstruct and publicly display a section of the dog-leg fence will be developed. Consideration will be given to the feasibility of salvaging the stone blocks of the fence and combining these with logs cut from within the Project Area, when it is cleared as part of site preparation works for the open cut.' AF (pers comms) noted that the area in Jerrys Plains proposed for the reconstruction of the salvaged material is current waiting on a Plan of Management to be endorsed by Crown Lands and as such, no work can be completed until this is received.
SOC_8.0_Management Measures_054	In addition to the detailed recording, an interpretation strategy will be developed for the Dog-leg fence. A selection of stone blocks will be salvaged and combined with logs from the fence or cut from within the Project Area to allow for a section of Dog-leg fence to be reconstructed. The location of the proposed reconstruction will be determined in consultation with interested members of the community, local historical society and Singleton Council when preparing the interpretation strategy for the Dog-leg fence.	C	See SOC_8.0_Management Measures_053 above.

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_055	Archaeological investigation of the former House Site (refer to Section 6.11) will be undertaken to relevant professional standards prior to the commencement of works that impact the site, including ground preparation/clearing works. The investigations will comprise (subject to consultation with the Heritage Division, OEH) a program of archaeologically monitored machine stripping of the grass cover focusing around the known former building locations. Any archaeological remains exposed in this area during the monitored machine stripping would be recorded and hand excavated as part of the archaeological works.	C	A research design for the Former House Site is included as Appendix C to the HHMP.
SOC_8.0_Management Measures_056	In the unlikely event that unexpected archaeological remains or potential heritage items not identified as part of this report are discovered during the Project, all works in the immediate area will cease. The remains and potential impacts will be assessed by a qualified archaeologist or heritage consultant and, if necessary, the Heritage Branch, OEH notified in accordance with Section 146 of the Heritage Act 1977 (NSW).	C	Table 1 in the ACHMP notes all work close to the find will cease immediately and an area of 10 m radius around the find will be cordoned off with temporary construction fencing. If the remains are Aboriginal ancestral remains, the RAPs will be contacted within two working days and consultative arrangements will be made to discuss ongoing care of the remains, including advice on recommended forensic anthropologists
SOC_8.0_Management Measures_057	If potential human remains are located following any surface disturbance, works will be halted in the immediate area to prevent any further impacts to the remains. The NSW Police will be contacted immediately and no action will be undertaken until police provide written notification to the Proponent. If the remains are confirmed as non-Aboriginal (historical) remains, the site is to be secured and the NSW Heritage Branch is to be contacted.	NT	Table 1 of the ACHMP notes all work close to the find will cease immediately and an area of 10 m radius around the find will be cordoned off with temporary construction fencing. Table 1 also notes United will promptly notify the police (as required for all human remains discoveries). Section 8.8.4 of the HHMP describes the process to be followed in the event that non-Aboriginal (historical) remains are identified.
SOC_8.0_Management Measures_058	To assist in minimising the visual impacts of the Project, United will implement the following controls: progressive rehabilitation of disturbed areas with a particular focus on overburden emplacement areas, to reduce the duration of visible soil exposure, including the use of temporary rehabilitation as appropriate	C	AF (pers comms) confirmed that interim stabilisation and temporary vegetation strategies have not been employed during the audit period, due to limited areas available for this activity.

Ref	Commitment	Status	Evidence
			The site inspection confirmed that progressive rehabilitation is occurring on the site, **Plate 16**. Rehabilitation establishment is reported in audit period AR's, which includes: • 2020: 0 ha; • 2021: 9.9 ha; and • 2022: 15.5 ha.
SOC_8.0_Management Measures_059	Subject to the agreement of RMS and relevant landholders, additional roadside tree planting will be undertaken along the existing Golden Highway to screen views of the Project	C	Sighted copy of ERR Australia (ERR) UW Visual Screening Review dated 23 August 2023. The review notes that ERR was engaged to conduct a review of the visual screening of the mine along the Golden Highway with the purpose to: • evaluate the recommendations of a previous assessment completed by EMM in 2021, considering vegetation growth in the intervening time; and • Assist with compliance with Schedule 2, Condition B85 (a), (b) and (g) of SSD 7142 Section 3 of the ERR review notes that the previous EMM report identified four locations along the Golden Highway where the mining operations were visible to passing motorists and there were actions UW could take to reduce these views. It is noted that there were no further locations identified during the inspection on 7 August 2023 where views of the operation were visible to the public. **It is recommended that UWJV consider the findings of the ERR (2023) visual review and implement additional roadside plantings along the Golden Highway to screen views of the site, in consultation with RMS.**

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_060	Incorporation of roadside tree planting into the detailed design for the realigned section of the Golden Highway to assist in screening views of the Project from the road	NT	AF (pers comms) confirmed that the Golden Highway realignment was not undertaken during the audit period.
SOC_8.0_Management Measures_061	Consultation will be undertaken with potentially affected landholders in the Moses Crossing and South Wambo areas regarding the potential for additional tree screening/landscaping to minimise the visibility of the Project	C	See Condition B86 in **Table C1**.
SOC_8.0_Management Measures_062	Ongoing management of mobile lighting to reduce the impacts of lighting at night, positioning lights so they are not pointing off site, and are shielded by walls, overburden emplacement areas and/or vegetation where practicable	C	Sighted a copy of UWJV Lighting Plants Procedure which describes the process for the use of mobile lighting plants to prevent injury to personnel, damage to equipment and to minimise the impact on the local community Section 3.2.1 of the UWJV Lighting Plants procedure includes mitigation measures such as lighting plant head tilt should always be angled down below horizontal, lighting will be kept to the minimum necessary for operational needs and safety, positioning lights so they are shielded by walls, dumps or vegetation and use of lower, less exposed dumps on night shift The site inspection confirmed that mobile lighting was direction below horizontal, see **Plate 12** and **Plate 13**.
SOC_8.0_Management Measures_063	All fixed lighting associated with the Project will be installed and maintained in accordance with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting.	C	AF (pers comms) confirmed that fixed lighting is installed to Australia Standard Sighted EMM UW Lighting Audit dated September 2021 which notes that the quantitative assessment undertaken found that illuminance at all viewpoints were within the allowable criteria set out by AS 4282 and all fixed outdoor lights were found in compliance with Condition B85

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_064	United will prepare a detailed concept design for the proposed realignment of the 2 kilometres section of the Golden Highway west of Comleroi Road, in consultation with RMS.	NT	AF (pers comms) confirmed that the realignment of the section of the Golden Highway has not occurred during the audit period
SOC_8.0_Management Measures_065	United will prepare a detailed concept design for the proposed intersection of the Golden Highway realignment and Comleroi Road, in consultation with RMS and Singleton Council.	NT	AF (pers comms) confirmed that the realignment of the section of the Golden Highway has not occurred during the audit period
SOC_8.0_Management Measures_066	The proposed Golden Highway realignment will be designed and constructed in accordance with Ausroads and RMS standards following approval by the RMS.	NT	AF (pers comms) confirmed that the realignment of the section of the Golden Highway has not occurred during the audit period
SOC_8.0_Management Measures_067	The realigned section of the Golden Highway will be constructed prior to closure of any section of the Golden Highway.	NT	AF (pers comms) confirmed that the realignment of the section of the Golden Highway has not occurred during the audit period
SOC_8.0_Management Measures_068	United will prepare and implement a Construction Traffic Management Plan prior to construction of the Project commencing to minimise the effect of construction related traffic and works on the Golden Highway realignment. The Plan will also address the management of temporary construction access points. The Construction Traffic Management Plan will be prepared in consultation with RMS and Council.	NT	AF (pers comms) confirmed that the realignment of the section of the Golden Highway has not occurred during the audit period
SOC_8.0_Management Measures_069	Class 5.1 explosives and Class 1.1 storages will be located in accordance with the buffer distances specified in Section 6.16.	C	Viewed UWJV Explosives Compound Security Plan dated 18/07/23. The plan shows the siting of UW explosives facilities and buffer distances for each.
SOC_8.0_Management Measures_070	Diesel tanks and refuelling systems will be designed in accordance with relevant Australian Standards and codes.	C	Viewed executed contracts for UW Mine Infrastructure Area developed during the audit period. Diesel storages and refuel areas inspected during the site visit were being well maintained (see **Plate 4**).

Ref	Commitment	Status	Evidence
SOC_8.0_Management Measures_071	Surface drainage systems will be designed to prevent spills or runoff from hazardous materials storage areas entering surrounding land/waterways.	C	LD (pers comms) confirmed that civil engineers generally complete the design work for erosion and sediment controls. Viewed the 2021 Montrose Pre-Strip Area ESCP (SLR, 06/07/21) and 2023 Montrose Pre-Strip Area ESCP (SLR, 30/05/23). SLR ESCPs note that controls have been designed in accordance with 'general best practice', including Landcom (2004). Viewed examples of GDPs completed during the audit period, which include directions on erosion and sediment controls required for each task.
SOC_8.0_Management Measures_072	Dangerous goods will be stored in dangerous goods compliant stores (in accordance with relevant Australian Standards) with appropriate segregation of incompatible dangerous goods.	C	AF (pers comms) confirmed that there is a Hydrocarbon Management Plan for the site. AF (pers comms) confirmed there is also a Hazardous chemical manifest for the site. Sighted UWJV Schedule 11 Hazardous Chemicals Manifest date of preparation 14 August 2023 which lists chemicals in class/ division, UN number, description/ shipping name, product, location and maximum quantity stored. During the site inspection all chemicals were observed to be on bunding (see **Plate 1 – Plate 4**, **Plate 5**, **Plate 6**).
SOC_8.0_Management Measures_073	United will implement the safeguards and procedures outlined in Section 6.16.3.	C	Dangerous goods storage areas were sighted during the site inspection.
SOC_8.0_Management Measures_074	United will prepare a Bushfire Management Plan for the Project in consultation with the Rural Fire Service (RFS) and DPE.	C	Sighted copy of the Bushfire Management Plan version 3, dated 31 March 2022. AF (pers comms) confirmed that the updated Bushfire Management Plan has been sent to the RFS although no response has been

Ref	Commitment	Status	Evidence
			received to date
SOC_8.0_Management Measures_075	No waste will be disposed of onsite except for inert wastes and waste tyres buried in the open cut mining areas. Waste will continue to be separated on site to allow different waste streams to be appropriately managed. Waste that cannot be reused or recycled will be transported off-site by licensed waste management contractors.	C	Sighted copy of UWJV Waste Management Plan that provides all employees and contractors with standards and procedures in relation to the correct handling, storage and disposal of waste materials and encourage efficient resource use and recovery The site visit confirmed that there are segregated skip bins available on site for different waste streams (see **Plate 18**, **Plate 19**, **Plate 24**, **Plate 25**). Sighted copy of JR Richards & Sons Tax Invoice for vac out blast holes dated 31 August 2023 Sighted copy of online waste tracking system transport certificate No 2T01237393 by Renewable Oil Services Pty Ltd for waste mineral oils
SOC_8.0_Management Measures_076	United will consult with representatives from Wambo (relating to the Wambo underground, CHPP and train loading facility), HVO South and MTW regarding measures to address issues of common concern in relation to cumulative impacts.	C	Cumulative impact potential between UW and surrounding mining operations is considered in UWJV systems for air quality, noise, water and blasting impact management and described in the respective UWJV management plans.

Table C3 Consolidated Coal Lease 775 (1973)

Cond	Consolidated Coal Lease 775 (1973)	Status	Evidence
STANDARD CONDITIONS			
See *Mining Regulation 2016*, Schedule 8A, Part 2. NOTE TO HOLDERS: The prescribed standard conditions in the Mining Regulation 2016, Schedule 8A, Part 2 apply in addition to the conditions in this Schedule 2 (but have not been replicated in this mining lease). The conditions imposed by the Mining Regulation 2016 prevail to the extent of any inconsistency with the conditions in this Schedule 2.			
GENERAL CONDITIONS			
1.	**Notice to Landholders**		
	(a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing: (i) that this mining lease has been granted or renewed; and	NT	CCL 775 was not renewed during the audit period. The current conditions were varied by Instrument of Variation dated 17 October 2022 to align with regulatory changes to the NSW Mining Act.
	(ii) whether the lease includes the surface. The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area.		
	(b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.	NT	See Condition 1(a) above.
2.	**Security**		
	The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining lease, including obligations under each mining lease that may arise in the future. The amount of the security deposit to be provided has been assessed at **$20,771,000**.	C	Viewed NSW Resources Regulator letter dated 19 October 2023 providing a reassessment of the UWJV security deposit. UWJV Deed of Security Deposit Bond for CCL 775 dated 17 January 2022.
3.	**Cooperation Agreement**		
	The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any	NT	AF (pers comms) noted that CCL 775 overlaps other authorisations held by

Cond	Consolidated Coal Lease 775 (1973)	Status	Evidence
	overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to: • access arrangements		UWJV parties and as such, Cooperation Agreements are not required.
	• operational interaction procedures		
	• dispute resolution		
	• information exchange		
	• well location		
	• timing of drilling		
	• potential resource extraction conflicts; and		
	• rehabilitation issues.		
4.	**Assessable Prospecting Operations**		
	(a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or	C	AF (pers comms) noted activities within CCL 775 during the audit period were undertaken in accordance with SSD 7142.
	(ii) if development consent is not required, the prior written approval of the Minister has been obtained.		
	(b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval.	NT	
	(c) An approval granted by the Minister under this condition may be granted subject to terms.	NT	
	(d) The lease holder must comply with the approval granted to the holder under this condition.	NT	
SPECIAL CONDITIONS			
5.	**Dams Safety – Mining Leases**		
	(a) The lease holder must not mine within any part of the lease area which is within the notification area of the Wambo Tailings Dam, Wambo Hunter Pit Tailings Dam, Wambo Chitter Dump Tailings Dam and Riverview Void In-pit Water Storage Dam without the prior written approval of the Minister and subject to any conditions the Minister may stipulate.	**NC**	UWJV letter to the Resources Regulator dated 21 March 2019 provides notification and associated plan that mining operations are planned to commence in late 2019 within the Riverview Void In-pit Water

Cond	Consolidated Coal Lease 775 (1973)	Status	Evidence
			Storage Dam and requests that the twelve-month notification period is reduced. A response from DPIE dated 17 October 2019 refers to advice from DS NSW and provides updated CCL 775 conditions to refer to the Riverview Void In-pit Water Storage Dam. **Written approval of the Minister was not received prior to mining within the Notification Area of the Riverview Void In-pit Water Storage Dam.** Viewed letter from UWJV to DS NSW dated 25 September 2023 referring to previous correspondence lodged since 2019 seeking approval of DS NSW for this activity. DS NSW responded via email on 12 October 2023 requesting further information required to provide endorsement for the request. **It is recommended that UWJV continue to engage with DS NSW to gain the approval of the Minister for CCL 775 operations within the declared dam notification areas.**
	(b) Where the lease holder desires to mine within the notification area, the lease holder must: (i) at least twelve (12) months before mining is to commence or such lesser time as the Minister may permit, notify the Minister of the desire to do so. A plan of the mining system to be implemented must accompany the notice; and	**NC**	**See Condition 5(a) above.**
	(ii) provide such information as the Minister may direct.		
	(c) The Minister must not, except in the circumstances set out in sub-paragraph (ii), grant approval unless sub-paragraph (i) of this paragraph has been complied with. (i) This sub-paragraph is complied with if: (a) Dams Safety NSW as constituted by section 6 of the Dams Safety Act 2015 and the	NT	See Condition 5(a) above. Approval from the Minister has not been granted.

Cond	Consolidated Coal Lease 775 (1973)	Status	Evidence
	owner of the dam have been notified in writing of the desire to mine referred to in paragraph (b).		
	(b) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.		
	(c) the Secretary has complied with any reasonable request made by Dams Safety NSW or the owner of the dam for further information in connection with the mining proposal.		
	(d) Dams Safety NSW has made its recommendations concerning the mining proposal or has informed the Minister in writing that it does not propose to make any such recommendations; and		
	(e) where Dams Safety NSW has made recommendations the approval is in terms that are: - in accordance with those recommendations; or		
	- where the Minister does not accept those recommendations or any of them - in accordance with a determination under sub-paragraph (ii) of this paragraph.		
	(ii) Where the Minister does not accept the recommendations of Dams Safety NSW or where Dams Safety NSW has failed to make any recommendations and has not informed the Minister in writing that it does not propose to make any recommendations, the approval shall be in terms that are, in relation to matters dealing with the safety of the dam: - as determined by agreement between the Minister and the Minister administering the Dams Safety Act 2015; or		
	- in the event of failure to reach such agreement - as determined by the Premier.		
	(d) The Minister, on notice from Dams Safety NSW, may at any time or times: (i) cancel any approval given where a notice pursuant to section 19 of the Dams Safety Act 2015 is given.	NT	See Condition 5(a) above. Approval from the Minister has not been granted.
	(ii) suspend for a period of time, alter, omit from or add to any approval given or conditions imposed.		
EXPLORATION REPORTING			
	NOTE: Exploration Reports (Geological and Geophysical)	C	Letter from Regional NSW – MEG dated 10 March 2021 approved the lodgement of

Cond	Consolidated Coal Lease 775 (1973)	Status	Evidence
	The lease holder must lodge reports in accordance with the requirements in section 163C of the Mining Act 1992 and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation. *Guidelines for the structure, content and data format requirements for reports are set out in the Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.*		Group Reporting for CCL374, 1572 and CCL775. Viewed UWJV Coal Lease 374, Consolidated Coal Lease 775, Mining Lease 1572 Annual Exploration Reports for the periods: • September 2020 – 5 December 2021; and • September 2021 -December 2022. Also viewed UWJV 2022 Annual Community Consultation Report for Index Coal Lease 374.

APPENDIX D

STAKEHOLDER ENGAGEMENT CORRESPONDENCE

From: Tegan Anne Brown
To: lisaandrews
Cc: Dorian Walsh
Subject: United Wambo Mine Independent Environmental Audit
Date: Wednesday, 11 October 2023 2:51:00 PM
Attachments: image001.png

Afternoon,

The NSW DPE has approved JBA to complete an Independent Environmental Audit (IEA) of the United Wambo Mine, as required under the conditions of SSD 7142. This audit will cover the period from 1 December 2020 to 27 October 2023.

The audit will be undertaken in accordance with Conditions E12-E13 of SSD 7142 and the NSW DPE *Independent Audit Post Approval Requirements* (2020) (IAPAR). In accordance with the above conditions and the IAPAR, we are seeking feedback from you in the capacity of CCC Chair regarding any specific environmental issues you would like to be a particular focus of the IEA.

If you could respond by Friday 20 October, it would be greatly appreciated.

Don't hesitate to contact me if you have any questions.

Kind regards
Tegan

From: Mary-Anne Crawford
To: Tegan Anne Brown
Cc: Dorian Walsh; Planning and Regulatory Administration
Subject: Request for feedback - specific environmental issues - United Wambo Mine Independent Environmental Audit - 20/10/2023
Date: Monday, 16 October 2023 9:07:03 AM
Attachments:

[WARNING] This email originated from outside of the organisation.

Re 23/67829

Hi Tegan

Thank you for your request.

Council notes that the development has a number of conditions for which the applicant is required to consult and engage with Council. These include conditions A18, A19, B82, B91, B100, B103, B106, B108, C6, D18 and Appendix 9. The Audit should include consideration of how the applicant has sought Council's input into these conditions, the input received and the extent to which the Applicant has taken into consideration and adopted the feedback received.

The Applicant is also required, at conditions B55 to B60, to provide compensation for the loss of biodiversity proposed by the Project. In addition, the Applicant has proposed to potentially use ecological mine rehabilitation to offset up to 20% of the CEEC ecosystem credits required for the Project. The Audit should identify the status of biodiversity offsetting for the Project, including whether these offset obligations were secured at the appropriate time and how they were secured. The Audit should identify whether the Applicant intends to use ecological mine rehabilitation to offset ecosystem credits and, if so, undertake a detailed assessment of the works undertaken to date to comply with condition B61.

Where conditions are determined to be 'not triggered' a detailed explanation as to why should be included in the Audit Report.

Thanks again for the opportunity to provide comment into the Audit process, please don't hesitate to contact me if you had any questions.

Regards

SINGLETON
COUNCIL

MARY-ANNE CRAWFORD
Manager Development and Environmental Services

Department of Planning and Environment

Our ref: OUT23/17040

Tegan Brown
James Bailey & Associates
Email:

17 October 2023

Subject: **United Wambo Mine - (SSD-7142) - Independent Environmental Audit**

Dear Tegan,

I refer to your request seeking advice from the Department of Planning and Environment – Water (the department) on an upcoming audit for the above matter. It is understood this consultation is in accordance with conditions of approval for the project.

The department understands that the scope of the audit as outlined under the development consent and the reference guideline, “*Independent Audit Post Approval Requirements* (2020)” extends to at least the following:

- Identification of compliance requirements and documentation of any non-compliances.
- Assessment of the adequacy and implementation of management plans and sub plans.
- Assessment of compliance against relevant regulatory requirements and legislation.
- Assessment of compliance between actual and predicted impacts in the environmental assessment.
- Reporting requirements for management plans.
- Identification of strengths of the project in environmental management and opportunities for improvement.

The department requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:

- The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include:
    - Water Management Plans and related sub-plans eg. Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.
    - Extraction Plans and related sub-plans eg. Water Management Plan, Subsidence Management Plan.
- The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting.
- Water supply availability is clearly defined for the project.
- Water take at the site via storage, diversion, interception, or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018.

- Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.
- Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from.
- Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments at water.assessments@dpie.nsw.gov.au

Yours sincerely,

Tim Baker
Senior Project Officer
Water Assessments
Department of Planning and Environment — Water

AREQ0046383

Ms Tegan Brown
James Bailey & Associates
6/127-129 John Street
Singleton NSW 2330

By email:

Dear Ms Brown

Subject: United Wambo Joint Venture– Independent Environmental Audit

Thank you for your email dated 11 October 2023 requesting consultation on the independent audit to be undertaken of the United Wambo Joint Venture. The mine comprises the following titles as part of the United Wambo complex:

- CCL 7435 (1973)
- CCL 775 (1973)
- CL 374 (1973)
- CL 397 (1973)
- ML 1402 (1992)
- ML 1572 (1992)
- ML 1594 (1992)
- ML 1824 (1992)

The independent audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including the mining operations plan.

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016.

The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.

It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.

Yours sincerely

Jenny Ehmsen
Principal Compliance Auditor
19 October 2023

From: Hannah Schuchmann
To: Tegan Anne Brown
Subject: RE: United Wambo Mine Independent Environmental Audit
Date: Wednesday, 1 November 2023 12:40:06 PM
Attachments:

Hi Tegan,

Thanks for your email and apologies for our delay in response.

I refer to your email below requesting input from the EPA on the independent environmental audit of the United Wambo Mine in accordance with Conditions E12-E13 of SSD-7142 and the NSW DPE Independent Post Approval Requirements.

The EPA encourages the preparation of independent environmental audits as valuable tools for maintaining compliance and improving environmental performance. However, it is important to clarify that the EPA does not review or comment on the content of such audit reports. Our role primarily involves monitoring compliance and taking necessary enforcement actions when there are breaches of environmental regulations.

You can refer to the EPA's public register HERE to view licence information, regulatory history and non-compliances reported by the licensee in their Annual Return.

Due to the complexities and overlap of the United and Wambo sites – I will also offer the following notes to consider during the audit process:

- the United Wambo Mine operates under separate two development consents and holds two distinct environment protection licenses (United - EPL 3141 and Wambo - EPL 529) however there is significant overlap in the day to day operations between both premises.
- under the Joint Venture (JV) arrangement, Wambo has responsibility for surface and groundwater management across both sites. The EPA recognizes that, since the establishment of the JV, there have been challenges related to water management, including two overflow reports from the MIA sediment dam on the United site.
- The EPA understands there is CITEC alarm system utilised across both Wambo and United to deal with overlap of water between the sites.
- Noise complaints make up a large percentage of community complaints – majority from Jerrys Plains area as well as a self -reported noise exceedance on 14/10/22 at EPL Point 13.

Ensuring the overlap between the United and Wambo premises is captured in the audit is essential for ensuring a comprehensive environmental report.

Please reach out if you have any further questions or require any additional information.

Kind regards,

Hannah

Hannah Schuchmann
Operations Officer
Regulatory Operations – Metropolitan North
NSW Environment Protection Authority

www.epa.nsw.gov.au   @EPA_NSW

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents to 131 555 or 02 9995 5555

APPENDIX E

IEA SITE VISIT AGENDA

United Wambo Open Cut Coal Mine Project
Department of Planning & Environment
Independent Environmental Audit for SSD 7142

Agenda for Site Visit held
Tuesday 10 and Thursday 12 October 2023

INVITEES:

Aislinn Farnon (AF)	Glencore	Environment & Community Manager
Jake Hawkins (JH)	Glencore	Environment & Community Officer
Ashlee Baker (AB)	Glencore	Operator
Alex Coleman (AC)	Glencore	Environment & Community Officer
Skye Vickers (SV)	Glencore	Environment & Community Officer
Lori Depczynski (LD)	Glencore	Environment & Community Coordinator
Dorian Walsh (DW)	James Bailey & Associates	Auditor
Tegan Brown (TB)	James Bailey & Associates	Auditor

Table 1
Audit Agenda Items, Tuesday 10 October 2023

Time	Description	Location	Attendees
8:30 – 9:00am	**Opening Meeting** • Inductions / housekeeping (AF) • Scope and purpose of the IEA (DW) • IEA process and timing (DW) • Confidentiality arrangements (DW) • Site operations during the IEA period (AF)	Montrose Meeting Room	AF, DW, TB
9:00am – 12:30pm	**Approval Compliance Review** • Review of SSD 7142 conditions	Montrose Meeting Room	AF, DW, TB
12:30 – 1:00pm	**Lunch**		

Time	**Description**	**Location**	**Attendees**
1:00 – 3:00pm	**Site Inspection** • Review of environmental controls: o Mine Infrastructure Areas o Active mining areas o Amenity management and key monitoring locations, receptors o Water management structures o Rehabilitation areas.	Field	AF, DW, TB
3:00 – 4:00pm	**Approval Compliance Review (continued)** • Ongoing review of SSD 7142 conditions • Review of Client response to the 2020 IEA • Compare IEA period activities against EIS	Montrose Meeting Room	AF, DW, TB
4:00 – 4:30 (TBC)	**Auditors Revision Day 1**	Montrose Meeting Room	DW, TB

Table 2
Audit Agenda Items, Thursday 12 October 2023

Time	**Description**	**Location**	**Attendees**
8:30 – 9:00am	**Day 2 Overview Meeting** • Confirm arrangements for Day 2 • Review key information items	Montrose Meeting Room	AF, DW, TB
9:00am – 12:30pm	**Approval Compliance Review** • SSD 7142 conditions and SoCs • EA, management plan commitments • Environmental awareness and training • Complaints and incidents response	Montrose Meeting Room	AF, DW, TB
12:30 – 12:30pm	**Lunch**		
12:30 - 2:00pm	**Other Environmental Documentation** • Water licencing review • Mining Authorities review	Montrose Meeting Room	AF, DW, TB
2:00 – 2:30pm	**Compliance Review** • Finalise review of documentation • Discussion of issues to be clarified	Montrose Meeting Room	AF, DW, TB
2:30 – 3:00pm	**Auditors Preparation**	Montrose Meeting	DW, TB

Time	Description	Location	Attendees
		Room	
3:00 – 3:30	**Close Out Meeting** • Overview of preliminary findings (DW) • Confirm information requirements • Confirm process to complete the IEA • Discussion / Questions	Montrose Meeting Room	AF, DW, TB

APPENDIX F

SITE INSPECTION PLATES

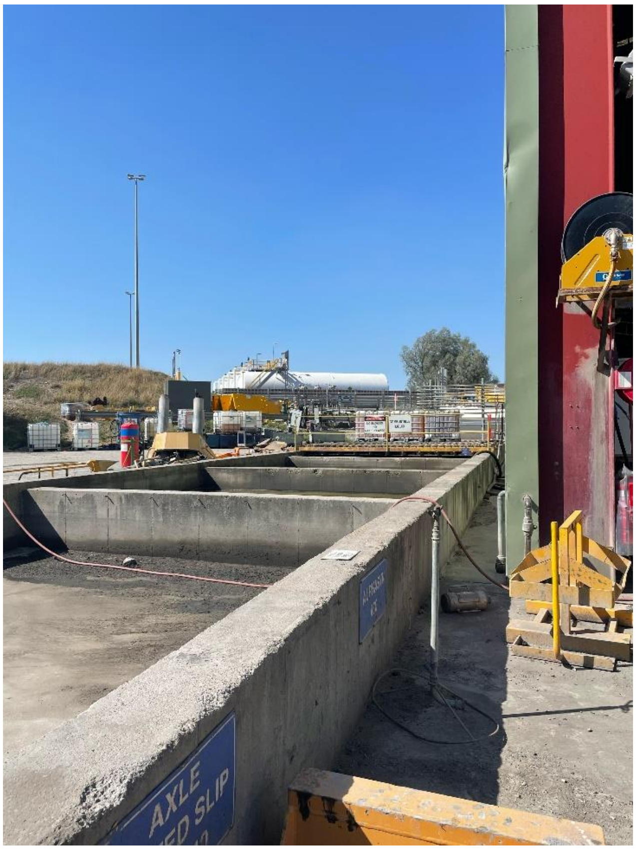

Plate 1 Bunded chemical storage area

Plate 2 Chemicals / oils stored on bunded pallets

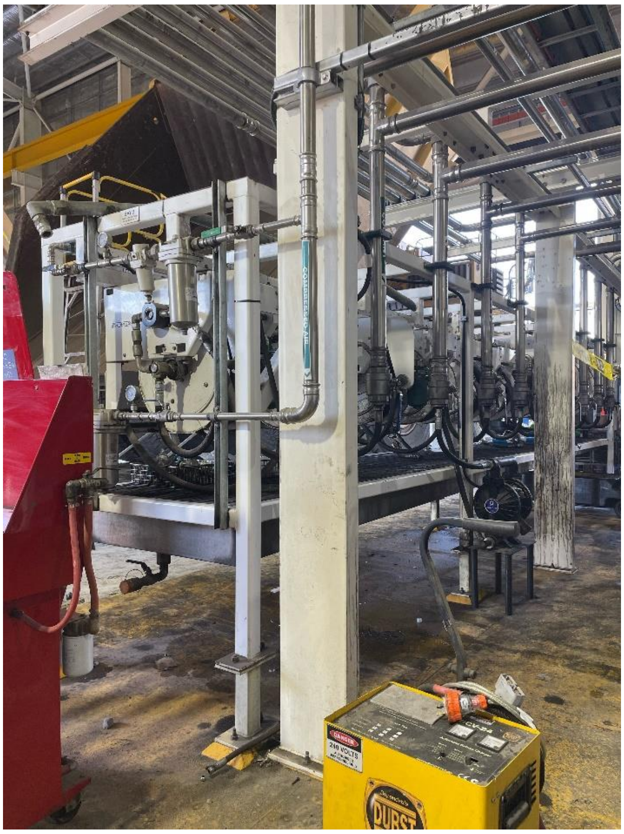

Plate 3 Chemical bunding inside workshop

Plate 4 Bunded chemical storage container at LV refuel point

Plate 5 Bunded Chemical Storage

Plate 6 Bunded chemical storage (opened)

Plate 7 Cladding on UWJV workshop to reduce visual contrast from external views

Plate 8 Localised dust emissions from excavator operations sighted during site inspection

Dust was being generally managed in accordance with site AQGHGMP

Plate 9 Haul road dust emissions management observed during site inspection

Dust from haul roads was generally being well managed, in accordance with site AQGHGMP and EPA (2019) Dust Assessment Handbook

Plate 10 Fire hose available within UWJV workshop

Plate 11 Fixed Lighting on Vehicle Washdown Bay

Plate 12 Mobile lighting plant at excavator maintenance pad

Plate 13 Mobile lighting plant at laydown area

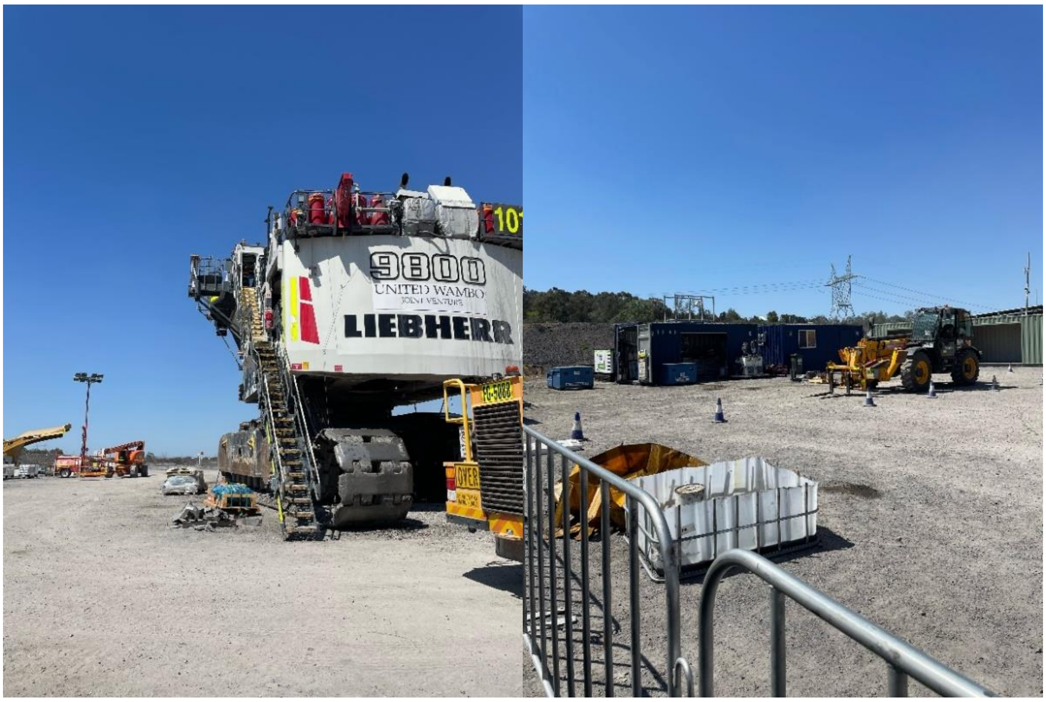

Plate 14 Excavator maintenance pad housekeeping and waste management

Plate 15 Active mining operations viewed from the east

Haul roads were being well managed to minimise dust emissions during the field inspection

Plate 16 View toward Hunter Pit rehabilitation under development viewed from United lookout

Plate 17 Security boom gate on site access

Plate 18 Segregated Skip Bins at UWJV workshop and LV maintenance area

Plate 19 Spill kit at UWJV workshop

Plate 20 Sweeper at UWJV workshop

Plate 21 Tyre management area

Tyres were stockpiled and managed in accordance with UW Waste Management Plan

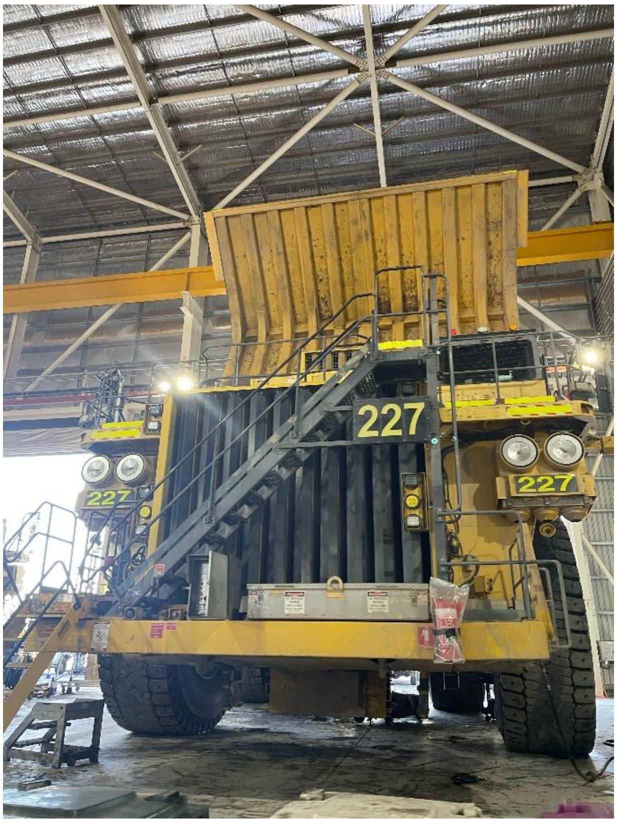

Plate 22 Vehicle maintenance workshop

Plate 23 View of visual bund adjacent Golden Highway

Plate 24 Segregated waste bins in UWJV workshop

Plate 25 Waste Skip Bins inn place at UWJV workshop area

Plate 26 Water Cart operating during site inspection

Plate 27 Sediment Dam gauging

Plate 28 Site Water Dam U3

Plate 29 Water Fill and Transfer Points