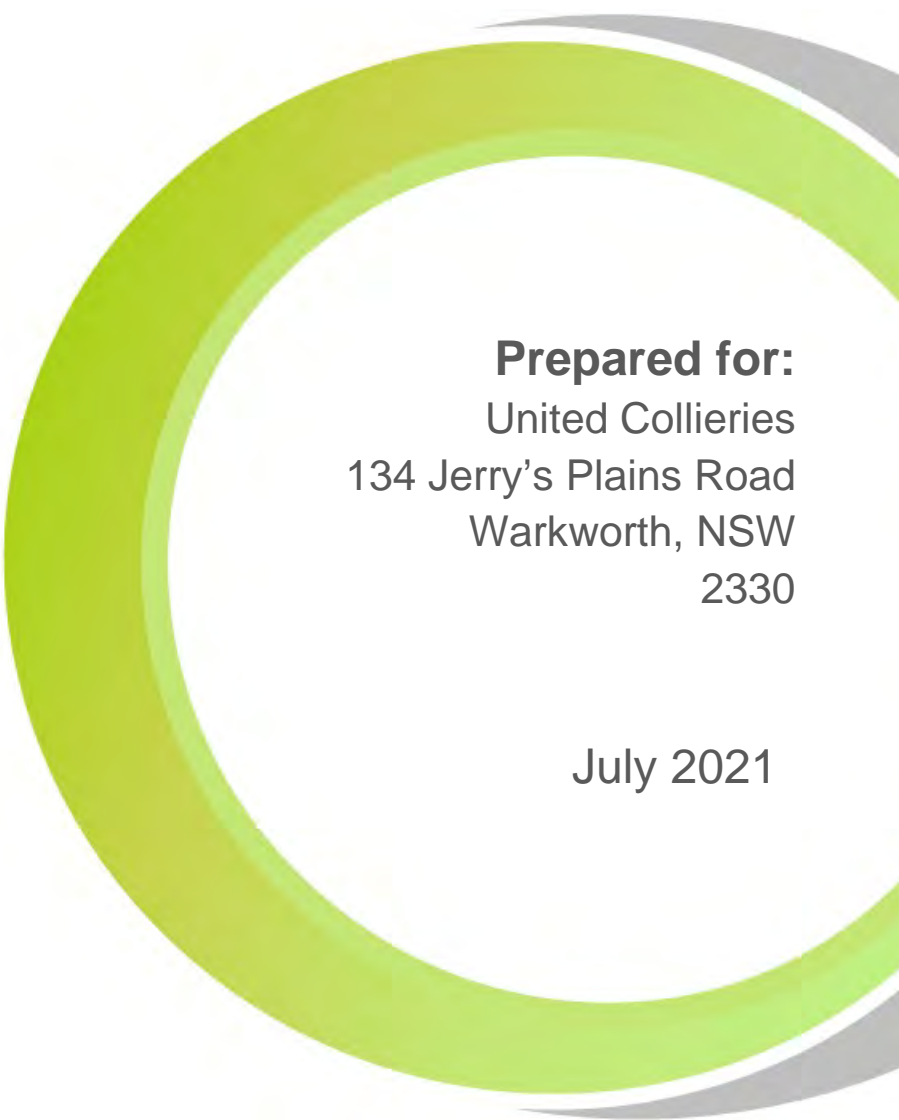


# UNITED WAMBO

## Independent Environmental Audit



**Prepared for:**  
United Collieries  
134 Jerry's Plains Road  
Warkworth, NSW  
2330

July 2021

## PREPARED BY:



Integrated Environmental Management Australia Pty Ltd

ABN 32 622 237 870  
PO BOX 404, WARNERS BAY  
NSW 2282 AUSTRALIA  
E: [admin@iema.com.au](mailto:admin@iema.com.au)  
T: 0409 288 909 | W: [www.iema.com.au](http://www.iema.com.au)



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IEMA disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

## DOCUMENT CONTROL

Reference	Date	Prepared	Authorised
Draft Report V1	2 March 2021	Tawna Ryan and Andrew Hutton	Andrew Hutton
Final V1	16 March 2021	Tawna Ryan and Andrew Hutton	Andrew Hutton
Final V2	19 March 2021	Tawna Ryan and Andrew Hutton	Andrew Hutton
Final V3	22 March 2021	Tawna Ryan and Andrew Hutton	Andrew Hutton
Final V4	19 July 2021	Tawna Ryan and Andrew Hutton	Andrew Hutton

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# 1. INTRODUCTION

## 1.1. Background

United Collieries (United) and Wambo Coal Pty Limited (Wambo) are neighbouring mine operations in the Hunter Valley region of New South Wales (NSW) located approximately 16 kilometres west of Singleton. Since the early 1980's, United has operated under Development Consent DA-410-11-2002-i, permitting underground and longwall mining operations. Since 2010, United has been in care and maintenance after the plans for Longwall panel 11 were abandoned. United is owned by a Joint Venture between Glencore Coal Pty Limited (Glencore) (95%) and Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU) (5%). Wambo is a subsidiary of Peabody Energy Australia Pty Limited (Peabody).

In November 2014, Glencore and Peabody agreed to a 50:50 Joint Venture joining the two operations to form the United Wambo Open Cut Coal Mine Project (United Wambo). The Joint Venture will synchronise the existing open cut operations at Wambo with United's coal reserves into a single operation utilising the infrastructure capacity at Wambo.

There are two separate Development Consents included within this IEA:

### 1.1.1. DA-410-11-2002-i

United have operated under DA-410-11-2002-i during the IEA period, with this being approved on 21 November 2003. They will continue to operate with conditions under DA-410-11-2002-i until it has been relinquished. DA-410-11-2002-i has been modified on 8 occasions, with the most recent being 3 December 2009.

### 1.1.2. SSD 7142

United Wambo operates under Development Consent SSD 7142 which was approved 29 August 2019. Operations for United Wambo are to be undertaken in the following phases:

- Phase 1A – construction works at United open cut mine;
- Phase 1B – continuation of construction works and commencement of mining operations at United open cut mine;
- Phase 2 – mining operations at the United open cut mine and Wambo open cut mine; and
- Phase 3 – the cessation of open cut mining operations and mine closure.

As required by condition E12 of SSD 7142, an Independent Environmental Audit (IEA) must be completed within a year of commencement and every three years thereafter. As joint operations between United and Wambo did not officially commence until 1 December 2020 (Phase 2), this IEA will only cover Phase 1 A and B of SSD 7142.

Other approvals relevant to both DA-410-11-2002-i and SSD 7142 are included in **Section 1.2**.

**Figure 1** identifies the operational areas of DA-410-11-2002-i and **Figure 2** shows the operational areas of SSD 7142.



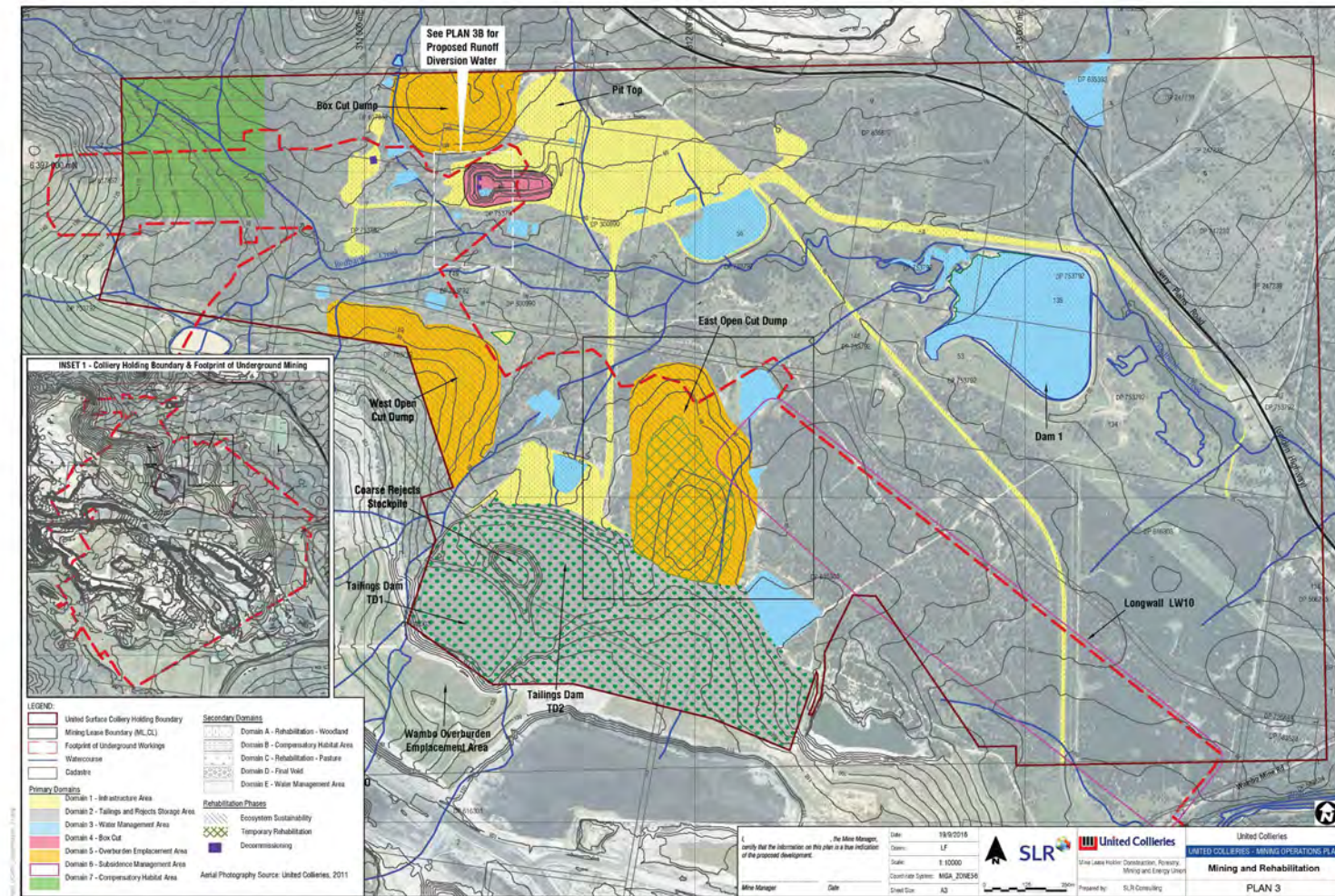


Figure 1 – United Collieries DA-410-11-2002-I – Mining and Rehabilitation Areas (Source: 2018 AEMR)



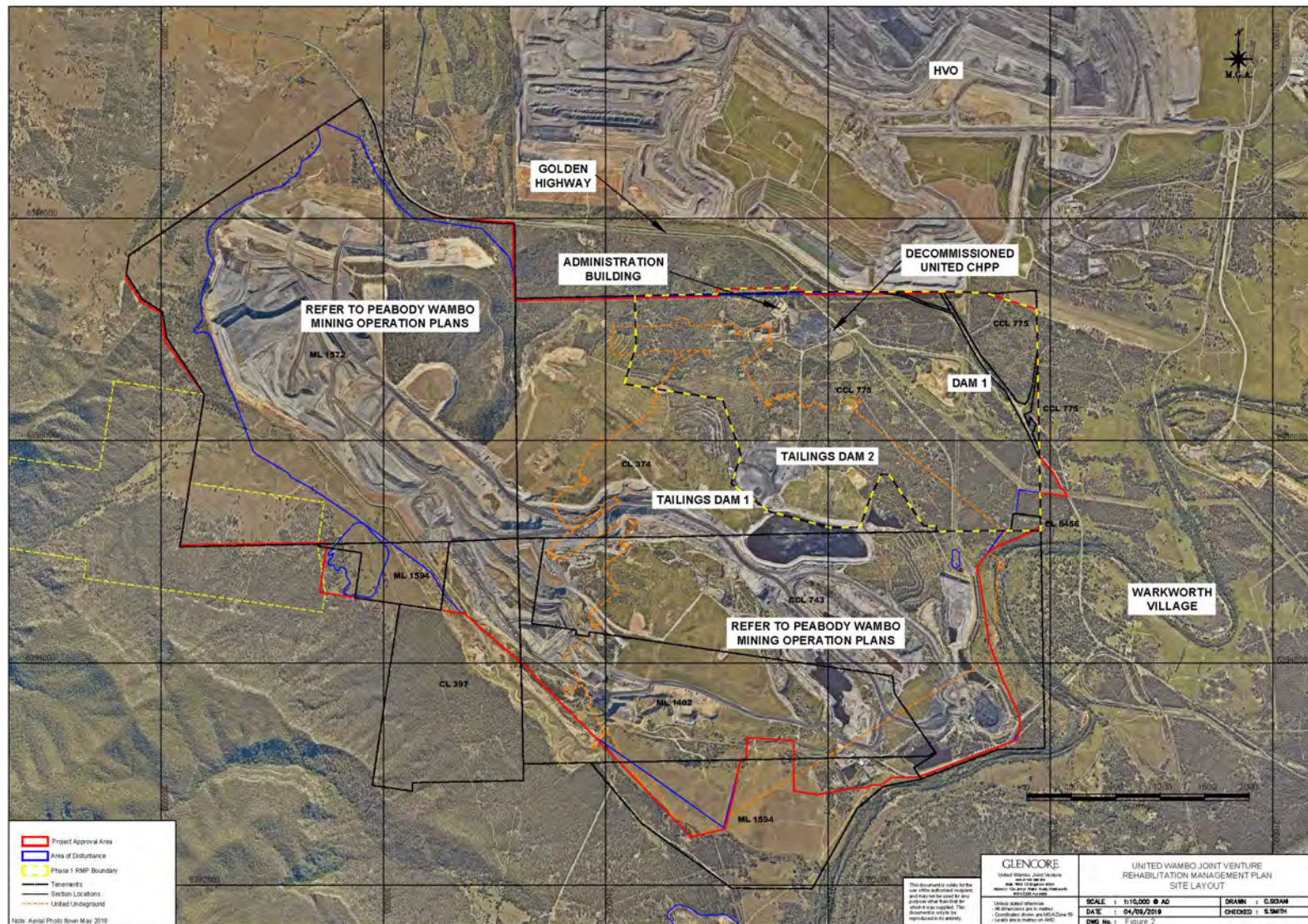


Figure 2 – United Wambo SSD 7142 – Rehabilitation Management Plan Site Layout (Source: 2019 AEMR)

## 1.2. Audit Scope

### 1.2.1. Development Consent DA-410-11-2002-i

The IEA period for DA-410-11-2002-i is 18 December 2018 to 30 November 2020. This period is based on the date of the previous audit commencement to the end of 30 November 2020 (end of Phase 1 operations under SSD 7142).

Under Schedule 6, Condition 6 of DA-410-11-2002-i the IEA will cover the following:

- a) *be conducted by a suitably qualified, experienced and independent person whose appointment has been endorsed by the Director-General;*
- b) *be consistent with ISO 14010 – Guidelines and General Principles for Environmental Auditing, and ISO 14011 – Procedures for Environmental Auditing, or updated versions of these guidelines / manuals;*
- c) *assess the environmental performance of the development, and its effects on the surrounding environment;*
- d) *assess whether the development is complying with the relevant standards, performance measures and statutory requirements;*
- e) *review the adequacy of the applicant's Environmental Management strategy and Environmental Monitoring Program; and, if necessary;*
- f) *recommend measures or actions to improve the environmental performance of the development, and / or the environmental management and monitoring systems.*

The IEA assessed the following approvals and documentation associated with DA-410-11-2002-i covering the period from 18 December 2018 to November 2020.

- Development Consent DA-410-11-2002-i (including management plans);
- Environment Protection Licence (EPL) 3141
- Consolidated Coal Lease (CCL) 775;
- Water Licences (access limits only); and
- Status of previous IEA recommendations.

### 1.2.2. Development Consent SSD 7142

Under Schedule 2, Condition E12 of SSD 7142, an IEA will need to be carried out within one year of commencement of development and cover the following requirements:

- a) *be led by a suitably qualified, experience and independent auditor whose appointment has been endorsed by the Planning Secretary;*
- 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;*
- c) *be carried out in consultation with the relevant agencies and the CCC;*
- d) *asses the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining lases for the development (including any assessment, strategy, plan or program required under these approvals);*
- e) *review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;*



- 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*
- g) be conducted and reported to the satisfaction of the Planning Secretary.*

The IEA period is from **6 January 2020** to **November 2020**. This is the first IEA of SSD 7142 and covers Phase 1 only. The other key approvals outlined within **Section 1.2.1** are applicable to the United Wambo Project as well.

As part of the IEA, a letter dated 09 September 2020 from the Department of Planning, Industry and Environment (DPIE) has requested that United Wambo utilise specialists to review the following matters for each of the consents:

- air quality management; and
- water management.

These specialists are detailed in **Section 1.4**.

### 1.3. Key Site Contacts

The main IEA contacts for United Wambo are Aislinn Farnon and Sean Pigott. See contact details below.

Aislinn Farnon

Environment and Community Manager

United Wambo Joint Venture

[aislinn.farnon@glencore.com.au](mailto:aislinn.farnon@glencore.com.au)

Sean Pigott

Environment and Community Co-ordinator

United Wambo Joint Venture

[sean.pigott@glencore.com.au](mailto:sean.pigott@glencore.com.au)

## 1.4. Audit Methodology

A series of environmental consultants were involved in this IEA, including:

- Andrew Hutton (Integrated Environmental Management Australia - IEMA) - Lead Auditor;
- Tawna Ryan (IEMA) – Assistant Auditor;
- Ali Naghizadeh (SLR) – Air Quality Specialist; and
- Katarina David (Independent Consultant) – Groundwater.
- The site component of the IEA occurred on 25<sup>th</sup> November, 3<sup>rd</sup> December 2020 and 20 January 2021.
- Ali Naghizadeh and Katarina David assessed with a review of desktop information.
- The IEA team are independent of United Wambo Coal as defined under **Section 3.3** of the Department of Planning, Industry and Environment's (DPIE) *Independent Environmental Audit Guidelines* (October 2015).
- Information was provided by United Wambo personnel during and following the IEA. IEMA also sourced a large amount of information from the United Wambo website.
- The methodology for the IEA consisted of the following key steps:
  - Introductory and close out meetings;
  - Reviewing key documents provided by United Wambo prior to the IEA;
  - Consultation with relevant government agencies as per the IEA Guideline requirements prior to the site component;
  - Site component of the IEA, included inspections and discussions with key United Wambo personnel;
  - Review of additional relevant documentation obtained while onsite during the inspection or provided by Glencore after the site inspection; and
  - Client review and comment on the draft IEA report.
- Photographs taken during the site inspection are included in **Appendix A**. A large amount of evidence was viewed and collected as part of the IEA, including monitoring records, reports, and correspondence. While this key evidence has been referenced in **Section 2**, it has not been attached to this IEA report.
- The IEA has been completed as per the *Independent Environmental Audit Guidelines* (DPIE October 2015).
- The IEA team assessed the approvals and documentation outlined in **Section 4**.

### 1.4.1. Introductory and Close Out Meeting

Introductory and close out meetings were held for the IEA. At the opening meeting introductions were made by each of the meeting attendees and Glencore personnel provided background details regarding the site to the IEA team. During the close out meeting a general discussion about compliance and areas for improvement was undertaken. **Table 1** lists those present at these meetings.

**Table 1 - Introductory Meeting Attendees**

Name	Role and Company
<b>Audit Introductory Meeting (25 November 2020)</b>	
Andrew Hutton	IEMA - Lead Auditor
Tawna Ryan	IEMA - Assistant Auditor
Aislinn Farnon	Glencore – Environment and Community Manager
Brent Frondall	Glencore – Environment and Community Officer
Erik Heiland	Glencore – Technical Services Manager
Daniel Brogan	Glencore – Mining Manager
Darren Meyer	Glencore – Maintenance Manager
Gary Wills	Glencore – Operations Manager
<b>Audit Close Out Meeting (12 March 2021)</b>	
Andrew Hutton	IEMA - Lead Auditor
Tawna Ryan	IEMA - Assistant Auditor
Aislinn Farnon	Glencore – Environment and Community Manager
Sean Pigott	Glencore – Environment and Community Officer



## 1.5. Consultation Requirements

**Table 2** outlines the stakeholder consultation completed for the IEA, undertaken in accordance with the IEA Guidelines. Copies of initial consultation with the relevant authorities is attached as **Appendix F**.

**Table 2 – Stakeholder Consultation for the IEA**

Regulatory Authority	Contact Details	Comment from IEA Team/Stakeholder	Audit Team Response
Department of Planning, Industry and Environment (DPIE)	Ann Hagerthy Senior Compliance Officer Planning and Assessment   Department of Planning, Industry and Environment T: 02 6575 3407 E: <a href="mailto:ann.hagerthy@planning.nsw.gov.au">ann.hagerthy@planning.nsw.gov.au</a>	Email to DPIE on 07 January 2021. Response below.  No comments to add to the audit.	Nil.
Environment Protection Authority (EPA)	Mark Hartwell Unit Head Operations – Hunter Contact no is the general EPA Newcastle Office no 02 49 08 6800 E: <a href="mailto:Mark.Hartwell@epa.nsw.gov.au">Mark.Hartwell@epa.nsw.gov.au</a>	Email to EPA on 07 January 2021. No response provided.	Nil
Department of Environment, Energy and Science	Steven Cox Senior Team Leader Planning T: 4927 3140 E: <a href="mailto:rog.hcc@environment.nsw.gov.au">rog.hcc@environment.nsw.gov.au</a>	Email to the DEES on 07 January 2021. No comments to add to the audit.	Nil
Department of Planning and Environment – Resources Regulator (DPE-RR)	Peter Ainsworth Manager Environmental Operations Resources Regulator T: 1300 814 609 (Option 2, then 5) E: <a href="mailto:nswresourcesregulator@service-now.com">nswresourcesregulator@service-now.com</a>	<ol style="list-style-type: none"> <li>1. Review relevant mining leases and exploration licences as agreed with Resources Regulator;</li> <li>2. Undertake an assessment of compliance against the conditions of title related to environmental management;</li> <li>3. Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP;</li> </ol>	<ol style="list-style-type: none"> <li>1. Covered by this IEA.</li> <li>2. Covered by this IEA.</li> <li>3. This is included under condition B103 of SSD 7142. The Phase 1 Rehabilitation Management Plan (RMP) commenced on 01 September 2019. The RMP covers the Project Approval requirements and the RMP Guideline</li> </ol>

		<p>4. Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:</p> <ul style="list-style-type: none"> <li>a. Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s);</li> <li>b. Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval;</li> </ul> <p>5. Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records.</p> <p>6. Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program - verified by reviewing Annual Rehabilitation Programs or similar documentation.</p> <p>7. Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection;</p> <p>8. Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and</p> <p>9. Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or</p>	<p>requirements. United held a site-specific MOP while the site was in care and maintenance.</p> <p>4. The information within the RMP is generally in accordance with the Project Approval. The rehabilitation strategy is not applicable to this IEA and has been prepared for Phase 2 of operations. No rehabilitation has occurred for United Wambo as this IEA covers its first year of operations. The MOP prepared for United reflected the site being in care and maintenance. Final land use is included in the MOP as per the guideline requirement.</p> <p>5. No long-term rehabilitation has occurred at United Wambo has operations have only just commenced in 2020. Rehabilitation during care and maintenance for United is included in the MOP and was generally complied with.</p> <p>6. Rehabilitation care and maintenance program was developed for United. Implementation of the program was generally complied with as outlined in the MOP.</p> <p>7. United Wambo mining operations have generally been in accordance with the RMP. No mining occurred under United.</p> <p>8. No long-term rehabilitation has been completed under United Wambo. Rehabilitation activities under United were generally in accordance with the MOP.</p> <p>9. No evidence of any issues regarding rehabilitation has been sighted.</p>
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		that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.	
Natural Resources Access Regulator	Ellie Randall   Water Regulation Officer Natural Resources Access Regulator   Water Regulation (East) T: +61 2 4275 9308   F: +61 2 4224 9740 E: <a href="mailto:ellie.randall@nrar.nsw.gov.au">ellie.randall@nrar.nsw.gov.au</a>	Email to NRAR on 07 January 2021 No response provided.	Nil.
Singleton Shire Council	Mary-Anne Crawford Manager Development and Environmental Services T: 02 6578 7290 E: <a href="mailto:mcrawford@singleton.nsw.gov.au">mcrawford@singleton.nsw.gov.au</a>	Email to SSC on 07 January 2021 No response provided.	Nil.
Community Consultative Committee (CCC) Chairperson	Lisa Andrews United Wambo JV Independent Chairperson T: 0401 609 693 E: <a href="mailto:lisaandrews.ic@gmail.com">lisaandrews.ic@gmail.com</a>	Email to CCC Chairperson on 07 January 2021. No response provided.	Nil.

## 1.6. IEA Report Update following DPIE Comments

Following review and comments from DPIE (18 June 2021), this report has been updated to address the outstanding requirements. This includes:

- Updating **Section 4.7** to include a brief summary of the traffic complaint received on 21 October 2020;
- Updating **Section 4.8** to clarify the definition of what is considered an incident, and to provide a summary of the one reportable exceedance that occurred during the IEA period;
- Update to **Section 4.9.2** to provide a brief summary of environmental performance against EIS predictions;
- Update to **Appendix E** to include the Letter of Endorsement from DPIE; and
- The inclusion of **Appendix F** which includes all initial consultation with the relevant regulatory authorities.

A table outlining the changes and response to the DPIE review is attached as **Appendix G**.



## 1.7. Statement of Independence

No one from the IEA team is related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;

We can confirm independence based on the following:

- No one from the IEA team has any pecuniary interest in the project, proponent, or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the Audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- No one from the IEA team have provided services (not including independent reviews or auditing) to the current project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- No one from the IEA team is an Environmental Representative for the Project; and
- No one from the proposed IEA team can or will accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

## 2. DOCUMENTS REVIEWED AND REFERENCED

Key documentation reviewed as part of the Audit includes:

- Development Consent (DA-410-11-2002-i) (including Management Plans);
- Development Consent SSD 7142 (including Management Plans);
- EPL 3141;
- CCL 775;
- Water Licences (Review of extraction volumes);
- Annual Reviews – 2018, 2019 and 2020;
- Monitoring results for meteorological, noise, air, water and blasting;
- Environmental Management Plans – as per approval conditions;
- Mining Operations Plans/ Rehabilitation Management Plans (MOPs/ RMPs);
- Annual Returns – across the IEA period;
- Complaints log;
- Evidence of maintenance and calibration;
- Incident reports and investigations;
- CCC Meeting Minutes – across the IEA period; and
- Key consultation with government – including consultation and approval letters.

### 3. ASSESSMENT OF COMPLIANCE

The terms used in the Audit to describe the level of compliance of the site with the relevant approval documentation are outlined in **Table 3** and **Table 4**. These are requirements of the DPIE's *Independent Environmental Audit Guidelines* (October 2015).

**Table 3 - Compliance Assessment Criteria**

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

**Table 4 - Risk Levels for Non-Compliances**

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



## 4. APPROVALS AND DOCUMENTATION

### 4.1. Previous Audit Recommendations

The 2019 Annual Review provided an update on outstanding audit actions. This indicates that actions had been completed. There were some ongoing monitoring and maintenance actions.

### 4.2. Project Approvals

The IEA assessed the United Development Consent DA-410-11-2002-i MOD 8 – *Proposed Modification to DA 410-11-2002 for Mining of Longwall Panel 12 and Mine Development Areas* - and the United Wambo Development Consent SSD 7142. There have been no modifications to SSD 7142. Based on Schedule 2 Condition A9 of the SSD 7142, United Wambo has approval to carry out mining operations until 31 August 2042.

Recommendations relating to the Development Consents are outlined in **Section 6** and **7** of this report.

Overall, there was a high level of compliance with the project approvals.

### 4.3. Environment Protection Licence

United operated under Environment Protection Licence (EPL) 3141 which has an anniversary date of 30 November. The licence was varied 28 October 2020 to reflect the operations of the United Wambo Joint Venture.

Conditions specific to SSD 7142 operations are colour coded in orange, while general conditions referring to both development consents are coloured purple.

Overall, there was a high level of compliance with EPL 3141.

### 4.4. Management Plans and Programs

As United was in care in maintenance until 06 January 2020, Glencore corporate personnel proposed to consolidate the relevant management plans required under DA-410-11-2002-i into five comprehensive plans. The NSW Department of Planning and Environment (now DPIE) approved this rationalisation on 23 September 2015. The approved condensed plans are listed in Table 5.

Management plans under SSD 7142 were generally prepared and approved in accordance with the development stages. Therefore, the management plans for United Wambo have preparation and approvals for Phase 1A and Phase 1B.

Each environmental management plan required under SSD 7142 and DA-410-11-2002-i has been assessed as part of the IEA, with all the management plans listed in Table 5. In summary:

- Evidence of consultation with DPIE was provided during the IEA period;
- Evidence of approval to consolidate the management plans required under DA-410-11-2002-i was provided;
- The preparation of all new management plans under SSD 7142 (both Phase 1A and Phase 1B) were generally in accordance with the conditions required in E5 of the consent; and
- Recommendations relating to management plans are outlined in **Section 6** and **7** of this IEA. The overarching recommendation out of this IEA in relation to management plans that all management plans should be reviewed and resubmitted to be consistent with Schedule 2, Condition E7 of SSD 7142 which states that.

*Within 3 months of:*

- a) The submission of an incident report under condition E9;*
- b) The submission of an Annual Review under condition E11;*

- c) *The submission of an Independent Environmental Audit under condition E12; or*
- 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.*

A summary of management plans is outlined in **Table 5**. Recommendations relating to management plans are outlined in **Section 6 and 7**.

**Table 5 - Management Plans**

Development Consent Condition	Management Plan	Approved Management Plan Date	Summary of Management Plan
<b>Development Consent DA-410-11-2002-i</b>			
	Compensatory Habitat Management Plan	31 March 2018	This plan was updated to include <i>the Offset Management Plan</i> .  United operated under this plan until 06 January 2020.
	Erosion and Sediment Control Management Plan	16 April 2019	This plan was updated to reflect the care and maintenance status of United.  United operated under this plan until 06 January 2020.
	Environmental Management Strategy	31 March 2018	This program consolidates weed, bushfire, hydrocarbons, and various environmental management.  Approval to consolidate this plan was granted 23 September 2015 while United was in care and maintenance.
	Environmental Monitoring Program	31 March 2018	This program consolidates the requirements of the Groundwater, Surface Water, Noise and Air Quality Monitoring Programs.  Approval to consolidate this plan was granted 23 September 2015 while United was in care and maintenance.
	Mine Operations Plan	May 2019	This plan consolidates the <i>Mine Closure Management Program, Rehabilitation Management Plan and Landscape Management Plan</i> .  Approval to consolidate this plan was granted 23 September 2015 while United was in care and maintenance.
<b>SSD 7142</b>			
Schedule 2, Condition B5	Noise Management Plan	13 July 2020 (Phase 1B)	The most recent version of this plan was approved on 1 December 2020.  During the IEA period United Wambo operated in accordance with the Phase 1A <i>Noise Management Plan</i> approved 16 December 2019, and Phase 1B <i>Noise Management Plan</i> approved 13 July 2020.
Schedule 2, Condition B21	Blast Management Plan	13 March 2020 (Phase 1B)	The most recent version of this plan was approved 1 December 2020 for Phase 2 operations. However, following the 24 September 2020 incident, an updated version has been prepared and is awaiting approval from DPIE.

Development Consent Condition	Management Plan	Approved Management Plan Date	Summary of Management Plan
Schedule 2, Condition B29	Air Quality and Greenhouse Gas Management Plan	13 July 2020 (Phase 1B)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Air Quality and Greenhouse Gas Management Plan</i> approved 11 November 2019, and Phase 1B <i>Air Quality and Greenhouse Gas Management Plan</i> approved 13 July 2020.
Schedule 2, Condition B32	Export Management Plan	20 July 2020 (Phase 1B)	This management plan was prepared for Phase 1B of operations and approved 20 July 2020.
Schedule 2, Condition B52	Water Management Plan	11 December 2019 (Phase 1A)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Water Management Plan</i> approved 11 December 2019.
Schedule 2, Condition B52 (e)	Erosion and Sediment Control Plan	11 December 2019 (Phase 1A)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Erosion and Sediment Control Management Plan</i> approved 11 December 2019.
Schedule 2, Condition B52 (e)	Surface Water Management Plan	11 December 2019 (Phase 1A)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Surface Water Management Plan</i> approved 11 December 2019.
Schedule 2, Condition B52 (e)	Groundwater Management Plan	11 December 2019 (Phase 1A)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Groundwater Management Plan</i> approved 11 December 2019. The findings of the IEA noted a few non-compliances with this plan and recommended actions are outlined in <b>Sections 6 and 7</b> .
Schedule 2, Condition B71	Biodiversity Management Plan	11 November 2019 (Phase 1A)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Biodiversity Management Plan</i> approved 11 November 2019.
Schedule 2, Condition B71 (e)	Biodiversity Offset Strategy	11 November 2019 (Phase 1A)	This strategy is included as part of the <i>Biodiversity Management Plan</i> .
Schedule 2, Condition B79	Aboriginal Cultural Heritage Management Plan	25 November 2019 (Phase 1A)	This plan was prepared for Phase 1A operations and approved 25 November 2019. United Wambo currently still operates under this version of the plan.
Schedule 2, Condition B82	Historic Heritage Management Plan	25 November 2019 (Phase 1A)	This plan was prepared for Phase 1A operations and approved 25 November 2019. United Wambo currently still operates under this version of the plan.

Development Consent Condition	Management Plan	Approved Management Plan Date	Summary of Management Plan
Schedule 2, Condition B95	Bushfire Management Plan	31 December 2019 (Phase 1A)	This plan was prepared for Phase 1A operations and approved 31 December 2019. United Wambo currently still operates under this version of the plan.
Schedule 2, Condition B100	Rehabilitation Strategy	25 November 2019 (Phase 1A)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Rehabilitation Strategy</i> approved 25 November 2019.
Schedule 2, Condition B103	Rehabilitation Management Plan	8 July 2020 (Phase 1B)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1A <i>Rehabilitation Management Plan</i> approved 25 November 2019, and Phase 1B <i>Rehabilitation Management Plan</i> approved 8 July 2020.
Schedule 2, Condition B106	Mine Closure Plan	Not Triggered in IEA period	This IEA covered the first year of operations at United Wambo, therefore this plan has not been triggered.
Schedule 2, Condition B108	Social Impact Management Plan	17 July 2020	The most recent version of this plan was approved 17 July 2020. United Wambo still operates under this version of the plan.
Schedule 2, Condition C8	Construction Traffic Management Plan	Not Triggered in IEA period	This management plan is a requirement for the realignment of the Golden Highway which has not occurred. Therefore, it was not triggered during the IEA period.
Schedule 2, Condition C10	Construction Environmental Management Plan	11 November 2019 (Phase 1A)	This plan was prepared for Phase 1A operations and approved 11 November 2019. United Wambo currently still operates under this version of the plan.
Schedule 2, Condition E1	Environmental Management Strategy	13 July 2020 (Phase 1B)	The most recent version of this plan was approved on 1 December 2020. During the IEA period United Wambo operated in accordance with the Phase 1B <i>Environmental Management Strategy</i> approved 13 July 2020.

## 4.5. Consolidated Coal Lease

The following Consolidated Coal Lease was reviewed as part of the IEA:

- CCL 775

CCL 775 is the only mining lease associated with the site. There were no non-compliances for this lease.

## 4.6. Water Access Licences

The Annual Environmental Management Reviews (AEMRs) provide an update on Water Access Licences (WAL) including passive take / inflows and active pumping. A review of water-take compared to the entitlement (unit share) has been included within this section of the IEA. It should be noted that this IEA only covers 18 December 2018 to 31 December 2018, however the recorded water take levels covers the entire 2018 calendar year.

The IEA team has assessed compliance with the information that United has provided within the AEMRs.

**Table 6 – Water Take Summary for United (2018 – 2020)**

Water Licence Number	2018			2019			2020		
	Passive Take / Inflows (ML)	Active Pumping (ML)	Total (ML)	Passive Take / Inflows (ML)	Active Pumping (ML)	Total (ML)	Passive Take / Inflows (ML)	Active Pumping (ML)	Total (ML)
WAL 18445	0	3.03	3.03	0	1.16	1.16	0	0.63	0.63
WAL 10541	0	0	0	0	0	0	0	0	0
WAL 18549	0	0	0	0	0	0	0	0	0



## 4.7. Complaints

Complaints received during the IEA period are outlined in **Table 7**.

One complaint was received during the audit period. In summary, the complainant witnessed a congregation of three light vehicles and one Medium Rigid (MR) truck waiting for an access gate to open. The complainant was concerned one of drivers of a light vehicle was going to pull onto the highway, however he was just moving to allow the MR truck to pass.

The traffic procedure has since been updated to require a light vehicle to inspect the entry prior to arrival of any trucks to ensure both access gates are open, and the access is clear. Workforce was also reminded of their obligations to operate vehicles in a safe and courteous manner both at work and when travelling to and from work.

No complaints were received during the 2018 and 2019 IEA periods.

**Table 7 - Number of Complaints since last Independent Environmental Audit**

Year	Total Complaints	Breakdown of Complaints
2020	1	Traffic
2019	0	No complaints received.
2018	0	No complaints received in the IEA period.

#### 4.8. Reportable Environmental Incidents and Exceedances

Under DA-410-11-2002-i, United was in care and maintenance and did not start operating as United Wambo until 06 January 2020 under SSD 7142. Any exceedance that occurred prior to the commencement of SSD 7142 was investigated and found that the exceedance was not a result of United operations.

Development Consent SSD 7142 defines an incident as “an occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance”. Based on IEMA’s assessment, no incidents occurred during the audit period (18 December 2018 to 30 November 2020) that meet this definition.

Under SSD 7142, one reportable exceedance occurred relating to blasting on 24 September 2020. This did not result in any community complaints or concerns from Ausgrid. A summary of exceedances occurring within audit period are summarised in **Table 8**.

**Table 8 - Summary of Exceedances from Annual Reviews**

Date	Aspect	Condition Number	Summary of Exceedances from Annual Reviews	Auditor Notes
2019	Air Quality	Not stated, but covers DA-410-11-2002-i and EPL conditions	An increase in PM <sub>10</sub> concentrations at Warkworth between the hours of 5 pm and midnight did not coincide with winds from United. The PM <sub>10</sub> concentrations at the United Warkworth monitor would have been above the 50µg/m <sup>3</sup> criterion in the absence of contributions from United. A PM <sub>10</sub> level of 68 µg/m <sup>3</sup> was recorded at the Warkworth HVAS. United was currently not operating and its contribution to local air quality would be minimal.	Noted. Non-compliance (Low).
2019	Air Quality	Schedule 3, Condition 43 of DA-410-11-2002-i EPL Condition M2.2	A fault with one of the HVAS units occurred on the 26 January 2019 which caused the RCD to trip and no PM <sub>10</sub> data was able to be collected. This resulted in a non – compliance for monitoring frequency for Schedule 3, Condition 43 of the Development Consent and condition M2.2 of EPL 3141.	Noted. Non – compliance (Low).

Date	Aspect	Condition Number	Summary of Exceedances from Annual Reviews	Auditor Notes
2020	Air Quality	Not stated, but covers SSD 7142 and EPL conditions	Power failure and invalid HVAS readings occurred on the following dates: 15 January, 21 January, 19 February, 12 May, 17 June, 19 June, 26-29 July, 22 September, 26-28 September.	Noted. Non – compliance (Low).
2020	Blasting	Schedule 2, Condition B8 of SSD 7142	<p>On 24 September 2020 a blast exceedance occurred near the 66 kV Ausgrid transmission line. United Wambo engaged Terrock Consulting Engineers to investigate the incident. The investigation determined:</p> <ul style="list-style-type: none"> <li>The event involved two surface overburden blasts drilled approximately 2 metres deeper than previous blasts;</li> <li>The peak level vibration came from the first blast (Blast 30);</li> <li>Strong rhythmic wave forms in the horizontal channels termed 'beat' frequency were recorded;</li> <li>Beat frequency is a result of two closely related vibration frequencies combining and can double the vibration peak particle velocity levels causing large increases in the site constant.</li> </ul> <p>United Wambo did not receive any community complaints or concerns from Ausgrid regarding the blast. The transmission line was de-energised on 30 September 2020 and decommissioned as part of the relocation of the 66 kV transmission line.</p>	Noted, non – compliance (Medium).

## 4.9. Comparison Against EIS Predictions

### 4.9.1. Development Consent DA 410-11-2002-i

Comparison against EIS predictions will be outlined in the 2020 Annual Review, as this is a requirement of the guidelines. However, as part of this IEA, the site has had a high level of compliance with criteria.

The EIS covering DA-410-11-2002-i was for underground operations. However, as the site was in care and maintenance during this IEA period (under this consent) the EIS predictions for DA-410-11-2002-i were not valid. This is summarised in the 2018 and 2019 AEMRs.

### 4.9.2. Development Consent SSD 7142

A detailed comparison against EIS predictions is outlined in the 2020 Annual Review, as this is a requirement of the guideline. However, as part of this IEA, the site has had a high level of compliance with criteria which means they generally met the EIS predictions.

## 4.10. Summary of Findings of Key Environmental Management (Non-Specialist Requirements)

This section has since been updated for the July 2021 revision following the submission and approval of the 2020 Annual Review, which was completed outside the IEA period. The following subsections summarise the environmental performance for United Wambo under Phase 1 of SSD 7142, which was 06 January 2020 to 30 November 2020.

In summary, during Phase 1 of operations, United Wambo generally remained below EIS predictions for noise, blasting, and surface water. There were no impacts to Aboriginal or European heritage items. Any exceedances were reported within the given time frame and investigated appropriately.

There were also numerous issues with faulty HVAS monitors resulting in outages and missed monitoring data. Further investigation revealed that majority of these outages occurred along Redmanvale Road which has known electrical issues that are beyond United Wambo's control. Current mitigation measures include back-up batteries installed at known problematic receiver locations. Air quality compliance is further discussed in **Section 5.1** with input from the air quality specialist.

### 4.10.1. Noise

The IEA assessed all management plans and implementation strategies relating to noise management that are required under SSD 7142, (see **Section 4**). Night-time operations did not commence until May 2020 therefore noise monitoring did not commence until then. The IEA found that during Phase 1, United Wambo remained below the EIS predictions for noise. This is further supported in Section 6.2 of the Annual Review.

Moving forward, it is suggested that the noise monitoring figure should be consistent with the one used in the *Noise Management Plan*. Based on discussion with site, it is also anticipated that real time calibration of noise monitors will commence in Q1 of 2021. United Wambo should ensure that this is completed quarterly.

### 4.10.2. Blasting

The IEA assessed all management plans, strategies and implementation procedures associated with blasting. Overall blasting was generally compliant with SSD 7142 conditions, however there was one notable exceedance that occurred on 24 September 2020. This exceedance is summarised in **Table 8** in **Section 4.8**. This exceedance resulted in non-compliances for Schedule 2, Conditions B8 and B18. This exceedance is also summarised in Section 6.3 of the *2020 Annual Review*.

Following the September exceedance, United Wambo had an investigation undertaken by Terrock Consulting Services to identify the cause of the exceedance. United Wambo now uses Terrock Consulting Services to review every design where vibration prediction is greater than 50% of the limit at the receiver.

#### 4.10.3. Surface Water

The IEA assessed all management plans, strategies and implementation measures associated with surface water. The IEA deemed United Wambo to be within EIS predictions for surface water management and monitoring.

At the time of the IEA period, Wambo Mine was responsible for monitoring water quality and volume for licensed discharges as United had no licensed discharge points. Evidence was provided for monitoring of onsite dams and review of erosion and sediment control management during construction. Section 6.8.9 of the *2020 Annual Review* supports this finding and adds that Wambo will continue to monitor surface water requirements and limits relevant to EPL 529 and the Hunter River Salinity Trading Scheme (HRSTS) and provide the results to United Wambo as required.

Groundwater is covered separately by a specialist under **Section 5.2** of this report.

#### 4.10.4. Biodiversity

During the IEA, IEMA reviewed all management plans and strategies related to biodiversity. There were no non-compliances related to biodiversity. It was noted that condition B56 of SSD 7142 requires United Wambo to retire Stage 1 biodiversity credits within 12 months of commencing Phase 1A, or within an agreed timeframe by the Secretary. The biodiversity credits shown in Table 5 of SSD 7142 were calculated using the BioBanking Assessment Methodology (BBAM), however these can no longer be created and credits must now be retired under the Biodiversity Assessment Method (BAM).

The Biodiversity Conservation Division (BCD) provided United Wambo with a letter dated 18 September 2020 proposing a new method to re-calculate their Stage 1 credits. In consultation with the BCD, Biodiversity Conservation Trust (BCT) and DPIE, United Wambo was granted an extension until 06 January 2022 to retire their biodiversity credits. The extension was approved 20 October 2020. The *2020 Annual Review* provides further details of this in Section 6.5.

#### 4.10.5. Heritage

##### Aboriginal Heritage

The IEA assessed all Aboriginal heritage management plans, implementation procedures and strategies. This included the *Site Familiarisation Presentation* which is presented at new starter inductions. The IEA deemed United Wambo to be compliant with their Aboriginal heritage management. United Wambo also demonstrated that they undertook appropriate measures when possible Aboriginal objects were identified and provided evidence that Aboriginal artefacts are registered with the Aboriginal Heritage Information Management System (AHIMS).

During the EIS (2016), a survey was completed which included eight excavations and recovered 192 artefacts which is considered scarce. Section 6.6.2.1 of the *Annual Review* states that in 2020, United Wambo salvaged 120 Aboriginal heritage sites. This salvage demonstrated United Wambo has a low density of Aboriginal artefacts and remains below the original EIS predictions. A technical report documenting the salvage was completed in May 2021.

##### Historic Heritage

The IEA assessed historic heritage management plans, plan implementation, and archived photos associated with the European Heritage Sites. Assessment concluded that there were no impacts on the European Historic Heritage sites and United Wambo was within the EIS predictions. This is further supported in Section 6.6 of the *2020 Annual Review*.



#### 4.10.6. Visual

After revision of all documentation associated with visual lighting and amenity, The IEA deemed United Wambo to be non-complaint (administrative). Overall United Wambo was able to provide evidence that they implement operational procedures and structures to prevent visual disturbance. However, United Wambo's most recent lighting audit was completed in 2012 and cannot prove that they are still complaint. At the time of the IEA, United Wambo had also not completed the construction of the mine infrastructure area (MIA).

It is recommended in **Section 6** that United Wambo complete a new lighting audit against the latest version of *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting* now that the MIA is completed. Section 4.2.3 of the *2020 Annual Review* states that this area now includes ancillary facilities, carparks and lighting.

#### 4.10.7. Waste

The IEA assessed all management plans, protocols and implementation measures related to waste. It was determined that there were no waste non-compliances during the IEA period. United Wambo operates on a waste hierarchy of reduce, recycle, and as a last resort, dispose. A visual assessment was completed on one of the site visits and the IEA audit team was overall satisfied with United Wambo's waste procedures. Section 6.7 of the *2020 Annual Review* states that United Wambo is still operating under the waste hierarchy and continues to separate their waste.

At the time of the visual inspection, United Wambo was storing hydrocarbons at a temporary location on site and anticipated to move them to a permanent location when possible. It has been suggested that United Wambo should complete a Phase 1 Contamination Assessment of the temporary storage area once the hydrocarbons have been moved to their permanent location. This is listed as Improvement Recommendation Number 13 in **Table 10 of Section 7**.

There are no EIS predictions for waste.

#### 4.10.8. Rehabilitation

Minimal rehabilitation was completed during the IEA period. While the site was in care and maintenance under DA-410-11-2002-i, works mostly included inspections and pest and weed management. Under SSD 7142 no rehabilitation took place as operations were in their first year. Section 7 of the *2020 Annual Review* further supports this saying that no rehabilitation was undertaken during the reporting period (1 January 2020 – 31 December 2020). Evidence was provided for managing historic rehabilitation in the IEA period, with this including inspections and weed and pest management.

## 5. ENVIRONMENTAL MANAGEMENT – SPECIALIST ASSESSMENTS

### 5.1. Air Quality

In accordance with Project Approval SSD 7142, United Wambo operated in accordance with the approved *1A Air Quality and Greenhouse Gas Management Plan* approved 16 December 2019, and *1B Air Quality and Greenhouse Gas Management Plan* approved 13 July 2020. However, the most current available version was approved 1 December 2020 for Phase 2 operations. It should be noted that the site was in care and maintenance for majority of the IEA period (18 December to 06 January 2020) and operated in accordance with the United *Environmental Monitoring Program* approved 31 March 2018 under DA-410-11-2002-i.

During the IEA, the following was noted regarding air quality:

- The field visits did not indicate any issues with air quality. Evidence of water trucks being used and minimal dust issues.
- Evidence of implementation of the air quality monitoring program including using NATA accredited specialists as required by the *Air Quality and Greenhouse Gas Management Plan*.
- Based on evidence, there were no contributory exceedances of air quality criteria. However, there were numerous issues of faulty HVAS monitors resulting in lost data. After discussion with site, it was determined that majority of these outages occurred at receivers located along Redmanvale Road which has electrical issues beyond United Wambo's control. Current mitigation actions include implementing back-up batteries at known problem locations.
- PM<sub>10</sub> and TSP levels were exceptionally high during late 2019 and early 2020 due to the extraordinary Australian bushfire season. These days were considered extraordinary events by DPIE and not reported as exceedances.
- Site uses proactive steps to minimise air quality impacts. This includes:
  - Fitting machines and trucks with Tier 4 Final requirements;
  - Daily meteorological forecasting presented at the daily pre-starts;
  - Efficient use of water trucks and wash down stations.

Recommendations relating to air quality are outlined in **Sections 6 and 7**.

### 5.2. Groundwater

Under SSD 7142, Groundwater management was in accordance with the *Groundwater Management Plan* approved 11 December 2019, with the most recent version approved 1 December 2020 for Phase 2 operations. While the site was in care and maintenance from 2018 – 06 January 2020 of the IEA period, United operated in accordance with the United *Environmental Management Strategy* approved 31 March 2018 and the *Environmental Monitoring Program* approved 31 March 2018.

Some of the key aspects noted regarding groundwater during the IEA period included:

- Under the *Water Act 1912* and /or the *Water Management Act 2000*, the Applicant is required to obtain all necessary water licences. United Wambo holds several groundwater extraction and monitoring bore licences which is in accordance with the *Water Management Act 2000*.
- Both SSD 7142 and DA-410-11-2002-i require regular reporting of exceeding trigger levels. Numerous exceedances occurred during 2019 however reporting justifications were based on assumptions rather than investigating, as required.
- Groundwater model is required to be updated every three years. Discussion with site indicates that the 2021 groundwater model is currently being prepared.

- Water extraction levels (direct and indirect) must be reported for every year. This is provided in the 2018 and 2019 AEMRs and **Table 6** of this report.
- Under SSD 7142, the *Groundwater Management Plan* monitoring requirements is inconsistent with the table provided in the Plan. It is recommended that this is updated to reflect the correct required monitoring conditions.
- Quarterly monitoring reports for 2020 only indicate monitoring of five bores, however there are 31 bores in the network. It is recommended that the monitoring results of all 31 bores are provided in the 2020 Annual Review, as required, and an explanation provided for those bores that are no longer monitored.
- Under DA410-11-2002-I, The Groundwater Monitoring Program (2017) required an investigation if a specific monitoring location exceeded the criteria for at least three consecutive monitoring events. Evidence was provided in a spread sheet titled Groundwater Monitoring Result Investigation Records (2019) which outlined the proposed reason for triggers. Triggers were mentioned in the 2018 and 2019 AEMRs but does not provide investigation and analysis into the cause of the exceedances. It mentions that the likely and potential cause for trigger level exceedances is reduced rainfall. Given the site was in care and maintenance during 2018 and 2019 reporting of exceedances is considered sufficient given it was not an impact from mining operations. Therefore, this condition is considered compliant. We note there are triggers now associated with SSD 7142 which are more applicable to the operating open cut.
- Under SSD 7142, the *Groundwater Management Plan* states that owners of privately-owned licensed groundwater bores must be notified if drawdown levels are predicted to be greater than 2 metres as a result of the development. *The Groundwater Management Plan* indicates there are no privately owned bores within the predicted zone of impact, therefore this clause is redundant.

Recommendations relating to groundwater are summarised in **Sections 6** and **7**. Refer to **Appendix C** for the complete Groundwater Specialist Report.

## 6. AUDIT FINDINGS – SUMMARY OF NON – COMPLIANCES

**Table 9** outlines the summary of non - compliances and proposed recommendations relating to key approvals. Further recommendations are outlined in **Section 7**.

**Table 9 - Summary of Non - Compliances**

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
<b>Development Consent SSD 7142</b>				
S2, A29	<b>Structural Adequacy</b> 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 (b) any additional requirements of SA NSW where the building or structure is located on land within a declared Mine Subsidence District.	Non-Compliant (Administrative)	<b>Non-Compliant (Administrative)</b> - United Wambo personnel had not obtained the relevant construction certificates required for the temporary buildings and has since commenced the process to obtain the relevant certificates.  United Wambo provided evidence that they are currently obtaining the relevant construction certificates.	<b>NC REC1:</b> Finalise the relevant construction certificates for the site.  <b>NC REC 2:</b> Ensure there is a process in place, so the site applies for construction certificates in the correct timeframe.
S2, A30	<b>Operation of Plant and Equipment</b> 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 (b) operated in a proper and efficient manner.	Non-Compliant (Low)	a) Non-Compliant (Low) - Power outages and non-operating monitoring equipment resulted in lost data. This is non - compliant with the monitor not being maintained in a proper and efficient condition.  2020 • A data mis-capture of HVAS at the EPA ID 8 occurred on 15 January 2020 and 21 January 2020 which resulted in missed data for TSP. • Invalid readings for PM10 due to power outages, damaged pumps and insufficient data capture on the following dates: 19 February 2020, 12 May 2020, 17 June 2020, 19 June 2020, 26 - 29 July 2020, 26 - 28 September 2020.	<b>NC REC 3:</b> 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.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
			<ul style="list-style-type: none"> <li>Power outages resulted in lost PM2.5 data on the following date: 22 September 2020.</li> </ul> <p>United Wambo currently has back up batteries installed at the receivers. Receivers located along Redmanvale Road are susceptible to power outages due to aging infrastructure and several transformers that are unable to handle the high demand requirements of the area.</p> <p>b) Based on site visits and discussions, there is no evidence of employees not operating the equipment in an efficient manner. Evidence of maintenance records.</p>	
S2, B8	<b>Blasting Criteria</b> The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations as shown in Table 2.	Non-Compliant (Medium)	<p><b>Non-Compliant (Medium)</b> - A blast exceeded criteria on 24 September 2020 near the 66 kV Ausgrid transmission line. United Wambo engaged Terrock Consulting Engineers to investigate the incident. The investigation determined:</p> <ul style="list-style-type: none"> <li>The event involved two surface overburden blasts drilled approximately 2 metres deeper than previous blasts;</li> <li>The peak level vibration came from the first blast (Blast 30);</li> <li>Strong rhythmic wave forms in the horizontal channels termed 'beat' frequency were recorded;</li> <li>Beat frequency is a result of two closely related vibration frequencies combining and can double the vibration peak particle velocity levels causing large increases in the site constant.</li> </ul> <p>United Wambo did not receive any community complaints or concerns from Ausgrid regarding the blast. The transmission line was de-energised on 30 September 2020 and decommissioned as part of the relocation of the 66 kV transmission line.</p> <p>Site sent notification letters to the relevant parties within the 7-day timeframe.</p>	<p><b>NC REC 4:</b> Provide the updated UWJV Blast Management Plan on the website once approved by DPIE.</p>



Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations																																																											
	<p>Table 2: Blasting criteria</p> <table><tr><th>Location</th><th>Airblast overpressure (dB(Lin Peak))</th><th>Ground vibration (mm/s)</th><th>Allowable exceedance</th></tr><tr><td rowspan="2">Residence on privately-owned land</td><td>120</td><td>10</td><td>0%</td></tr><tr><td>115</td><td>5</td><td>5% of the total number of blasts over a calendar year</td></tr><tr><td>St Phillips Church</td><td></td><td>5</td><td>0%</td></tr><tr><td>Wambo Homestead</td><td>120</td><td>5</td><td>0%</td></tr><tr><td>All other heritage items (beyond those predicted in the document/s listed in condition A2(c))</td><td>133</td><td>5</td><td>0%</td></tr><tr><td>Hunter Valley Gliding Club</td><td></td><td>25</td><td>0%</td></tr><tr><td>HVO infrastructure - occupied</td><td></td><td></td><td></td></tr><tr><td>HVO surface infrastructure - unoccupied</td><td>133</td><td>100</td><td>0%</td></tr><tr><td>Transmission suspension towers</td><td></td><td>100</td><td>0%</td></tr><tr><td>Transmission tension towers</td><td></td><td>50</td><td>0%</td></tr><tr><td>Prescribed dams</td><td></td><td>50 (unless otherwise directed by the DSC)</td><td>0%</td></tr><tr><td>Public Roads</td><td></td><td>100</td><td>0%</td></tr><tr><td>Telecommunication infrastructure and cables</td><td></td><td>50</td><td></td></tr><tr><td>All other public infrastructure</td><td></td><td>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)</td><td>0%</td></tr></table> <p>* The locations referred to in Table 2 are shown in Appendix 5.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land	120	10	0%	115	5	5% of the total number of blasts over a 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		25	0%	HVO infrastructure - occupied				HVO surface infrastructure - unoccupied	133	100	0%	Transmission suspension towers		100	0%	Transmission tension towers		50	0%	Prescribed dams		50 (unless otherwise directed by the DSC)	0%	Public Roads		100	0%	Telecommunication infrastructure and cables		50		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%		United Wambo now uses Terrock Consulting Services to review every design where vibration prediction is greater than 50% of the limit at the receiver.	
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																																																												
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S2, B13	<p><b>Property Inspections</b></p> <p>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:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to:</p> <p>(i) establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and</p>	Non-Compliant (Administrative)	<p>United Wambo sent two consultation letters to landowners before receiving any property inspection requests. Five properties requested an inspection.</p> <p>RHM Consulting Engineers completed baseline investigations at the properties and provided baseline reports to GCAA. One property did not complete its inspection within the 2-month timeframe due to Covid-19 concerns.</p> <p><b>Non-Compliant (Administrative)</b> - No evidence provided of both parties agreeing to the appointed third-party to complete the baseline inspections. No evidence provided of approval to carry out a property inspection outside the required timeframe.</p>	<p><b>NC REC 5:</b> Any future property inspections should be completed as per the requirements of B13.</p>																																																											

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
	(ii) identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and structures; and (b) give the landowner a copy of the new or updated property inspection report.			
S2, B18	<b>Blast Operating Conditions</b> 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; (b) ensure that blasting on the site does not damage heritage items, 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) 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; (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; (e) use all reasonable efforts to co-ordinate the timing of blasting at the site with nearby mines to minimise cumulative blasting impacts;	Non-Compliant (Medium)	a.i) Site has blast controller checklist, blast firing procedures, and explosives pre-loading checklists in place.  a.ii) Notification sent to local landowners, the Hunter Valley Gliders Club and nearby mines regarding the blast.  a.iii) Weather conditions checked daily by Jacobs.  b) There is a 500 m exclusion zone for blasts occurring near heritage items or public roads.  c) Blast monitoring results indicate blasts occur between 9 am - 3 pm outside the high-traffic periods.  d) IEA team sighted real-time blast updates and notifications sent by site prior and post blasting events.  e) The day the IEA team sighted multiple blasts occurring at site, HVO was also carrying out blasting operations within a similar time frame.  f) Agreement with Hunter Valley Operations dated 24 July 2020.  g) Blast monitoring results are recorded spreadsheet. Blasts are also monitored by drones.  <u><b>Non-Compliant (Medium)</b></u> - The 24 September 2020 blast registered at 167.06 mm/s compared to the predicted 85.48	Refer to Schedule 2 Condition B8 recommendations.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
	<p>(f) consult with HVO prior to undertaking any blasting within 500 metres of its operations; and</p> <p>(g) carry out regular blast monitoring to determine whether the development is complying with the relevant conditions of this consent.</p> <p>The locations of the heritage items referred to in paragraph (b) are shown in Appendix 5.</p>		mm/s. This was not best practice, hence the non - compliance with this condition.	
S2, B23	<p><b>Blast Management Plan</b></p> <p>The Applicant must implement the Blast Management Plan as approved by the Planning Secretary.</p>	Non-Compliant (Medium)	<p>Blasting events are managed on site in accordance with the approved management plan.</p> <p>Blasting events are managed on site through the use of pre-blasting checklists and daily weather monitoring reports (as mentioned in B18).</p> <p>The community receives blast notifications via e-mail or online. The Hunter Valley Gliding Club posts blast notifications on their website. Further communication with the nearby mines and the Hunter Valley Gliding Club occurs on the day of the blast.</p> <p>Blasts are recorded and monitored. Incidents are investigated to implement corrective actions.</p> <p>Blasting results are recorded in a spreadsheet and sent out via SMS.</p> <p><b>Non-Compliant (Low)</b> - Blasting procedures are generally carried out in accordance to the Blast Management Plan. However, the 24 September 2020 registered at 167.06 mm/s compared to the predicted 85.48 mm/s (refer to B8).</p>	Refer to Schedule 2 Condition B8 recommendation.
S2, B85	<b>Visual Amenity and Lighting</b>	Non-Compliant (Administrative)	a) Lighting Plants Procedure, Weekly Plan Pack and training provided for OCEs.	<b>NC REC 6:</b> Complete a lighting audit as per relevant Australian Standards including

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development;</li> <li>(b) undertake roadside tree planting along the Golden Highway, in consultation with RMS, to screen views of the development from road users;</li> <li>(c) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;</li> <li>(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);</li> <li>(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;</li> <li>(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</li> <li>(g) take all reasonable steps to shield views of mining operations and associated equipment from users of public roads and privately-owned residences.</li> </ul>		<ul style="list-style-type: none"> <li>b) Tree screen along the Golden Highway. However, no evidence of consultation with the RMS.</li> <li>c) Visual bund parallel to the Golden Highway is in place. Light vehicle road functions as a visual bund.</li> <li>d) Section 3.2 in the Lighting Plants Procedure.</li> <li>e) The most recent lighting audit is from 2012.</li> <li>f) The MIA has not been built yet. Temporary fencing around the construction areas function as a visual barrier.</li> <li>g) Temporary fencing around the construction areas function as a visual barrier. Tree screens in place along the Golden Highway.</li> </ul> <p><b>Non-Compliant (Administrative)</b> - Most recent lighting audit is from 2012, therefore the IEA cannot prove the site is compliant.</p>	<p>the latest version of Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting after completion of the MIA.</p> <p><b>NC REC 7:</b> Focus on point source light management for United at the moment.</p> <p><b>NC REC 8:</b> External advice on visual impact to the Golden Highway from external contractor.</p>
S2, B95	<p><b>Bushfire Management</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) contact person and 24 hour contact phone number;</li> <li>(b) schedule and description of proposed bushfire mitigation works, including:</li> </ul>	Non-Compliant (Administrative)	<ul style="list-style-type: none"> <li>a) Section 6.</li> <li>b.i) Section 2.3 and Figure 2-2</li> <li>b.ii) Section 3.3.6.2 and Figure 3-3.</li> <li>b.iii) Section 3.3.6.1 and Figure 3-4</li> <li>c) Evidence of plan provided by site personnel but not included as part of the management plan. Rather it referred</li> </ul>	<p><b>NC REC 9:</b> Attach plan as mentioned in Part C to the Bushfire Management Plan.</p> <p><b>NC REC 10:</b> Ensure the title of the relevant management plan is the same as mentioned in the consent condition.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
	(i) location of managed and unmanaged vegetation within the site; (ii) location of water supply; and (iii) internal access roads; (c) plan identifying the location and storage of bulk flammable liquids and materials; (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 (e) 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.		the reader to Refer to UWOC-1689771511-426 Bushfire Emergency Plan which was inaccessible.  d.i) Section 3.3.5 d.ii) Section 3.3.5  e) Section 4  <b><u>Non-Compliant (Administrative)</u></b> - Plan sighted but not attached to management plan as required by part c of this condition.	
<b>Development Consent DA-410-11-2002-i</b>				
S3, C8	<b>Structural Adequacy</b> The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.	Non-Compliant (Administrative)	<b><u>Non-Compliant (Administrative)</u></b> - The Applicant had not obtained the relevant construction certificates required for the temporary buildings and has since commenced the process to obtain the relevant certificates.  The Applicant provided evidence that they are currently obtaining the relevant construction certificates.	Refer to Schedule 2 Condition A29 from SSD 7142 for recommendation.
S3, C10	<b>Operation of Plant and Equipment</b> The Applicant shall ensure that all plant and equipment at the site, or used in connection with the development, are: (a) Maintained in a proper and efficient condition; and (b) Operated in a proper and efficient manner.	Non-Compliant (Low)	a) The IEA team has labelled this condition non-compliant as per Condition A30 of SSD 7142.  <b><u>Non-Compliant (Low)</u></b> - Power outages and non-operating monitoring equipment resulted in lost data. This is non - compliant with the monitor not being maintained in a proper and efficient condition.	Refer to Schedule 2 Condition A30 from SSD 7142 for recommendations.



Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
			<p><b>2019</b></p> <ul style="list-style-type: none"> <li>Faulty HVAS unit resulted in no PM10 data collected on 26 January 2020.</li> </ul> <p><b>2020</b></p> <ul style="list-style-type: none"> <li>A data mis-capture of HVAS resulted in lost TSP data on the following dates: <ul style="list-style-type: none"> <li>15 January 2020 and 21 January 2020</li> </ul> </li> <li>Power outages, damaged pumps and insufficient data capture resulted in invalid PM10 data on the following dates: <ul style="list-style-type: none"> <li>19 February 2020, 12 May 2020, 17 June 2020, 19 June 2020, 26 - 29 July 2020, 26, 27, 28 September 2020.</li> </ul> </li> <li>Power outages resulted in lost PM2.5 data on the following date: <ul style="list-style-type: none"> <li>22 September 2020.</li> </ul> </li> </ul> <p>b) Based on site visits and discussions, there is no evidence of employees not operating the equipment in an efficient manner. Evidence of maintenance records.</p>	
S4, C43	<p><b>Monitoring</b></p> <p>6) The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant in Table 9 at locations approved by the DECC, using the specified units of measure, averaging period, frequency, and sampling method in Table 10.</p>	Non-Compliant (Low)	<p><b>Non-Compliant (Low)</b> - Not all samples were captured at the required frequency.</p> <p>Dust Deposition - Sampling performed in accordance with AM-19. -Compliant</p> <p>TSP - Sampling performed in accordance with AM-15 - Non-compliant due to not reporting valid results for the required frequency - no sample collected for 26 January 2019, 15 December 2018 and 15th &amp; 21th of January 2020. These were all due to electrical issues with the HVAS monitor</p> <p>PM10 - Sampling performed in accordance with AS 3580.9.6 rather than AS 3580.9.8 as specified in the DA. However, the sampling method was included in the Environmental Monitoring Program which was approved by DPE.</p>	Refer to Schedule 2 Condition A30 from SSD 7142 for recommendations.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations																									
	<table border="1"> <thead> <tr> <th>Pollutant</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th><th>Sampling method<sup>1</sup></th></tr> </thead> <tbody> <tr> <td>Dust deposition</td><td>g/m<sup>2</sup>/month</td><td>Month, annual</td><td>Continuous</td><td>AM-19</td></tr> <tr> <td>TSP matter</td><td>µg/m<sup>3</sup></td><td>24 hour, annual</td><td>1 day in 6</td><td>AM-15</td></tr> <tr> <td>PM<sub>10</sub></td><td>µg/m<sup>3</sup></td><td>24 hour, annual</td><td>1 day in 6</td><td>AS3580.9.8 – 2001<sup>2</sup></td></tr> <tr> <td>Siting</td><td>-</td><td>-</td><td>-</td><td>AM-1</td></tr> </tbody> </table> <p>Table 10: Air quality monitoring</p> <p><sup>1</sup> NSW DECC, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.</p> <p><sup>2</sup> Standards Australia, 2001, AS3580.9.8-2002, Method for Sampling and Analysis of Ambient Air - Determination of Suspended Particulate Matter - PM<sub>10</sub> Continuous Direct Mass Method using a Tapered Element Oscillating Microbalance Analyser, or any other method that is approved by the DECC and the Director-General.</p>	Pollutant	Units of measure	Averaging period	Frequency	Sampling method <sup>1</sup>	Dust deposition	g/m <sup>2</sup> /month	Month, annual	Continuous	AM-19	TSP matter	µg/m <sup>3</sup>	24 hour, annual	1 day in 6	AM-15	PM <sub>10</sub>	µg/m <sup>3</sup>	24 hour, annual	1 day in 6	AS3580.9.8 – 2001 <sup>2</sup>	Siting	-	-	-	AM-1		Based on discussion, DPIE was notified of the missed monitoring dates.	
Pollutant	Units of measure	Averaging period	Frequency	Sampling method <sup>1</sup>																									
Dust deposition	g/m <sup>2</sup> /month	Month, annual	Continuous	AM-19																									
TSP matter	µg/m <sup>3</sup>	24 hour, annual	1 day in 6	AM-15																									
PM <sub>10</sub>	µg/m <sup>3</sup>	24 hour, annual	1 day in 6	AS3580.9.8 – 2001 <sup>2</sup>																									
Siting	-	-	-	AM-1																									
S4, C54	<b>Lighting Emissions</b> All external lighting associated with the development shall comply with Australian Standard AS4282(INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting or its latest version.	Non-Compliant (Low)	<b>Non-Compliant (Low)</b> - The most recent lighting audit is from 2012. The IEA cannot prove the site is compliant with Australian Standards.	Refer to Schedule 2 Condition B85 from SSD 7142 for recommendations.																									
Environment Protection Licence EPL 3141																													
L4.2	<b>Blasting</b> The air blast overpressure level from blasting operations in or on the premises must not exceed 120 dB (Lin Peak) at any time; at either monitoring 18,19,20,21 and 22 in Condition P1.3.	Non-Compliant (Administrative)	<b>Non-Compliant (Administrative)</b> - One exceedance occurred at monitoring point 18 (Warkworth Village) on 5 November 2020. However, there are no private residences at Warkworth Village.  However, based on discussion, there are no longer any private residences at this point and is removed in the updated EPL. Therefore, no further recommendations.	No further recommendations.																									
O2.1	<b>Maintenance of Plant and Equipment</b> All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient	Non-Compliant (Low)	a) The IEA team has labelled this condition Non-Compliant (Low) as per Condition A30 of SSD 7142.  <b>Non-Compliant (Low)</b> - Power outages and non-operating	Refer to Schedule 2 Condition A30 of SSD 7142 for further recommendations.																									

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations
	condition; and b) must be operated in a proper and efficient manner.		<p>monitoring equipment resulted in lost data. This is non - compliant with the monitor not being maintained in a proper and efficient condition.</p> <p><b>2019</b></p> <ul style="list-style-type: none"> <li>Faulty HVAS unit resulted in no PM10 data collected on 26 January 2020.</li> </ul> <p><b>2020</b></p> <ul style="list-style-type: none"> <li>A data mis-capture of HVAS resulted in lost TSP data on the following dates: <ul style="list-style-type: none"> <li>15 January 2020 and 21 January 2020</li> </ul> </li> <li>Power outages, damaged pumps and insufficient data capture resulted in invalid PM10 data on the following dates: <ul style="list-style-type: none"> <li>19 February 2020, 12 May 2020, 17 June 2020, 19 June 2020, 26 - 29 July 2020, 26, 27, 28 September 2020.</li> </ul> </li> <li>Power outages resulted in lost PM2.5 data on the following date: <ul style="list-style-type: none"> <li>22 September 2020.</li> </ul> </li> </ul> <p>b) Based on site visits and discussions, there is no evidence of employees not operating the equipment in an efficient manner. Evidence of maintenance records.</p>	
M2.1	<p><b>Requirement to Monitor Concentration of Pollutants Discharged</b></p> <p>For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:</p>	Non-Compliant (Low)	<p><b>Non-Compliant (Low)</b> - Monitoring did not occur at the Sewage Treatment Plant as it did not have a sampling point installed until 2020.</p> <p>Evidence that this is now being completed, therefore no recommendations.</p>	No further recommendations.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations												
M2.2	<b>Water and/or Land Monitoring Requirements</b>  POINT 10 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Faecal Coliforms</td><td>colony forming units per 100 millilitres</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample	pH	pH	Quarterly	Grab sample	Non-Compliant (Low)	<b>Non-Compliant (Low)</b> - United Wambo updated EPL 3141 and added EPA ID 10 on 25 February 2020. Only three grab samples were collected in the IEA period. No samples were collected in Q1.	<b>NC REC 11:</b> Ensure monitoring is in accordance with the EPL requirements.
Pollutant	Units of measure	Frequency	Sampling Method													
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample													
pH	pH	Quarterly	Grab sample													
M2.3	<b>Air Monitoring Requirements</b>  POINT 4,5,6,7 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Continuous</td><td>AM-22</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	Non-Compliant (Low)	<b>Non-Compliant (Low)</b> - The PM10 continuous monitor collected <75% of the daily data at the following monitoring points on the following days:  Point 4: 12 May 2020 Point 5: 26 - 28 September 2020 Point 6: 19 February 2020, 17 June 2020, 1-2 July 2020, 27 September 2020, 13 October 2020 Point 7: 26 -27 July 2020, 29 July 2020, 17 September 2020	Refer to M2.2 of EPL 3141 for recommendations.  Refer to Schedule 2 Condition A30 of SSD 7142 for recommendations.				
Pollutant	Units of measure	Frequency	Sampling Method													
PM10	micrograms per cubic metre	Continuous	AM-22													
	<b>Air Monitoring Requirements</b>  POINT 8 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Total suspended particles</td><td>micrograms per cubic metre</td><td>Every 6 days</td><td>AM-15</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15	Non-Compliant (Low)	<b>Non-Compliant (Low)</b> - The TSP HVAS monitor did not collect a sample on the 15th and 21th of January 2020. In relation to these data gaps, the Monthly Pollution Monitoring Report states: <i>"Result not available due to electrical issues. No data was collected"</i>					
Pollutant	Units of measure	Frequency	Sampling Method													
Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15													
M8.1	<b>Other Monitoring and Recording Conditions</b>  The licensee must record the average PM10 concentration at EPA Monitoring Points 4,5,6 and 7 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.	Non -Compliant (Administrative)	Although this is generally recorded there have been times during the IEA period where there has been data failure.  Based on discussion, this is an electrical issue that cannot be prevented.	Refer to M2.2 of EPL 3141 for recommendations.  Refer to Schedule 2 Condition A30 of SSD 7142 for recommendations.												
<b>Consolidated Coal Lease CCL 775</b>																
No non-compliances.																

## 7. ADDITIONAL RECOMMENDED ACTIONS

Additional recommendations relating to compliant conditions (or not in relation to a non-compliant condition) are outlined within **Table 10**.

**Table 10 - Additional Recommendations**

Aspect	Condition Reference	Improvement REC Number	Recommendation
Noise monitoring	S2, B1 of SSD 7142	IMPROVEMENT REC 1	Noise monitoring needs to include details about the noise monitoring areas and why Area 3 (Warkworth Village) is excluded from the results. Also, the figure should be the same as in the Noise Management Plan and noise monitoring reports to ensure consistency with wording and monitoring locations.
Noise monitoring	S2, B1 of SSD 7142	IMPROVEMENT REC 2	Every noise monitoring report should state if a noise monitoring area was not monitored and the reason why.
Noise Management Plan	S2, B7 of SSD 7142	IMPROVEMENT REC 3	Based on discussions with United Wambo it is understood that the calibration of real-time noise monitors will occur in Q1, 2021. Ensure this is undertaken quarterly in the future.
Air Quality / Annual Review	S2, B25 of SSD 7142	IMPROVEMENT REC 4	Provide details in the Annual Review regarding potential air quality exceedances based on short term criteria. Justification of site contributions and evidence relating to compliance status.
Air Quality monitoring	S2, B25 of SSD 7142	IMPROVEMENT REC 5	Refer to Schedule 2, A30 from SSD 7142 regarding data capture recommendation.
Water Management Plan	S2, B52 of SSD 7142	IMPROVEMENT REC 6	Table 5-1 in the Water Management Plan incorrectly refers to sections of the report. Ensure that tables correctly refer to the right information in future management plans.
Surface Water monitoring	S2, B54 of SSD 7142	IMPROVEMENT REC 7	IMPROVEMENT REC: Surface Water - Testing of key sediment dams onsite. Update Water Management Plan to indicates dams, parameters and timings.
Groundwater monitoring	S2, B54 of SSD 7142	IMPROVEMENT REC 8	Ensure results for all 31 monitoring bores are provided in the 2020 Annual Review, and provide an explanation for bores that did not provide any monitoring results.
Historic Heritage Management Plan	S2, B82 of SSD 7142	IMPROVEMENT REC 9	Table 3-1 of the management plan is incorrect. Ensure that tables refer to correct sections in future management plans.
Rehabilitation Management Plan	S2, B103 of SSD 7142	IMPROVEMENT REC 10	Table 8-1 incorrectly refers to information in the wrong sections on multiple occasions. Ensure that tables refer to the right information in future management plans. Letter from DPIE dated 26 September 2019 addresses this issue as well and is attached as Appendix B.

Aspect	Condition Reference	Improvement REC Number	Recommendation
Groundwater monitoring	S4, C20 of DA-410-11-2002-i	IMPROVEMENT REC 11	Investigate all exceedances and undertake statistical analysis to understand the reason for exceeding the trigger levels.
Incident reporting	S6, C3 of DA-410-11-2002-i	IMPROVEMENT REC 12	Ensure that all incidents are reported to DPIE in the approved timeframe. Record consultation of incidents in a log for future reference.
Hydrocarbon storage	O1.1 of EPL 3141	IMPROVEMENT REC 13	The current hydrocarbon storage area is only temporary. Recommendation is to complete a Phase 1 Contamination Assessment of the temporary storage area after the hydrocarbons are moved to a permanent location.
Water monitoring locations	M2.2 of EPL 3141	IMPROVEMENT REC 14	Provide EPA ID number in monitoring data and Water Management Plan.
Annual Returns	R5.6 of EPL 3141	IMPROVEMENT REC 15	Ensure all dates are correct in the reports.



## 8. CONCLUSION

The IEA covered the requirements of Schedule 6, Condition 6 of DA-410-11-2002-i and Schedule 2, Condition E12 of SSD 7142.

The IEA period is 18 December 2018 to 30 November 2020 under DA-410-11-2002-i. This timing is from the end of the previous IEA for United to the end of Phase 1B for United Wambo. A final IEA is required prior to the surrender of DA-410-11-2002-i.

The IEA period under SSD 7142 is from 06 January 2020 to 30 November 2020. This covers the entire Phase 1 operations for United Wambo. Phase 2 commenced 1 December 2020 and is outside this IEA scope.

The IEA also includes specialist input regarding air quality and groundwater.

The IEA generally identified a high level of compliance with three medium risk non-compliances all relating to the same incident. In summary, the following non-compliances were observed:

- There were three medium risk non-compliances, one low risk non-compliances and four administrative non-compliances for SSD 7142;
- There were three low risk non-compliances and one administrative non-compliance for DA-410-11-2002-i;
- There were five low risk non-compliances and two administrative non-compliances for EPL 3141; and
- No non-compliances for CCL 775.

Key findings and recommendations are outlined in **Sections 6 and 7**.

The site visits demonstrated that United Wambo is generally compliant and well maintained, with highlights including:

- Efficient use of water trucks and minimal air quality issues;
- High compliance with waste management, including proper storage of HAZMAT and hydrocarbon materials;
- Effective proactive steps to minimise operational impacts to the environment relating to noise and air quality including:
  - Utilising daily meteorological predictions to determine operational best practice. These reports are discussed at the daily pre-starts.
  - Fitting machinery and trucks with Tier 4 Final requirements;
  - Utilising a real-time noise alarm system and an effective TARP during extraordinary meteorological events; and
  - and implementing back-up power supply batteries to monitoring locations that are known to have electrical issues.
- There was a high degree of participation from the United Wambo Environment and Community team which demonstrates the importance of environment and community compliance management at site;
- The Environment and Community team have demonstrated that they are compliant with incident reporting and investigations;
- The annual reporting (AEMRs) have generally been to a high standard; and
- United Wambo had excellent performance in the field. This included inspecting two blast incidents which went without any problems or exceedances.

# **APPENDIX A**

## Photographs





Photo 1: Area of erosion identified near Tailings Dam 1.



Photo 2: Air quality was generally good across the site.





Photo 3: Dust emissions from blast event that occurred two minutes prior.



Photo 4: Evidence of trucks utilising washdown station.





Photo 5: Water truck spraying area prior to truck.



Photo 6: Hydrocarbon materials banded and stored properly.





Photo 7: Although outside the IEA period, minimal dust issues in operational pits.



Photo 8: Water management drain located alongside the operational areas.





Photo 9: Tyre disposed of near Tailings Dam 1.



Photo 10: Weeds identified along the outer perimeter.





Photo 11: Temporary hydrocarbon storage area.



Photo 12: Surface water with some run off identified on site.





Photo 13: Signage at site showing the Glencore vehicle hierarchy.



Photo 14: Looking into pit.





Photo 15. Spillage in the crib area.



Photo 16: Batteries stored on pallet.

# **APPENDIX B**

## Compliance Spreadsheet



## SSD 7142

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
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.	Compliant	<ul style="list-style-type: none"><li>• Site-wide Environmental Management Strategy (EMS) framework</li><li>• Blast Criteria Exceedance Report dated 24 September 2020</li><li>• Notification of exceedance letter to DPIE dated 1 October 2020</li><li>• Terrock Consulting Engineers Blast Investigation Report dated 3 November 2020</li><li>• Letter to DPIE dated 3 November 2020 in reponse to request for additional information with Terrock report attached</li><li>• Evidence of induction and training in Excel</li></ul>	<p>United Wambo staff presented a copy of the site-wide Environmental Management Strategy (EMS) framework. This is an internal document that includes:</p> <ul style="list-style-type: none"><li>• Management plans,</li><li>• Risk assessments,</li><li>• Environmental monitoring data,</li><li>• GCAA specific Environment and Community standards,</li><li>• Training protocols, and</li><li>• Statutory approvals.</li></ul> <p>EMS documents are saved in a compliance management system (CMO) and can be regularly updated with senior staff approval.</p> <p>Training and inductions to new employees and contractors provided.</p> <p>One incident occurred during the IEA period. However, there is no evidence of material harm relating to this incident. Therefore compliant.</p>	
TERMS OF CONSENT					
A2.	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS; and (d) generally in accordance with the Development Layout.	Compliant	<ul style="list-style-type: none"><li>• United Wambo EIS (2016)</li><li>• Discussion with site personnel</li></ul>	Operations have generally been carried out as per the requirements of this condition.	
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 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).	Not Triggered	<ul style="list-style-type: none"><li>• Discussion with site personnel</li></ul>	<b>Not Triggered</b> - Based on discussions, the Planning Secretary has not made any written directions at the time of this IEA.	
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.	Noted	<ul style="list-style-type: none"><li>• United Wambo EIS (2016)</li></ul>	This consent is more current and prevails over the conditions in the EIS.	
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; (b) Phase 1B (as defined), including mining operations at United open cut mine; (c) Phase 2 (as defined), including mining operations at the United open cut mine and Wambo open cut mine; and (d) Phase 3 (as defined), including mine closure.	Compliant	<ul style="list-style-type: none"><li>• Letter from site to DPIE dated 20 December 2019 to commence Phase 1A</li><li>• Letter from site to DPIE dated 3 July 2020 to commence Phase 1B</li><li>• Letter from site to DPIE dated 13 October 2020</li></ul>	<p>Development at the site is undertaken as proposed. This IEA period only covers Phase 1.</p> <p>a) Phase 1A commenced 6 January 2020.</p> <p>b) Phase 1B commenced on 17 July 2020.</p> <p>c) Phase 2 commenced 1 December 2020.</p> <p>d) Not triggered.</p> <p>Letter from site to DPIE dated 13 October 2020 to commence Phase 2 on 1 December 2020 rather than 1 November 2020. Therefore Phase 1 IEA period has stopped at 30 November 2020.</p>	
A6.	Condition A5 does not prevent the continuation and completion of Phase 1A construction works during either Phase 1B or Phase 2	Noted			
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.	Compliant	Refer to A5.	<p>The commencement dates for each phase are as follows:</p> <p>Phase 1A started on 6 January 2020. Phase 1B started on 17 July 2020. Phase 2 started on 1 December 2020. The site is currently in Phase 2. Phase 3 will not start until Phase 2 is completed.</p> <p>This IEA only covers Phase 1.</p>	
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.	Not Triggered		<b>Not Triggered</b> - No periods of suspended mining occurred in Phase 1B. Phase 2 is outside the IEA timeframe.	
LIMITS OF CONSENT					
MINING OPERATIONS					
A9.	Mining operations may be carried out on the site until 31 August 2042.	Compliant		Site has approval to mine within the IEA period.	
NOTE:	<i>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.</i>	Noted		Site is still in operations stage.	
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.	Not Triggered		<b>Not Triggered</b> - This is a Phase 2 Condition. Not applicable to the IEA.	
A11.	During Phase 2, ROM coal from the site may be transferred to Wambo mine infrastructure for processing, stockpiling and transportation	Not Triggered		Refer to A10.	
NOTE:	<i>Wambo mine infrastructure is separately approved under DA 305-7-2003 and despatch of product coal is separately approved under DA 177-8-2004.</i>	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.	Not Triggered		Refer to A10.	
A13.	During Phase 2 and Phase 3, overburden and coal reject material may be received from the Wambo Mining Complex for emplacement.	Not Triggered		Refer to A10.	
HOURS OF OPERATION					





Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
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.	Not Triggered		<b>Not Triggered</b> - Based on discussions, no requests to supply overburden material have been made to DPIE.	
PUBLIC INFRASTRUCTURE					
PROTECTION OF PUBLIC INFRASTRUCTURE					
A26.	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.  * 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.	Compliant	• Discussion with site personnel	No damages noted.  a) Construction of two powerlines (330 kV and 66 kV) has been completed.  b) <b>Not Triggered</b> for Part b - Relocation of the 330 kV line has not occurred. Based on discussions with United Wambo wants to avoid un-necessary power outages during the summer period and have delayed the relocation until March 2021.  Realignment of the Golden Highway has not commenced. The opportunity to do this exists until year 7 of its operations.	
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; (b) transmission line relocation, which must be constructed in consultation with and to the satisfaction of Ausgrid and Transgrid; and (c) telecommunications line relocation, which must be constructed in consultation with and to the satisfaction of Telstra.	Compliant	• Discussion with site • Construction contract for 66 kV (Ausgrid) transmission line relocation dated 15 October 2020. • Construction contract for 330 kV (Transgrid) relocation dated 17 January 2020. • Consultation with Transgrid regarding contract pricing starting 14 December 2018	a) Refer to A26(b).  b) Refer to A26  c) <b>Not Triggered</b> - Consultation with Telstra has not started yet.	
NOTES:	• Additional approvals may be required from the relevant authorities prior to commencing this construction. • Refer to PART C for more construction-related requirements.	Noted			
DEMOLITION					
A28.	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 <i>The Demolition of Structures (Standards Australia, 2001)</i> .	Compliant	• Letter to Liberty Industrial Pty LTD dated 09 April 2020 • Contract for United Coal Preparation Plan and Conveyors Demolition signed on 17 December 2019	Based on evidence provided, demolition completed during the IEA period satisfied the requirements of the Australian demolition standards.  This was the demolition of the United Coal Preparation Plant and Conveyors.	
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 (b) any additional requirements of SA NSW where the building or structure is located on land within a declared Mine Subsidence District.	Non-Compliant (Administrative)	• Proposed MIA Upgrade Geotechnical Investigation report by Qualtest Laboratory (NSW) Pty LTD dated 19 April 2017 • Mine Subsidence Desktop Study for Proposed Steel Portal Frame Workshop by Arkhill Engineers Pty LTD dated 2 October 2018 • Wambo Mine Infrastructure Aera upgrade certification by Arkhill Engineers dated 10 October 2018 • MIA General Arrangement approved plan by Arkhill Engineers dated 12 September 2018 • High Voltage Transmission Line Relocation (Warkworth) email from Subsidence Advisory NSW dated 21 November 2016 • Temporary buildings plan approved by Subsidence Advisory NSW dated 27 November 2020 • Temporary buildings application approval dated 25 November 2020 • Application for Construction Certificate dated July 2020 • Single storey demountable buildings approval from BCA dated 30 November 2020 • Construction Certificate application form to BCA dated 13 November 2020 • Final plans for temporary buildings by ATCO Structures and Logistics Pty LTD dated 21 July 2020. • Structural Adequacy Condition and Construction Certificates legal advice from Johnson Winter and Slattery dated 7 September 2020. • Surveying services purchase order for Southern and Northern MIA dated 12 October 2020	<b>Non-Compliant (Administrative)</b> - United Wambo personnel had not obtained the relevant construction certificates required for the temporary buildings and has since commenced the process to obtain the relevant certificates.  United Wambo provided evidence that they are currently obtaining the relevant construction certificates.	REC: Finalise the relevant construction certificates for the site.  REC: Ensure there is a process in place so the site applies for construction certificates in the correct timeframe.
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.	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 (b) operated in a proper and efficient manner	Non-Compliant (Low)	• Maintenance orders • Starter Pit Service Schedule • Calibration records • 1000 HR service reports • Crew 1 Competency Report • Site Familiarisation Presentation dated 27 July 2020	a) <b>Non-Compliant (Low)</b> - Power outages and non-operating monitoring equipment resulted in lost data. This is non - compliant with the monitor not being maintained in a proper and efficient condition.  <b>2020</b> • A data miscapture of HVAS at the EPA ID 8 occurred on 15 January 2020 and 21 January 2020 which resulted in missed data for TSP. • Invalid readings for PM10 due to power outages, damaged pumps and insufficient data capture on the following dates: 19 February 2020, 12 May 2020, 17 June 2020, 19 June 2020, 26 - 29 July 2020, 26 - 28 September 2020. • Power outages resulted in lost PM2.5 data on the following date: 22 September 2020.  b) Based on site visits and discussions, there is no evidence of employees not operating the equipment in an efficient manner. Evidence of maintenance records.	REC: United Wambo to review options for back-up or alternative power supplies to reduce the chance of lost data from dust monitoring locations.
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.	Compliant	• Site Familiarisation Presentation dated 27 July 2020 • Discussion with site personnel	The site Environment and Community team have daily discussions with employees and contractors regarding compliance activities during toolbox talks. A site familiarisation presentation is shown to new starters during inductions.	
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.	Noted			

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																																																																																																																																															
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.	Not triggered		<b>Not Triggered</b> - No evidence provided of the Planning Secretary submitting any additional requirements.																																																																																																																																																																
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.	Not Triggered	<ul style="list-style-type: none"><li>Letter dated 7 September 2017 from (then) DPI to Peabody Energy regarding negotiations for lots 170, 175 and Crown Public Roads</li><li>Email to United Collieries dated 23 August 2019 confirming Access and Compensation Agreement with DPIE and Hunter Local Land Services</li></ul>	Wambo executed an Access and Compensation Agreement with DPIE for lot 170 on 26 August 2019. The agreement incorporates a 'put' benefiting the Minister. However, the lot has not yet been acquired by United Wambo.  <b>Not Triggered</b> - Based on discussions with site, Lot 170 has not been disturbed.																																																																																																																																																																
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 works on that land.	Not Triggered	<ul style="list-style-type: none"><li>Offer of Sale of Land letter from (then) DPI dated 19 June 2018 to CFMEU</li><li>Crown Land within the Project Area figure dated 10 February 2021</li><li>Letter dated 7 September 2017 from (then) DPI to Peabody Energy regarding negotiations for lots 170, 175 and Crown Public Roads</li><li>Email to United Collieries dated 23 August 2019 confirming Access and Compensation Agreement with DPIE and Hunter Local Land Services</li></ul>	<b>Not Triggered</b> - Lot 170 has not been acquired by United Wambo, however based on discussion with site, there are no plans to disturb this area until site acquires the land. Other disturbed Crown Land within the Project Area occurred prior to SSD 7142 and in agreement with Wambo Mine.																																																																																																																																																																
A36.	Any Crown road reserves located within the site must be purchased and closed by the Applicant prior to surface disturbance within the reserve.	Not Triggered	<ul style="list-style-type: none"><li>Offer of Sale of Land letter from (then) DPI dated 19 June 2018 to CFMEU</li><li>Transfer and Crown Road Purchase Stamp Duty Payable on Road Purchase letter from (then) DPI to United Collieries dated 24 October 2018</li><li>Crown Land within the Project Area figure dated 10 February 2021</li></ul>	<b>Not Triggered</b> - Three Crown road reserves are located within the Project Area. One was closed by United in 2018 and Wambo Mine has an Access and Compensation Agreement with DPIE on the remaining two. Disturbance to this area occurred prior to SSD 7142.																																																																																																																																																																
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.	Noted	United Wambo Coal Complex Report dated 24 October 2018 from InfoTrack	All Crown land associated with AUTH4444 with the exception of lot 175 and 208 have been extinguished.																																																																																																																																																																
PART B - SPECIFIC ENVIRONMENTAL CONDITIONS																																																																																																																																																																				
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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 residences on privately-owned land.	Compliant	The following monthly attended Noise Monitoring Results / Reports have been provided and sighted by the IEA team:  <ul style="list-style-type: none"><li>May 2020 - Global Acoustics</li><li>June 2020 - Global Acoustics</li><li>July 2020 - Global Acoustics</li><li>August 2020 - Global Acoustics</li><li>September 2020 - Global Acoustics</li><li>October 2020 - Global Acoustics</li><li>November 2020 - Global Acoustics</li></ul>	Based on the monthly monitoring reports completed by Global Acoustics, no noise exceedances have occurred.  Based on discussions, no attended monitoring occurred at Warkworth because there are no privately owned residences.	IMPROVEMENT REC: Noise monitoring needs to include details about the noise monitoring areas and why Area 3 (Warkworth Village) is excluded from the results. Also, the figure should be the same as in the Noise Management Plan and noise monitoring reports to ensure consistency with wording and monitoring locations.  Every noise monitoring report should state if a noise monitoring area was not monitored and the reason why.																																																																																																																																																															
TABLE 1: OPERATIONAL NOISE CRITERIA dB(A)	<table><tr><td rowspan="10">Area 6 - Redmarvale</td><td>R320</td><td>40</td><td>40</td><td>40</td><td>50</td></tr><tr><td>R033, R343</td><td>40</td><td>40</td><td>39</td><td>49</td></tr><tr><td>R042</td><td>40</td><td>40</td><td>38</td><td>48</td></tr><tr><td>R029, R345</td><td>40</td><td>40</td><td>37</td><td>47</td></tr><tr><td>R048</td><td>39</td><td>39</td><td>39</td><td>49</td></tr><tr><td>R030, R049, R163</td><td>39</td><td>39</td><td>38</td><td>48</td></tr><tr><td>R075</td><td>39</td><td>39</td><td>37</td><td>47</td></tr><tr><td>R041B</td><td>38</td><td>38</td><td>38</td><td>48</td></tr><tr><td>R344, R346</td><td>38</td><td>38</td><td>37</td><td>47</td></tr><tr><td>R348</td><td>38</td><td>38</td><td>36</td><td>46</td></tr><tr><td rowspan="3">Area 7 - Jerrys Plains</td><td>R041A</td><td>37</td><td>37</td><td>37</td><td>47</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>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> <table><tr><th>Noise Assessment Location</th><th>Noise Assessment Location</th><th>Day LAeq (15 min)</th><th>Evening LAeq (15 min)</th><th>Night LAeq (15 min)</th><th>Night LA1 (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 rowspan="2">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>All privately-owned residences</td><td>42</td><td>42</td><td>41</td><td>51</td></tr><tr><td rowspan="8">Area 4 - Maison Dieu</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><tr><td>R050C</td><td>41</td><td>41</td><td>41</td><td>51</td></tr><tr><td>R050A</td><td>41</td><td>40</td><td>40</td><td>50</td></tr><tr><td>R044</td><td>41</td><td>40</td><td>39</td><td>49</td></tr><tr><td>All other privately-owned residences</td><td>41</td><td>40</td><td>38</td><td>48</td></tr></table> <i>The Noise Assessment Locations referred to in Table 1 are shown in Appendix 3.</i>					Area 6 - Redmarvale	R320	40	40	40	50	R033, R343	40	40	39	49	R042	40	40	38	48	R029, R345	40	40	37	47	R048	39	39	39	49	R030, R049, R163	39	39	38	48	R075	39	39	37	47	R041B	38	38	38	48	R344, R346	38	38	37	47	R348	38	38	36	46	Area 7 - Jerrys Plains	R041A	37	37	37	47	All other privately-owned residences	35	35	35	45	All privately-owned residences	40	40	36	46	All other areas	All privately-owned residences	35	35	35	45	Noise Assessment Location	Noise Assessment Location	Day LAeq (15 min)	Evening LAeq (15 min)	Night LAeq (15 min)	Night LA1 (1 min)	Area 1 - North Bulga	R003	38	36	36	46	R006	37	35	35	45	R007, R379	36	35	35	45	All other privately-owned residences	35	35	35	45	Area 2 - South Wambo	R025	39	38	38	48	All other privately-owned residences	35	35	35	45	Area 3 - Warkworth Village	All privately-owned residences	44	44	43	53	All privately-owned residences	42	42	41	51	Area 4 - Maison Dieu	R039	46	46	46	56	R016	45	45	45	55	R017	44	44	44	54	R043	43	43	43	53	R050C	41	41	41	51	R050A	41	40	40	50	R044	41	40	39	49	All other privately-owned residences
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B2.	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.	Compliant	Refer to B1	Section 3 of the monthly <i>Global Acoustics Environmental Noise Monitoring</i> reports detail the methodology and 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.	Not Triggered		<b>Not Triggered</b> - With the exception of R16, United Wambo owns the residences / land and does not hold any agreements. Based on discussion with site personnel, R16 is currently in the acquisition zone and has not been sold.	REC: Update noise impacted properties within the Noise Management Plan and Noise Monitoring Reports. There are some inconsistencies in figures between these reports.																																																																																																																																																															

NOISE OPERATING CONDITIONS

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																																															
B4.	<p>The Applicant must:</p> <p>(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;</p> <p>(b) implement reasonable and feasible noise attenuation measures on all new plant and equipment that will operate in noise sensitive areas;</p> <p>(c) monitor and record all major equipment use and make this data readily available at the request of the Department or the EPA;</p> <p>(d) operate a comprehensive noise management system that uses a combination of predictive 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;</p> <p>(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</p> <p>(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.</p>	Compliant	<ul style="list-style-type: none"><li>Noise Management Plan and DPIE approval letter dated 13 July 2020</li><li>Mining schedule available on the MinVu program</li><li>Air Quality and Noise Management Presentation dated September 2020</li><li>Environmental Management and Monitoring presentation (not dated)</li><li>Sentinex <i>Real Time Dust Noise Monitoring and Responding to and Recording Alarms</i> presentation (not dated)</li><li>Daily Jacobs Air Quality Control System reports</li><li>Monthly attended noise monitoring reports by Global Acoustics from May 2020 - October 2020</li><li>Noise Alarm Response Audit (July 2020)</li><li>Mining Supervisor Environment and Community Guidance Notes (not dated)</li><li>Noise Alarm TARP (not dated)</li></ul>	<p>a) United Wambo has a Noise Management Plan and a Noise TARP in place onsite.</p> <p>b) Section 10 of the Noise Management Plan outlines noise mitigation and management measures. Additionally, Wambo diggers have been refitted for noise attenuation.</p> <p>c) Mining schedule, including downtimes for equipment, is available on MinVu.</p> <p>d) Training is provided for all staff. This includes an Air Quality and Noise Management presentation, Environmental Management and Monitoring presentation, Sentinex Real Time Dust and Noise Monitoring and Responding to and Recording Alarms presentation, and a site specific Mining Supervisor Environment and Community Guidance Notes handbook.</p> <p>Noise monitoring is done in both real time and attended.</p> <p>e) Site uses Jacobs Air Quality Control System to conduct daily meteorological reports presented at morning meetings.</p> <p>Noise-enhancing meteorological conditions are monitored by the Sentinex Real Time alarm system. Evidence of the alarm being triggered provided in the July 2020 Noise Alarm Response audit.</p> <p>Example of alarm response during July 2020: Alarm triggered at 0:05 am on 27 July 2020. Alarm acknowledged at 0:09 am 27 July 2020. Noise trigger was high wind speeds (7.5 m/s) and heavy rain as all heavy plant was parked at 12 AM for crib. Activities ceased until further notice.</p> <p>f) Monthly attended monitoring reports completed by Global Acoustics commenced May 2020.</p>	REC: Review the information currently provided in the daily weather report and include additional information in the daily pre-start where it identifies that there may be conditions that would impact the operation																																																															
NOISE MANAGEMENT PLAN																																																																				
B5.	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person/s;</p> <p>(b) be prepared in consultation with the EPA;</p> <p>(c) describe the measures to be implemented to ensure:</p> <p>(i) compliance with the noise criteria and operating conditions in this consent;</p> <p>(ii) best practice management is being employed; and</p> <p>(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);</p> <p>(d) seek to minimise road traffic noise generated by employee commuter vehicles on public roads;</p> <p>(e) describe the noise management system in detail; and</p> <p>(f) include a monitoring program that:</p> <p>(i) uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development;</p> <p>(ii) includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time;</p> <p>(iii) adequately supports the noise management system;</p> <p>(iv) includes a protocol for distinguishing noise emissions of the development and the Wambo Mining Complex; and</p> <p>(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.</p>	Compliant	<ul style="list-style-type: none"><li>Noise Management Plan approved on 13 July 2020</li><li>Letter from NSW EPA dated 11 September 2019</li></ul>	<p>a) Section 7.</p> <p>b) Appenix A and Section 6.</p> <p>c.i) Sections 10 and 11.</p> <p>c.ii) Section 10.</p> <p>c.iii) Section 10.3.</p> <p>d) Section 10.6. Further training is listed on the site specific <i>Noise Management Procedures</i>.</p> <p>e) Sections 10 and 11.</p> <p>f.i) Section 11.</p> <p>f.ii) 11.1.3.</p> <p>f.iii) Section 11.</p> <p>f.iv) Section 11.3.</p> <p>f.v) Section 13.2.</p>																																																																
B6.	The Applicant must not commence Phase 1B until the Noise Management Plan is approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"><li>Approval letter from DPIE dated 13 July 2020.</li></ul>	Phase 1B commenced on 17 July 2020.																																																																
B7.	The Applicant must implement the Noise Management Plan as approved by the Planning Secretary	Compliant	<ul style="list-style-type: none"><li>Monthly attended noise monitoring reports by Global Acoustics provide calibration certificates</li><li>Site Familiarisation Presentation dated 27 July 2020</li><li>Quarterly monitoring reports</li><li>Environmental Management and Monitoring presentation (not dated)</li><li>Sentinex Real Time Dust Noise Monitoring and Responding to and Recording Alarms presentation (not dated)</li></ul>	<p>Site adheres to best practice noise management by providing toolbox talks, site inductions and site familiarisation presentations. Monthly noise monitoring reports provide calibration certificates.</p> <p>Evidence of real-time noise monitoring using the Sentinex Real Time Noise Alarm System. Evidence of Sentinex Real Time Alarm being triggered and recorded (refer to B4e)</p> <p>Overall, there have been no noise exceedances based on the data provided.</p>	IMPROVEMENT REC: Based on discussions with United Wambo it is understood that the calibration of real-time noise monitors will occur in Q1, 2021. Ensure this is undertaken quarterly in the future.																																																															
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B8.	<p>The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations a shown in Table 2.</p> <p><i>Table 2: Blasting criteria</i></p> <table><tr><th>Location</th><th>Airblast overpressure (dB(Lin Peak))</th><th>Ground vibration (mm/s)</th><th>Allowable exceedance</th></tr><tr><td rowspan="2">Residence on privately-owned land</td><td>120</td><td>10</td><td>0%</td></tr><tr><td>115</td><td>5</td><td>5% of the total number of blasts over a calendar year</td></tr><tr><td>St Phillips Church</td><td></td><td>5</td><td>0%</td></tr><tr><td>Wambo Homestead</td><td>120</td><td>5</td><td>0%</td></tr><tr><td>All other heritage items (beyond those predicted in the document/s listed in condition A2(c))</td><td>133</td><td>5</td><td>0%</td></tr><tr><td>Hunter Valley Gliding Club</td><td></td><td></td><td></td></tr><tr><td>Warkworth Shooting Complex</td><td>133</td><td>25</td><td>0%</td></tr><tr><td>HVO infrastructure - occupied</td><td></td><td></td><td></td></tr><tr><td>HVO surface infrastructure - unoccupied</td><td>133</td><td>100</td><td>0%</td></tr><tr><td>Transmission suspension towers</td><td></td><td>100</td><td>0%</td></tr><tr><td>Transmission tension towers</td><td></td><td>50</td><td>0%</td></tr><tr><td>Prescribed dams</td><td></td><td>50 (unless otherwise directed by the DSC)</td><td>0%</td></tr><tr><td>Public Roads</td><td></td><td></td><td></td></tr><tr><td>Telecommunication infrastructure and cables</td><td></td><td>100</td><td>0%</td></tr><tr><td rowspan="2">All other public infrastructure</td><td></td><td>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)</td><td>0%</td></tr></table> <p>* The locations referred to in Table 2 are shown in Appendix 5.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land	120	10	0%	115	5	5% of the total number of blasts over a 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	133	25	0%	HVO infrastructure - occupied				HVO surface infrastructure - unoccupied	133	100	0%	Transmission suspension towers		100	0%	Transmission tension towers		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%	Non-Compliant (Medium)	<ul style="list-style-type: none"><li>Blast exceedance notification letter to DPIE and Wambo dated 01 October 2020</li><li>Blast Monitoring Results spreadsheet</li><li>Blast Criteria Exceedance Investigation Report</li><li>Blast exceedance notification email to Ausgrid dated 1 October 2020</li><li>Email to United Wambo from Ausgrid dated 3 December 2020</li><li>Updated Blast Management Plan dated 5 February 2021</li><li>Pre-blast checks by Terrock Consulting Engineers dated 3 December 2020 and 2 February 2021</li><li>Show Cause letter from DPIE dated 27 November 2020</li></ul>	<p><b>Non-Compliant (Medium)</b> - A blast exceeded criteria on 24 September 2020 near the 66 kV Ausgrid transmission line. United Wambo engaged Terrock Consulting Engineers to investigate the incident. The investigation determined:</p> <ul style="list-style-type: none"><li>The event involved two surface overburden blasts drilled approximately 2 metres deeper than previous blasts;</li><li>The peak level vibration came from the first blast (Blast 30);</li><li>Strong rhythmic wave forms in the horizontal channels termed 'beat' frequency were recorded;</li><li>Beat frequency is a result of two closely related vibration frequencies combining and can double the vibration peak particle velocity levels causing large increases in the site constant.</li></ul> <p>United Wambo did not receive any community complaints or concerns from Ausgrid regarding the blast. The transmission line was de-energised on 30 September 2020 and decommissioned as part of the relocation of the 66 kV transmission line.</p> <p>Site sent notification letters to the relevant parties within the 7 day timeframe.</p> <p>United Wambo now uses Terrock Consulting Services to review every design where vibration prediction is greater than 50% of the limit at the receiver.</p>	REC: Review the UWJV Drill and Blast procedures to determine potential improvements to delay sequencing and minimise the 'beat' frequency risk and other ground vibration impacts.  REC: Provide the updated UWJV Blast Management Plan on the website once approved by DPIE.
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	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.	Not Triggered		<b>Not Triggered</b> - Based on site discussions, United Wambo does not have any current blast agreements with owners.																																																															
BLASTING HOURS																																																																				









Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
B28.	<p>The Applicant must:</p> <p>(a) take all reasonable steps to:</p> <p>(i) minimise odour, fume and particulate matter (including PM10 and crustal and combustion PM2.5) emissions of the development;</p> <p>(ii) eliminate or minimise the risk of spontaneous combustion;</p> <p>(iii) improve energy efficiency and reduce greenhouse gas emissions of the development;</p> <p>(iv) minimise any visible off-site air pollution generated by the development; and</p> <p>(v) minimise the extent of potential dust generating surfaces exposed on the site at any given point in time;</p> <p>(b) 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;</p> <p>(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;</p> <p>(d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note C to Table 3 above);</p> <p>(e) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(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.</p>	Compliant	<ul style="list-style-type: none"><li>• Jacobs Air Quality Control System reports (completed daily)</li><li>- 17 August 2020</li><li>- 03 September 2020</li><li>- 05 September 2020</li><li>- 27 September 2020</li><li>- 20 October 2020</li><li>- 12 November 2020</li><li>• Mining Supervisor Environment and Community Guidance notes (no date)</li><li>• Spontaneous Combustion Hazard Management Plan effective 3 February 2020</li><li>• Electrical lighting and switching layout plan</li><li>• Air Quality and Greenhouse Gas Management Plan</li><li>• Air Quality monitoring spreadsheet (2020)</li><li>• Visual evidence</li><li>• Site Familiarisation Presentation dated 29 July 2020</li><li>• Komatsu 930E-5 Dump Trucks with Tier 4 Final requirements spreadsheet</li><li>• Fleet Delivery Schedule of machines with Tier 4 Final requirements spreadsheet</li></ul>	<p>a.i) No evidence of exceedances. Evidence of an Air Quality and Greenhouse Gas Management Plan.</p> <p>a.ii) Evidence of Spontaneous Combustion Hazard Management Plan. No evidence of any spontaneous combustion at the mine.</p> <p>a.iii) Section 11 of the Air Quality and Greenhouse Gas Management Plan.</p> <p>a.iv) Section 13.1.2 of the Air Quality and Greenhouse Gas Management Plan.</p> <p>a.v) Evidence of water trucks and wash down stations utilised on site.</p> <p>b) Evidence of machines and trucks fitted with Tier 4 Final requirements.</p> <p>c) Evidence of daily meteorological forecasts. Based on discussion, the reports are presented at the daily morning pre-starts and toolbox talks. Mining Supervisor Environment and Community Guidance notes available on site.</p> <p>d) Proactive operations during adverse condtions include:</p> <ul style="list-style-type: none"><li>- slowing down on dusty roads;</li><li>- stay on designated roadways;</li><li>- stop vehicle in safe location during excessively dusty events;</li><li>- call for the water cart when required; and</li><li>- report excessive dust to Task Coordinator or Supervisor.</li></ul> <p>e) Evidence of daily air quality monitoring completed at sensitive receivers as identified in condition M2.3 of the EPL.</p> <p>f) Air Quality Control System reports completed each morning and presented at the pre-starts and toolbox talks. The report includes dust, wind and weather predictions for the day. Based on discussion, operations adjust if required.</p>	
AIR QUALITY AND GREENHOUSE GAS MANAGEMENT PLAN					
B29.	<p>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:</p> <p>(a) be prepared by a suitably qualified and experienced person/s;</p> <p>(b) be prepared in consultation with the EPA;</p> <p>(c) describe the measures to be implemented to ensure:</p> <p>(i) compliance with the air quality criteria and operating conditions in this consent;</p> <p>(ii) best practice management is being employed (including in respect of minimisation of greenhouse gas emissions from the site and energy efficiency); and</p> <p>(iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;</p> <p>(d) describe the air quality management system in detail; and</p> <p>(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:</p> <p>(i) establishes a diesel combustion emissions baseline;</p> <p>(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;</p> <p>(iii) adequately supports the air quality management system; and</p> <p>(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.</p>	Compliant	<ul style="list-style-type: none"><li>• Air Quality and Greenhouse Gas Management Plan and approval letter from DPIE dated 13 July 2020</li></ul>	<p>a) Section 8 of the <i>Air Quality and Greenhouse Gas Management Plan</i> states that the plan has been prepared by United Wambo and reviewed by Shane Lakmaker from Jacobs. A letter from Jacobs dated 15 October 2019 is attached as Appendix A.</p> <p>b) Section 7 states that the EPA was contacted on 21 September 2018 and given an opportunity to provide comments on the plan. However, the EPA responded that they do not undertake consultation for management plans and offered no comments.</p> <p>c.i) Section 11.</p> <p>c.ii) Section 11.6.1.</p> <p>c.iii) Section 11.1.2.1.</p> <p>d) Section 11, and Section 12.</p> <p>e.) Section 12.</p> <p>e.i) Section 11.5</p> <p>e.ii) Section 12.1</p> <p>e.iii) Section 12</p> <p>e.iv) Section 13.1</p>	
B30.	The Applicant must not commence Phase 1B until the Air Quality and Greenhouse Gas Management Plan is approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"><li>• Approval letter from DPIE dated 13 July 2020</li></ul>	Phase 1B commenced on 17 July 2020.	
B31.	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"><li>• Air Quality monitoring spreadsheets (2020)</li><li>• Daily Air Quality Control System reports by Jacobs</li><li>• Site Familiarisation Presentation dated 29 July 2020</li><li>• Visual inspection</li><li>• Discussion with site personnel</li><li>• Meteorological monitoring station</li><li>• Calibration records</li><li>• Air Quality exceedance investigations in email dated 26 August 2020 from Jacobs</li><li>• AECOM Nata Accreditation Certificate dated 12 March 2021. Accredited on 30 August 1982</li></ul>	<p>Evidence of site utilising water trucks and wash down stations.</p> <p>Proactive dust management includes:</p> <ul style="list-style-type: none"><li>- Trucks are to stop in a safe location until further notice during high dust events.</li><li>- Vehicles to remain on designated roadways;</li><li>- Slow down on dust roads;</li><li>- Call for water cart when required</li><li>- Report excessive dust to Task Coordinator or Supervisor</li></ul> <p>Daily meteorological and weather reporting completed by Jacobs and presented at the morning pre-starts and toolbox talks.</p>	
MANAGEMENT OF SCOPE 3 GREENHOUSE GAS EMISSIONS					
B32.	<p>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:</p> <p>a) parties to the Paris Agreement within the United Nations Framework Convention on Climate Change; or</p> <p>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.</p>	Compliant	<ul style="list-style-type: none"><li>• Export Management Plan and approval letter from DPIE on 13 July 2020.</li></ul>	<p>a) Appendix A.</p> <p>b) Section 2.7. However no countries have been nominated.</p>	
B33.	The Applicant must not commence Phase 1B until the Export Management Plan is approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"><li>• Approval letter from DPIE dated 20 July 2020</li><li>• Letter to DPIE from United Wambo dated 3 July 2020</li></ul>	Letter to DPIE dated 3 July 2020 requests Phase 1B to start on 17 July 2020 or on the date of which the last management plan is approved.	
B34.	The Applicant must implement the Export Management Plan as approved by the Planning Secretary for the life of the development.	Compliant	<ul style="list-style-type: none"><li>• Email dated 25 January 2020 reporting 2020 sales.</li></ul>	Evidence of coal being sold to Japan which meets the requirements of this condition.	
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.	Not Triggered		<u>Not Triggered</u> - There is no evidence of any amendments.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
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.	Not Triggered		<b>Not Triggered</b> - No evidence provided of determination from the Planning Secretary.	
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); (b) is capable of continuous real-time measurement of wind speed, wind direction sigma theta and temperature; and (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.	Compliant	<ul style="list-style-type: none"><li>Statement of Conformance Letter from Cbased Environmental Pty LTD dated 12 May 2020.</li><li>Station field check dated 8 December 2020 conducted by Cbased Environmental Pty LTD.</li><li>Sentinex Weather Station calibration report dated 08 August 2019</li><li>Sentinex Weather Station calibration report dated 17 March 2020</li><li>Meteorological monitoring spreadsheets (2020)</li></ul>	<p>a) Evidence of suitable meteorological station. Evidence of compliance with: - AM-2 Guide for measurement of horizontal wind for air quality applications, which references AS 2923-1987; and - AM-4 Meteorological monitoring guidance for regulatory modeling applications, which references USEPA (2000) EPA 454/R-99-005</p> <p>b) Evidence of continuous real-time measurements of wind-speed, wind direction and temperature.</p> <p>c) United Wambo has two meteorological stations. WS1 (Sentinex Weather station - Main Wambo meteorological station) and WS2 (Cbased Environmental). Evidence of measuring meteorological conditions in accordance with the NSW Industrial Noise Policy.</p>	
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 (Landon, 2004) and 2E Mines and Quarries (DECC, 2008).	Compliant	<ul style="list-style-type: none"><li>Erosion and Sediment Control inspection forms filled out by the E&amp;C team</li><li>Flood Levee Erosion and Sediment Control Plans completed by KCE Engineering</li><li>Recorded volume levels for main sediment dams (U2 and U3)</li><li>Internal emails showing dam capacity</li><li>ESC Review completed by SLR dated 20 March 2020</li><li>Coffer Dam Cut/Fill Report dated 15 July 2020</li><li>Drain 6 Dirty Water Drain Plan presentation</li></ul>	Based on site discussions, no offsite discharges occurred during the IEA period.	
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.	Compliant	<ul style="list-style-type: none"><li>Water Management Plan</li><li>Site Water Balance Report dated August 2020</li></ul>	Site water balance report from Peabody dated August 2020.	
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.	Not Triggered		<b>Not Triggered</b> - 2020 Annual Review due outside the IEA period.	
NOTE:	<i>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.</i>	Compliant	Refer to B39	Water Management Plan - Licenses table in Section 5.3	
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.	Not Triggered	<ul style="list-style-type: none"><li>United Wambo EIS</li></ul>	<b>Not Triggered</b> - Based on discussion, the development will not impact drawdown levels of privately owned bores.  Section 6.8.2.2 of the EIS indicates that operations will contribute to draw down at one private bore on land not owned by United Wambo, however the bore is not currently operable.	
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.	Not Triggered		<b>Not Triggered</b> - Based on discussion, the development will not impact water supply levels.	
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.	Not Triggered		Refer to B42	
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.	Not Triggered		Refer to B42	
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.	Not Triggered		Refer to B42	
NOTES:	<ul style="list-style-type: none"><li>The Water Management Plan (see condition B52) is required to include trigger levels for investigating potentially adverse impacts on water supplies.</li><li>The burden of proof that any loss of surface water or groundwater access is not due to mining rest with the Applicant</li></ul>	Compliant	<ul style="list-style-type: none"><li>Surface Water Management Plan</li></ul>	Trigger levels summarised in Table 9-1 of the Surface Water Management Plan.	
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 (b) relevant provisions of the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.	Compliant	<ul style="list-style-type: none"><li>Site Discussions</li><li>Water Management Plan</li></ul>	United does not have a discharge point. Wambo does have a discharge point and EPL. Section 10.1.2 of the Water Management Plan states that if water from the complex will be discharged via the Wambo licensed discharge point in accordance with EPL 529.	
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.	Compliant	<ul style="list-style-type: none"><li>Water Accounting Framework spreadsheet (no date)</li></ul>	Wambo Coal Mine received 1.75 ML from United Wamo in April 2020 to C11 void.  No transfer of water to Ravensworth Operations or HVO.	



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
B52.	(iii) Erosion and Sediment Control Plan that: <ul style="list-style-type: none"><li>• 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);</li><li>• identifies activities that could cause soil erosion, generate sediment or affect flooding;</li><li>• describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;</li><li>• describes the location, function, and capacity of permanent erosion and sediment control structures and flood management structures; and</li><li>• describes what measures would be implemented to maintain (and if necessary decommission) the structures over time;</li></ul>	Compliant	• Erosion and Sediment Control Plan	iii - Erosion and Sediment Control Plan has been approved by DPIE on 13 July 2020 (The following sections refer to the Erosion and Sediment Control Plan unless stated otherwise) <ul style="list-style-type: none"><li>• Section 9.1</li><li>• Section 8</li><li>• Section 9</li><li>• Section 9</li><li>• Sections, 91.5, 9.1.7 and 10</li></ul>	IMPROVEMENT REC: Table 5-1 in the Water Mangement Plan incorrectly refers to sections of the report. Ensure that tables correctly refer to the right information in future management plans.
	(iv) Surface Water Management Plan that includes: <ul style="list-style-type: none"><li>• detailed baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development, including:<ul style="list-style-type: none"><li>– stream and riparian vegetation health;</li><li>– channel stability (geomorphology); and</li><li>– water supply for other surface water users;</li></ul></li><li>• a detailed description of the surface water management system;</li><li>• detailed plans, design objectives and performance criteria for water infrastructure, including:<ul style="list-style-type: none"><li>– any approved creek diversions or restoration works associated with the development;</li><li>– water run-off diversions and catch drains;</li><li>– water storages and sediment dams;</li><li>– emplacement areas; and</li><li>– backfilled pits and any final voids for the development (see also Table 6); and</li><li>– reinstated drainage networks on rehabilitated areas of the site;</li></ul></li><li>• detailed performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts associated with the development, for:<ul style="list-style-type: none"><li>– downstream surface water flows and quality;</li><li>– channel stability;</li><li>– downstream flooding impacts;</li><li>– stream and riparian vegetation heath;</li><li>– water supply for other water users; and</li><li>– post-mining water pollution from rehabilitated areas of the site;</li></ul></li><li>• a program to regularly monitor:<ul style="list-style-type: none"><li>– compliance with the relevant performance measures listed in Table 4 and the performance criteria established above;</li><li>– controlled and uncontrolled discharges and seepage/leachate from the site;</li><li>– impacts on water supply for other water users;</li><li>– surface water inflows, outflows and storage volumes to inform the Site Water Balance; and</li><li>– the effectiveness of the surface water management systems and the measures within the Erosion and Sediment Control Plan;</li></ul></li><li>• reporting procedures for the results of the monitoring program; and</li><li>• 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;</li></ul>	Compliant	• Surface Water Management Plan	iv - Surface Water Management Plan approved by DPIE on 13 July 2020 (The following sections refer to the Surface Water Management Plan unless stated otherwise) <ul style="list-style-type: none"><li>• Section 6</li><li>• Section 6.3</li><li>• Section 6.3</li><li>• Section 6.4</li><li>• Section 10.1 of the Water Management Plan</li><li>• Section 7</li><li>• Sections 7.1 and 7.2</li><li>• Section 7.3</li><li>• Section 7.4</li><li>• Section 7.5</li><li>• Section 7.6</li><li>• Section 7.7</li><li>Sections 9.1 and 9.2</li><li>- Table 9-1</li><li>- Table 9-1</li><li>- Table 9-1</li><li>- Table 9-1</li><li>- Table 9-1</li><li>- Table 9-1</li><li>• Section 9.3</li><li>• Section 9.3</li><li>• Section 9.3</li><li>• Section 9.3.4</li><li>• Section 9.3.3</li><li>• Section 9.3</li><li>• Section 10.1</li><li>• Sections 9.4, 9.6 and Appendix B</li></ul>	
	(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: <ul style="list-style-type: none"><li>• detailed baseline data of groundwater levels, yield and quality for groundwater resources and groundwater dependent ecosystems potentially impacted by the development, including groundwater supply for other water users;</li><li>• a detailed description of the groundwater management system;</li><li>• groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts associated with the development, on:<ul style="list-style-type: none"><li>– regional and local aquifers (alluvial and hardrock);</li><li>– groundwater supply for other water users such as privately-owned licensed groundwater bores;</li><li>– groundwater dependent ecosystems; and</li><li>– aquatic habitat and stygofauna;</li></ul></li><li>• a program to monitor and evaluate:<ul style="list-style-type: none"><li>– compliance with the relevant performance measures listed in Table 4, and the performance criteria established above;</li><li>– water loss/seepage from water storages into the groundwater system;</li><li>– groundwater inflows, outflows and storage volumes to inform the Site Water Balance;</li><li>– any hydraulic connectivity between the alluvial and hardrock aquifers;</li><li>– impacts on groundwater supply for other water users;</li><li>– impacts on groundwater dependent ecosystems; and</li><li>– the effectiveness of the groundwater management systems;</li></ul></li><li>• reporting procedures for the results of the monitoring program;</li><li>• 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</li><li>• 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</li></ul> (vi) a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition E11.	Compliant	• Groundwater Mangement Plan	v - Groundwater Management Plan approved by DPIE on 13 July 2020 (the following sections refer to the Groundwater Management Plan unless stated otherwise) <ul style="list-style-type: none"><li>• Sections 5.3.4 and 5.4</li><li>• Section 9</li><li>• Section 7.2 and Table 7-3</li><li>• Section 7.3 and Table 7-4</li><li>• Section 6.2.8</li><li>• Section 6.2.9</li><li>• Section 7</li><li>• Section 7.1</li><li>• Section 7.1.3</li><li>• Section 7.1</li><li>• Section 7.1</li><li>• Section 7.1.4</li><li>• Section 9.6</li><li>• Sections 9.6, 9.7 and Appendix B</li><li>• Section 9.9</li></ul>	
B53.	The Applicant must not commence Phase 1A until the Water Management Plan is approved by the Planning Secretary.	Compliant	• Approval letter from DPIE dated 11 December 2019	Phase 1A commenced 6 January 2020	
B54.	The Applicant must implement the Water Management Plan as approved by the Planning Secretary.	Non-Compliant (Low)	• Surface and Groundwater monitoring conducted quarterly. Reports for Q1 - Q3 of 2020 • Water monitoring spreadsheets (1998 - 2020) • Erosion and Sediment Control inspection forms filled out by the E&C team • Flood Levee Erosion and Sediment Control Plans completed by KCE Engineering • Recorded volume levels for main sediment dams (U2 and U3) • Internal emails showing dam capacity • ESC Review completed by SLR dated 20 March 2020 • Colfer Dam Cut/Fill Report dated 15 July 2020 • Drain 6 Dirty Water Drain Plan presentation • Visual evidence • Discussion with site personnel	<p><b>Surface Water:</b> Evidence of water transfer forms to Wambo. Evidence of levee design and consultation. Evidence of surface and groundwater monitoring. Evidence of quarterly groundwater and surface water reports. Evidence of groundwater site water balance.</p> <p>Evidence of sediment dam testing. Evidence of dirty water Drain Plan. Evidence of dam capacity calculations. Evidence of Erosion and Sediment and Control review. Evidence of Erosion and Sediment Control inspections.</p> <p><b>Groundwater</b> Report of groundwater monitoring data on a quarterly basis for Q1 to Q3 of 2020 was provided. Data indicates exceedance of triggers and no discussion or reporting was provided or sighted.</p> <p>Based on discussion, an independent review of the groundwater model has commenced with Wambo.</p> <p><b>Non-Compliant (Low):</b> Groundwater data indicates exceedance of TARP and no discussion or reporting was provided or sighted as required in Section 9.8 of the Groundwater Management Plan.</p>	<p>REC: Surface Water - Testing of key sediment dams onsite. Update Water Management Plan to indicates dams, parameters and timings.</p> <p>REC: Groundwater - It is required that the trigger level exceedance, investigation results and mitigation measures be reported in 2020 Annual Review.</p>
<b>BIODIVERSITY</b>					
<b>BIODIVERSITY CREDITS REQUIRED</b>					
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.				



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																																											
TABLE 5: BIODIVERSITY CREDIT REQUIREMENTS	<p><b>Table 5: Biodiversity credit requirements</b></p> <table><tr><th>Credit Type</th><th>Stage 1 Credits Required</th><th>Stage 2 Credits Required</th><th>Stage 3 Credits Required</th><th>Total Credits Required</th></tr><tr><td colspan="5">Ecosystem Credits</td></tr><tr><td>Central Hunter Valley Eucalypt Forest and Woodland CEEC under the EPBC Act</td><td>11,287</td><td>2,570</td><td>620</td><td>14,477</td></tr><tr><td>Hunter Floodplain Red Gum Woodland EEC under the BC Act</td><td>0</td><td>20</td><td>0</td><td>20</td></tr><tr><td>Central Hunter Ironbark - Spotted Gum - Grey Box Forest EEC under the BC Act</td><td>1,424</td><td>0</td><td>0</td><td>1,424</td></tr><tr><td>Central Hunter Grey Box - Ironbark Woodland EEC under the BC Act</td><td>356</td><td>101</td><td>0</td><td>457</td></tr><tr><td>HU905 - Narrow-leaved Ironbark - Grey Box Grassy Woodland of the Central and Upper Hunter</td><td>3,562</td><td>1,344</td><td>1</td><td>4,907</td></tr><tr><td>HU906 - Bull Oak Grassy Woodland of the Central Hunter Valley</td><td>2,973</td><td>0</td><td>0</td><td>2,973</td></tr><tr><td>HU945 - Swamp Oak - Weeping Grass Grassy Riparian Forest of the Hunter Valley</td><td>1,844</td><td>281</td><td>0</td><td>2,125</td></tr><tr><td><b>Total</b></td><td><b>21,446</b></td><td><b>4,316</b></td><td><b>621</b></td><td><b>26,383</b></td></tr><tr><td colspan="5">Species Credits</td></tr><tr><td>Southern myotis (<i>Myotis macropus</i>)</td><td>15</td><td>547</td><td>0</td><td>562</td></tr></table>	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	<b>Total</b>	<b>21,446</b>	<b>4,316</b>	<b>621</b>	<b>26,383</b>	Species Credits					Southern myotis ( <i>Myotis macropus</i> )	15	547	0	562	Not Triggered	<ul style="list-style-type: none"><li>Letter from Umwelt to BCD and BCT dated 7 May 2020</li><li>Letter from Umwelt to DPIE dated 14 July 2020</li><li>Email from United Wambo to DPIE requesting extension dated 13 October 2020</li><li>Extension grant letter from DPIE dated 22 October 2020</li></ul>	<b>Not Triggered</b> - There has been a policy change since the previous biodiversity studies resulting in an implementation gap. The United Wambo E&C team have requested an extension which was granted by DPIE on 22 October 2020. This condition is now due 6 January 2022.
Credit Type	Stage 1 Credits Required	Stage 2 Credits Required	Stage 3 Credits Required	Total Credits Required																																																												
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NOTES:	<ul style="list-style-type: none"><li>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.</li><li>The credits in Table 5 were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEI, 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.</li><li>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.</li></ul>	Noted																																																														
STAGED RETIREMENT																																																																
B56.	Within 12 months of commencing Phase 1A, or other timeframe agreed by the Planning Secretary, the 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.	Not Triggered	Refer to B55	Refer to B55																																																												
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.	Not Triggered		<b>Not Triggered</b> - This condition is outside the IEA scope. Only covers Phase 1.																																																												
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.	Not Triggered		Refer to B57																																																												
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.	Not Triggered		Refer to B57																																																												
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.	Not Triggered		Refer to B57																																																												
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 cannot be the same as land used to establish Open Woodland Revegetation under condition B69 and DA 305-7-2003. A Conceptual mapping of Ecological Mine Rehabilitation is shown in Appendix 6.	Not Triggered		Refer to B55																																																												
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.	Not Triggered		<b>Not Triggered</b> - This condition is outside the IEA scope.																																																												
NOTE:	Rehabilitation offset performance and completion criteria are required to be developed and included in the Rehabilitation Management Plan required under condition B103.	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.	Not Triggered		Refer to B55. There was no final rehabilitaion completed during Phase 1.																																																												
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 (b) the cost of acquiring and retiring the equivalent number of ecosystem credits for which Ecological Mine Rehabilitation is to be used; and must be determined by the Applicant employing a suitably qualified, independent and experienced person to verify the calculated costs.	Not Triggered		Refer to B55																																																												
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.	Not Triggered		Refer to B55																																																												



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
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).	Compliant	<ul style="list-style-type: none"><li>• Site Familiarisation Presentation</li><li>• Historic Heritage Management Plan</li><li>• Blast Management Plan</li><li>• Photo archival reports</li><li>• Aboriginal Cultural Heritage Management Plan</li><li>• EIS (2016)</li></ul>	New employees and contractors shown a Site Familiarisation Presentation. No disturbance is permitted onsite without approved GDP from the E&C Department.  Known Heritage sites are shown in the Aboriginal Cultural Heritage Management Plan, Heritage Management Plan and the Blast Management Plan. Regular monitoring and dilapidation reporting is carried out at the school in Warkworth.  Site maintains a photo archival record of The Shearing Shed and Creamery and sent to the Heritage Council.  No disturbance is permitted to be undertaken without a Ground Disturbance Permit approved by the Environment and Community Department.	
NOTE:	Identified heritage items are shown in the figures in Appendix 7.	Noted			
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.	Not Triggered		<b>Not Triggered</b> - No known human remains have been found.	
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; (b) a 10 metre buffer area around the object or place must be cordoned off; and (c) BCD must be contacted immediately.	Compliant	<ul style="list-style-type: none"><li>• Annual Registered Aboriginal Parties Meeting (held on 25 November 2020)</li><li>• Potential scar tree images</li><li>• Email to NSW DPIE from United Wambo to notify the BCD of the discovery of a possible scar tree</li><li>• Consultation with OzArk email</li><li>• Aboriginal Cultural Heritage Statement completed by AMAC and SAS.</li></ul>	Potential scar tree found in an undisturbed out of the way area (currently fenced off, but there are plans to mine the area in seven years). United Wambo notified DPIE on 19 February 2020 of the discovery and consulted with the local RAP and OzArk.  Initial assessment by OzArk on 18 February 2020 determined that it was not a cultural scar tree based on the following: • It extends to the ground - often a sign of a branch tear • There are irregularities at the top of the scar suggesting that a branch was once at this location • It is low down on the tree  The Archaeological Management and Consulting (AMAC) and Streat Archaeological Services (SAS) completed an Aboriginal Cultural Heritage Statement on 27 June 2020. Results indicated that this was not a cultural scar tree.	
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; (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) 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.	Not Triggered		<b>Not Triggered</b> - No Aboriginal artefacts have been found to date.	
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.	Compliant	<ul style="list-style-type: none"><li>• Aboriginal and Cultural Heritage slides within the New Starter Induction presentation</li><li>• Aboriginal Cultural Heritage Management Plan</li><li>• Email dated 20 January 2020 approving Aboriginal Site Impact Recording Forms</li><li>• Approvals from NSW Aboriginal Heritage Information Management System dated 27 November 2020</li></ul>	All known Aboriginal objects and places recorded in the AHIMS register and shown in the New Starter Induction presentation and Figure 2-1 of the Aboriginal Cultural Heritage Management Plan.	
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; (b) be prepared in consultation with BCD, Registered Aboriginal Parties and other local knowledge holder groups; (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); (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; (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 (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.	Compliant	Aboriginal Cultural Heritage Management Plan	a) The Aboriginal Cultural Heritage Management Plan was developed in consultation with OzArk Environmental & Heritage Management Pty Ltd (OzArk). Section 1.6 and Appendix A outline consultation.  b) A list of stakeholder consultation has been provided as Table A-1 in Appendix A. Section 1.5.2 outlines consultation with external stakeholders including the BCD.  c.i) Section 1.4.2 outlines GCAA Requirements which includes providing employees with cultural awareness training. c.ii) Section 6. c.iii) Section 3.5.3, 3.5.4 , 4.2.2 and Appendix C: Table 3. c.iv) Section 4. c.v) Section 1.5.3.2. c.vi) Section 1.5.3.  d) Section 3.6.  e) Appendix D.	
B80.	The Applicant must not commence Phase 1A until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary.	Compliant	Approval letter from DPIE dated 25 November 2019	Phase 1A commenced 6 January 2020.	
B81.	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"><li>• United Wambo Salvage Presentation (2020)</li><li>• Annual Registered Aboriginal Parties Meeting dated 25 November 2020</li><li>• Aboriginal Cultural Heritage funding program email dated 11 February 2020</li><li>• Scholarship Letter of Offer dated 25 September 2020</li><li>• United Wambo JV Project Cultural Program Funding dated 6 February 2020</li><li>• Approvals from NSW Aboriginal Heritage Information Management System dated 27 November 2020</li></ul>	United Wambo present the United Wambo Joint Venture Archaeological salvage program presentation to staff and contractors.  Evidence of annual consultation with Registered Aboriginal Parties.  Evidence of registering Aboriginal artefacts with AHIMS.  Evidence of committing to \$350,000 worth of funding for Cultural Programs including: - Indigenous Scholarship Letter of Offer - Design and cost estimation for a new bridge for access to Baiame Cave - Printing, artists / writers fee for the book "Spirit of Place".	
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; (b) be prepared in consultation with the Heritage Branch, Council and relevant landowners and in accordance with the relevant Heritage Branch guidelines; (c) identify all heritage items in the vicinity of the site and include a statement of significance for each item; (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; (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; (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 (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.	Compliant	Historic Heritage Management Plan	a) The Historic Heritage Management Plan has been prepared in consultation with Umwelt. Section 7.1 details consultation.  b) Section 7.1.  c) Section 5 and Section 6.  d) Section 7.5.1.  e.i) Section 7.8.1. e.ii) Appendix B. e.iii) Appendix B e.iv) Section 7.5 and 7.7. e.v) Section 7.6. Table 3-1 indicates this can be found in Section 7.8.2, however this section only lists heritage items <i>within</i> the Project Area. e.vi) Section 7.8.3 and 7.8.4.  f) Appendix B	IMPROVEMENT REC: Table 3-1 of the management plan is incorrect. Ensure that tables refer to correct sections in future management plans.



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
B83.	The Applicant must not commence Phase 1A until the Historic Heritage Management Plan is approved by the Planning Secretary.	Compliant	Approval letter from DPIE dated 25 November 2019	Phase 1A commenced 6 January 2020.	
B84.	The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary.	Compliant	<ul style="list-style-type: none"><li>• Blast Management Plan</li><li>• Photo archival reports</li><li>• Wambo Homestead calibration reports completed by Ecotech on 30 January 2020 and 05 May 2020</li><li>• Site Familiarisation Presentation dated 27 July 2020</li></ul>	Evidence of archival photographs. Evidence of blasting calibrations at Wambo Homestead. New starters and contractors are shown the Site Familiarisation Presentation.	
<b>VISUAL</b>					
<b>VISUAL AMENITY AND LIGHTING</b>					
B85.	The Applicant must: (a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development; (b) undertake roadside tree planting along the Golden Highway, in consultation with RMS, to screen views of the development from road users; (c) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure; (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); (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; (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 (g) take all reasonable steps to shield views of mining operations and associated equipment from users of public roads and privately-owned residences.	Non-Compliant (Administrative)	<ul style="list-style-type: none"><li>• Discussion with site personnel</li><li>• Weekly Plan Pack for 15 January 2021</li><li>• Lighting Plants Procedure effective 13 August 2020</li></ul>	a) Lighting Plants Procedure, Weekly Plan Pack and training provided for OCEs. b) Tree screen along the Golden Highway. However, no evidence of consultation with the RMS. c) Visual bund parallel to the Golden Highway is in place. Light vehicle road functions as a visual bund. d) Section 3.2 in the Lighting Plants Procedure. e) The most recent lighting audit is from 2012. f) The MIA has not been built yet. Temporary fencing around the construction areas function as a visual barrier. g) Temporary fencing around the construction areas function as a visual barrier. Tree screens in place along the Golden Highway.  <b>Non-Compliant (Administrative)</b> - Most recent lighting audit is from 2012, therefore the IEA cannot prove the site is compliant.	REC: 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.  REC: Focus on point source light management for United at the moment.  REC - External advice on visual impact to the Golden Highway from external contractor.
<b>ADDITIONAL VISUAL MITIGATION</b>					
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.	Compliant	<ul style="list-style-type: none"><li>• Consultation history with Jerrys Plains resident</li><li>• Mitigation works spreadsheet of impacted residents</li><li>• Tax invoices for noise mitigation works and building and insulation works</li><li>• Discussion with site personnel</li><li>• Mitigation works evidence email dated 10 February 2021</li></ul>	Consultation at 17 residences has commenced. Mitigation works include: • Pre-Install Acoustic Testing • Building Works • Air Conditioning Works • Electrical Works  United Wambo has also committed to re-arranging the deck of one resident.	
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.	Not Triggered		<b>Not Triggered</b> - Based on discussion with site personnel, this condition has not been triggered.	
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.	Not Triggered		<b>Not Triggered</b> - No evidence provided of disagreement between United Wambo and the landowners.	
<b>HUNTER VALLEY GLIDING CLUB</b>					
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; (b) planting tree screens along the realigned section of the Golden Highway; and (c) constructing new infrastructure and overburden emplacements to comply with Civil Aviation Safety Authority codes and/or guidelines, where relevant.	Compliant	<ul style="list-style-type: none"><li>• Letter to DPIE from United Wambo regarding consultation with HVGC dated 26 November 2020</li><li>• Letter from DPIE approving Deed of Agreement extension dated 30 November 2020</li></ul>	United Wambo has engaged a solicitor to draft a Deed of Agreement with the Hunter Valley Gliding Club. A letter dated 26 November 2020 to DPIE requested an extension to finalise the DoA. In a letter dated 30 November 2020, DPIE granted an extension until 31 January 2021.	
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.	Not Triggered		<b>Not Triggered</b> - No evidence provided of disagreement between United Wambo and the Hunter Valley Gliding Club.	
<b>WASTE</b>					
B91.	The Applicant must: (a) take all reasonable steps to minimise the waste (including coal rejects) generated by the development; (b) dispose of all waste at appropriately licensed waste facilities; (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (d) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition E11.	Compliant	<ul style="list-style-type: none"><li>• Draft copy of a Waste Management Plan</li><li>• Monthly Waste Management Report from JR Richards (November 2020)</li><li>• Waste transport certificates (11 February 2020)</li><li>• Monthly waste collection invoices from JR Richards (November 2020)</li><li>• GCP data spreadsheet (2020)</li><li>• Singleton Council 'Approval to Operate On-Site Sewage Management System' extension dated 1 July 2020</li><li>• All Septic Services Reports during the IEA period<ul style="list-style-type: none"><li>- 9 April 2020</li><li>- 17 August 2020</li><li>- 19 September 2020</li><li>- 12 October 2020</li></ul></li></ul>	a) Site uses reduce, reuse programs. Main waste comes from timber and steel. Weekly inspections conducted by JR Richards. There are no coal rejects in Phase 1 of the project. b) Waste is collected and transported off site by JR Richards. Waste tracking records are included in the annual Waste Management Reports completed by JR Richards. c) Site has approval to operate on-site sewage system. All Septic Services complete inspections and reports quarterly. d) <b>Not triggered</b> - Annual review due outside IEA period.	
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.	Not Triggered		<b>Not Triggered</b> - Based on discussion with site, this condition has not been triggered.	
<b>DANGEROUS GOODS</b>					
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 (b) explosives are managed in accordance with the requirements of the Resources Regulator.	Compliant	<ul style="list-style-type: none"><li>• Blast Management Plan</li><li>• Photographic evidence from site visit</li><li>• Explosives Principle Control Plan</li><li>• Compliance Certificate (Self bunded tanks)</li><li>• Pre-delivery checklist performed in Brisbane prior to shipping tanks to site</li><li>• Commissioning Audit completed by Fuelfix</li><li>• Electrical drawing and test data for the tanks</li><li>• Design Risk Assessment</li></ul>	Email from United Fuel Facilities dated 31 July 2020 with Compliance Certificate, Calibrations Report, Commissioning Sheet, Asset Pre-Delivery, Hire Tank and electrical drawings provided.  Certificate of Compliance dated 28 January 2020 from Hazkem Pty Ltd	
<b>BUSHFIRE MANAGEMENT</b>					
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 (b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.	Compliant	<ul style="list-style-type: none"><li>• Bushfire Management Plan</li><li>• First response trailer with equipment</li></ul>	a.i) Section 3.2 a.ii) Section 3.3.6.2 and Figure 3-3.  b) Section 4 of the Bushfire Management Plan. Under the RF Act, the RFS has the power to direct hazard reduction activities on United Wambo property and has the lead role in emergency situations.	











Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
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; (b) identify the statutory approvals that apply to the development; (c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (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 (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.	Compliant	• Environmental Management Strategy	a) Section 8. b) Section 4 and 8.3. c) Section 9.1. d.i) Section 9.3. d.ii) Section 9.3.1. d.iii) Section 9.3.2. d.iv)Section 9.5 and 10.4. d.v) Section 9.5.1. e.i) Section 9.6 and Appendix B. e.ii) Appendix C	
E2.	The Applicant must not commence Phase 1B until the Environmental Management Strategy is approved by the Planning Secretary.	Compliant	• Approval letter from DPIE dated 13 July 2020 • Phase 1B commencement notification letter dated 3 July 2020	Phase 1B proposed to commence on 17 July or on the date of the approval of the final management plan.	
E3.	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.	Compliant	• Community complaints log • Blast Criteria Exceedance Investigation Report completed by Terrock dated 24 September 2020 • Community newsletters (most recent one dated 21 August 2020) • United Wambo website • Discussion with site personnel	United Wambo operates a 24/7 hotline to handle community complaints and enquiries.  Relevant parties are notified of incidents within the given timeframe. Investigations	
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; (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) implement reasonable remediation measures as directed by the Planning Secretary.	Compliant	• Blast exceedance notification letter to DPIE and Wambo dated 01 October 2020 • Blast Monitoring Results spreadsheet • Blast Criteria Exceedance Investigation Report • Blast exceedance notification email to Ausgrid dated 1 October 2020 • Email to United Wambo from Ausgrid dated 3 December 2020	a) Evidence of investigation into blast exceedance.  b) Evidence of consultation with DPIE and submitting the investigation report. Evidence of proposed adaptive blast management measures that will be implemented in the future. Including reviewing the pre-blast procedures and updating the Blast Management Plan.  c) No evidence provided of remediation measures directed by the Planning Secretary.	
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; (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) 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; (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); (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; (g) a program to investigate 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 (i) a protocol for periodic review of the plan.	Compliant	• Aboriginal Cultural Heritage Management Plan • Air Quality and Greenhouse Gas Management Plan • Biodiversity Management Plan • Blast Management Plan • Bushfire Management Plan • Erosion and Sediment Control Management Plan • Export Management Plan • Groundwater Management Plan • Historic Heritage Management Plan • Noise Management Plan • Project Construction Environmental Management Plan • Rehabilitation Management Plan • Social Impact Management Plan • Surface Water Management Plan • Water Management Plan • Environmental Management Strategy	The relevant management plans have been reviewed and generally comply with the requirements of this condition.	
NOTE:	The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	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.	Compliant	• CEMP Phase 2 Approval dated 17 November 2020 • AQGHGMP Phase 2 Approval dated 19 November 2020 • Biodiversity Management Plan Phase 2 Approval dated 19 November 2020 • Blast Management Plan Phase 2 Approval 19 November 2020 • Noise Management Plan Phase 2 Approval dated 19 November 2020 • Rehabilitation Strategy Phase 2 Approval dated 19 November 2020 • Water Management Plan Phase 2 Approval dated 20 November 2020 • Environmental Management Strategy Phase 2 Approval dated 25 November 2020 • Rehabilitation Management Plan Phase 2 Approval dated 27 November 2020	These plans were prepared during Phase 1.	
E7.	Within three months of: (a) the submission of an incident report under condition E9; (b) the submission of an Annual Review under condition E11; (c) the submission of an Independent Environmental Audit under condition E12; or (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.	Not Triggered		<b>Not Triggered</b> - Following the 24 September 2020 blast incident United Wambo reviewed the Blast Management Plan. It was determined it did not need to be revised.	
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.	Not Triggered		<b>Not Triggered</b> - Based on discussion, no plans have been required to revised.	
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.	Noted			
REPORTING AND AUDITING					



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
E16.	<p>Before the commencement of Phase 1A, until the completion of all rehabilitation required under this consent, the Applicant must:</p> <p>(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:</p> <p>(i) the document/s listed in condition A2(c);</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) detailed plans for the Phases of the development;</p> <p>(v) minutes of CCC meetings;</p> <p>(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;</p> <p>(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;</p> <p>(viii) a summary of the current phase and progress of the development;</p> <p>(ix) contact details to enquire about the development or to make a complaint;</p> <p>(x) a complaints register, updated monthly;</p> <p>(xi) the Annual Reviews of the development;</p> <p>(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</p> <p>(xiii) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	Compliant	• United Wambo website	<p>a.i) EIS (2016) provided</p> <p>a.ii) All relevant licences, leases and approvals provided</p> <p>a.iii) All relevant management plans and strategies are provided</p> <p>a.iv) Operational phase plans provided</p> <p>a.v) CCC minutes available</p> <p>a.vi) Environmental reporting provided</p> <p>a.vii) Environmental monitoring results provided</p> <p>a.viii) Summary provided</p> <p>a.ix) 24 hour hotline number provided</p> <p>a.x) updated complaints register provided</p> <p>a.xi) Not due yet</p> <p>a.xii) This IEA</p> <p>a.xiii) No evidence of requests from the Planning Secretary</p> <p>b) Website has been recently updated and now provides all required information required in E16a.</p>	

Development Consent 410-11-2002-i

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
1	The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or decommissioning of the development.	Compliant	<ul style="list-style-type: none"><li>• Environmental Management Strategy framework (United Wambo JV)</li><li>• New Starter presentation</li><li>• Review of incidents</li><li>• 2018 and 2019 AEMRs</li></ul>	Site had been in care and maintenance until 6 January 2020 when SSD 7142 came into effect.  United Wambo operates under a site wide Environmental Management Strategy framework.  Exceedances have occurred but have not resulted in any permanent environmental harm.	
TERMS OF APPROVAL					
2	<p>The Applicant shall carry out the development generally in accordance with the:</p> <p>(a) DA 410-11-2002-1;</p> <p>(b) EIS titled <i>United Colliery - Extension of Mining Operations</i> , volumes 1-3, dated November 2002, and prepared by HLA Envirosciences Pty. Ltd.;</p> <p>(c) Report titled <i>United Collieries EIS - Additional Acoustical Information</i> , dated 18 March 2003, and prepared by HLA-Envirosciences Pty. Ltd.;</p> <p>(d) Report titled <i>Supplementary Report on Air Quality Assessment , Proposed Expansion United Collieries, Warkworth</i> , NSW, dated 18 March 2003, and prepared by HLA-Envirosciences Pty. Ltd.;</p> <p>(e) Letter from United Collieries to the Department, dated 29 May 2003, containing additional information on hazards, surface water monitoring, groundwater monitoring, subsidence, and the grey-crowned babbler;</p> <p>(f) Letter from Ross Hodge to United Collieries, dated 2 July 2003, containing additional information traffic noise;</p> <p>(g) Letter from Umwelt Environmental Consultants to the Department, dated 20 August 2003;</p> <p>(h) Letter from United Collieries to the Department, dated 29 August 2003;</p> <p>(i) Letter from Umwelt Environmental Consultants to the Department, dated 4 September 2003;</p> <p>(j) Letter from United Collieries to the Department, dated 22 October 2003;</p> <p>(k) Modification Application MOD-122-12-2003 and Statement of Environmental Effects, titled <i>United Collieries - Proposed Extension of Longwall Mining</i> , dated December 2003;</p> <p>(l) Modification Application MOD-154-10-2005 and Statement of Environmental Effects, titled <i>Haul Road Intersection and Ancillary Surface Infrastructure - United Collieries</i>, dated September 2005;</p>	Compliant	<ul style="list-style-type: none"><li>• Copy of DA 410-11-2002-1</li><li>• EIS (2002)</li><li>• Acoustical Information report by HLA Envirosciences Pty LTD dated 18 March 2003</li><li>• Air Quality Supplementary Report by HLA Envirosciences Pty LTD dated 28 March 2003</li><li>• Terms of Approval letter from United Collieries dated 29 May 2003</li><li>• SEE dated December 2003</li><li>• SEE dated September 2005</li><li>• SEE dated December 2005</li><li>• Letter from United Collieries dated 18 October 2006</li><li>• Email from United Collieries dated 16 January 2007</li><li>• MOD 6 and SEE dated July 2007</li><li>• MOD 7 application dated 24 September and 22 October 2007</li><li>• SEE dated March 2008</li><li>• EA dated April 2009</li></ul>	United Collieries generally operated in accordance with the conditions in the relevant documents listed in Schedule 3 Condition 2.  Site in care and maintenance in 2018 and 2019.	
NOTE:	<i>The consent provided under paragraph(s) extends only to the underground mine development in the Woodlands Hill and Blakefield seams as set out in that EA. This does not include consent to extract Longwall 12 or any other works proposed in the EA.</i>	Noted			
3	If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. The conditions of this consent shall prevail over all other documents to the extent of any inconsistency.	Noted			
4	The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (a) Any reports, plans or correspondence that are submitted in accordance with this consent, and (b) The implementation of any actions or measures contained in these reports, plans or correspondence.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2019 AEMRs</li></ul>	Review of Annual Environmental Management Reviews by DPIE.  The site has generally complied with the condition.	
NOTE:	<i>Before any mining is carried out in accordance with this consent, the Applicant is required to get a Mining Operations Plan approved by the DPI.</i>	Compliant	<ul style="list-style-type: none"><li>• MOP Amendment B approval letter from (then) DPE dated 4 June 2019.</li><li>• MOP Amendment B (United Collieries)</li></ul>	Evidence of approved MOP	
LIMITS OF APPROVAL					
5	Mining operations may take place until the end of 2012.	Compliant		Mine operations ceased by 2012. However, this condition is outside the IEA period.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
NOTE:	Under this consent, the Applicant is required to rehabilitate the site and provide offsets to the satisfaction of the Director-General. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the site has been rehabilitated and the offset provided to a satisfactory standard.	Noted			
6	The Applicant shall not produce more than 2.95 million tonnes of saleable coal a year from the development.	Compliant	• 2018 and 2019 AEMRs	The site had been in care and maintenance up until 2020. Operations carried out in 2020 are done so under SSD 7142.	
SURRENDER OF CONSENTS					
7	The Applicant shall surrender all the previous development consents issued for the United Colliery as directed by the Director General, in accordance with Clause 97 of EP&A Regulation.	Compliant	• Letter to surrender previous consents dated 26 September 2006	All consents preceeding this development consent have been surrendered.	
STRUCTURAL ADEQUACY					
8	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.	Non-Compliant (Administrative)	• Proposed MIA Upgrade Geotechnical Investigation report by Qualitest Laboratory (NSW) Pty LTD dated 19 April 2017 • Mine Subsidence Desktop Study for Proposed Steel Portal Frame Workshop by Arkhill Engineers Pty LTD dated 2 October 2018 Wambo Mine Infrastructure Aera upgrade certification by Arkhill Engineers dated 10 October 2018 • MIA General Arrangement approved plan by Arkhill Engineers dated 12 September 2018 • High Voltage Transmission Line Relocation (Warkworth) email from Subsidence Advisory NSW dated 21 November 2016 • Temporary buildings plan approved by Subsidence Advisory NSW dated 27 November 2020 • Temporary buildings application approval dated 25 November 2020 • Application for Construction Certificate dated July 2020 • Single storey demountable buildings approval from BCA dated 30 November 2020 • Construction Certificate application form to BCA dated 13 November 2020 • Final plans for temporary buildings by ATCO Structures and Logistics Pty LTD dated 21 July 2020. • Structural Adequacy Condition and Construction Certificates legal advice from Johnson Winter and Slaterry dated 7 September 2020.	<b>Non-Compliant (Administrative)</b> - The Applicant had not obtained the relevant construction certificates required for the temporary buildings and has since commenced the process to obtain the relevant certificates.  The Applicant provided evidence that they are currently obtaining the relevant construction certificates.	As per Condition A29 from SSD 7142.  REC: Finalise the relevant construction certificates for the site.  REC: Ensure there is a process in place so the site applies for construction certificates in the correct timeframe.
NOTES:	• Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development. • The development is located in the Patrick Plains Mine Subsidence District. Under Section 15 of the Mine Subsidence Act 1961, the Applicant is required to get the Mine Subsidence Board's approval before constructing or relocating any improvements on the site.	Noted			
DEMOLITION					
9	The Applicant shall ensure that all demolition work is carried out in accordance with AS 2601-2001: The Demolition of Structures or its latest version	Compliant	• Letter to Liberty Industrial Pty LTD dated 09 April 2020 • Supplier contract for United CPP and Conveyors Demolition signed 17 December 2019	Based on evidence provided, demolition completed during the IEA period satisfied the requirements of the Australian demolition standards.  This was the demolition of the United Coal Preparation Plant and Conveyors.	
OPERATION OF PLANT AND EQUIPMENT					
10	The Applicant shall ensure that all plant and equipment at the site, or used in connection with the development, are: (a) Maintained in a proper and efficient condition; and (b) Operated in a proper and efficient manner.	Non - Compliant (Low)	• Maintenance orders • Calibration records • 1000 HR service reports	a) The IEA team has labelled this condition non-compliant as per Condition A30 of SSD 7142.  <b>Non-Compliant (Low)</b> - Power outages and non-operating monitoring equipment resulted in lost data. This is non-compliant with the monitor not being maintained in a proper and efficient condition.  2019 • Faulty HVAS unit resulted in no PM10 data collected on 26 January 2020.  2020 • A data miscapture of HVAS resulted in lost TSP data on the following dates: - 15 January 2020 and 21 January 2020 • Power outages, damaged pumps and insufficient data capture resulted in invalid PM10 data on the following dates: - 19 February 2020, 12 May 2020, 17 June 2020, 19 June 2020, 26 - 29 July 22 2020, 26, 27, 28 September 2020. • Power outages resulted in lost PM2.5 data on the following date: - 22 September 2020.  b) Based on site visits and discussions, there is no evidence of employees not operating the equipment in an efficient manner. Evidence of maintenance records.	REC: United Wambo to review options for backup or alternative power supplies to reduce the chance of lost data from dust monitoring locations.
COMMUNITY ENHANCEMENT CONTRIBUTION					
11	Within 6 months of the date of this consent, the Applicant shall pay Council up to \$15,000 for water quality enhancement works in either the Hunter River or Wollombi Brook. If Council has not carried out these enhancement works within 12 months of payment, the Applicant may retrieve the funds from the Council.	Not Triggered		<b>Not Triggered</b> - Outside of the IEA period.	
SCHEDULE 4 - SPECIFIC ENVIRONMENTAL CONDITIONS					
TRAFFIC AND TRANSPORT					
ROAD WORKS - GOLDEN HIGHWAY					
1	By the end of April 2006, the Applicant shall undertake the 'Stage 2' works described in the letter from Umwelt Australia Pty Limited to the Department of Planning dated 2 December 2005, at the United Haul Road intersection with the Golden Highway, to the satisfaction of the RTA.	Not Triggered		<b>Not Triggered</b> - Outside of the IEA period.	



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
1A.	If the Applicant is unable to transfer all its coal transport to rail and off public roads by the end of November 2006 (see condition 6 below), then by the end of May 2007 or as otherwise agreed to by the Director-General, the Applicant shall: (a) upgrade the United Haul Road intersection with the Golden Highway to a full seagull intersection with raised medians, a left-in deceleration lane, and left-out acceleration lane; (b) install street lighting at the United Haul Road intersection with the Golden Highway; and (c) upgrade the Cornelroi Road intersection with the Golden Highway to an RTA-type AUR standard, to the satisfaction of the RTA.	Not Triggerred		Refer to Sechdule 4, Condition 1	
2	The Applicant shall bear all the costs associated with the design, survey and construction of these road works.	Not Triggerred		Refer to Sechdule 4, Condition 1	
3	The Applicant shall ensure that these road works comply with the RTA's Road Design Guide, or in the absence any documented reference, the Austroads Design Standards, in particular the <i>Guide to Traffic Engineering</i> and <i>Guide to Geometric Design of Rural Roads</i> .	Not Triggerred		Refer to Sechdule 4, Condition 1	
4	Before carrying out any of these road works, the Applicant shall submit detailed engineering plans and a Traffic Control Plan to the RTA for approval.	Not Triggerred		Refer to Sechdule 4, Condition 1	
NOTE:	<i>For more information on the RTA's assessment process see the RTA's publication "Private Sector Development Work on the Road Network - Developer's Notes".</i>	Not Triggerred		Refer to Sechdule 4, Condition 1	
ROAD WORKS - HAUL ROAD					
5	Within 6 months of the date of this consent, the Applicant shall tar seal the first 200 metres of the United Haul Road from the Golden Highway intersection in consultation with Council, and to the satisfaction of the Director-General.	Not Triggerred		Refer to Sechdule 4, Condition 1	
COAL HAULAGE					
6	The Applicant shall not haul any coal from the development on public roads, expect in an emergency, as agreed by the Director-General in consultation with Council.	Not Triggerred		<b>Not Triggerred</b> - No coal haulage under this consent during the IEA period. This is noted by site discussions and the Annual Review.	
7	The Applicant shall pay Council 0.5 cents for each tonne of product coal hauled along Council roads to the Wambo Coal Loader, in accordance with Council's Section 94 Contribution Plan.	Not Triggerred		Refer to Schedule 4, Condition 6	
NOTE:	<i>This contribution is subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.</i>	Not Triggerred		Refer to Schedule 4, Condition 6	
8	The Applicant shall ensure that all loaded coal haulage vehicles entering or leaving the site are covered.	Not Triggerred		Refer to Schedule 4, Condition 6	
COAL HAULAGE VEHICLE MANAGEMENT PROTOCOL					
9	Within 6 months of the date of this consent, the Applicant shall prepare and implement a Coal Haulage Vehicle Management Protocol to reduce the impacts of coal haulage traffic from the development on public roads to the satisfaction of the Director-General.	Not Triggerred		<b>Not Triggerred</b> - Outside of the IEA period.	
MONITORING					
10	The Applicant shall: (a) Keep detailed records of the: • Amount of coal produced each year; and • Number of coal haulage truck movements generated each day by the development; and (b) Include these records in the AEMR.	Compliant	• 2018 and 2019 AEMRs	a) The site has been in care in maintenace during the 2018 and 2019 reporting periods with no coal production and therefore no coal haulage movements. Haulage since 2020 is covered under SSD 7142.  b) Section 4 of the 2018 and 2019 AEMRs. The 2020 Annual Review is not due until March 2021 which is outside the IEA period.	
PARKING					
11	The Applicant shall provide sufficient parking on-site for all mine-related traffic.	Compliant	• Visual inspection	The IEA team has noted that there is sufficient parking on-site during site visits.	
SUBSIDENCE					
PERFORMANCE CRITERIA					
12	The Applicant shall ensure that: (a) The first workings beneath the Wollombi Brook and associated alluvium are long- term stable; and (b) The development does not cause any induced hydraulic connections with the Wollombi Brook or associated alluvium, or any other alluvial groundwater resources on the site.	Not Triggerred		<b>Not Triggerred</b> - Outside of the IEA period and no mining occurred.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
<b>SCHEDULE 3 - ADMINISTRATIVE CONDITIONS</b>					
NOTE:	Induced hydraulic connection relates to any pre-existing fracturing being intercepted by mine workings as well as fracturing resulting from mining activity.	Noted			
<b>SUB-SURFACE INVESTIGATION PROGRAM</b>					
13	Prior to carrying out first working development beneath the Wollombi Brook and associated alluvium, the Applicant shall develop and implement a sub-surface investigation program, including core drilling, to determine the level of existing fracturing and assess the likely fracturing of geological strata and hydraulic property changes within the footprint of the proposed first workings beneath the Wollombi Brook and associated alluvium, to the satisfaction of the Director-General.	Not Triggered		<b>Not Triggered</b> - Outside of the IEA period and no mining occurred under this consent	
NOTE:	If applicable , data from previous core drilling may be utilised in the sub-surface investigation program.	Noted			
<b>FIRST WORKINGS HAZARD MANAGEMENT PROGRAM</b>					
NOTE:	The First Workings Hazard Management Plan can form a component of the Subsidence Management Plan.	Noted			
14	The Applicant shall prepare a First Workings Hazard Management Plan for the first workings beneath the Wollombi Brook alluvium. This plan shall: (a) Describe in detail how the first workings will be managed and monitored to ensure the development complies with Condition 15; and (b) Describe what contingency measures would be implemented if any non- compliance occurs. The Applicant shall not carry out any first working development beneath the Wollombi Brook alluvium before the Chief Inspector of Coal Mines has approved this plan, in consultation with the Department.	Not Triggered	• Letter from NSW DPE (now DPIE) dated 23 September 2015 states that this program is no longer applicable	<b>Not Triggered</b> - Outside of the IEA period and no mining occurred under this consent	
<b>SUBSIDENCE MANAGEMENT PLAN</b>					
15	The Applicant shall prepare and implement a Subsidence Management Plan (SMP) for the site to the satisfaction of the Director-General of DPI. This plan must: (a) be prepared in accordance with the latest version (or subsequent replacement) of the: • New Approval Process for Management of Coal Mining Subsidence - Policy; and • Guideline for Applications for Subsidence Management Approvals; (b) be approved prior to carrying out any underground mining operations that could potentially lead to subsidence of the land surface, (c) include a Hazard Management Plan for any secondary workings within the Longwall 10 - 11 Mining Area, which has been prepared in consultation with DWE, and describes the: • findings of any sub-surface investigations within the Longwall 10 - 11 Mining Area; • measures that would be implemented to ensure that these secondary workings would comply with the performance criteria in Condition 12 of Schedule 4; and • contingency measures that would be implemented if any non-compliance with these criteria occurs. (d) include a detailed program to monitor: • surface subsidence above the longwall panels, including all near and far field components of subsidence; • the impact of surface subsidence on surface features, including flora and fauna, threatened species, and any surface water quality and/or flows; and • the effectiveness of any subsidence mitigation measures. (e) include a program to validate the subsidence prediction methodology for the project, and calibrate it to site specific conditions.	Not Triggered	Refer to Schedule 4, Condition 14	Refer to Schedule 4, Condition 14	
NOTE:	The development will generally be regulated under the approval process for managing the impacts of coal mining subsidence under the Mining Act 1992.	Noted			
<b>INTERACTIONS WITH WAMBO MINE</b>					
16	The Applicant shall continue to implement or amend the existing agreements with Wambo Coal Pty Ltd to address the interactions between the two mines prior to the commencement of, and during, longwall mining beneath land owned by Wambo Coal Pty Ltd. If during the course of preparing or implementing management plans under the agreements, there is a dispute between the parties about any aspect of a plan, then either party may refer the matter to the Area Manager of the DPI for resolution.	Not Triggered		<b>Not Triggered</b> - No mining occurred under this consent during the IEA period.	
<b>GROUNDWATER</b>					
NOTE:	The Applicant is required to get a licence from DWE under Part 5 of the Water Act 1912 for bores, wells and excavations that will intersect the groundwater table.	Compliant		United Wambo currently holds 15 groundwater extraction and groundwater monitoring bore licences which can be accessed online at WaterNSW (then DWE)	
<b>IMPACT ASSESSMENT CRITERIA</b>					
17	The Applicant shall establish groundwater impact assessment criteria for the development to the satisfaction of the Director-General.	Compliant	• Environmental Monitoring Program (United Collieries) • Groundwater Management Plan (United Wambo JV) • 2018 and 2019 AEMR's	Section 3.1.1 of the United Collieries Environmental Monitoring Program and approved by NSW Planning and Environment on 07 May 2018.  Section 7.2 of the United Wambo JV Groundwater Management Plan approved by DPIE on 16 December 2019 for Phase 1A and 13/07/2020 for Phase 1B.	
<b>WATER EXTRACTION LIMITS</b>					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
18	The Applicant shall comply with the extraction limits detailed in any licence held for the development under Part 5 of the <i>Water Act 1912</i> .	Compliant	<ul style="list-style-type: none"> <li>2018 and 2019 AEMRs</li> <li>WAL 10541 Logbok (2020)</li> </ul>	2018 & 2019 - Site in Care and Maintenance  2020 - Extraction volumes within the limits of this licence.	
OPERATING CONDITIONS					
19	The Applicant shall ensure that any works located within the Wollombi Brook floodplain that are used to convey, distribute, or store groundwater extracted during the development do not obstruct the free passage of floodwaters in, to, or from the Wollombi Brook.	Not Triggered		<b>Not Triggered</b> - No mining occurred under this consent during the IEA period.	
MONITORING					
20	The Applicant shall: (a) Measure the quantity of groundwater extracted by the development; and (b) Conduct quarterly monitoring of groundwater levels and groundwater quality up and down gradient of the development, to the satisfaction of Director-General.	Non-Compliant (Low)	<ul style="list-style-type: none"> <li>2018 and 2019 AEMRs</li> <li>Groundwater monitoring spreadsheet</li> <li>Groundwater Monitoring result investigation records for 2019 and 2020 completed by Carbon Based Environmental</li> </ul>	a) Groundwater extraction quantity has not been extracted.  b) <b>Non-Compliant (Low)</b> - Monitoring completed every 2 months but only for some of the data for monitoring bores listed are reported. There is no explanation given as to why other bores are not monitored.  Results in the AEMRs report numerous exceedances throughout the year but does not provide information of investigation of these exceedances. This is a breach of Groundwater Monitoring Program, 2017.	REC: Investigate all exceedances relating to groundwater monitoring under the Groundwater Monitoring Program (2017), until DA 410-11-2002 is surrendered.
21	Within 6 months of the date of this consent, the Applicant shall submit a detailed Groundwater Monitoring Program to the Department, which has been prepared in consultation with DECC and DWE and includes the groundwater impact assessment criteria for the development.	Not Triggered	<ul style="list-style-type: none"> <li>Environmental Monitoring Program (United Collieries)</li> <li>Approval letter from (then) DPE dated 23 September 2015</li> </ul>	<b>Not Triggered</b> - The Groundwater Monitoring Program has been included in the United Collieries Environmental Monitoring Program while in care and maintenance.	
22	Prior to carrying out any secondary workings in the Longwall 10 - 11 Mining Area, the Applicant shall update the Groundwater Monitoring Program for the site in consultation with DWE and DPI, and to the satisfaction of the Director-General.	Not Triggered		<b>Not Triggered</b> - Outside of IEA period.	
INVESTIGATIONS					
23	If any landowner, other than a mining company, within a 5 kilometre radius of longwall mining associated with the development claims that the development is adversely affecting his/her groundwater supply, the Applicant shall: (a) Commission a suitably qualified person within 14 days of receiving this claim in writing - whose appointment is acceptable to both parties - to investigate the claim in detail; and (b) Give the landowner a copy of the groundwater investigation report within 14 days of receiving this report.  If this investigation confirms the landowner's claim, and both parties agree with the findings of the report, then the Applicant shall provide the landowner with a replacement water supply or suitable compensation, to the satisfaction of Director-General.  If the Applicant or the landowner disagrees with the findings of the report, then either party may refer the matter to the Director-General for resolution.  If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Appendix 2).	Not Triggered		<b>Not Triggered</b> - No evidence of any required investigations.	
SURFACE WATER					
POLLUTION OF WATERS					
24	Except as may be expressly provided by a DECC licence, the Applicant shall comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> during the carrying out of the development.	Compliant	<ul style="list-style-type: none"> <li>No records in previous AEMR's or site discussions</li> </ul>	United Collieries does not have a discharge point. Based on discussions there were no discharges during the IEA period.	
IMPACT ASSESSMENT CRITERIA					
25	The Applicant shall establish a set of surface water impact assessment criteria for the surface water monitoring locations determined in consultation with the DECC, and to the satisfaction of the Director-General.	Compliant	<ul style="list-style-type: none"> <li>Environmental Monitoring Program (United Collieries)</li> <li>Surface Water Management Plan (United Wambo JV)</li> </ul>	Section 3.2 of the Environmental Monitoring Program approved by the Department of Planning (now DPIE) on 7 May 2018.  Section 9.2 of the United Wambo JV Surface Water Management Plan approved by DPIE on 16 December 2019 (Phase 1A) and 13 July 2020 (Phase 1B).	
TRANSFER OF WATER					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
<b>SCHEDULE 3 - ADMINISTRATIVE CONDITIONS</b>					
26	During the development, the Applicant may transfer water to, and receive water from the Hunter Valley Operations and Wambo mines.	Compliant	• 2018 and 2019 AEMRs	2018 and 2019 - United Collieries maintained a water transfer agreement and protocol with Wambo to transfer excess mine water to Wambo's storage if required (2018 & 2019 AEMR).	
<b>OPERATING CONDITIONS</b>					
27	The Applicant shall take all practicable measures to minimise the diversion of run-on water into the mine water management system.	Compliant	• 2018 and 2019 AEMRs • Water Management Plan (United Wambo JV)	United Collieries used evaporation to control stored volumes of 'dirty water' on site and maintain free board in storages to capture runoff from disturbed areas during storm events. Evaporation is maximised by increasing surface area by storing 'dirty water' in numerous dams. (Section 7.1 in 2018 and 2019 AEMRs)  United Wambo manages clean, dirty and mine water on site in accordance with Section 9.1 - 9.1.3 of the Water Management Plan.	
<b>MONITORING</b>					
28	(f) The Applicant shall measure the following parameters in the Wollombi Brook and North Wambo Creek at locations to be determined in consultation with the DECC: (a) Non-filterable residue; (b) pH; and (c) Conductivity.	Compliant	• Environmental Monitoring Program (United Collieries) • Surface Water Management Plan (United Wambo JV) • United Water Monitoring Data Spreadsheet 1998 - 2020 • 2018 and 2019 AEMRs • Discussion with site personnel	2018 - 2019: Monitoring results for SW02 (North Wambo Creek - downstream of Longwall 8), SW03 (Wollombi Brook - upstream) and SW04 (Wollombi Brook - downstream) are summarised in Table 23 of the 2018 and 2019 AEMRs  2020 - Monitoring location WB02 (previously SW030 did not provide any results for January 2020 as it was too dry. No monitoring occurred at North Wambo Creek due to mining at Wambo Mine.	
1	<i>Incorporates DEC GTA</i>	Noted			
29	The Applicant shall establish a network of water meters to measure the following on a monthly basis: (a) Water use on-site; (b) Dam and water structure storage levels; and (c) Transfers of water between the mine, and the Hunter Valley Operations and Wambo mines.	Compliant	• Surface Water Management Plan (United Wambo JV) • Water Management Plan (United Wambo V) • Environmental Monitoring Program (United Collieries) • 2018 and 2019 AEMRs • Environmental Management Strategy (United Wambo JV) • Water balance spreadsheet	a) Groundwater and surface water monitoring locations are attached as Appendix C in the United Wambo Environmental Management Strategy and in Section 3 of the United Collieries Environmental Monitoring Program. Water balance spreadsheets record water use.  b) Section 3 of the United Collieries Environmental Management Strategy and Section 10.1 of the United Wambo Environmental Management Strategy provide information on dams and water storage monitoring. Evidence of dam storage levels. This is also recorded in the internal water management system.  c) Section 10.1 of the Water Management Plan (United Wambo JV) details the water management system designed to facilitate water transfer between neighbouring sites.	
30	Within 6 months of the date of this consent, the Applicant shall submit a detailed Surface Water Monitoring Program to the Department, which has been prepared in consultation with DECC and OWE and includes the surface water impact assessment criteria for the development.	Not Triggered		<u>Not Triggered</u> - Outside of IEA period.	
31	Prior to carrying out any secondary workings in the Longwall 10 - 11 Mining Area, the Applicant shall update the Surface Water Monitoring Program for the site in consultation with DWE and DPI, and to the satisfaction of the Director-General.	Not Triggered		<u>Not Triggered</u> - Outside of IEA period.	
<b>SITE WATER BALANCE REVIEW</b>					
32	Each year, the Applicant shall: (a) Review the site water balance for the development against the predictions in the EIS (b) Recalculate the site water balance for the development (2); and (c) Report on the results of this review in the AEMR.	Compliant	• 2018 and 2019 AEMRs	a) Section 7.  b) Section 7.  c) Cited in Section 7 of 2018 and 2019 AEMRs. 2020 Annual Review due outside the IEA period.	
2	<i>These calculations must exclude the clean water system, including any sediment control structures, and any dams in the mine lease area which fall under the Maximum Harvestable Right Dam Capacity; include any dams that are licensable under Section 205 of the Water Act 1912, and water harvested from any non-harvestable rights dam on the mine lease area; address balances of inflows, licenced water extractions, and transfers of water from the site to other sites; include an accounting system for water budgets; and include a salt budget.</i>	Noted			
<b>EROSION AND SEDIMENT CONTROL</b>					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action												
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS																	
33	The Applicant shall implement all practicable measures to minimise soil erosion and the discharge of sediments and water pollutants from the site.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2019 AEMRs</li><li>• Water Management Plan (United Wambo JV)</li><li>• Erosion and Sediment Control Plan (United Wambo JV)</li><li>• Surface Water Management Plan (United Wambo JV)</li><li>• Erosion and Sediment Control Management Plan (United Collieries)</li></ul>	<p>United does not have a licenced discharge point. During 2018 and 2019 there were no offsite discharges as mentioned in Sectioin 7.6 of the 2018 and 2019 AEMRs.</p> <p>Prevention of incidental discharges on site will be controlled through the Water Management System through the use of sediment control dams and the proposed levee along the Golden Highway.</p> <p>Any discharges made under the joint venture will be done in accordance with EPL 529, which is held by Wambo and permits discharging into the Hunter River system in accordance with the Hunter River Salinity Trading Scheme.</p>													
34	<p>Within 6 months of the date of this consent, the Applicant shall prepare an Erosion and Sediment Control Plan for the development to the satisfaction of the Director-General. This plan must:</p> <p>(a) Be consistent with the requirements in the Department's draft guideline for the Establishment of Stable Drainage Areas on Rehabilitated Mine Sites, and the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual;</p> <p>(b) Identify the development that could cause soil erosion or discharge sediment or water pollutants from the site;</p> <p>(c) Describe the location and capacity of all erosion and sediment control structures, and nominate which, if any, of these structures would be used as water sources for the development;</p> <p>(d) Describe in detail what actions and measures would be implemented to minimise soil erosion and the discharge of sediments or water pollutants from the site; and</p> <p>(e) Describe how the effectiveness of these actions and measures would be monitored during the development.</p>	Compliant	<ul style="list-style-type: none"><li>• Erosion and Sediment Control Plan (United Collieries)</li></ul>	<p><u>Preparation</u></p> <p>a) Entire document. b) Section 3.2.6. c) Section 3.4.12 and Figure 3.3. d) Section 3.4. e) Section 5.</p> <p>NSW (then) DPE approved the revised Erosion and Sediment Control Management Plan for United Collieries on 21 May 2019. This is attached as Appendix B.</p> <p><u>Implementation</u></p> <p>As site was in care and maintenance in 2018 and 2019, there was minimal disturbance. Existing sediment control structures have remained onsite. No erosion and sediment control issues were noted in the field visit.</p>													
35	Prior to carrying out any secondary workings in the Longwall 10 - 11 Mining Area, the Applicant shall update the Erosion and Sediment Control Plan for the site in consultation with DWE, and to the satisfaction of the Director-General.	Not Triggered		<b>Not Triggered</b> - Plans to mine Longwall panel 11 were abandoned. Mining operations were suspended after the extraction of Longwall 10 in 2010.													
NOISE																	
IMPACT ASSESSMENT CRITERIA																	
36	The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 1 at any privately-owned residence.	Not Triggered	<ul style="list-style-type: none"><li>• 2018 and 2019 AEMRs</li></ul>	<b>Not Triggered</b> - Section 6.2.2 of the 2018 and 2019 AEMRs state there is no noise criteria applicable to United Collieries as the site remained in care and maintenance. Noise criteria for 2020 is provided in SSD 7142.													
TABLE 1: NOISE IMPACT ASSESSMENT CRITERIA	<table><tr><th>Day/Evening <i>L<sub>Aeq</sub>(15 minute)</i></th><th>Night <i>L<sub>Aeq</sub>(15 minute)</i></th><th><i>L<sub>A1/1</sub>(1 minute)</i></th><th>Land Number</th></tr><tr><td>39</td><td>39</td><td>47</td><td>H Kannar (Location 3)</td></tr><tr><td>38</td><td>38</td><td>47</td><td>Warkworth Village<sup>2</sup></td></tr><tr><td>35</td><td>35</td><td>45</td><td>All other residential or sensitive receptors</td></tr></table>					Day/Evening <i>L<sub>Aeq</sub>(15 minute)</i>	Night <i>L<sub>Aeq</sub>(15 minute)</i>	<i>L<sub>A1/1</sub>(1 minute)</i>	Land Number	39	39	47	H Kannar (Location 3)	38	38	47	Warkworth Village <sup>2</sup>
Day/Evening <i>L<sub>Aeq</sub>(15 minute)</i>	Night <i>L<sub>Aeq</sub>(15 minute)</i>	<i>L<sub>A1/1</sub>(1 minute)</i>	Land Number														
39	39	47	H Kannar (Location 3)														
38	38	47	Warkworth Village <sup>2</sup>														
35	35	45	All other residential or sensitive receptors														
NOTES:	<p>a) Noise from the development is to be measured at the most affected point on or within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary, to determine compliance with the <i>L<sub>Aeq</sub>(15 minute)</i> noise limits in the above table. If it can be demonstrated that direct measurement of noise from the development is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.</p> <p>b) Noise from the development is to be measured at 5 metres from the dwelling façade to determine compliance with the <i>LA1(1 minute)</i> noise limits in the above table.</p> <p>c) The noise emission limits identified in the above table apply under meteorological conditions of:</p> <ul style="list-style-type: none"><li>• Wind speeds of up to 3 m/s at 10 metres above ground level;</li><li>• Temperature inversion conditions of up to 3°C/100m, and wind speeds of up to 2m/s at 10 metres above ground level.</li></ul>	Noted															
37	The Applicant shall ensure that the noise from traffic generated by the development does not exceed the criteria in Table 2 at any privately-owned residence.	Not Triggered	Refer to Schedule 4, Condition 36	Refer to Schedule 4, Condition 36													
TABLE 2: ROAD TRAFFIC NOISE CRITERIA	<table><tr><th>Day/Evening <i>L<sub>Aeq</sub>(1 hour)</i></th><th>Night <i>L<sub>Aeq</sub>(1 hour)</i></th></tr><tr><td>58.5</td><td>53.5</td></tr></table>					Day/Evening <i>L<sub>Aeq</sub>(1 hour)</i>	Night <i>L<sub>Aeq</sub>(1 hour)</i>	58.5	53.5								
Day/Evening <i>L<sub>Aeq</sub>(1 hour)</i>	Night <i>L<sub>Aeq</sub>(1 hour)</i>																
58.5	53.5																
LAND ACQUISITION CRITERIA																	
38	The land acquisition criteria for noise generated by the development are listed in Table 3																



Condition Number	Condition			Compliance Status	Evidence Collected	Findings	Recommended Action									
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS																
TABLE 3: LAND ACQUISITION CRITERIA	<table><tr><th>Day/Evening/Night <i>L<sub>Aeq</sub>(15 minutes)</i></th><th colspan="2">Property</th></tr><tr><td>43</td><td colspan="2">H Kannar Warkworth Village</td></tr><tr><td>40</td><td colspan="2">All other residential or sensitive receptors</td></tr></table>			Day/Evening/Night <i>L<sub>Aeq</sub>(15 minutes)</i>	Property		43	H Kannar Warkworth Village		40	All other residential or sensitive receptors		Not Triggered	<ul style="list-style-type: none"><li>2018 and 2019 AEMRs</li><li>Environmental Monitoring Program (United Collieries)</li><li>Noise Management Plan (United Wambo JV)</li></ul>	<p><b>Not Triggered</b> - United Collieries had no noise exceedances during 2018 and 2019 as site was in care and maintenance.</p> <p>United Wambo purchased the sole property at Warkworth Village. Therefore, no private residences remain at Warkworth Village.</p>	
	Day/Evening/Night <i>L<sub>Aeq</sub>(15 minutes)</i>	Property														
43	H Kannar Warkworth Village															
40	All other residential or sensitive receptors															
MONITORING																
39	During the development, the Applicant shall carry out quarterly attended monitoring at the Warkworth Village to the satisfaction of the Director-General, in general accordance with the <i>NSW Industrial Noise Policy and AS 1055: Acoustics - Description and Measurement of Environmental Noise</i> .			Not Triggered	<ul style="list-style-type: none"><li>Letter from (then) DPI dated 02 August 2012</li></ul>	<p><b>Not Triggered</b> - United Collieries had approval from (then) DPI to suspend a Noise Monitoring Program as site was in Care and Maintenance. New noise monitoring conditions are provided under SSD 7142.</p> <p>Attended Noise Monitoring Reports have been undertaken monthly starting May 2020. Warkworth Village has since been excluded in the monitoring.</p>										
40	Within 6 months of the date of this consent, the Applicant shall submit a detailed Noise Monitoring Program for the development to the Department, which has been prepared in consultation with DECC and includes a detailed noise monitoring protocol for evaluating compliance with the criteria in Tables 1, 2 & 3.			Not Triggered		<p><b>Not Triggered</b> - Outside of the IEA period.</p>										
AIR QUALITY																
IMPACT ASSESSMENT CRITERIA																
41	The Applicant shall ensure that the air pollution generated by the development does not exceed the criteria listed in Tables 4, 5, and 6 at any privately-owned residence.			Compliant	<ul style="list-style-type: none"><li>2018 and 2019 AEMRs</li><li>Dust Monitoring results (2020)</li><li>HVAS TSP results (2020)</li><li>United Dust Monitoring Results (1998-2020)</li></ul>	<p><b>2019</b> - Failure to record on 26 January.</p> <p>TSP - Annual average: 80.0 µg/m³ (including extraordinary events), 74.0 µg/m³ (excluding extraordinary events).</p> <p>PM10 - Annual average: 32.0 µg/m³ (including extraordinary events), 22.0 µg/m³ (excluding extraordinary events)</p> <p><b>2020</b></p> <p>TSP - Annual average: 76.2 µg/m³</p> <p>PM10: The following annual averages were recorded</p> <ul style="list-style-type: none"><li>- D1: 19.9 µg/m³</li><li>- D2: 19.8 µg/m³</li><li>- D3: 21.1 µg/m³</li><li>- D4: 15.4 µg/m³</li><li>- D5: 13.4 µg/m³</li></ul>										
TABLE 4: LONG TERM IMPACT ASSESSMENT CRITERIA FOR PARTICULATE MATTER	<table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>90 µg/m³</td></tr><tr><td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td><td>Annual</td><td>30 µg/m³</td></tr></table>	Pollutant	Averaging period					Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m³	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m³		
Pollutant	Averaging period	Criterion														
Total suspended particulate (TSP) matter	Annual	90 µg/m³														
Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m³														
TABLE 5: SHORT TERM IMPACT ASSESSMENT CRITERION FOR PARTICULATE MATTER	<table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td><td>24 hour</td><td>50 µg/m³</td></tr></table>	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	50 µg/m³	Compliant	<ul style="list-style-type: none"><li>2018 and 2019 AEMRs</li><li>Dust Monitoring results (2020)</li><li>HVAS TSP results (2020)</li><li>United Dust Monitoring Results (1998-2020)</li></ul>	<p><b>2019</b> - Elevated results starting 16 November can be attributed to state-wide bushfires and drought.</p> <p><b>2020</b> - Numerous exceedences between 1 January 2020 - 5 February 2020 due to Australian bushfires in the region. Extraordinary events that DPIE agree on are excluded from short term criteria.</p>						
Pollutant	Averaging period	Criterion														
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	50 µg/m³														
TABLE 6: LONG TERM IMPACT ASSESSMENT CRITERIA FOR DEPOSITED DUST	<table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>2 g/m²/month</td><td>4 g/m²/month</td></tr></table>	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m²/month	4 g/m²/month	Compliant	<ul style="list-style-type: none"><li>2018 and 2019 AEMRs</li><li>Dust Monitoring results (2020)</li><li>HVAS TSP results (2020)</li><li>United Dust Monitoring Results (1998-2020)</li></ul>	<p><b>Non-Compliant (Low)</b> - as there were numerous exceedances as follows:</p> <p><b>2018</b> - Exceedance at DS14 with annual average of 5.5 g/m²/month. DS14 is mine-owned land and close to other open cut mining operations (HVO immediately north and Wambo immediately south).</p> <p><b>2019</b> - Exceedance at D14 with annual average of 8.3 g/m²/month. As site was in care and maintenance, dust contributors would be Wambo, Mount Thorley Warkworth, and HVO.</p> <p>Exceedance at D16 with annual average of 5.1 g/m²/month (5.8 g/m²/month with contamination). D16 was a privately owned resident that was purchased on 19 May 2019. Prior to the purchase, the average reading did not exceed 3.5 g/m²/month. Heightened levels in November (11.8 g/m²/month) and December (9.9 g/m²/month) is due to drought and the Australian bushfires and not a result of operations occurring at United.</p> <p><b>2020</b> - Deposited dust monitoring has only been completed for the months of January and February 2020. Insoluble solids exceed the limit at every guage with the exception of DD2 West in January (3.9 g/m²/month) and DD4 West in February (3.6 g/m²/month).</p> <p>It should be noted that United provided updates on exceedances in the Annual Review. These exceedances occurred when the site was on care and mainteance and heavily affected by surrounding mines. No further recommendation.</p>				
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level													
Deposited dust	Annual	2 g/m²/month	4 g/m²/month													
NOTE:	Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: <i>Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method</i> .			Noted												
LAND ACQUISITION CRITERIA																

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																					
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS																										
42	The land acquisition criteria for air pollution generated by the development are listed in Tables 7, 8 and 9.	Not Triggered																								
TABLE 7: LONG TERM LAND ACQUISITION CRITERIA FOR PARTICULATE MATTER	<table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>90 µg/m<sup>3</sup></td></tr><tr><td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td><td>Annual</td><td>30 µg/m<sup>3</sup></td></tr></table>					Pollutant	Averaging period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m <sup>3</sup>												
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TABLE 8: SHORT TERM LAND ACQUISITION CRITERIA FOR PARTICULATE MATTER	<table><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th><th>Percentile<sup>1</sup></th><th>Basis</th></tr><tr><td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td><td>24 hour</td><td>150 µg/m<sup>3</sup></td><td>99<sup>2</sup></td><td>Total<sup>3</sup></td></tr><tr><td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td><td>24 hour</td><td>50 µg/m<sup>3</sup></td><td>98.6</td><td>Increment<sup>4</sup></td></tr></table> <p>Table 8: Short term land acquisition criteria for particulate matter</p> <p><sup>1</sup>Based on the number of block 24 hour averages in an annual period. <sup>2</sup>Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with the DECC. <sup>3</sup>Background PM<sub>10</sub> concentrations due to all other sources plus the incremental increase in PM<sub>10</sub> concentrations due to the mine alone. <sup>4</sup>Incremental increase in PM<sub>10</sub> concentrations due to the mine alone.</p>	Pollutant	Averaging period	Criterion	Percentile <sup>1</sup>	Basis	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	150 µg/m <sup>3</sup>	99 <sup>2</sup>	Total <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	50 µg/m <sup>3</sup>	98.6	Increment <sup>4</sup>										
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TABLE 9: LONG TERM LAND ACQUISITION CRITERIA FOR DEPOSITED DUST	<table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>2 g/m<sup>2</sup>/month</td><td>4 g/m<sup>2</sup>/month</td></tr></table>	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m <sup>2</sup> /month	4 g/m <sup>2</sup> /month																	
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NOTE:	Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.	Noted																								
MONITORING																										
43	(6) The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant in Table 9 at locations approved by the DECC, using the specified units of measure, averaging period, frequency, and sampling method in Table 10.	Non-Compliant (Low)	<ul style="list-style-type: none"><li>Environmental Monitoring Program plans (United Collieries)</li><li>Discussion with site</li></ul>	<p><b>Non-Compliant (Low)</b> - Not all samples were captured at the required frequency.</p> <p>Dust Deposition - Sampling performed in accordance with AM-19. -Compliant</p> <p>TSP - Sampling performed in accordance with AM-15 - Non-compliant due to not reporting valid results for the required frequency - no sample collected for 26 January 2019, 15 December 2018 and 15th &amp; 21th of January 2020. These were all due to electrical issues with the HVAS monitor</p> <p>PM10 - Sampling performed in accordance with AS 3580.9.6 rather than AS 3580.9.8 as specified in the DA. However, the sampling method was included in the Environmental Monitoring Program which was approved by DPE.</p> <p>Based on discussion, DPIE was notified of the missed monitoring dates.</p>	REC: United Wambo to review options for backup or alternative power supplies to reduce the chance of lost data from dust monitoring locations.																					
TABLE 10: AIR QUALITY MONITORING	<table><tr><th>Pollutant</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th><th>Sampling method<sup>1</sup></th></tr><tr><td>Dust deposition</td><td>g/m<sup>2</sup>/month</td><td>Month, annual</td><td>Continuous</td><td>AM-19</td></tr><tr><td>TSP matter</td><td>µg/m<sup>3</sup></td><td>24 hour, annual</td><td>1 day in 6</td><td>AM-15</td></tr><tr><td>PM<sub>10</sub></td><td>µg/m<sup>3</sup></td><td>24 hour, annual</td><td>1 day in 6</td><td>AS3580.9.8 – 2001<sup>2</sup></td></tr><tr><td>Siting</td><td>-</td><td>-</td><td>-</td><td>AM-1</td></tr></table> <p>Table 10: Air quality monitoring</p> <p><sup>1</sup> NSW DECC, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW. <sup>2</sup>Standards Australia, 2001, AS3580.9.8-2002, Method for Sampling and Analysis of Ambient Air - Determination of Suspended Particulate Matter - PM<sub>10</sub> Continuous Direct Mass Method using a Tapered Element Oscillating Microbalance Analyser, or any other method that is approved by the DECC and the Director-General.</p>					Pollutant	Units of measure	Averaging period	Frequency	Sampling method <sup>1</sup>	Dust deposition	g/m <sup>2</sup> /month	Month, annual	Continuous	AM-19	TSP matter	µg/m <sup>3</sup>	24 hour, annual	1 day in 6	AM-15	PM <sub>10</sub>	µg/m <sup>3</sup>	24 hour, annual	1 day in 6	AS3580.9.8 – 2001 <sup>2</sup>	Siting
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Siting	-	-	-	AM-1																						
44	Within 6 months of the date of this consent, the Applicant shall submit a detailed Air Quality Monitoring Program for the development to the Department, which has been prepared in consultation with DECC and includes a detailed air quality monitoring protocol for evaluating compliance with the criteria in Tables 4-9.	Compliant	<ul style="list-style-type: none"><li>Approval letter from (then) DPE dated 23 September 2015</li><li>Environmental Monitoring Program (United Collieries)</li></ul>	<p>Letter from (then) NSW DPE dated 23/09/2015 approves the consolidation of the Air Quality Monitoring Program into the Environmental Monitoring Program.</p> <p>Section 3.3 of the United Collieries Environmental Monitoring Program (2015) details the Air Quality Monitoring Program.</p>																						
FAUNA AND FLORA																										
COMPENSATORY HABITAT																										

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
45	The Applicant shall establish at least 18.5 hectares of compensatory habitat on the surface colliery holding to the satisfaction of the Director-General, to replace the woodland vegetation removed by the development.	Compliant	<ul style="list-style-type: none"><li>• 2018 AEMR</li><li>• 2019 AEMR</li><li>• Compensatory Habitat Management Plan</li><li>• Discussion with site personnel</li></ul>	Compensatory Habitat Management Plan (2016) - Section 2.1 and Figure 1.1 2019 AEMR - Table 19 indicates this has been completed 2018 AEMR - Table 17 indicates this has been completed  NOTE: Section 6.4 of the 2019 AEMR states that the Compensatory Habitat Area will be disturbed as part of the progression of the United Open Cut under SSD 7142. However, Condition 870 of SSD 7142 requires United to make suitable arrangements for the long-term protection of the 18.5 compensatory habitat.	
COMPENSATORY HABITAT PLAN					
46	Within 6 months of the date of this consent, the Applicant shall submit a Compensatory Habitat Plan to the Department. This plan must: (a) Describe the compensatory habitat proposal; (b) Establish baseline data for the existing habitat in the proposed compensatory habitat areas; (c) Describe how the compensatory habitat proposal would be implemented; (d) Set completion criteria for the compensatory habitat proposal; and (e) Describe how the performance of the compensatory habitat management proposal would be monitored over time.	Compliant	<ul style="list-style-type: none"><li>• Compensatory Habitat Management Plan (United Collieries)</li><li>• 2018 and 2019 AEMRs</li></ul>	<u>Preparation:</u>  a) Section 2 b) Section 3 c) Section 3 d) Section 3.6.12 states completion criteria can be found in Section 6 of the United MOP. e) Section 3.6.2  The updated Compensatory Habitat Management Plan was approved by (then) DPE on 3 May 2018 to reflect activities during care and maintenance.  <u>Implementation:</u> Based on discussion with site personnel, the Compensatory Habitat Area was completed by 2018. Monitoring of the Compensatory Habitat Area included annual walk overs with notes taken on the following: <ul style="list-style-type: none"><li>• Areas of ecological concern;</li><li>• Areas of ecological achievement;</li><li>• Presence of weeds and pests;</li><li>• Presence of second generation and regenerating canopy species; and</li><li>• Documentation of other relevant features.</li></ul> The findings of the annual walkovers are detailed in Section 6.4 of the 2018 and 2019 AEMRs.	
REPORTING					
47	The Applicant shall include a progress report on the implementation of the compensatory habitat proposal in the AEMR.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2018 AEMRs</li></ul>	<b>2018 AEMR</b> - Section 6.4.2  <b>2019 AEMR</b> - Section 6.1  <b>2020 AR</b> - Not due in IEA timeframe	
ABORIGINAL					
CONSENT TO DESTROY					
48	The Applicant shall gain the necessary consents from DECC under Section 90 of the <i>National Parks &amp; Wildlife Act 1974</i> , to destroy Aboriginal objects / sites within the site.	Not Triggered	<ul style="list-style-type: none"><li>• 2018 and 2019 AEMRs</li><li>• Aboriginal and Cultural Heritage Management Plan (United Wambo JV)</li><li>• Environmental Management Strategy (United Collieries)</li></ul>	<b>Not Triggered</b> - No additional salvage of Aboriginal heritage on site during the IEA period. As of 2020, clearance activities occur in accordance to the Aboriginal and Cultural Heritage Management Plan.	
CULTURAL SALVAGE					
49	(7) Before it destroys the archaeological sites listed in Condition 48, the Applicant shall allow local Aboriginal groups to collect, salvage, and/or record material from these sites to the satisfaction of the DECC.	Not Triggered	Refer to Schedule 4, Condition 48	Refer to Schedule 4, Condition 48	
7	Incorporates DEC GTA				
TRUST FUND CONTRIBUTION					
50	Within 6 months of the date of this consent, or as agreed otherwise by the Director-General, the Applicant shall contribute \$50,000 to the Hunter Aboriginal Cultural Heritage Trust Fund for further investigations into Aboriginal cultural heritage, as defined by the Trust Deed.	Not Triggered		<b>Not Triggered</b> - Outside of IEA period.	
WAMBO HOMESTEAD COMPLEX					
51	The Applicant shall: (a) Produce a photographic record of the existing structures and area of the site that may be potentially affected by subsidence impacts prior to commencing any underground mining operations; (b) Monitor the subsidence related impacts on those existing structures and area of the site during underground mining activities; (c) Inspect and report upon any impacts caused by underground mining activities on those existing structures and area of the site; and (d) Where necessary, remediate any damage to those existing structures and area of the site. To the satisfaction of the Director-General of the Heritage Office of NSW	Not Triggered	<ul style="list-style-type: none"><li>• 2018 and 2018 AEMRs</li><li>• Aboriginal and Cultural Heritage Management Plan (United Wambo JV)</li><li>• Environmental Management Strategy (United Collieries)</li><li>• Discussion with site personnel</li><li>• Wambo Homestead monitoring report (March 2008)</li></ul>	<b>Not Triggered</b> - No underground mining has occurred during the IEA period.  United Wambo personnel provided a Wambo Homestead monitoring report completed by EJE Heritage in March 2008.	
WASTE MANAGEMENT					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
<b>SCHEDULE 3 - ADMINISTRATIVE CONDITIONS</b>					
52	(8) The Applicant shall not cause, permit or allow any waste generated outside the mine to be received at the mine for storage, treatment, processing, reprocessing or disposal, or any waste generated at the mine to be disposed of at the mine, except as expressly permitted by a DECC licence.	Compliant	<ul style="list-style-type: none"> <li>Draft copy of a Waste Management Plan</li> <li>Waste Management Report from JR Richards</li> <li>Waste transport certificates</li> <li>Waste collection invoices from JR Richards</li> <li>GCP data spreadsheet</li> <li>2018 and 2019 AEMRs</li> <li>Singleton Council 'Approval to Operate On-Site Sewage Management System' extension dated 1 July 2020</li> <li>All Septic Services Reports during the IEA period</li> <li>9 April 2020</li> <li>17 August 2020</li> <li>19 September 2020</li> <li>12 October 2020</li> </ul>	<p>Site uses waste management hierarchy practice of reuse, recycle and dispose.</p> <p>Waste is managed, tracked and reported on a monthly basis by a licenced contractor.</p> <p>Site has approval to operate an on-site sewage system that is inspected quarterly by All Septic Services.</p> <p>As of 2020, waste generated on site is collected and removed off-site on a weekly basis by a licenced contractor.</p>	
8	Incorporates an Existing Condition on DEC Licence				
NOTE:	This condition only applies to the storage, treatment, processing, reprocessing, or disposal of waste that requires a licence under the Protection of the Environment Operations Act 1997.	Noted			
<b>VISUAL IMPACT</b>					
<b>VISUAL AMENITY</b>					
53	The Applicant shall maintain the existing vegetation along the boundary with the Golden Highway, and replace any vegetation removed during the road works referred to in this consent, to the satisfaction of the Director-General.	Compliant	<ul style="list-style-type: none"> <li>Discussion with site personnel</li> <li>Visual inspection</li> </ul>	Vegetation screening appears to meet the requirements. No visual complaints during the IEA period. No vegetation removed.	
<b>LIGHTING EMISSIONS</b>					
54	All external lighting associated with the development shall comply with Australian Standard AS4282(INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting or its latest version.	Non- Compliant (Low)	<ul style="list-style-type: none"> <li>Discussion with site personnel</li> </ul>	<b>Non-Compliant (Low)</b> - The most recent lighting audit is from 2012. The IEA can not prove the site is compliant with Australian Standards.	REC: Recommend a Lighting Audit to assess against Australian Standards AS 4282 - 1997. This will cover fixed exterior lighting and interior lighting that could impact the outdoor environment.
<b>HAZARDS MANAGEMENT</b>					
<b>SPONTANEOUS COMBUSTION</b>					
55	The Applicant shall: (a) Take the necessary measures to prevent, as far as is practical spontaneous combustion on the site; and (b) Manage any spontaneous combustion on-site to the satisfaction of DPI.	Compliant	<ul style="list-style-type: none"> <li>2018 and 2019 AEMRs</li> <li>Discussion with site personnel</li> </ul>	<p>a) 2019 AEMR states that tailings dams with be capped appropriately to prevent the occurrence of spontaneous combustion.</p> <p>b) There have been no encounters with spontaneous combustion on-site during the IEA period.</p>	
<b>DANGEROUS GOODS</b>					
56	The Applicant shall ensure that the storage, handling, and transport of: (a) Dangerous goods is done in accordance with the relevant <i>Australian Standards</i> , particularly <i>AS1940</i> and <i>AS1596</i> , and the <i>Dangerous Goods Code</i> ; and (b) Explosives are carried out in accordance with the requirements of DPI.	Compliant	<ul style="list-style-type: none"> <li>Photographic evidence from site visit</li> <li>Tanks onsite</li> <li>Certificate of Compliance completed by Hazkem dated 28 January 2020</li> </ul>	Above ground tank from site was operating under United Collieries. New tanks are covered under the SSD 7142 consent.	
<b>BUSHFIRE MANAGEMENT</b>					
57	The Applicant shall: (a) Ensure that the development is suitably equipped to respond to any fires on the surface colliery holding; (b) Assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site during the development	Compliant	<ul style="list-style-type: none"> <li>Discussion with site personnel</li> <li>Visual inspection</li> </ul>	<p>Bushfires in late 2019 were close to site. Evidence of consultation with RFS.</p> <p>Ability to manage fires onsite - dams, pumps, equipment, trained personnel</p>	
<b>GREENHOUSE GAS</b>					
58	By 31 March 2009, the Applicant shall submit a Greenhouse Gas Minimisation Plan to the Director-General. This Plan must: (a) identify options for minimising greenhouse gas emissions from underground mining operations within the site, with a particular focus on capturing and/or using these emissions; (b) investigate the feasibility of implementing each option; (c) describe the measures that would be implemented in the short to medium term to minimise greenhouse gas emissions on site; and (d) include a program to monitor and report on the effectiveness of these measures.	Compliant	<ul style="list-style-type: none"> <li>Approval letter from (then) DPE dated 23 September 2015</li> <li>Environmental Monitoring Program (United Collieries)</li> </ul>	<p>NSW DPE (now DPIE) approved the incorporating the Greenhouse Gas Minimisation Plan into the Environmental Management Strategy while the site was in care and maintenance. United Collieries sealed the underground mine in December 2015.</p> <p>Section 4.2 of the Environmental Management Strategy states that as the mine is now sealed, a separate management plan is no longer applicable.</p>	
<b>TAILINGS AND REJECT MANAGEMENT PLAN</b>					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
59	The Applicant shall prepare and implement a Tailings and Reject Management Plan for the development to the satisfaction of the Director-General. This Plan must: (a) be prepared in consultation with DPI; (b) be submitted to the Director-General for approval by 31 March 2009; (c) estimate the volume of tailings and reject material that would be generated during the remaining life of the mine; and (d) describe and justify the proposed strategy for disposing of this material.	Compliant	<ul style="list-style-type: none"><li>• MOP Amendment B (United Collieries)</li><li>• Approval letter from (then) DPE dated 23 September 2015</li><li>• MOP Amendment B approval letter from DPE dated 4 June 2019</li><li>• 2018 and 2019 AEMRs</li></ul>	United had approval from (then) DPE to include the Tailings and Reject Management Plan into the MOP while site was in care and maintenance.  a) Section 1.6 of the MOP.  b) Outside the IEA period. MOP Amendment B approved by (then) DPE on 4 June 2019.  c) Site was in care and maintenance during 2018 - 2019, therefore no tailings were produced. All tailings associated with United Wambo will be managed by Wambo (section 4.2.2 of the 2019 AEMR).  d) During 2018 and 2019, Tailings Dams 1 and 2 were permitted to undertake dessication until rehabilitation took place (Section 3.4.9 of the MOP)	
LANDSCAPE MANAGEMENT PLAN					
60	The Applicant shall prepare and implement a detailed Landscape Management Plan for the project to the satisfaction of DPI and Director-General. This Plan must: (a) be prepared in consultation with DECC and DWE by suitably qualified expert/s whose appointment/shave been approved by the Director-General; (b) be submitted to the Director-General for approval by 31 March 2009; and (c) include a: <ul style="list-style-type: none"><li>• Rehabilitation and Offset Management Plan; and</li><li>• Mine Closure Plan.</li></ul>	Compliant	<ul style="list-style-type: none"><li>• MOP Amendment B (United Collieries)</li><li>• Approval letter from (then) DPE dated 23 September 2015</li><li>• MOP Amendment B approval letter from DPE dated 4 June 2019</li></ul>	United Collieries had approval from (then) DPE to include the Landscape Management Plan into the MOP while site was in care and maintenance.  a) Section 1.6 of the MOP  b) Outside the IEA period. MOP Amendment B approved by (then) DPE on 4 June 2019  c) Section 2.2.8 and 2.3	
REHABILITATION AND OFFSET MANAGEMENT PLAN					
61	The Rehabilitation and Offset Management Plan must include: (a) the rehabilitation objectives for the site, landscaping and vegetation offsets described in Conditions 45 to 47 of Schedule 4; (b) a detailed description of how the rehabilitation of the site would be integrated with the rehabilitation strategy of the development and the Wambo and Hunter Valley Operations mines to ensure there is a comprehensive strategic framework for the restoration and enhancement of the landscape over time; (c) a description of the short, medium, and long term measures that would be implemented to: <ul style="list-style-type: none"><li>• rehabilitate the site;</li><li>• implement the vegetation offsets;</li><li>• manage the remnant vegetation and habitat on the site; and</li><li>• maximise effective linkages within the site to the offset areas at Wambo and Hunter Valley Operations.</li></ul> (d) detailed performance and completion criteria for the rehabilitation of the site and implementation of the vegetation offsets; (e) a detailed description of what measures and procedures would be implemented over the next 3 years to rehabilitate the site; (f) a detailed description of how the performance of the rehabilitation of the mine would be monitored over time to achieve the stated objectives; (g) a description of the potential risks to successful rehabilitation and/or revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and (h) details of who would be responsible for monitoring, reviewing, and implementing the plan.	Compliant	<ul style="list-style-type: none"><li>• MOP Amendment B (United Collieries)</li><li>• Approval letter from (then) DPE dated 23 September 2015</li><li>• MOP Amendment B approval letter from DPE dated 4 June 2019</li></ul>	Rationalisation letter to consolidate management plans while United Collieries was in care and maintenance approved integrating rehabilitation into the MOP and offsets to be covered in the Compensatory Habitat Management Plan.  a) Section 4.3 of the MOP Amendment B  b) Section 1.5.2 of the MOP Amendment B  c) Section 5.3 of the MOP Amendment B  d) Section 6 of the MOP Amendment B  e) Section 7 of the MOP Amendment B  f) Section 8 of the MOP Amendment B  g) Section 3.4 and 9 of the MOP Amendment B  h) Section 12.1 of the MOP Amendment B  Little action was required by United Collieries when the site was in care and maintenance. Work mostly included inspections, weed and pest management.	
NOTE:	Reference to "rehabilitation" in this development includes all works associated with the rehabilitation and restoration of the site as described in the EIS, and applies to all areas within the Mining Lease and Offsets Strategy.	Noted			
MINE CLOSURE PLAN					
62	The Mine Closure Plan must: (a) define the objectives and criteria for mine closure; (b) investigate options for the future use of the site, including any final void/s; (c) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and (d) describe how the performance of these measures would be monitored over time.	Not Triggered	<ul style="list-style-type: none"><li>• MOP Amendment B</li><li>• Rehabilitation Management Plan (United Wambo JV)</li></ul>	<b>Not Triggered</b> - A Mine Closure Plan was never developed for United Collieries as site was in care and maintenance. If the United Project did not proceed, a new MOP would have been prepared to include a Detailed Mine Closure Plan.  A Mine Closure Plan for United Wambo JV will be prepared when the site is closure to closure.	
SCHEDULE 5 - ADDITIONAL PROCEDURES FOR AIR QUALITY AND NOISE MANAGEMENT					
NOTIFY LANDOWNERS					



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
1	If the results of the air quality and/or noise monitoring required in Schedule 4 suggest that the air pollution and/or noise generated by the development are greater than the air quality and/or noise impact assessment criteria in Schedule 4, then the Applicant shall notify the relevant landowners and/or existing or potential tenants (including tenants of mine-owned properties) accordingly on a quarterly basis.	Not Triggered		Air Quality: <b>Not Triggered</b> - all exceedences were due to surrounding mine operations or natural hazards (bushfires and drought)  Noise impacts: <b>Not Triggered</b> - Site was in care and maintenance and did not require noise monitoring. 2020 noise impacts are in accordance with SSD 7142.	
2	Within 3 months of receipt of monitoring results that indicate an exceedance of modelled impacts, the Applicant shall develop a procedure in consultation with DECC and NSW Health, for notifying the landowners and tenants referred to in Condition 2. This procedure must ensure that: (a) All existing and potential (prior to signing a residential tenancy agreement to occupy the residence) tenants are advised in writing about: the air quality impacts likely to occur at the residence during the operational life of the mine; and the likely health and amenity impacts associated with exposure to particulate matter; (b) The written advice in (a) is based on current air quality monitoring data, dispersion modelling results, research and literature; and (c) There is an ongoing process for providing current air quality monitoring data, dispersion modelling results, research and literature to the tenants.	Not Triggered		Refer to Schedule 5, Condition 1	
INDEPENDENT REVIEW					
3	If a landowner other than a mining company considers the development to be exceeding the air quality and/or noise impact assessment criteria listed in Schedule 4 at his/her dwelling, or at any proposed dwelling on his/her vacant land, then he/she may ask the Applicant for and independent review of the air pollution and/or noise impacts of the development on his/her dwelling, or proposed dwelling.  If the Director-General is satisfied that an independent review is warranted, the Applicant shall: (a) Consult with the landowner to determine his/her concerns; and (b) Commission a suitably qualified person - whose appointment has been approved by the Director-General - to conduct air quality and/or noise monitoring at the relevant dwelling to determine whether the development is complying with the relevant impact assessment criteria, and identify the source(s) and scale of any air quality and/or noise impact at the dwelling, and the development's contribution to this impact.  Within 14 days of receiving the results of this independent review, the Applicant shall give a copy of these results to the Director-General and landowner.	Not Triggered		<b>Not Triggered</b> - Based on discussion with site personnel, no independent reviews have been requested.	
4	If the independent review (referred to in Condition 4) determines that the development is complying with the relevant impact assessment criteria listed in Schedule 4 at the dwelling, then the Applicant may discontinue the independent review with the approval of the Director-General.	Not Triggered		Refer to Sechdule 5, Condition 3	
5	If the independent review (referred to in Condition 4) determines that the development is not complying with the relevant impact assessment criteria listed in Schedule 4 at the dwelling, and that the development is primarily responsible for this non-compliance, the Applicant shall: (a) Take all practicable measures, in consultation with the landowner, to ensure that the development complies with the relevant impact assessment criteria; and conduct further air quality and/or noise monitoring at the dwelling to determine whether these measures ensure compliance; or (b) Secure a written agreement with the landowner to allow exceedances of the air quality and/or noise impact assessment criteria listed in Schedule 4.  If the additional monitoring referred to above subsequently determines that the development is complying with the relevant impact assessment criteria listed in Schedule 4 at the dwelling, then the Applicant may discontinue the independent review with the approval of the Director-General.  If the measures referred to in (a) do not ensure compliance with the air quality and/or noise land acquisition criteria listed in Schedule 4 at the dwelling, and the Applicant cannot secure a written agreement with the landowner to allow exceedances of the air quality and/or noise impact assessment criteria listed in Schedule 4, then the Applicant shall, upon receiving a written request from the landowner, acquire all or part of the landowner's land in accordance with the procedures in Conditions 9-11 below.	Not Triggered		Refer to Sechdule 5, Condition 4	
6	If the independent review determines that the development is not complying with the air quality and/or noise impact assessment criteria listed in Schedule 4 at the dwelling, but that several mines are responsible for this non-compliance, then the Applicant shall, with the agreement of the landowner and other mine(s), prepare and implement a Cumulative Air Quality and Noise Impact Management Plan to the satisfaction of the Director- General. This plan must provide details of the joint approach to be adopted by the Applicant and other mine(s) to manage cumulative air quality and/or noise impacts at the landowner's dwelling, and the acquisition of any land.  If the Applicant is unable to finalise an agreement with the landowner and/or other mine(s), and/or prepare a Cumulative Air Quality and Noise Impact Management Plan, then the Applicant or landowner may refer the matter to the Director-General for resolution. If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process.  If, following the Independent Dispute Resolution Process, the Director-General decides that the Applicant shall acquire all or part of the landowner's land, then the Applicant shall acquire this land in accordance with the procedures in Conditions 8 - 10 below.	Not Triggered		Refer to Sechdule 5, Condition 5	
7	If the landowner disputes the results of the independent review (referred to in Condition 4), either the Applicant or the landowner may refer the matter to the Director-General for resolution.  If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process.	Not Triggered		Refer to Sechdule 5, Condition 6	
LAND ACQUISITION					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
8	<p>If the independent review determines that the development is not complying with the air quality and/or noise impact assessment criteria listed in Schedule 4 at the dwelling, within 6 months of receiving a written request from the landowner, the Applicant shall pay the landowner:</p> <p>(a) The current market value of the landowner's interest in the land at the date of this consent, as if the land was unaffected by the development the subject of the DA, having regard to the:</p> <ul style="list-style-type: none"><li>• Existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and</li><li>• 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;</li></ul> <p>(b) The reasonable costs associated with:</p> <ul style="list-style-type: none"><li>• Relocating within the Singleton local government area, or an adjacent local government area determined by the Director-General;</li><li>• Obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and</li><li>• Reasonable compensation for any disturbance caused by the land acquisition process.</li></ul> <p>However, if within 6 months of receiving this written request, the Applicant and landowner cannot agree on the acquisition price of the land, and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Director-General for resolution.</p> <p>Upon receiving such a request, the Director-General shall request the President of the Australian Institute of Valuers and Land Economists to appoint a qualified independent valuer or Fellow of the Institute, to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or terms upon which the land is to be acquired. If either party disputes the independent valuer's determination, then the independent valuer must refer the matter back to the Director-General.</p> <p>Upon receiving such a referral, the Director-General shall appoint a panel to determine a fair and reasonable acquisition price for the land, and/or the terms upon which the land is to be acquired, comprising the:</p> <p>(i) Appointed independent valuer,</p> <p>(ii) Director-General or her nominee, and</p> <p>(iii) President of the Law Society of NSW or his nominee.</p> <p>Within 14 days of receiving the panel's determination, the Applicant shall make a written offer to purchase the land at a price not less than the panel's determination.</p> <p>If the landowner refuses to accept this offer within 6 months of the date of the Applicant's offer, the Applicant's obligations to acquire the land shall cease, unless otherwise agreed by the Director-General.</p>	Not Triggered		<b>Not Triggered</b> - Based on discussion with site personnel, no idenpendent reviews have required land acquisition.	
9	<p>The Applicant shall bear the costs of any valuation or survey assessment requested by the independent valuer, panel, or the Director-General and the costs of determination referred to in Condition 9.</p>	Not Triggered		Refer to Schedule , Condition 8	
10	<p>If the Applicant and landowner agree that only part of the land should be acquired, then the Applicant shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar- General.</p>	Not Triggered		Refer to Schedule , Condition 9	
SCHEDULE 6 - ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING					
ENVIRONMENTAL MANAGEMENT STRATEGY					
1	<p>The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Director-General. This strategy must:</p> <p>(a) provide the strategic context for environmental management of the development;</p> <p>(b) identify the statutory requirements that apply to the development;</p> <p>(c) describe in general how the environmental performance of the development would be monitored and managed;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"><li>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li><li>• receive, handle, respond to, and record complaints;</li><li>• resolve any disputes that may arise during the course of the development;</li><li>• respond to any non-compliance;</li><li>• manage cumulative impacts; and</li><li>• respond to emergencies.</li></ul> <p>(e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.</p>	Compliant	<ul style="list-style-type: none"><li>• Environmental Management Strategy (United Collieries)</li><li>• Consultation with (then) DPE is outlined in Appendix 2</li><li>• Approval letter from (then) DPE dated 7 May 2018</li></ul>	<p>An Environmental Management Strategy version dated 31 March 2018 was implemented to reflect the site being in care and maintenance.</p> <p>a) Section 4 b) Section 3.1.1 c) Section 5 d) Section 5 e) Section 8</p> <p><b>Implementation:</b></p> <ul style="list-style-type: none"><li>• Evidence of complaints management and investigations recorded in complaints log. One complaint occurred in 2018 in relation to a contractor speeding on a rural road in Jerrys Plains. No complaints occurred in 2019.</li><li>• Evidence of stakeholder engagement.</li><li>• Evidence of community engagement through CCC, and community contribution funds.</li></ul>	
ENVIRONMENTAL MONITORING PROGRAM					
2	<p>The Applicant shall prepare and implement an Environmental Monitoring Program for the development to the satisfaction of the Director-General. This program must consolidate the various monitoring requirements of this consent into a single document, and be submitted to the Director-General with the submission of the relevant monitoring programs.</p>	Compliant	<ul style="list-style-type: none"><li>• Enivromental Monitoring Program (United Collieries)</li><li>• Approval letter from (then) DPE attached as Appendix 2 dated 7 May 2018</li><li>• Quarterly monitoring reports for Q1 2018 - Q3 2020</li><li>• Environmental monitoring spreadsheets for:<ul style="list-style-type: none"><li>- Dust</li><li>- Air Quality (HVAS and TSP)</li><li>- Meteorological</li><li>- Rainfall</li><li>- Water</li></ul></li><li>• 2018 and 2019 AEMRs</li></ul>	<p>A revised Environmental Monitoring Program was submitted to (then) DPE to reflect the site being in care and maintenace.</p> <p>This program encompasses the groundwater, surface water and air quality monitoring requirements.</p> <p><b>Implementation:</b></p> <ul style="list-style-type: none"><li>• Evidence of monthly monitoring. Highest number of air quality exceedances occured during January 2020 due to the extraordinary bushfire season.</li><li>• Evidence of quarterly monitoring reports completed by CBased Environmental Pty LTD from Q1 2018 - Q3 2020.</li></ul>	
REPORTING					
INCIDENT REPORTING					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
<b>SCHEDULE 3 - ADMINISTRATIVE CONDITIONS</b>					
3	Within 24 hours of detecting an exceedance of the limits/performance criteria in this consent or the occurrence of an incident that causes (or may cause) harm to the environment, the Applicant shall notify the Department and other relevant agencies of the exceedance/incident.	Compliant	<ul style="list-style-type: none"> <li>• 2018 and 2019 AEMRs</li> <li>• Notification email from United Wambo to DPIE dated 01 October 2020</li> </ul>	<p><b>2018</b> - Exceedance of PM10 concentrations on 19 January and 21 November. Site was in care and maintenance and did not contribute to these exceedances.</p> <p><b>2019</b> - Exceedance of PM10 concentrations on 2 January. Site was in care and maintenance and did not contribute to these exceedances.</p> <p><b>2020</b> -Blast exceedance occurring on 24 September 2020 was under SSD 7142 protocol.</p>	IMPROVEMENT REC: Ensure that all incidents are reported to DPIE in the approved timeframe. Record consultation of incidents in a log for future reference.
4	Within 6 days of notifying the Department and other relevant agencies of an exceedance/incident, the Applicant shall provide the Department and these agencies with a written report that: (a) describes the date, time, and nature of the exceedance/incident; (b) identifies the cause (or likely cause) of the exceedance/incident; (c) describes what action has been taken to date; and (d) describes the proposed measures to address the exceedance/incident.	Compliant	<ul style="list-style-type: none"> <li>• 2018 and 2019 AEMRs</li> <li>• Notification email from United Wambo to DPIE dated 01 October 2021</li> </ul>	<p><b>2018</b> - Site in care and maintenance</p> <p><b>2019</b> - Site in care and maintenace</p> <p><b>2020</b> - Blast incident occurred on 24 September 2020. DPIE was notified on 1 October 2020. The notification satisfies the requirements of a-d of this condition.</p>	
<b>ANNUAL REPORTING</b>					
5	Within 12 months of this consent, and annually thereafter, the Applicant shall submit an AEMR to the Director-General and relevant agencies. This report must: (a) identify the standards and performance measures that apply to the development; (b) describe the works carried out in the last 12 months; (c) describe the works that will be carried out in the next 12 months; (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years; (e) include a summary of the monitoring results for the development during the past year; (f) include an analysis of these monitoring results against the relevant: • impact assessment criteria/limits; • monitoring results from previous years; and • predictions in the EIS; (g) identify any trends in the monitoring results over the life of the development (h) identify any non-compliance during the previous year; and (i) describe what actions were, or are being, taken to ensure compliance.	Compliant	<ul style="list-style-type: none"> <li>• 2018 and 2019 AEMRs</li> </ul>	<p><b>2018 and 2019 AEMR</b></p> <p>a) Section 6</p> <p>b) Sections 5 and 6</p> <p>c) Sections 4, 6 and 12</p> <p>d) Section 9.3</p> <p>e) Section 6</p> <p>f) • Section 6 • Section 6 • Section 6</p> <p>g) Section 6</p> <p>h) Section 1</p> <p>i) Section 6</p> <p><b>2020 AEMR</b> - Due outside the audit period</p>	
<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>					
6	By the end of 2009, and every 3 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must: (a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General; (b) Be consistent with <i>ISO 14010- Guidelines and General Principles for Environmental Auditing</i> , or updated versions of these guidelines/manuals; (c) Assess the environmental performance of the development, and its effects on the surrounding environment; (d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements; (e) Review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary, (f) Recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.	Compliant	<ul style="list-style-type: none"> <li>• 2018 IEA completed by Jacobs and Endorsement letter from (then) DPE dated 26 November 2018.</li> </ul>	<p>a) Appendix A.</p> <p>b) The audit has been undertaken in accordance with ISO 1410 and ISO 1411.</p> <p>c) Section 4.</p> <p>d) Section 4 and Appendix C.</p> <p>e) Section 7.</p> <p>f) Section 8.</p> <p>This IEA will cover these requirements.</p>	
7	Within 3 months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Director-General, with a detailed response to any of the recommendations contained in the audit report.	Compliant	<ul style="list-style-type: none"> <li>• This audit</li> </ul>	This audit has been submitted within the given timeframe.	
<b>COMMUNITY CONSULTATIVE COMMITTEE</b>					
8	The Applicant shall operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Director-General in general accordance with the Guideline for Establishing and Operating Community Consultative Committees for Mining Projects.	Compliant	<ul style="list-style-type: none"> <li>• Letter from DPIE dated 24 July 2020 approving uniting Wambo and United CCCs</li> <li>• CCC meeting minutes dated 4 August 2020 for United Wambo Mine</li> <li>• CCC minutes for United dated 25 May 2020</li> <li>• Letter from (then) DPE dated 12 September 2017 continue CCC under current arrangement</li> </ul>	<p>United Collieries held independent CCC under approved arrangement with (then) DPE until notified otherwise. DPIE approved a joint CCC for United Wambo Mine on 24 July 2020.</p> <p>CCC meetings held within the IEA timeframe were on:</p> <ul style="list-style-type: none"> <li>• 25 May 2020 (United Collieries only)</li> <li>• 4 August 2020 (United &amp; Wambo).</li> </ul> <p>CCC meeting minutes are publicly available on the United Wambo website. Meetings are now quarterly.</p>	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
SCHEDULE 3 - ADMINISTRATIVE CONDITIONS					
ACCESS TO INFORMATION					
9	Any strategy/plan/program required under this consent (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMRs, required under this consent, the Applicant shall: (a) provide a copy of the relevant documents to the relevant agencies and CCC; and (b) put a copy of the documents on its website.	Compliant	• United Wambo website	Copies of AEMRs, IEAs can be found on the current United Wambo website.	
10	From 31 March 2009, the Applicant shall: (a) make a summary of monitoring results required under this consent publicly available on its website; and (b) update these results on a regular basis (at least every 3 months.)	Compliant	• United Wambo website	a) Summary of monitoring results are provided in Section 4 of the 2018 and 2019 AEMRs. The AEMRs are available on the website. b) Quarterly monitoring reports are available on the website with the most recent one being 31 October 2020.	

EPL Licence 3141 (variation as at October 2020)

Anniversary Date - 30 November

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action								
ADMINISTRATIVE CONDITIONS													
A1	WHAT THE LICENCE AUTHORISES AND REGULATES												
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p>	Compliant	• 2018 and 2019 AEMRs	2018 and 2019 AEMR - Section 4.1  Tonnage records meet scale requirements.									
	<table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>&gt; 5000000 T annual handling capacity</td></tr><tr><td>Crushing, grinding or separating</td><td>Crushing, grinding or separating</td><td>&gt; 2000000 T annual processing capacity</td></tr><tr><td>Mining for coal</td><td>Mining for coal</td><td>&gt; 5000000 T annual production capacity</td></tr></table>					Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 5000000 T annual handling capacity	Crushing, grinding or separating	Crushing, grinding or separating
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Mining for coal	Mining for coal	> 5000000 T annual production capacity											
NOTE:	<p><i>In relation to this licence, the licensee must comply with:</i></p> <p><i>a) the activity scale limits imposed by this licence;</i></p> <p><i>b) the activity scale limits which apply for the reporting period specified in this licence; and</i></p> <p><i>c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the Environmental Planning and Assessment Act 1979.</i></p>												
A2	PREMISES OR PLANT TO WHICH THIS LICENCE APPLIES												
A2.1	<p>The licence applies to the following premises:</p>	Noted											
	<table><tr><th>Premises Details</th></tr><tr><td>UNITED COLLIERIES</td></tr><tr><td>134 JERRYS PLAINS ROAD</td></tr><tr><td>WARKWORTH</td></tr><tr><td>NSW 2330</td></tr><tr><td> </td></tr><tr><td>PREMISES DEFINED BY PLAN TITLED "UNITED WAMBO JOINT VENTURE PROJECT ENVIRONMENT PROTECTION LICENCE PLAN OF PREMISES" DATED 11/8/2020 EPA REFERENCE DOC20/736721 AND SHAPE FILES EPA REFERENCE DOC20/736721-2</td></tr></table>					Premises Details	UNITED COLLIERIES	134 JERRYS PLAINS ROAD	WARKWORTH	NSW 2330		PREMISES DEFINED BY PLAN TITLED "UNITED WAMBO JOINT VENTURE PROJECT ENVIRONMENT PROTECTION LICENCE PLAN OF PREMISES" DATED 11/8/2020 EPA REFERENCE DOC20/736721 AND SHAPE FILES EPA REFERENCE DOC20/736721-2	
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A3	OTHER ACTIVITIES												
A3.1	<p>This licence applies to all other activities carried on at the premises, including:</p>	Noted											
	<table><tr><th>Ancillary Activity</th></tr><tr><td>Chemical Storage - General Chemical Storage</td></tr><tr><td>Sewage Treatment Systems</td></tr></table>					Ancillary Activity	Chemical Storage - General Chemical Storage	Sewage Treatment Systems					
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A4	INFORMATION SUPPLIED TO THE EPA												



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																
A4.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2019 AEMRs</li><li>• Discussion with site personnel</li></ul>	Works are generally carried out in accordance with this licence.																																	
DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND																																					
P1	LOCATION OF MONITORING / DISCHARGE POINTS AND AREAS																																				
P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Noted																																			
P1.2	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.	Compliant	<ul style="list-style-type: none"><li>• Air Quality and Greenhouse Gas Management Plan (United Wambo JV)</li><li>• Monthly EPL monitoring reports</li></ul>	Monitoring locations shown in Figure 12-1 of the Air Quality and Greenhouse Gas Management Plan  Monthly EPL monitoring reports available on the website.																																	
	<table><thead><tr><th>EPA identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr></thead><tbody><tr><td>4</td><td>Ambient Air Monitoring</td><td></td><td>PM10 TEOM at co-ordinates 314118, 6393961 (Easting, Northing) identified as AQ01 on Figure 1.</td></tr><tr><td>5</td><td>Ambient Air Monitoring</td><td></td><td>PM10 TEOM at co-ordinates 312055, 6390321 (Easting, Northing) identified as AQ02 on Figure 1.</td></tr><tr><td>6</td><td>Ambient Air Monitoring</td><td></td><td>PM10 TEOM at co-ordinates 304502, 6398490 (Easting, Northing) identified as AQ03 on Figure 1.</td></tr><tr><td>7</td><td>Ambient Air Monitoring</td><td></td><td>PM10 TEOM at co-ordinates 305928, 6399587 (Easting, Northing) identified as AQ04 on Figure 1.</td></tr><tr><td>8</td><td>Ambient Air Monitoring</td><td></td><td>TSP HVAS at co-ordinates 314300, 6394930 (Easting, Northing) identified as HVAS01 on Figure 1.</td></tr></tbody></table>					EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	4	Ambient Air Monitoring		PM10 TEOM at co-ordinates 314118, 6393961 (Easting, Northing) identified as AQ01 on Figure 1.	5	Ambient Air Monitoring		PM10 TEOM at co-ordinates 312055, 6390321 (Easting, Northing) identified as AQ02 on Figure 1.	6	Ambient Air Monitoring		PM10 TEOM at co-ordinates 304502, 6398490 (Easting, Northing) identified as AQ03 on Figure 1.	7	Ambient Air Monitoring		PM10 TEOM at co-ordinates 305928, 6399587 (Easting, Northing) identified as AQ04 on Figure 1.	8	Ambient Air Monitoring		TSP HVAS at co-ordinates 314300, 6394930 (Easting, Northing) identified as HVAS01 on Figure 1.								
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P1.3	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2019 Water Accounting Framework and Glencore Corporate Practice Interface spreadsheet</li><li>• Surface Water Management Plan (United Wambo JV)</li><li>• Site discussion</li></ul>	Evidence of monitoring locaions. Based on site discussions there has been no discharge during the IEA period.  However evidence of water monitoring.																																	
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Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																						
P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.	Compliant	• Noise Management Plan • Discussion with site personnel	Evidence of noise and blast locations in management plans.  Discussion with site personnel said that BM08 has been purchased by site and no longer has any private residences.																																							
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Noise/Weather																																											
EPA identification no.	Type of monitoring point	Location description																																									
3	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological Station at co-ordinates 321259, 6397528 (Easting, Northing) identified as WS2 on Figure 2.																																									
12	Noise monitoring	Noise Monitoring Point in NM01 at co-ordinates 313354, 6388694 (Easting, Northing) identified as NM01 on Figure 1.																																									
13	Noise monitoring	Noise Monitoring Point in NM02 at co-ordinates 310491, 6390223 (Easting, Northing) identified as NM02 on Figure 1.																																									
14	Noise monitoring	Noise Monitoring Point in NM04 at co-ordinates 3318616, 6398438 (Easting, Northing) identified as NM04 on Figure 1.																																									
15	Noise monitoring	Noise Monitoring Point in NM05 at co-ordinates 306001, 6399786 (Easting, Northing) identified as NM05 on Figure 1.																																									
16	Noise monitoring	Noise Monitoring Point in NM06 at co-ordinates 304172, 6398160 (Easting, Northing) identified as NM06 on Figure 1.																																									
17	Noise monitoring	Noise Monitoring Point in NM07 at co-ordinates 304696, 6398100 (Easting, Northing) identified as NM07 on Figure 1.																																									
18	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 314120, 6394560 (Easting, Northing) identified as BM02 on Figure 1.																																									
19	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 311155, 6390609 (Easting, Northing) identified as BM03 on Figure 1.																																									
20	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 305919, 6399662 (Easting, Northing) identified as BM05 on Figure 1.																																									
21	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 304496, 6398655 (Easting, Northing) identified as BM07 on Figure 1.																																									
22	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 317931, 6397826 (Easting, Northing) identified as BM08 on Figure 1.																																									
P1.5	For the purposes of Condition P1.1, P1.2, P1.3 and P1.4 Figure 1 refers to the plan titled "United Wambo Joint Venture Project Environmental Protection Licence 3141 Plan of the Premises dated 11/8/2020 EPA Reference DOC20/736721.	Noted	• Boundary Plan • Regional Plan																																								
P1.6	For the purposes of Condition P1.4, Figure 2 refers to the plan titled "United Wambo Joint Venture EPL 3141 Ambient Water Quality Monitoring" dated 15/4/2020 EPA Reference DOC20/305695.	Noted	• Ambient Water Quality Monitoring figure																																								
NOTE:	The datum for grid references in this licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.	Noted																																									
LIMIT CONDITIONS																																											
L1	POLLUTION OF WATERS																																										
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	• Discussion with site personnel	No evidence provided of any discharges off site.																																							
L2	WASTE																																										
L2.1	The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below. This condition does not limit any other conditions in this licence.																																										

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																																																						
	<table><tr><th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr><tr><td>NA</td><td>Recovered aggregate</td><td>To be used on the mine for road making, building, landscape and construction</td><td>-</td><td>The Licensee must comply with the Recovered aggregate exemption 2014</td></tr><tr><td>NA</td><td>Coal Washery Reject</td><td>Receival from Wambo CHPP for disposal in voids</td><td></td><td>The Licensee must comply with the Coal washery rejects (coal mine void) Exemption 2014</td></tr><tr><td>NA</td><td>Manure</td><td>To be used in Rehabilitation as soil ameliorant in accordance with Resource Recover Exemption</td><td></td><td>The Licensee must comply with The Manure Exemption 2014</td></tr><tr><td>NA</td><td>Compost (The compost exemption 2016-NSW EPA)</td><td>To be used in Rehabilitation as soil ameliorant in accordance with Resource Recovery Exemption</td><td>-</td><td>The Licensee must comply with the Compost Exemption 2016</td></tr><tr><td>NA</td><td>Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines</td><td>To be used in Rehabilitation as soil ameliorant in accordance with Resource Recovery Exemption</td><td>-</td><td>The Licensee must comply with The Biosolids Exemption 2014</td></tr></table>	Code	Waste	Description	Activity	Other Limits	NA	Recovered aggregate	To be used on the mine for road making, building, landscape and construction	-	The Licensee must comply with the Recovered aggregate exemption 2014	NA	Coal Washery Reject	Receival from Wambo CHPP for disposal in voids		The Licensee must comply with the Coal washery rejects (coal mine void) Exemption 2014	NA	Manure	To be used in Rehabilitation as soil ameliorant in accordance with Resource Recover Exemption		The Licensee must comply with The Manure Exemption 2014	NA	Compost (The compost exemption 2016-NSW EPA)	To be used in Rehabilitation as soil ameliorant in accordance with Resource Recovery Exemption	-	The Licensee must comply with the Compost Exemption 2016	NA	Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines	To be used in Rehabilitation as soil ameliorant in accordance with Resource Recovery Exemption	-	The Licensee must comply with The Biosolids Exemption 2014	Not Triggered	<ul style="list-style-type: none"><li>• Discussion with site personnel</li><li>• United Wambo JV Coal Washery Rejects (Coal Mine Void) Order and Exemption letter from the NSW EPA dated 09 October 2020</li></ul>	<b>Not Triggered</b> - Based on discussions with site personnel, the site did not use manure, compost or biosolids or receive any coal washery rejects during the IEA period.																																									
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L2.2	The Licensee is authorised to receive mine water from Hunter Valley Operations Mine, Mt Thorley Mine, Warkworth Mine, Ravensworth Operations and Wambo Mine for storage and use in activities authorised by the Licence.	Compliant	<ul style="list-style-type: none"><li>• Discussion with site personnel</li><li>• Water Transfer Agreement Form for the 2020 calendar year</li></ul>	<b>United Collieries</b> - Based on discussion with site personnel, the site did not receive any water transfers from HVO, Mt. Thorley, Warkworth, Ravensworth Operations or Wambo Mine for storage during the IEA period.  <b>United Wambo Mine</b> - United pumped water in January (11.68 ML) and February (5.19 ML) from Wollombi Brook (Wambo).																																																																							
L2.3	Waste generated on the premises must not be disposed of on the premises unless authorised by a condition of this Licence.	Compliant	<ul style="list-style-type: none"><li>• Waste tracking certificates 2018, 2019,</li><li>• Waste statistics 2018 &amp; 2019</li><li>• Waste tracking report completed by JR Richards for 2018 and 2019</li><li>• 2018 and 2019 AEMRs</li><li>• Visual inspection</li><li>• Discussion with site personnel on 30 November 2020</li></ul>	Waste management practices use the the waste management hierarchy of reuse, recycle and dispose.  Waste is managed, tracked and reported monthly in the NSW EPA Online Waste Tracking System.  Yearly waste tracking reports are completed by third-party waste contractor.																																																																							
L2.4	The Licensee must not dispose of more than 400 heavy Plant-tyres on the premises in any annual return year period.	Compliant	<ul style="list-style-type: none"><li>• Heavy Plant Tyre Disposal from 30 November 2019 to 29 November 2020 report</li><li>• Discussion with site personnel on 11 February 2021</li></ul>	No heavy plant tyres have been disposed of during the IEA period.																																																																							
L3	NOISE LIMITS																																																																										
L3.1	Noise generated at the premises must not exceed the noise limits presented in the table below.																																																																										
	<table><tr><th>Location</th><th>Day LAeq(15min)</th><th>Evening LAeq(15min)</th><th>Night LAeq(15min)</th><th>Night LA1(1min)</th></tr><tr><td>EPA Point 12 in NAG1</td><td></td><td></td><td>36</td><td>46</td></tr><tr><td>EPA Point 13 in NAG2</td><td></td><td></td><td>38</td><td>48</td></tr><tr><td>EPA Point 14 in NAG4</td><td></td><td></td><td>41</td><td>51</td></tr><tr><td>EPA Point 15 in NAG5</td><td></td><td></td><td>46</td><td>56</td></tr><tr><td>EPA Point 16 in NAG6</td><td></td><td></td><td>39</td><td>49</td></tr><tr><td>EPA Point 17 in NAG7</td><td></td><td></td><td>40</td><td>50</td></tr><tr><td>Residence 003 in NAG1</td><td>38</td><td>36</td><td>36</td><td>46</td></tr><tr><td>Residence 006 in NAG1</td><td>37</td><td>35</td><td>35</td><td>45</td></tr><tr><td>Residence 007 &amp; 379 in NAG1</td><td>36</td><td>35</td><td>35</td><td>45</td></tr><tr><td>All other private residences in NAG1, NAG2 &amp; NAG6</td><td>35</td><td>35</td><td>35</td><td>45</td></tr><tr><td>Residence 025 in NAG2</td><td>39</td><td>38</td><td>38</td><td>48</td></tr><tr><td>All private residences in Area 3</td><td>44</td><td>44</td><td>43</td><td>53</td></tr><tr><td>All private residences in NAG4</td><td>42</td><td>42</td><td>41</td><td>51</td></tr></table>	Location	Day LAeq(15min)	Evening LAeq(15min)	Night LAeq(15min)	Night LA1(1min)	EPA Point 12 in NAG1			36	46	EPA Point 13 in NAG2			38	48	EPA Point 14 in NAG4			41	51	EPA Point 15 in NAG5			46	56	EPA Point 16 in NAG6			39	49	EPA Point 17 in NAG7			40	50	Residence 003 in NAG1	38	36	36	46	Residence 006 in NAG1	37	35	35	45	Residence 007 & 379 in NAG1	36	35	35	45	All other private residences in NAG1, NAG2 & NAG6	35	35	35	45	Residence 025 in NAG2	39	38	38	48	All private residences in Area 3	44	44	43	53	All private residences in NAG4	42	42	41	51				
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L3.2	<p>For the purposes of condition L3.1:</p> <p>a) Residences referenced in this table are from consent SSD-7142 United Wambo Open Cut Coal Mine dated 29 August 2019 EPA Reference DOC19/1043296 and the document titled "United Wambo Open Cut Coal mine Project noise Impact Assessment": by UMWELT dated July 2016 EPA Reference DOC19/1079039; and</p> <p>b) Noise Monitoring Groups in this table are referenced in Figure 1 titled "United Wambo Joint Venture Project Environmental Protection Licence 3141 Plan of Premises" dated 4/12/2019 EPA Reference DOC19/1043296-5 and shape files EPA Reference DOC19/1043296-1.</p>	Noted	Refer to L3.1	Refer to L3.1																																																																																																					
L3.3	<p>For the purposes of Condition L3.1:</p> <p>a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,</p> <p>b) Evening is defined as the period from 6pm to 10pm, and</p> <p>c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays</p>	Noted	Refer to L3.1	Refer to L3.1																																																																																																					
L3.4	<p>The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following:</p> <p>a) Wind speeds greater than 3 metres/second at 10 metres above the ground level;</p> <p>b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or</p> <p>c) Stability category G temperature inversion conditions.</p>	Noted	Refer to L3.1	Refer to L3.1. Meteorological conditions are recorded in noise monitoring reports.																																																																																																					
L3.5	<p>For the purposes of condition L3.3:</p> <p>a) Data recorded by the meteorological station installed on the premises at EPA Identification Point 3 must be used to determine meteorological conditions; and</p> <p>b) Temperature inversion conditions (stability category) are to be determined by the methods referred to in Fact Sheet D of the Noise Policy for Industry (2017).</p>	Noted	Refer to L3.1	Refer to L3.1																																																																																																					
L4	BLASTING																																																																																																								

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
L4.1	The airblast overpressure level from blasting operations in or on the premises must not exceed 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 18,19,20,21 and 22 in Condition P1.3.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2018 AEMRs</li><li>• 2020 United Wambo JV Blast Monitoring Results spreadsheet</li></ul>	<p><u>United Collieries</u> - No blasting occurred during 2018 and 2019.</p> <p><u>United Wambo Mine</u> - No exceedances of airblast overpressure ocured at monitoring points 18-22 during the IEA period. One exceedance of 128.1 dB occurred at monitoring point 18 (Warkworth Village) on 05 November 2020.</p> <p>This condition is compliant as operations has not exceeded 115 dB (Lin Peak) for more than 5% of the total blasts during each reporting period.</p>	
L4.2	The air blast overpressure level from blasting operations in or on the premises must not exceed 120 dB (Lin Peak) at any time; at either monitoring 18,19,20,21 and 22 in Condition P1.3.	Non - Compliant (Administrative)	Refer to L4.1	<p><b>Non-Complaint (Administrative)</b> - One exceedance occurred at monitoring point 18 (Warkworth Village) on 5 November 2020. However, there are no private residences at Warkworth Village.</p> <p>However, based on discussion, there are no longer any private residences at this point and is removed in the updated EPL. Therefore no further recommendations.</p>	
L4.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring 18,19,20,21 and 22 in Condition P1.3.	Compliant	Refer to L4.1	<p><u>United Collieries</u> - No blasting occurred during 2018 and 2019.</p> <p><u>United Wambo Mine</u> - Blast vibrations did not exceed 5 mm/second and any point at the given monitoring points during the IEA period. Blasting issue associated with Condition B8 are not part of this EPL condition.</p>	
L4.4	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed 10 mm/second at any time; at either monitoring 18,19,20,21 and 22 in Condition P1.3.	Compliant	Refer to L4.1	Refer to L4.3	
L4.5	Offensive blast fume must not be emitted from the premises.	Compliant	<ul style="list-style-type: none"><li>• 2018 and 2018 AEMRs</li><li>• 2020 United Wambo JV Blast Monitoring Results spreadsheet</li><li>• Discussions with site personnel</li></ul>	Based on the records provided there were no offsite blast fume issues.	
DEFINITION:	<p><i>Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</i></p> <p><i>1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted,</i></p> <p><i>or</i></p> <p><i>2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</i></p>				
OPERATING CONDITIONS					
O1	ACTIVITIES MUST BE CARRIED OUT IN A COMPETENT MANNER				



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	<ul style="list-style-type: none"> <li>• Discussion with site personnel</li> <li>• Draft Waste Management Plan (United Wambo JV)</li> <li>• Monthly Waste Management Report from JR Richards (November 2020)</li> <li>• Waste transport certificates (11 February 2020)</li> <li>• Monthly waste collection invoices from JR Richards (November 2020)</li> <li>• GCP data spreadsheet (2020)</li> <li>• Certificate of Compliance from Hazkem dated 28 January 2020</li> <li>• Electrical drawing and test data for the tanks</li> <li>• Visual inspection</li> <li>• 2018 and 2019 AEMRs</li> </ul>	<p><b>United Collieries</b></p> <p>a) Hydrocarbon and sewage management, treatment and performance summaries in section 6.6 of the 2018 and 2019 AEMRs. b) Waste management and performance summaries in section 6.6 of the 2018 and 2019 AEMRs.</p> <p><b>United Wambo Mine</b></p> <p>a) Evidence of self-bunded tanks compliance certification. Evidence of bunded tanks onsite. b) Evidence of waste transport certificates. Evidence of monthly waste collection invoices. Evidence of waste tracking and monthly reporting. Evidence of a draft Waste Management Plan.</p>	
O2	MAINTENANCE OF PLANT AND EQUIPMENT				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Non-Compliant (Low)	<ul style="list-style-type: none"> <li>• Calibration reports</li> <li>• 1000 HR Maintenance orders</li> <li>• Site Familiarisation Presentation dated 27 July 2020</li> <li>• Maintenance records</li> <li>• Crew 1 competency record</li> <li>• Starter Pit Service Schedule</li> <li>• Visual inspections</li> <li>• Dust Monitoring 2020 spreadsheet</li> <li>• HVAS TSP 2020 results spreadsheet</li> </ul>	<p>a) The IEA team has labelled this condition Non-Compliant (Low) as per Condition A30 of SSD 7142.</p> <p><b>Non-Compliant (Low)</b> - Power outages and non-operating monitoring equipment resulted in lost data. This is non - compliant with the monitor not being maintained in a proper and efficient condition.</p> <p>2019</p> <ul style="list-style-type: none"> <li>• Faulty HVAS unit resulted in no PM10 data collected on 26 January 2020.</li> </ul> <p>2020</p> <ul style="list-style-type: none"> <li>• A data miscapture of HVAS resulted in lost TSP data on the following dates: - 15 January 2020 and 21 January 2020</li> <li>• Power outages, damaged pumps and insufficient data capture resulted in invalid PM10 data on the following dates: - 19 February 2020, 12 May 2020, 17 June 2020, 19 June 2020, 26 - 29 July 22 2020, 26, 27, 28 September 2020.</li> <li>• Power outages resulted in lost PM2.5 data on the following date: - 22 September 2020.</li> </ul> <p>b) Based on site visits and discussions, there is no evidence of employees not operating the equipment in an efficient manner. Evidence of maintenance records.</p>	REC: United Wambo to review options for backup or alternative power supplies to reduce the chance of lost data from dust monitoring locations.
O2.2	The licensee is responsible for the correct operation of the sewage treatment system on the premises.	Compliant	<ul style="list-style-type: none"> <li>• Septic service reports completed by All Septic Services for: - April 2020 - June 2020 - August 2020 - October 2020</li> <li>• Extension of approval to operate on-site sewage maintenance system letter from Singleton Council dated 1 July 2020</li> </ul>	Based on discussions with site personnel and evidence provided, there have been no issues with the operations of the sewage systems.	
O2.3	Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.	Compliant	Refer to O2.2	Quarterly inspections completed by All Septic Services.	
O2.4	The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.	Compliant	Refer to O2.2	Refer to O2.3	
O2.5	The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4.	Compliant	<ul style="list-style-type: none"> <li>• Certificate of Analysis completed by ALS Environmental on 18 June 2020.</li> </ul>	Water sample tested by ALS Environmental on 15 June 2020.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
O2.6	The licensee must prepare a sewage treatment system maintenance program. The program must include: a) Certification from the system provider that the sewage treatment system is operating within its capacity; b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and c) Provide written records of each quarterly inspection.	Compliant	• Sewage Treatment System Report (not dated)	a) Appendix A b) Appendix B c) Appendix B	
O3	DUST				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	• Air Quality and Greenhouse Gas Management Plan (United Wambo JV) • Monthly EPL monitoring reports • Visual inspection • 2018 and 2019 AEMRs	Section 11.1.1 of the Air Quality and Greenhouse Gas Management Plan outlines how United Wambo minimises dust emissions on site.  Evidence of water trucks in use.  Depositional dust levels exceeded criteria on four occasions in 2019, however site was in care and maintenance its contribution to these exceedances would have been minimal. Dust exceedances in late 2019 and early 2020 were due to regional bushfires.	
O3.2	All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.	Compliant	• Air Quality and Greenhouse Gas Management Plan (United Wambo JV) • Monthly EPL monitoring reports • Visual inspection • • Daily Jacobs Air Quality Control System reports	Evidence of water trucks in use. Evidence of wash down areas.	
O3.3	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	• Visual inspection • Discussion with site personnel • Daily Jacobs Air Quality Control System reports • Blast Management Plan (United Wambo JV)	Evidence of daily Air Quality Control System reports by Jacobs. Based on discussion, this report is presented at the morning pre-starts.  Air Quality Control System reports include weather forecast, wind conditions, dust risks for Moses Crossing and Warkworth.	
O4	EMERGENCY RESPONSE				
NOTE:	<i>The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.</i>	Compliant	• PIRMP effective 08 November 2018 (United Collieries) • PIRMP Test Record Form dated 05 December 2019 PIRMP Test Record Form dated 31 October 2018 • PIRMP effective 05 December 2019 (United Wambo JV)	United Collieries PIRMP was in place until December 2019. Yearly PIRMP testing occurred in 2018 and 2019.  United Wambo prepared a new PIRMP which has not been tested yet.	
O5	WASTE MANAGEMENT: HEAVY PLANT-TYRE DISPOSAL				
O5.1	The Licensee is authorised to dispose of heavy Plant-tyre waste generated on the premises, in the pit. The Licensee must: a) ensure that heavy Plant waste tyres are re-used on the premises as much as practical; b) ensure that any surplus heavy Plant waste tyres can be emplaced by being spread out on the pit-floor and buried as deep as practical, but, covered by at least 20m of inert material beneath any final rehabilitated surface; c) place heavy Plant waste tyres at least 10m away from coarse reject material or tailings emplacement areas; d) not place any heavy Plant waste tyres near heated material; e) not place any heavy Plant waste tyres in an area likely to leach to any water-coarse.	Not Triggered	Refer to L2.2	Refer to L2.2	
O6	OTHER OPERATING CONDITIONS				
O6.1	All above-ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	Compliant	• Visual inspection • Discussion with site personnel • Certificate of Compliance from Hazkem dated 28 January 2020	All above ground tanks have a bund. Newer tanks are self-bunded. Self-bunded tanks are certified.	
MONITORING AND RECORDING CONDITIONS					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																
M1																					
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Noted																			
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	<ul style="list-style-type: none"><li>• Dust Monitoring spreadsheet (1998 - 2020)</li><li>• Air Quality monitoring spreadsheet</li><li>• Water monitoring spreadsheet (1998 - 2020)</li><li>• Meteorological monitoring spreadsheet (2020)</li><li>• Blast monitoring spreadsheet (2020)</li><li>• AECOM monitoring field sheets, calibration reports, chain of custody documentation dated 15 December 2020</li></ul>	The required monitoring data is kept in the relevant spreadsheets, with some data collection starting in 1998.  Monitoring data records from 2018 to 2020 is publicly available on the website.																	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant	Refer to M1.2	Evidence provided of part a-d of this condition being recorded for each sampling event.																	
M2	REQUIREMENT TO MONITOR CONCENTRATION OF POLLUTANTS DISCHARGED																				
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Non-Compliant (Low)	<ul style="list-style-type: none"><li>• 2020 Annual Return summary</li><li>• Discussion with site personnel</li></ul>	<b>Non-Compliant (Low)</b> - Monitoring did not occur at the Sewage Treatment Plant as it did not have a sampling point installed until 2020.  Evidence that this is now being completed, therefore no recommendations.	No further recommendations.																
M2.2	WATER AND / OR LAND MONITORING REQUIREMENTS																				
	<div>POINT 10</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Faecal Coliforms</td><td>colony forming units per 100 millilitres</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample	pH	pH	Quarterly	Grab sample	Non-Compliant (Low)	<ul style="list-style-type: none"><li>• 2020 Annual Return summary</li><li>• Discussion with site personnel</li><li>• Surface Water Management Plan (United Wambo JV)</li><li>• Water Monitoring spreadsheet (1998 - 2020)</li></ul>	<b>Non-Compliant (Low)</b> - United Wambo updated EPL 3141 and added EPA ID 10 on 25 February 2020. Only three grab samples were collected in the IEA period. No samples were collected in Q1.	REC: Provide EPA ID number in monitoring data and Water Management Plan.				
Pollutant	Units of measure	Frequency	Sampling Method																		
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample																		
pH	pH	Quarterly	Grab sample																		
	<div>POINT 23,24,25,26</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Electrical conductivity</td><td>microsiemens per centimetre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>TSS</td><td>milligrams per litre</td><td>Monthly</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample	pH	pH	Monthly	Grab sample	TSS	milligrams per litre	Monthly	Grab sample	Non-Compliant (Low)	<ul style="list-style-type: none"><li>• 2020 Annual Return summary</li><li>• Discussion with site personnel</li><li>• Surface Water Management Plan (United Wambo JV)</li><li>• Water Monitoring spreadsheet (1998 - 2020)</li></ul>	<b>Non-Compliant (Low)</b> - No monitoring results recorded at EPA ID 23 from October 2019 - January 2020 due to low or dry conditions (note this is compliant).  No monitoring results provided until February 2020 at EPA ID 25.  Monitoring at EPA ID 26 only occurred in March 2020, April 2020 and June 2020.	
Pollutant	Units of measure	Frequency	Sampling Method																		
Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample																		
pH	pH	Monthly	Grab sample																		
TSS	milligrams per litre	Monthly	Grab sample																		
M2.3	AIR MONITORING REQUIREMENTS																				

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action								
	<div>POINT 4,5,6,7</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Continuous</td><td>AM-22</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	Non-Compliant (Low)	• Dust Monitoring Spreadsheet (2020)	<p><b>Non-Compliant (Low)</b> - The PM10 continuous monitor collected &lt;75% of the daily data at the following monitoring points on the following days:</p> <p>Point 4: 12 May 2020 Point 5: 26 - 28 September 2020 Point 6: 19 February 2020, 17 June 2020, 1-2 July 2020, 27 September 2020, 13 October 2020 Point 7: 26 -27 July 2020, 29 July 2020, 17 September 2020</p>	<p>REC: Refer to M2.2.</p> <p>REC: United Wambo to review options for backup or alternative power supplies to reduce the chance of lost data from dust monitoring locations.</p>
Pollutant	Units of measure	Frequency	Sampling Method										
PM10	micrograms per cubic metre	Continuous	AM-22										
	<div>POINT 8</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Total suspended particles</td><td>micrograms per cubic metre</td><td>Every 6 days</td><td>AM-15</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15	Non-Compliant (Low)	• Monthly EPL monitoring reports • Dust Monitoring spreadsheet (1998 - 2020)	<p><b>Non-Compliant (Low)</b> - The TSP HVAS monitor did not collect a sample on the 15th and 21th of January 2020. In relation to these data gaps, the Monthly Pollution Monitoring Report states: <i>"Result not available due to electrical issues. No data was collected "</i></p>	REC: Refer to M2.3
Pollutant	Units of measure	Frequency	Sampling Method										
Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15										
M2.4	The Licensee must use real-time data from the meteorological station (EPA Point XX) to calculate real-time stability class for the purpose of managing noise generated on the premises and for noise compliance monitoring against noise limits, in accordance with the EPAs Noise Policy for Industry (2017).	Compliant	• Statement of Conformance from Cbased Environmental dated 12 May 2020 • Sentinex Weather Station Calibration Reports dated 08 August 2019 and 17 March 2020	United Wambo utilises real-time data gathered from the main Wambo Meteorological Station.									
M3	TESTING METHODS - CONCENTRATION LIMITS												
M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.	Compliant		Methodologies adopted for the ambient air quality monitoring are inline with those outlined in the EPL and in the "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW"									
NOTE:	The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".	Not Triggered		<b>Not Triggered</b> - The POEO (Clean Air) Regulation 2010 does not deal with monitoring of ambient concentrations of air pollutants									

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action																																	
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Not Triggered		<b>Not Triggered</b> - Based on discussions with site personnel, there have been no discharges.																																		
M4	WEATHER MONITORING																																					
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.	Compliant	<ul style="list-style-type: none"><li>• Meteorological monitoring spreadsheet (2020)</li><li>• Sentinex Weather Station Calibration Reports dated 17 March 2020 and 08 August 2019</li><li>• Air Quality and Greenhouse Gas Management Plan (United Wambo JV)</li></ul>	Evidence of daily meteorological monitoring. Evidence of calibration certificates.																																		
	<div>POINT 3</div> <table><tr><th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th></tr><tr><td>Siting</td><td>AM-1</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>10 minutes</td><td>Continuous</td></tr><tr><td>Wind Direction at 10 metres</td><td>AM-2 &amp; AM-4</td><td>Degrees</td><td>10 minutes</td><td>Continuous</td></tr><tr><td>Rainfall</td><td>AM-4</td><td>millimetres per hour</td><td>10 minutes</td><td>Continuous</td></tr><tr><td>Relative humidity</td><td>AM-4</td><td>percent</td><td>10 minutes</td><td>Continuous</td></tr><tr><td>Sigma Theta</td><td>AM-4</td><td>Degrees</td><td>10 minutes</td><td>Continuous</td></tr></table>			Parameter		Sampling method	Units of measure	Averaging period	Frequency	Siting	AM-1	-	-	-	Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous	Rainfall	AM-4	millimetres per hour	10 minutes	Continuous	Relative humidity	AM-4	percent	10 minutes	Continuous	Sigma Theta	AM-4	Degrees	10 minutes
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																		
Siting	AM-1	-	-	-																																		
Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous																																		
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous																																		
Rainfall	AM-4	millimetres per hour	10 minutes	Continuous																																		
Relative humidity	AM-4	percent	10 minutes	Continuous																																		
Sigma Theta	AM-4	Degrees	10 minutes	Continuous																																		
M5	RECORDING OF POLLUTION COMPLAINTS																																					
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Not Triggered		<b>Not Triggered</b> - This refers to complaints made regarding pollution. No complaints made in the IEA period related to pollution.																																		
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Not Triggered		Refer to M5.1																																		
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Not Triggered		Refer to M5.1																																		
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Noted																																				
M6	TELEPHONE COMPLAINTS LINE																																					
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Compliant	<ul style="list-style-type: none"><li>• United Wambo JV website</li></ul>	24/7 telephone hotline is publicly available on their website.																																		
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	<ul style="list-style-type: none"><li>• Complaints line is on the website.</li><li>• Community newsletters.</li><li>• Singleton Argus advertisement</li></ul>	Complaint hotline is publicly availabe on various outlets.																																		



Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action								
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Compliant		Anniversary date of this licence is 30 November.									
M7	BLASTING												
M7.1	To determine compliance with conditions L4.1, L4.2, L4.3 and L4.4: a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 18,19,20,21 and 22 for the parameters specified in Column 1 of the table below; and b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.	Compliant	• Blast Management Plan (United Wambo JV)	a) Evidence of monitoring within the approved Blast Management Plan. Evidence of results.  b) Evidence using licenced contractors for blasting.									
	<table><tr><th>Parameters</th><th>Units of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Airblast Overpressure</td><td>Decibels (Linear Peak)</td><td>All Blasts</td><td>Australian Standard AS 2187.2-2006</td></tr><tr><td>Ground Vibration Peak Particle Velocity</td><td>millimetres/second</td><td>All Blasts</td><td>Australian Standard AS 2187.2-2006</td></tr></table>					Parameters	Units of Measure	Frequency	Sampling Method	Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006
Parameters	Units of Measure	Frequency	Sampling Method										
Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006										
Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006										
M8	OTHER MONITORING AND RECORDING CONDITIONS												
M8.1	The licensee must record the average PM10 concentration at EPA Monitoring Points 4,5,6 and 7 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.	Non - Compliant (Administrative)		Although this is generally recorded there have been times during the IEA period where there has been data failure.  Based on discussion, this is an electrical issue that cannot be prevented.	As per previous recommendation.  REC: United Wambo to review options for backup or alternative power supplies to reduce the chance of lost data from dust monitoring locations.								
M9	NOISE MONITORING												
M9.1	To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with Conditions L3.2 to L3.4: a) at the EPA points 12,13,14,15,16 and 17 identified in P1.3; and b) occur every calendar month in a reporting period; and c) occur during one night time period as defined in the Noise Policy for Industry 2017 for a minimum of 15 minutes at each location from a), and when relevant b) during the night.	Compliant	Noise Monitoring Reports	Evidence of noise monitoring by Global Acousitcs.  Includes night time monitoring as per the required sites in the Noise Management Plan. No issues identified.									
M9.2	For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in the EPA's Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by noise monitoring equipment.	Noted											
DEFINITIONS:	Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L.3.4 and condition M9.												
M9.3	Where required in writing by the EPA, the Licensee must carry out attended monitoring at sensitive receivers in addition the monitoring required by Condition M9.1.	Not Triggered		Based on site discussions there has been no evidence of this beign triggered.									
REPORTING CONDITIONS													
R1	ANNUAL RETURN DOCUMENTS												
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Compliant	• EPA Annual Return submission confirmation email dated 15 January 2019. • 2018 EPL 3141 Annual Return - Draft (no date) • 2018 Monitoring Data spreadsheet • 2020 Annual Return Application Summary (no date) • 2019 Annual Return	Annual returns have been provided for 2018 - 2020.									
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Compliant	Refer to R1.1	Refer to R1.1									

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
NOTE:	<i>The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i>	Noted		Anniversary date of this licence is 30 November.	
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	Not Triggered		EPL's during the IEA period have been held by United Collieries.	
NOTE:	<i>An application to transfer a licence must be made in the approved form for this purpose.</i>	Noted			
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not Triggered		<b>Not Triggered</b> - There is no evidence of this licence being surrendered or revoked.	
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Compliant	<ul style="list-style-type: none"><li>• 2018 Annual Return</li><li>• 2019 Annual Return</li><li>• 2020 Annual Return</li></ul>	2018 - 2020 Annual Returns have been submitted within the approved timeframe.	
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Compliant	<ul style="list-style-type: none"><li>• 2016 Annual Return</li><li>• 2017 Annual Return</li><li>• 2018 Annual Return</li><li>• 2019 Annual Return</li><li>• 2020 Annual Return</li></ul>	Annual Returns have been provided from 2016 to 2020.	
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	<ul style="list-style-type: none"><li>• 2018 Annual Return</li><li>• 2019 Annual Return</li><li>• 2020 Annual Return</li></ul>	Evidence provided of the EPA receiving 2018 - 2020 Annual Returns. Annual Returns are uploaded to the EPA portal and signed digitally after submission. These copies are not accessible once signed.	
R2	<b>NOTIFICATION OF ENVIRONMENTAL HARM</b>				
NOTE:	<i>The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i>	Noted			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not Triggered		<b>Not Triggered</b> - No evidence provided of notifications being made by telephone.	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	Not Triggered		<b>Not Triggered</b> - No evidence provided of needing to report an incident to the EPA.	
R3	<b>WRITTEN REPORT</b>				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Not Triggered		<b>Not Triggered</b> - No evidence provided of request from the EPA to submit a written report.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not Triggered		Refer to R3.1	
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Not Triggered		Refer to R3.1	
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not Triggered		Refer to R3.1	
R4	OTHER NOTIFICATIONS OF POLLUTION OF WATERS				
R4.1	The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.	Not Triggered		<b>Not Triggered</b> - Based on discussions, no incidents relating to the pollution of waters have occurred during the IEA period.	
R4.2	The Licensee must provide written details of the notification to info@epa.nsw.gov.au within seven days of the date of the notification explaining the cause of incident and what is being done to prevent any further pollution incidents.	Not Triggered		Refer to R4.1	
NOISE EXCEEDANCE NOTIFICATION AND REPORTING					
R4.3	The Licensee must report any exceedance of Licence noise limits to EPA by email to info@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the Licensee or to one of the Licensee's employees or agents.	Not Triggered		<b>Not Triggered</b> - No noise exceedances occurred during the IEA period.	
R4.4	Within seven days of notifying the EPA of an exceedance of Licence noise limits, the Licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of noise limits.	Not Triggered		Refer to R4.3	
R4.5	An authorised officer of the EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the Licensee at Condition R4.4. The Licensee must provide such further details to the EPA within the time specified in the request.	Not Triggered		Refer to R4.3	
BLAST EXCEEDANCE NOTIFICATION AND REPORTING					
R4.6	The Licensee must report any exceedance of the Licence blast limits to the EPA by email to info@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the Licensee or to one of the Licensee's employees or agents.	Compliant	<ul style="list-style-type: none"> <li>• Blast exceedance notification letter to DPIE and Wambo dated 01 October 2020</li> <li>• Blast Monitoring Results spreadsheet</li> <li>• Blast Criteria Exceedance Investigation Report completed by Terrock Consulting Engineers</li> </ul>	<p>A blast exceeded criteria on 24 September 2020 near the 66 kV Ausgrid transmission line. United Wambo engaged Terrock Consulting Engineers to investigate the incident.</p> <p>United Wambo did not receive any community complaints or concerns from Ausgrid regarding the blast.</p> <p>The transmission line was de-energised on 30 September 2020 and decommissioned as part of the relocation of the 66 kV transmission line.</p>	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
R4.7	Within seven days of notifying the EPA of an exceedance of blast limits, the Licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of blast limits.	Compliant		Evidence provided of relevant parties receiving exceedance notification within the 7 day timeframe.	
R5	OTHER REPORTING CONDITIONS				
BLAST MONITORING REPORT					
R5.1	The results of the blast monitoring required by condition M7.1 must be submitted to the EPA with the Annual Return at the end of each reporting period.	Compliant	• 2020 Annual Return supporting documentation attachments	Evidence of blast monitoring results attached to annual returns.	
SEWAGE TREATMENT SYSTEM REPORT					
R5.2	The sewage treatment system maintenance program required by Condition O2.6 must be submitted annually to the EPA with the Annual Return.	Compliant	• Sewage Treatment System Report (not dated) • 2020 Annual Return Summary	Evidence of Sewage Treatment System report in 2020 Annual Return Folder	
R5.3	The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.	Not Triggered		<b>Not Triggered</b> - United Wambo is in its first year of operations.	
NOISE COMPLIANCE ASSESSMENT REPORT					
R5.4	A report containing the monitoring results of noise compliance monitoring specified in this Licence must be submitted annually with the Annual Return. The report must include, for each monitoring period and monitoring location: a) the contribution noise level from the premises as measured or determined at the monitoring location (s); and b) a description of the method used to determine or estimate the contribution noise level from the premises that is consistent with the Noise Policy for Industry.	Compliant	• Noise Monitoring Annual Report completed by Global Acoustics dated 28 January 2021 • 2020 Annual Return Summary	a) Sections 4.1.3, 4.2.3, 4.3.3, 4.4.3,4.5.3 and 4.6.3 of the Noise Monitoring Annual Report  b) Section 3 of the Noise Monitoring Annual Report	
HEAVY PLANT-TYRE DISPOSAL REPORT					
R5.5	The Licensee must provide the EPA with the Annual Return a Heavy Plant-Tyre Disposal Report. The Report must include: a) a plan of the disposed heavy plant waste tyres on the premises for the period that includes: (i) each tyre serial number; (ii) supplier of each tyre; (iii) purchase date of each tyre; (iv) disposal date of each tyre; (v) co-ordinates (easting and northings) of the disposal of each tyre; (vi) the Real Level (RL) in metres AHD of each tyre placed in the pit; (vii) the number of tyres buried in a particular area; and (viii) the cumulative tonnage of tyres disposed of at the premises each year.	Not Triggered		<b>Not Triggered</b> - No evidence provided of heavy plant-tyres disposed of on site.	
WATER QUALITY MONITORING REPORT					

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action						
R5.6	<p>The licensee must provide the EPA with its Annual Return an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes the following:</p> <p>a) for the monitoring required by the licence during the reporting period to which the Annual Return relates:</p> <p>(i) a summary of results for all ambient water quality monitoring required by the licence in table form and graphical form;</p> <p>(ii) total daily rainfall records from the premises meteorological monitoring required by the licence on the day that the sampling was undertaken in table form;</p> <p>(iii) total daily continuous rainfall records in graphical form; and</p> <p>(iv) a plan with the monitoring locations.</p> <p>b) A graphical presentation of the trends of monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceeding data for the period of record the licensee has monitoring results for the licensed location.</p> <p>c) A graphical representation of total daily continuous rainfall records required by the licence for the record that matches the ambient water quality results, if available.</p>	Compliant	<ul style="list-style-type: none"><li>Water Quality Monitoring Report</li><li>2020 Annual Return Summary</li></ul>	<p>a.i) Section 2.1</p> <p>a.ii) Section 2.2</p> <p>a.iii) Section 2.2 Daily rainfall table only has one date recorded. Meteorological monitoring requires rainfaill measurements to be taken in 10 minute intervals as per condition M4.1.</p> <p>a.iv) Section 3</p> <p>b) Section 2.1</p> <p>c) Section 2.2</p> <p>Daily rainfall table only has one date recorded. Meteorological monitoring requires rainfall measurements to be taken in 10 minute intervals as per condition M4.1.</p> <p>Section 2.2 states the continuous rainfall reporting period is from "30/11/2020 to 29/11/2020".</p>	REC: Ensure all dates are correct in the reports.						
GENERAL CONDITIONS											
G1	COPY OF LICENCE KEPT AT THE PREMISES OR PLANT										
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	<ul style="list-style-type: none"><li>Discussion with site personnel</li></ul>	Based on discussions, a copy of this EPL is kept on site.							
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Noted									
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Noted									
G2	CONTACT NUMBER FOR INCIDENTS AND RESPONSIBLE EMPLOYEES										
G2.1	<p>The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:</p> <p>a) respond at all times to incidents relating to the premises; and</p> <p>b) contact the licensee's senior employees or agents authorised at all times to:</p> <p>i) speak on behalf of the licensee; and</p> <p>ii) provide any information or document required under this licence.</p>	Compliant	<ul style="list-style-type: none"><li>Discussion with site personnel</li><li>24 hour telephone line available on website</li></ul>	This number is currnetly directed to the Environment and Community Manager or Environment and Community Co-ordinator.							
G2.2	The licensee is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.	Compliant	<ul style="list-style-type: none"><li>Discussion with site personnel</li><li>Visual evidence of e-Connect.</li></ul>	Contact details are updated online via e-Connect.							
G3	OTHER GENERAL CONDITIONS										
G3.1	Completed programs										
	<table><thead><tr><th>Program</th><th>Description</th><th>Completed Date</th></tr></thead><tbody><tr><td>Coal Mine Particulate Matter Control Best Practice</td><td>Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td><td>21-September-2012</td></tr></tbody></table>	Program	Description	Completed Date	Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	21-September-2012	Not Triggered		<u>Not Triggered</u> - Outside of IEA period.	
Program	Description	Completed Date									
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	21-September-2012									

EPL Period Coding

	General EPL Condition covers 18 December 2018 to 30 November 2020 (End of Phase 1 Date)
	EPL Condition specifically covering United Wambo Project - (6 January 2020 to 31 October 2020)



Consolidated Coal Lease 775

Date of Lease: 2 September 1992  
Expiry Date: 1 December 2012  
Period of Renewal: 1 March 2033  
Area: 2257 hectares

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
MINING LEASE CONDITIONS 2013					
NOTICE TO LANDHOLDERS					
1	(a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice. (b) If there are ten or more landholders, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.	Not triggered		<b>Not Triggered</b> - Outside the IEA period.	
2	<b>Rehabilitation</b> Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.	Not triggered		<b>Not Triggered</b> - This an active site and lease.	
3	<b>Mining Operations Plan and Annual Rehabilitation Report</b> (a) The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, mining purposes and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, mining purposes and prospecting. (b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which: (i) identifies areas that will be disturbed; (ii) details the staging of specific mining operations, mining purposes and prospecting; (iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use; (iv) identifies how mining operations, mining purposes and prospecting will be carried out in order to prevent and or minimise harm to the environment; and (v) reflects the conditions of approval under: • the <i>Environmental Planning and Assessment Act 1979</i> ; • the <i>Protection of the Environment Operations Act 1997</i> ; and • any other approvals relevant to the development including the conditions of this mining lease. (c) The MOP must be prepared in accordance with the <i>ESG3: Mining Operations Plan (MOP) Guidelines September 2013</i> published on the Department's website at <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a>  (d) The lease holder may apply to the Minister to amend an approved MOP at any time. (e) It is not a breach of this condition if: (i) the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the <i>Environmental Planning and Assessment Act 1979</i> , the <i>Protection of the Environment Operations Act 1997</i> , the <i>Mine Health and Safety Act 2004</i> / <i>Coal Mine Health and Safety Act 2002</i> and <i>Mine Health and Safety Regulation 2007</i> / <i>Coal Mine Health and Safety Regulation 2006</i> or the <i>Work Health and Safety Act 2011</i> ; and (ii) the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. (f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must: (i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP; (ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and (iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a> .	Compliant	<ul style="list-style-type: none"><li>Rehabilitation Management Plan (United Wambo JV)</li><li>MOP Amendment B (United Collieries)</li><li>MOP Amendment B approval letter from (then) DPE dated 4 June 2019</li><li>2018 and 2019 AEMRs</li></ul>	<u>Rehabilitation Management Plan for Phase 1 of United Wambo JV</u> a) This Rehabilitation Management Plan replaces the Mining Operations Plan.  b.i) Section 8.5. b.ii) Section 4. b.iii) Section 12 and Section 14. b.iv) Section 4, Section 12.1 and 12.2. b.v) Section 5.  c) This Rehabilitation Management Plan has been prepared in accordance with the Draft Code of Practice.  d) Not triggered.  e. i) Noted. e. ii) Noted.  f. i) Not triggered as this is the first Rehabilitation Management Report. f. ii) Not triggered. f. iii) This has been prepared with the Draft Code of Practice.  <u>MOP for 2018-2019 operations (United Collieries)</u> a) MOP Amendment B approved on 4 June 2019. b.i) Section 7.4 and Table 21. b.ii) Section 2. b.iii) Section 5. b.iv) Section 2. b.v) Section 1.4 and Table 3. c) Section 1. d) Noted. e.i) Noted. e.ii) Noted. f.i) Section 8 of the 2018 and 2019 AEMRs. f.ii) Section 8. f.iii) Section 8.  In terms of implementation of the MOP there have been no specific issues identified by the IEA.	
NOTE:	<i>The Rehabilitation Report replaces the Annual Environmental Management Report.</i>	Noted			
4	<b>Non-Compliance Reporting</b> (a) The lease holder must notify the Department upon becoming aware of any breaches of the conditions of this mining lease or breaches of the Mining Act or Regulations; (b) Notifications under condition 4(a) must be provided in the form specified on the Department's website within seven (7) days of the mining lease holder becoming aware of the breach.	Not Triggered		<b>Not Triggered</b> - Based on discussion with site personnel, no breaches of this mining lease occurred during the IEA period.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
5	<b>Environmental Incident Report</b> The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the Protection of the Environment Operations Act 1997.	Not Triggered		<b>Not Triggered</b> - Based on records and discussion with site personnel, no incidents (as per definition below) occurred during the IEA period.	
DEFINITIONS:	<i>Environmental incident notifications and reports means any notifications and reports required to be provided to relevant authorities under Part 5.7 or Part 5.7A of the Protection of the Environment Operations Act 1997.</i>				
6	<b>Extraction Plan Condition</b> (a) In this condition: (i) <b>approved Extraction Plan</b> means a plan, being: A. an extraction plan or subsidence management plan approved in accordance with the conditions of a relevant development consent and provided to the Secretary; or B. a subsidence management plan relating to the mining operations subject to this lease: I. submitted to the Secretary on or before 31 December 2014; and II. approved by the Secretary. (ii) <b>relevant development consent</b> means a development consent or project approval issued under the <i>Environmental Planning &amp; Assessment Act 1979</i> relating to the mining operations subject to this lease. (b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan. (c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under this lease. (d) The lease holder must notify the Secretary within 48 hours of any: (i) incident caused by subsidence which has a potential to expose any person to health and safety risks; (ii) significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person; or (iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing: A. built features; B. public safety; or C. subsidence monitoring.	Not Triggered		<b>Not Triggered</b> - No underground mining associated with the United Wambo Project occurred. United Collieries completed previous underground mining prior to the IEA period.	
7	<b>Resource Recovery</b> The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.	Compliant	• MOP Amendment B (United Collieries)	The Mine has been designed to maximise recovery. See MOP for mining information.	
8	<b>Security</b> The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining leases including obligations of all or any kind under the mining leases that may arise in the future. The amount of the security deposit has been assessed by the Secretary at <b>\$18,454,000.00</b> .	Compliant	• Visual evidence of the Rehabilitation Bond	The site prepared a bond for the Resources Regulator for Phase 1 and 2 of the Rehabilitation Management Plan. Evidence provided of bond when the site was operating under United Collieries.	
9	<b>Cooperation Agreement</b> The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as: <ul style="list-style-type: none"> <li>• access arrangements</li> <li>• operational interaction procedures</li> <li>• dispute resolution</li> <li>• information exchange</li> <li>• well location</li> <li>• timing of drilling</li> <li>• potential resource extraction conflicts; and</li> <li>• rehabilitation issues.</li> </ul>	Compliant	<ul style="list-style-type: none"> <li>• Water Tank and Dam Agreements dated 15 November 1995</li> <li>• Heads of Agreement with Wambo for Extension Area dated 8 August 2003</li> <li>• Lease swap dated 4 April 1991</li> <li>• Agreement for the Conduct of Mining Operations and figures dated 4 April 1991</li> </ul>	Prior to entering into a joint venture, United and Wambo had numerous agreements in place commencing in 1991.	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
NOTE:	<p><i>Exploration Reports (Geological and Geophysical)</i></p> <p><i>The lease holder must lodge reports to the satisfaction of the Minister in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</i></p> <p><i>Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales (Department of Trade and Investment; Regional Infrastructure and Services 2010).</i></p>	Compliant	<ul style="list-style-type: none"><li>• Annual Exploration Report 02 September 2018 - 02 September 2019</li><li>• Annual Exploration Report 02 September 2019 - 02 September 2020</li></ul>	2020 Annual Exploration Report is due outside the audit period.	
SPECIAL CONDITIONS					
NOTE:	<p><i>The standard conditions apply to all mining leases. The Division of Resources &amp; Energy (DRE) reserves the right to impose special conditions, based on individual circumstances, where appropriate.</i></p>	Noted			
10	<p><b>Prescribed Dam</b></p> <p>(a) Notwithstanding any Mining Operations Plan, the lease holder must not mine within any part of the lease area which is within the notification area of the <b>Wambo Tailings Dam, Wambo Hunter Pit Tailings Dam</b> and <b>Wambo Chitter Dump Tailings Dam</b> without the prior written approval of the Minister and subject to any conditions stipulated.</p> <p>(b) Where the lease holder desires to mine within the notification area he or she must:</p> <p>(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</p> <p>(ii) provide such information as the Minister may direct.</p>	Compliant	<ul style="list-style-type: none"><li>• Hunter Tailings Storage Facilities Notification Area - Proposed Drill Patterns plan dated 2 July 2020</li><li>• Dams Safety NSW Annexure 'D, D1 and E' compliance conditions dated May 2020</li><li>• Dams Safety NSW recommendations to mine within United Tailings Pit and Hunter Pit Tailings Dam from Regional NSW dated 20 May 2020</li><li>• Letter to Chief Inspector of Mines (CIM) dated 13 May 2020</li><li>• Dams Safety Committee Notification Areas plan dated 28 March 2019</li><li>• United Wambo JV Approval letter from CIM dated 20 May 2020</li></ul>	<p>2018 and 2019 - Site in care and maintenance</p> <p>2020 - Phase 1 developments are not within the notification area of any prescribed dam.</p>	
	<p>(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.</p> <p>This sub-paragraph is complied with:</p> <p>(i) the Dams Safety Committee as constituted by Section 7 of the <i>Dams Safety Act 1978</i> and the owner of the dam have been notified in writing of the desire to mine referred to in paragraph (b).</p> <p>(ii) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.</p> <p>(iii) the Director-General has complied with any reasonable request made by the Dams Safety Committee or the owner of the dam for further information in connection with the mining proposal.</p> <p>(iv) the Dams Safety Committee 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</p> <p>(v) where the Dams Safety Committee has made recommendations the approval is in terms that are:</p> <p>in accordance with those recommendations; or</p> <p>where the Minister does not accept those recommendations or any of them - in accordance with a determination under sub-paragraph (ii) of this paragraph.</p> <p>(vi) Where the Minister does not accept the recommendations of the Dams Safety Committee or where the Dams Safety Committee 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:</p> <p>- as determined by agreement between the Minister and the Minister administering the <i>Dams Safety Act 1978</i>; or</p> <p>- in the event of failure to reach such agreement - as determined by the Premier.</p> <p>(d) The Minister, on notice from the Dams Safety Committee, may at any time or times:</p> <p>(i) cancel any approval given where a notice pursuant to Section 18 of the <i>Dams Safety Act 1978</i> is given.</p> <p>(ii) suspend for a period of time, alter, omit from or add to any approval given or conditions imposed.</p>				
11	<p><b>Barrier</b></p> <p>At least thirty (30) days before the commencement of underground mining operations beneath or within two hundred (200) metres of Wollombi Brook the lease holder shall give notice to the District Inspector of Coal Mines of the intention to carry out such operations and such operations shall not be conducted beneath or within two hundred (200) metres of Wollombi Brook unless with the consent of the Minister first had and obtained and subject to such conditions as the Minister may stipulate.</p>	Not Triggered		<p><u>Not Triggered</u> - 2018 and 2019 - Site in care and maintenance</p> <p>2020 - Phase 1A and 1B extraction areas located outside the barrier. Wambo Mine had responsibility of Wambo Open Cut and underground operations during Phase 1.</p>	

Condition Number	Condition	Compliance Status	Evidence Collected	Findings	Recommended Action
12	<p><b>Deed of Trust</b> The lease holder shall enter into a Deed of Trust and such other supplemental Deeds of Trust as the minister may from time to time require, within such period or periods as the Minister may specify, to the satisfaction of the Minister, providing for the holding upon trust by trustees, as agreed to by the Minister, of moneys accruing to the lease holder from operations conducted on the mining area, previously held by virtue of Coal Lease No.257 (Act 1973), for such purposes as may be approved by the Minister.</p>	Not Triggered		<p><u>Not Triggered</u> - No evidence provided of a deed of trust being triggered.</p>	

# **APPENDIX C**

## Groundwater Specialist Report







3/3/2021

# Independent Groundwater Audit for United Wambo Joint Venture

Report prepared for Iema Pty Ltd

Report No KD2021/04



Katarina David, PhD  
RPGeo (HYDROGEOLOGY) 10060

## DOCUMENT REGISTER

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A	Draft	03/03/2021	Glencore
B	Final		

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Appendix A Review of consent conditions and responses in table format

# 1 INTRODUCTION

This Independent groundwater audit was prepared for IEMA Pty Ltd who are preparing the 2021 Independent Environmental Audit for the United Wambo Joint Venture in accordance with United Collieries consent DA 410-11-2002-I and SSD 7142 for United Wambo Joint Venture consent.

The review of groundwater conditions and the audit has been prepared in accordance with the requirements for the above listed consents with the addition of the EPL3141 and CCL775 requirements relating to groundwater.

This groundwater specialist audit has focused on site compliance with the approval and covers the following scope:

- Review of existing licences, site water management plan and other available documents
- Preparation of report such that relevant groundwater conditions are assessed in table format.
- Preparation of a brief report with findings and the recommendations.

## 1.1 Approval requirements and available documents

The requirements related to groundwater were assessed by review of the following documentation:

- Water Management Plan version 1.1—issued but not dated by UWJV Glencore
- Surface Water Management Plan version 1.1 –issued but not dated by UWJV, Glencore
- Groundwater Management Plan version 1.1 –issued but not dated by UWJV, Glencore
- Environmental Management Strategy 2018 version 1.0 – issued by United Collieries, Glencore
- Environment Monitoring Program 2017, version 1.0- United Collieries, Glencore
- Quarterly Environmental Report 2020- Quarter 1 UWJV, Glencore
- Quarterly Environmental Report 2020- Quarter 2 UWJV, Glencore
- Quarterly Environmental Report 2020- Quarter 3 UWJV, Glencore
- Quarterly Environmental Report 2019- Quarter 1 United Collieries , Glencore
- Quarterly Environmental Report 2019- Quarter 2 United Collieries , Glencore
- Quarterly Environmental Report 2019- Quarter 3 United Collieries , Glencore
- Quarterly Environmental Report 2019- Quarter 4 United Collieries , Glencore
- Environmental monitoring, 2018, Quarter 1 – United Collieries, Glencore
- Environmental monitoring, 2018, Quarter 2 – United Collieries, Glencore
- Environmental monitoring, 2018, Quarter 3 – United Collieries, Glencore
- Environmental monitoring, 2018, Quarter 4 – United Collieries, Glencore
- Annual Environmental Management Review 2019 – United Collieries, Glancore for the period from 1 January 2019 to 31 December 2019
- United Wambo open cut and Wambo underground site water balance, 2020- issued by Peabody, doc no. WA-ENV-MNP-509.5

## 2. REVIEW OF REQUIREMENTS

Each of the requirements have been reviewed and assessed based on the information found in documents listed in the attached spreadsheet. This included two consents and the requirement in the EPL and SSD.

## 3. REVIEW OF FINDINGS

### 3.1 Consent DA 410-11-2002-I

The following describes how the conditions above were implemented (2018 to 2020) and where conditions were not met:

- The Applicant is required to get a licence from DWE under Part 5 of the Water Act 1912 for bores, wells and excavations that will intersect the groundwater table. United Wambo holds groundwater extraction and monitoring bore licences which are in accordance with the Water Management Act 2000.
- The Applicant shall establish groundwater impact assessment criteria for the development to the satisfaction of the Director-General. This is covered in the Environmental Management Strategy (2018) and Environment Monitoring Program (2017).
- The Applicant shall comply with the extraction limits detailed in any licence held for the development under Part 5 of the Water Act 1912. Extraction limits are reported in AEMR 2019. AEMR2020 was not sighted.
- The Applicant shall:
  - Measure the quantity of groundwater extracted by the development; - Groundwater was not extracted
  - Conduct quarterly monitoring of groundwater levels and groundwater quality up and down gradient of the development, to the satisfaction of Director-General- Monitoring is completed every 2 months but only for half of the monitoring bores listed are monitored. There is no explanation in quarterly reports as to why other bores are not monitored. The results are not compared to trigger levels in quarterly reports. The AEMR2019 reports comparison with trigger levels and a number of exceedances during the year. However it does not provide investigation into the cause of the exceedances. This is in breach with the Groundwater Monitoring Program, 2017 which states:
    - *If water levels are outside the designated criteria at a specific monitoring location for at least three consecutive monitoring events, the cause will be investigated and appropriate mitigation measures proposed, as necessary. If a significant change is identified, an assessment will be conducted by a suitably qualified groundwater consultant to determine the cause of the change and consider appropriate mitigation/remediation measures*
- Within 6 months of the date of this consent, the Applicant shall submit a detailed Groundwater Monitoring Program to the Department, which has been prepared in consultation with DECC and DWE and includes the groundwater impact assessment criteria for the development.- This has been prepared as per the list of reviewed documents.
- If any landowner, other than a mining company, within a 5 kilometre radius of longwall mining associated with the development claims that the development is adversely affecting his/her groundwater supply, the Applicant shall investigate and provide a solution. – The reporting has



not mentioned any such requests. The AEMR needs to provide a note of whether or not such a request was made.

### 3.2 Condition SSD 7142

The following describes how the conditions above were implemented during 2020 and where conditions were not met:

- 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.- This requirement is described in Water Management Plan (UWJV).
- 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.- AEMR2019 reports water extracted from site for the year in Section 7.4 , and specifies how much water was taken under each individual licence. AEMR for 2018 and 2020 were not sighted.
- 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.- Water Management Plan provides a list of licences in Section 5.3.
- 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.- Groundwater Management Plan (UWJV) indicates that there are no private bores within the predicted zone of impact of the development, therefore this clause is redundant.
- 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. – Water Management Plan includes the trigger levels for groundwater.
- The Applicant must ensure that the development complies with the performance measures in Table 4.- A number of alluvial bores have triggered trigger levels but this has not been discussed in the Quarterly reports for Q1, Q2 and Q3. This is in breach with the Groundwater Management Plan which requires that
  - *An investigation of potential causes will be undertaken when triggers are exceeded as described in Section 7.1 and Section 7.2.2. This investigation will be undertaken by the United Wambo Environment and Community (E&C) Department following the investigation protocol described in Section 9.7.*
- The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary and a Groundwater Dependent Ecosystem Study needs to be undertaken. – Both the Plan and the Study were undertaken considering a number of requirements as specified in the attached spreadsheet.
- Groundwater Management Plan, needs to be 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 a list of requirements. – This has been prepared and satisfied and addresses all requirements.
- The Applicant must not commence Phase 1A until the Water Management Plan is approved by the Planning Secretary.- The letter from DPIE dated 13 July 2020 approves all Water Management Plans required under condition B52.

- The Applicant must implement the Water Management Plan as approved by the Planning Secretary.- There are outstanding items to the implementation of the Water Management Plan, these include:
  - A groundwater modelling report needs to be prepared every three years to verify the observed data, however no groundwater modelling report was prepared after 2016.
  - Annual groundwater quality data (comprehensive dataset) is not reported in any of the quarterly reports
  - Out of 22 monitored bores listed in the WMP only 5 are reported as monitored in quarterly reports.

### **3.3 EPL Licence 3141**

Under this licence as of October 2020 the Licensee is required to provide the EPA with its Annual Return an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes a list of items. No annual report was sighted for 2020.

### **3.4 CCL 775**

There are no groundwater requirements under this licence.

## **4. RECOMMENDATIONS**

The following are the recommendations based on the review of relevant conditions:

- Both development consents require regular groundwater monitoring and reporting of exceeding trigger levels. A number of exceedances were identified for a number of bores in AEMR2019 however no investigation into the causes of exceedances or mitigation were undertaken.
- While the bi-monthly reporting does not require external reporting, any exceedances need to be investigated as they occur during the year as per the Groundwater Management Plan. Such events were not investigated or reported. It is recommended that the investigation into these exceedances occurs as they are recorded rather than wait until the annual reporting.
- Groundwater model update is required every three years, however no update has been sighted or reported since 2016. Ecology study (2021) indicates that the groundwater model is in preparation. It is recommended that model be verified.
- Groundwater management plan requires that comprehensive groundwater quality be reported following annual sampling. This was not sighted in any of the quarterly reports for Q1, Q2 and Q3 of 2020. It is recommended that this data is presented, investigated, and discussed in AEMR2020.
- The quarterly reports for 2020 only provide indication of monitoring 5 bores, while the network comprises over 20 bores. It is recommended that all alluvial bores be monitored, and the findings reported on a quarterly basis such that any exceedances can be identified early and investigated.
- Annual reporting needs to document that there has been no complaint from private bore owners and that no private bore owners are predicted to be impacted by the development, therefore not requiring monitoring.
- Record of DPIE notification in the event of exceedance needs to be provided in accordance with the Groundwater management plan.

## **LIMITATIONS**


Dr. K. David has prepared this groundwater independent audit report for the use of in accordance with the standard terms and conditions of the consulting profession. This report is prepared in accordance with the agreed scope of work. The methodology adopted and sources of information used are outlined in the report.


The report was prepared during February/March 2021 and is based on the information reviewed at the time of preparation. The report should be read in full. No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third parties.

# **APPENDIX D**

## Audit Certification



Development Name	United Wambo Joint Venture
Development Consent No.	SSD 7142
Description of Development	Open Cut Coal Mine
Development Address	134 Jerry's Plains Road, Warkworth, NSW 2330
Operator	Glencore Coal Pty LTD
Operator Address	567 Broke Road, Singleton, NSW 2330
Title of Audit	United Wambo Independent Environmental Audit
Audit Period	06 January 2020 to 30 November 2020
<p><i>I certify that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit report and to the best of my knowledge:</i></p> <p><i>The Audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the Auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i></p> <p><i>The findings of the Audit are reported truthfully, accurately and completely;</i></p> <p><i>I have exercised due diligence and professional judgement in conducting the Audit;</i></p> <p><i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the Audit;</i></p> <p><i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the Audit, spouse, partner, sibling, parent, or child;</i></p> <p><i>I do not have any pecuniary interest in the Audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></p> <p><i>Neither I nor my employer have provided consultancy services for the Audited development that were subject to this Audit except as otherwise declared to the lead regulator prior to the Audit; and</i></p> <p><i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></p> <p><i>Note.</i></p> <p><i>The Independent Audit is an 'environmental Audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an Audit report produced to the Minister in connection with an environmental Audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead / Principal Auditor	Andrew Hutton
Address	51 Hudson Street Hamilton 2303
Email Address	andrew.hutton@iema.com.au
Audit or Certification (if relevant)	Principal Environmental Auditor
Date:	19 July 2021

Development Name	United Collieries
Development Consent No.	DA-410-11-2002-i
Description of Development	Open Cut Coal Mine
Development Address	134 Jerry's Plains Road, Warkworth, NSW 2330
Operator	Glencore Coal Pty LTD
Operator Address	567 Broke Road, Singleton, NSW 2330
Title of Audit	United Wambo Independent Environmental Audit
Audit Period	18 December 2018 to 30 November 2020
<p><i>I certify that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit report and to the best of my knowledge:</i></p> <p><i>The Audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the Auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i></p> <p><i>The findings of the Audit are reported truthfully, accurately and completely;</i></p> <p><i>I have exercised due diligence and professional judgement in conducting the Audit;</i></p> <p><i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the Audit;</i></p> <p><i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the Audit, spouse, partner, sibling, parent, or child;</i></p> <p><i>I do not have any pecuniary interest in the Audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></p> <p><i>Neither I nor my employer have provided consultancy services for the Audited development that were subject to this Audit except as otherwise declared to the lead regulator prior to the Audit; and</i></p> <p><i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></p> <p><b>Note.</b></p> <p><i>The Independent Audit is an 'environmental Audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an Audit report produced to the Minister in connection with an environmental Audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead / Principal Auditor	Andrew Hutton
Address	51 Hudson Street Hamilton 2303
Email Address	andrew.hutton@iema.com.au
Audit or Certification (if relevant)	Principal Environmental Auditor
Date:	19 July 2021



# **APPENDIX E**

## Endorsement of Audit Team





Ms Aislinn Farnon  
Approvals Manager  
United Wambo JV Project  
134 Jerrys Plains Road  
WARKWORTH NSW 2330

Via Email ONLY: [Aislinn.Farnon@glencore.com.au](mailto:Aislinn.Farnon@glencore.com.au)

12/11/2020

Dear Ms Farnon

**UNITED WAMBO COAL MINE (SSD-7142)  
UNITED UNDERGROUND COAL MINE (DA 410-11-2002-I)  
APPOINTMENT OF AUDIT TEAM – IEA 2020**

Reference is made to United Wambo OC Operations Pty Ltd's (United Wambo Joint Venture (JV)) request (SSD-7142-PA-42) for the Secretary of the Department of Planning, Industry and Environment (the Department) to approve of a suitably qualified, experienced and independent audit team to undertake the 2020 Independent Environmental Audit (IEA) for the United Wambo Coal Mine (the site) in accordance with Schedule 2, Condition E12 of development consent SSD-7142 (the United Wambo consent) and Schedule 6, Condition 6 of development consent DA 410-11-2002-I (the United Underground consent).

The Department has reviewed the information provided in accordance with the requirements of the approval and the Department's *Post-approval requirements for State Significant Developments Independent Audit Guideline, October 2015* (IEA Guideline) subsequently endorses the following audit team:

- Mr Andrew Hutton (IEMA) – Lead Environmental Auditor
- Mr Ali Naghizadeh (SLR) – Air Quality specialist
- Ms Katarina David (EGI) – Hydrogeology specialist

The Secretary advises that a combined audit event may be undertaken and a combined audit report may be submitted for the IEA for United Wambo Open Cut Coal Mine (SSD 7142), as well as the United Underground Coal Mine (DA 410-11-2002-i).

Further, the Secretary agrees with the following audit periods proposed by United Wambo Joint Venture (JV), noting that they coincide with the end of Phase 1B for the United Wambo consent and prior to surrender of the United Underground consent:

- DA 410-11-2002-i - 18 December 2018 to 30 November 2020; and
- SSD 7142 – 6 January 2020 to 30 November 2020.

The IEA audit inspection date shall be on or near the end of the audit period.

Please ensure this correspondence is appended to the IEA Report.

The IEA must be prepared, undertaken and finalised in accordance with the requirements of the approval and the IEA Guideline. Failure to meet these requirements will require revision and resubmission.

As per Schedule 2 condition E12 of the consent, within 12 weeks of commencing this audit (i.e. from the date of the first day of the site inspection), or as otherwise agreed with the Secretary, the IEA report and the response to audit recommendations (RAR) are to be submitted to the Department via the Major Project website.

If you wish to discuss the matter further, please contact Ann Hagerthy on 02 6575 3407.

Yours sincerely

A handwritten signature in black ink that reads "H Watters". The signature is written in a cursive, flowing style.

Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

# **APPENDIX F**

## Consultation



Hi Lisa,

I have been engaged as the Lead Environmental Auditor for the United Wambo Open Cut Mine Independent Environmental Audit (the proponent is United Collieries Pty Ltd), and the United Collieries Independent Environmental Audit (the proponent is United Collieries Pty Ltd). The overall Independent Environmental Audit (IEA) team that was endorsed by DPIE has been included as an attachment in this e-mail.

The 2015 Independent Audit Guidelines requires me to consult with all relevant regulators and the CCC Chairperson for these audits.

**The scope of the audits includes the following:**

An IEA will be undertaken in accordance with the requirements of both **SSD 7142** (United Wambo Project Development Consent) and **DA-410-11-2002-i** (United Collieries Development Consent).

- Under *Schedule 2, Condition E12* of Development Consent **SSD 7142**, an IEA will need to be carried out within one (1) year of commencement of the development. As operations commenced on 6 January 2020, **the IEA period for SSD 7142 is from 6 January 2020 to the end of October 2020. This IEA covers Phase 1 only.**
- Under *Schedule 6, Condition 6* of **DA 410-11-2002-i**, an IEA must be carried out every three (3) years with the most recent audit being 2018 (undertaken from November 2018 to January 2019). However, a letter dated 09 September 2020 from DPIE has stated that *a final IEA for DA-410-11-2002-i is required prior to surrendering the consent on 6 January 2021. Therefore, a combined audit may be undertaken, and a combined audit report may be submitted. The IEA period for DA-410-11-2002-i will be 18 December 2018 to the end of October 2020.*

The IEA will also include the approvals and documentation associated with both **SSD 7142** and **DA-410-11-2002-i**, with these being:

- All management plans;
- Statement of Commitments;
- Environment Protection Licence (EPL) 3141;
- Consolidated Coal Lease (CCL) 775;
- Water Licences (access limits only); and
- Status of previous IEA recommendations (only for **DA 410-11-2002-i**).

We have attached the 2015 Independent Audit Guidelines, the relevant development consents, and the endorsement letter from DPIE to provide further information.

Please call on (+61) 409 288 909 if you would like to discuss the audit process or have specific feedback. If you would like to respond via e-mail, then please contact me at [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au).

Thanks,



**ANDREW HUTTON**

Principal Consultant

7 January 2021

Hi Steven,

I have been engaged as the Lead Environmental Auditor for the United Wambo Open Cut Mine Independent Environmental Audit (the proponent is United Collieries Pty Ltd), and the United Collieries Independent Environmental Audit (the proponent is United Collieries Pty Ltd). The overall Independent Environmental Audit (IEA) team that was endorsed by DPIE has been included as an attachment in this e-mail.

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**ANDREW HUTTON**

Principal Consultant

07 January 2021



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**ANDREW HUTTON**

Principal Consultant

07 January 2021

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- Under *Schedule 6, Condition 6* of **DA 410-11-2002-i**, an IEA must be carried out every three (3) years with the most recent audit being 2018 (undertaken from November 2018 to January 2019). However, a letter dated 09 September 2020 from DPIE has stated that *a final IEA for DA-410-11-2002-i is required prior to surrendering the consent on 6 January 2021. Therefore, a combined audit may be undertaken, and a combined audit report may be submitted. The IEA period for DA-410-11-2002-i will be 18 December 2018 to the end of October 2020.*

The IEA will also include the approvals and documentation associated with both **SSD 7142** and **DA-410-11-2002-i**, with these being:

- All management plans;
- Statement of Commitments;
- Environment Protection Licence (EPL) 3141;
- Consolidated Coal Lease (CCL) 775;
- Water Licences (access limits only); and
- Status of previous IEA recommendations (only for **DA 410-11-2002-i**).

We have attached the 2015 Independent Audit Guidelines, the relevant development consents, and the endorsement letter from DPIE to provide further information.

Please call on (+61) 409 288 909 if you would like to discuss the audit process or have specific feedback. If you would like to respond via e-mail, then please contact me at [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au).

Thanks,



**ANDREW HUTTON**

Principal Consultant

07 January 2021

Hi Ellie,

I have been engaged as the Lead Environmental Auditor for the United Wambo Open Cut Mine Independent Environmental Audit (the proponent is United Collieries Pty Ltd), and the United Collieries Independent Environmental Audit (the proponent is United Collieries Pty Ltd). The overall Independent Environmental Audit (IEA) team that was endorsed by DPIE has been included as an attachment in this e-mail.

The 2015 Independent Audit Guidelines requires me to consult with all relevant regulators and the CCC Chairperson for these audits.

**The scope of the audits includes the following:**

An IEA will be undertaken in accordance with the requirements of both **SSD 7142** (United Wambo Project Development Consent) and **DA-410-11-2002-i** (United Collieries Development Consent).

- Under *Schedule 2, Condition E12* of Development Consent **SSD 7142**, an IEA will need to be carried out within one (1) year of commencement of the development. As operations commenced on 6 January 2020, **the IEA period for SSD 7142 is from 6 January 2020 to the end of October 2020. This IEA covers Phase 1 only.**
- Under *Schedule 6, Condition 6* of **DA 410-11-2002-i**, an IEA must be carried out every three (3) years with the most recent audit being 2018 (undertaken from November 2018 to January 2019). However, a letter dated 09 September 2020 from DPIE has stated that *a final IEA for DA-410-11-2002-i is required prior to surrendering the consent on 6 January 2021. Therefore, a combined audit may be undertaken, and a combined audit report may be submitted. The IEA period for DA-410-11-2002-i will be 18 December 2018 to the end of October 2020.*

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- Statement of Commitments;
- Environment Protection Licence (EPL) 3141;
- Consolidated Coal Lease (CCL) 775;
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- Status of previous IEA recommendations (only for **DA 410-11-2002-i**).

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Thanks,



**ANDREW HUTTON**

Principal Consultant

07 January 2021

Hi Mary-Anne,

I have been engaged as the Lead Environmental Auditor for the United Wambo Open Cut Mine Independent Environmental Audit (the proponent is United Collieries Pty Ltd), and the United Collieries Independent Environmental Audit (the proponent is United Collieries Pty Ltd). The overall Independent Environmental Audit (IEA) team that was endorsed by DPIE has been included as an attachment in this e-mail.

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- Statement of Commitments;
- Environment Protection Licence (EPL) 3141;
- Consolidated Coal Lease (CCL) 775;
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We have attached the 2015 Independent Audit Guidelines, the relevant development consents, and the endorsement letter from DPIE to provide further information.

Please call on (+61) 409 288 909 if you would like to discuss the audit process or have specific feedback. If you would like to respond via e-mail, then please contact me at [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au).

Thanks,



**ANDREW HUTTON**

Principal Consultant

07 January 2021

## Tawna Ryan

---

**From:** Steven Cox <Steven.Cox@environment.nsw.gov.au>  
**Sent:** Tuesday, 12 January 2021 4:42 PM  
**To:** Tawna Ryan; Andrew Hutton  
**Cc:** Robert Gibson  
**Subject:** RE: United Wambo IEA 2020 Stakeholder Consultation

Hi Tawna and Andrew,

Thank you for the opportunity to provide input into the audit process, however in this case we don't have any specific concerns to raise for the audit.

Good luck with the audit.

Regards  
Steven

**Steven Cox**  
**Senior Team Leader Planning, Hunter Central Coast Branch**

Biodiversity and Conservation Division | Department of Planning, Industry and Environment  
**T** 02 4927 3140 | **M** 0472 800 088 | **E** [steven.cox@environment.nsw.gov.au](mailto:steven.cox@environment.nsw.gov.au)  
Level 4/26, Honeysuckle Drive Newcastle NSW 2309  
Locked Bag 1002, Dangar NSW 2309  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

Currently working from home during Covid-19 restrictions and can be contacted on both above phone numbers.



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---

**From:** Tawna Ryan <tawna.ryan@iema.com.au>  
**Sent:** Thursday, 7 January 2021 11:42 AM  
**To:** OEH ROD Hunter Central Coast Mailbox <rog.hcc@environment.nsw.gov.au>  
**Cc:** Andrew Hutton <andrew.hutton@iema.com.au>  
**Subject:** United Wambo IEA 2020 Stakeholder Consultation

Hi Steven,



I'm contacting you on behalf of Andrew Hutton regarding the United Wambo Independent Environmental Audit for 2020.

Please find attached the Stakeholder Letter and the relevant documentation.

If you have any further questions or comments please do not hesitate to respond to either myself or Andrew at [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au)

Kind regards,

**TAWNA RYAN**  
**Graduate Environmental Consultant**



ABN 32 622 237 870  
PO Box 404, WARNERS BAY NSW 2282 AUSTRALIA  
e: [tawna.ryan@iema.com.au](mailto:tawna.ryan@iema.com.au)  
m: 0439 810 228 | w: [www.iema.com.au](http://www.iema.com.au)



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## Tawna Ryan

---

**From:** Ann Hagerthy <Ann.Hagerthy@planning.nsw.gov.au>  
**Sent:** Thursday, 21 January 2021 7:07 AM  
**To:** Tawna Ryan  
**Cc:** Andrew Hutton; Heidi Watters  
**Subject:** RE: United Wambo IEA 2020 Stakeholder Consultation  
**Attachments:** Stakeholder Letter\_DPIE.docx

Hi Tawna and Andrew,

Thank you for your email and letter in regards to the IEA consultation process with relevant agencies. The benefit of the consultation process is to gain meaningful insight into the operation from the various agencies point of view, and to identify any concerns or issues that have arisen or they have been reviewing during the audit period, in relation to compliance or environmental performance.

This is simply a good natured note to let you know that your email message and the attached letter are not abundantly clear that you are seeking comments or queries from each agency to feed into the audit process.

On that note, we do not have any further comments or focus areas for the audit in addition to the consent and what has already been communicated in our endorsement letter.

Regards,

**Ann Hagerthy**  
**Senior Compliance Officer**

Planning & Assessment - Compliance | Department of Planning, Industry and Environment  
**T** 02 6575 3407 | **M** 0428 976 540 | **E** [ann.hagerthy@planning.nsw.gov.au](mailto:ann.hagerthy@planning.nsw.gov.au)  
PO Box 3145 | Singleton NSW 2330

Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

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**From:** Tawna Ryan <tawna.ryan@iema.com.au>  
**Sent:** Thursday, 7 January 2021 11:35 AM  
**To:** Ann Hagerthy <Ann.Hagerthy@planning.nsw.gov.au>  
**Cc:** Andrew Hutton <andrew.hutton@iema.com.au>  
**Subject:** United Wambo IEA 2020 Stakeholder Consultation

Hi Ann,

I'm contacting you on behalf of Andrew Hutton regarding the United Wambo Independent Environmental Audit for 2020.

Please find attached the Stakeholder Letter and the relevant documentation.

If you have any further questions or comments please do not hesitate to respond to either myself or Andrew at [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au)

Kind regards,

**TAWNA RYAN**  
**Graduate Environmental Consultant**



ABN 32 622 237 870  
PO Box 404, WARNERS BAY NSW 2282 AUSTRALIA  
e: [tawna.ryan@iema.com.au](mailto:tawna.ryan@iema.com.au)  
m: 0439 810 228 | w: [www.iema.com.au](http://www.iema.com.au)



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AREQ0014546

Mr Andrew Hutton  
IEMA  
PO Box 404  
Warners Bay NSW 2282

By email: [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au)

Dear Mr Hutton

**Subject: United Wambo Open Cut Mine – Independent Environmental Audit**

Thank you for your email and letter dated 7 January 2021 requesting consultation on the independent audit to be undertaken of the United Wambo Open Cut Mine which is covered by consolidated coal lease 775 (CCL775).

The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.

- Review relevant mining leases and exploration licences as agreed with Resources Regulator;
- Undertake an assessment of compliance against the conditions of title related to environmental management;
- Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP;
- Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:
  - Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s);
  - Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval;
- Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and

completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records;

- Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation;
- Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection;
- Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and
- Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.

In addition to the above, 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](mailto:nswresourcesregulator@service-now.com) upon completion of the audit.

Yours sincerely

**Jenny Ehmsen**  
Principal Compliance Auditor

13 January 2021

## Tawna Ryan

---

**From:** Ellie Randall <ellie.randall@dpi.nsw.gov.au>  
**Sent:** Monday, 11 January 2021 9:27 AM  
**To:** NRAR ServiceDesk  
**Cc:** Andrew Hutton; Tawna Ryan  
**Subject:** Re: United Wambo IEA 2020 Stakeholder Consultation

Hi SST,

Can you please register and allocate to the appropriate officer?

Kind regards,

**Ellie Randall**

**Senior Water Regulation Officer - Floodplain Harvesting**

Natural Resources Access Regulator | Department of Planning, Industry and Environment

**P:** 4275 9308 | **E** [ellie.randall@nrar.nsw.gov.au](mailto:ellie.randall@nrar.nsw.gov.au)

Level 0 | 84 Crown Street | Wollongong NSW 2500

PO Box 53 Wollongong NSW 2520

[www.industry.nsw.gov.au/nrar](http://www.industry.nsw.gov.au/nrar)



To contact the NRAR Hotline and make a report call: 1800 633 362

**[Read the NRAR Progress Report 2019-20](#)**

*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

---

**From:** Tawna Ryan <tawna.ryan@iema.com.au>  
**Sent:** Thursday, 7 January 2021 11:48 AM  
**To:** Ellie Randall <ellie.randall@dpi.nsw.gov.au>  
**Cc:** Andrew Hutton <andrew.hutton@iema.com.au>  
**Subject:** United Wambo IEA 2020 Stakeholder Consultation

Hi Ellie,

I'm contacting you on behalf of Andrew Hutton regarding the United Wambo Independent Environmental Audit for 2020.

Please find attached the Stakeholder Letter and the relevant documentation.

If you have any further questions or comments please do not hesitate to respond to either myself or Andrew at [andrew.hutton@iema.com.au](mailto:andrew.hutton@iema.com.au)

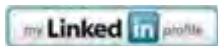
Kind regards,



**TAWNA RYAN**  
**Graduate Environmental Consultant**



ABN 32 622 237 870  
PO Box 404, WARNERS BAY NSW 2282 AUSTRALIA  
e: [tawna.ryan@iema.com.au](mailto:tawna.ryan@iema.com.au)  
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## **APPENDIX G**

### Summary of Report Changes Following DPIE Review (Letter from 18 June 2021)



No.	DPIE Comment	Current IEA Evidence	Updated Evidence / Comments
1	<p>Schedule 2, Condition D11(a) and (b) of SSD-7142 and Schedule 6, Condition 6(a) of DA410-11-2002 require that the IEA be carried out by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary.</p> <p>Endorsement by the Planning Secretary has not been provided in Appendix E.</p> <p>Please include the Department's correspondence dated 12 November 2020 providing endorsement of the IEA team.</p>	<p>Letter dated 12/11/2020 in folder.</p>	<p>Letter dated 12/11/2020 moved to new folder.</p> <p>Have attached as Appendix E.</p>
2	<p>Schedule 2, Condition E11(c) of SSD-7142 requires that the IEA be carried out in consultation with the relevant agencies and the CCC.</p> <p>Full copies of the original correspondence with relevant agencies and the CCC must be appended to the IEA Report.</p>	<p>Consultation in Project Management folder.</p>	<p>Outgoing and incoming consultation moved to new folder.</p> <p>Have attached as Appendix F.</p>
3	<p>Schedule 2, Condition E11(d) of SSD-7142 and Schedule 6, Condition 6(c) of DA410-11-2002 require that the IEA 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).</p> <p>The IEA report must be updated to assess the environmental performance of the development in accordance with the requirements of the <i>Independent Audit Guideline (DPIE 2015)</i>, for the following aspects:</p> <ul style="list-style-type: none"> <li>Noise, blasting, water (other than</li> </ul>	<p>Section 4.9 details EIS predictions.</p> <p>DA-410-11-2001-I was in care in maintenance and EIS comparisons were not valid. This is mentioned in the report.</p> <p>SSD 7142 – states it will be covered in the 2020 Annual Review. Also, no Statement of Commitments at the time of the audit.</p>	<p>Now that the 2020 Annual Review is available we have added a summary of each environmental aspect. This also includes audit findings based on:</p> <ul style="list-style-type: none"> <li>Assessment of preparation and implementation of management plans;</li> <li>Site discussions;</li> <li>Visual assessments.</li> </ul> <p>The IEA report now includes sub-sections for:</p> <ul style="list-style-type: none"> <li>Noise;</li> <li>Blasting;</li> <li>Water (other than groundwater);</li> <li>Biodiversity;</li> </ul>

No.	DPIE Comment	Current IEA Evidence	Updated Evidence / Comments
	groundwater), biodiversity, heritage, visual and waste and rehabilitation.		<ul style="list-style-type: none"> <li>• Heritage;</li> <li>• Visual;</li> <li>• Waste; and</li> <li>• Rehabilitation</li> </ul> <p>as per DPIE requirements.</p> <p>These findings are assessed against EIS predictions.</p>
4	<p>In accordance with the <i>Independent Audit Guideline</i> (DPIE 2015) the audit report is to provide a discussion of complaints and incidents and the performance of the development in relation to response and management of these complaints.</p> <p>The audit report does not provide adequate discussion on the performance of the development in relation to response and management of complaints, and the incidents related to power outages at air quality monitoring stations.</p>	<p>Section 4.7 details complaints. Only one occurred during IEA period.</p> <p>By definition, no incidents occurred during the audit period.</p> <p>Of the one reportable exceedance that occurred, no complaints were received. This is mentioned in Section 4.8.</p>	<p>Summary of traffic complaint has been added to Section 4.7.</p> <p>Section 4.8 has been updated to address reportable incidents and exceedances. SSD 7142 defines incident as “an occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non compliance”. Have included this definition in the report, and based on our assessment, no incidents occurred during the IEA period that meets this definition.</p> <p>Table 8 has been renamed to “Summary of Exceedances from Annual Reviews”.</p>

No.	DPIE Comment	Current IEA Evidence	Updated Evidence / Comments
5	<p>Following review of the audit assessment of compliance in Section 4.3 and Appendix D, the department considers that the assessment and evidence provided for the following items is not adequate and must be further reviewed:</p> <ul style="list-style-type: none"> <li>o Condition E9 of SSD-7142 has a compliance status of Not Triggered, however Section 4.8 reports reportable incidents. The IEA report must verify the actual compliance regarding incident notifications.</li> <li>o Condition E10 of SSD-7142 has a compliance description of compliant with evidence sighted for one blasting exceedance. Section 4.8 reports three additional non-compliances. The IEA report must verify the actual compliance regarding all non-compliance notifications.</li> </ul>	<p>Condition E9 of SSD 7142 states <i>“based on discussion with site personnel, no incidents meeting the definition of this consent occurred.”</i></p> <p>Section 4.8 of the report does not provide any incidents. Only exceedances.</p>	<p><b>SSD 7142 – E9:</b> Not triggered as no incident, by definition, occurred during the IEA period (see above).</p> <p><b>SSD Non – Compliances (06 January 2020 – 30 November 2020)</b> Condition E10 of SSD 7142 reports the blasting exceedance which occurred 24 September 2020 which was reported to DPIE. Blasting was reported. This was considered an exceedance not an incident. Two of the four exceedances are outside the SSD 7142 IEA period.</p> <p><b>DA410-11-2002-I Non – Compliances (18 December 2018 – 30 November 2020)</b> Other non-compliances listed in Section 4.8 are for HVAS outages and an air quality exceedance which occurred during care and maintenance in 2019.</p>
6	In accordance with the <i>Independent Audit Guideline</i> (DPIE 2015) the IEA Report must be updated to provide recommendations for any non-compliance.	RAR updated for July 2021 re-submission.	<p>Recommendations relating to non-compliant conditions are outlined in Section 6 of the report.</p> <p>There are some non – compliances which do not need a further recommendation as the issue has been addressed.</p> <p>Where this is the case we have stated ‘No further recommendations.’.</p> <p>Note NC Recommendations are numbered in Section 6 of the report.</p>
7	The RAR must identify and list each recommendation in the same manner as it is referred to in the report (eg. NC REC 7; IMPROVEMENT REC 3).	RAR updated for July 2021 re-submission.	The RAR has now been updated to address this comment.
8	The RAR must list the audit recommendations verbatim and UWJV responses as stated in the report, rather than as Findings and Actions.	RAR updated for July 2021 re-submission.	The RAR has now been updated to address this comment.

No.	DPIE Comment	Current IEA Evidence	Updated Evidence / Comments
9	Please also include responses to all Improvement Recommendations provided in Section 7 of the report.	RAR updated for July 2021 re-submission.	The RAR has now been updated to address this comment.