

Independent Environmental Audit Springvale Mine





for Springvale Coal Pty Limited

Castlereagh Highway, Lidsdale NSW 2000

MCW Environmental Pty Ltd

October 2016

Report Title	Independent Environmental Audit 2016 Springvale Mine
Client	Centennial Coal Pty Limited PO Box 1000 Toronto NSW 2283
Report Reference	MCW_Environmental_Springvale_IEA_2016_Final_Rev1
Status	Final
Issue Date	October 2016

Document	Name	Signature	Company	Position Title
Prepared by	Jenny MacMahon		MCW Environmental	Principal Environmental Scientist
Prepared by	Michael Woolley		MCW Environmental	Principal Environmental Engineer

Report Issued by:

MCW Environmental Consulting Pty Limited

mcwenvironmental@bigpond.com

Document Copyright of MCW Environmental Consulting Pty Limited (MCW Environmental).

No use of the contents within this report is permitted unless as part of written agreement with MCW Environmental. MCW Environmental accepts no liability for any unauthorised use of the contents of this IEA report and reserves the right to seek compensation of any unauthorised use.

Table of Contents

Executive Summary	ES-1
1 Introduction	4
1.1 Background.....	4
1.2 Scope of Work.....	4
1.3 Description of Operations.....	5
1.4 Report Structure	5
2 Methodology	6
2.1 Approach	6
2.2 Audit Team	7
2.3 Regulatory Approvals	7
2.4 Period of the IEA.....	9
2.5 Site Inspections	9
2.6 Documents Reviewed.....	10
2.7 Interviews	10
2.8 Compliance Assessment	10
2.8.1 Criteria	10
2.8.2 Categorisation of Non-compliances	11
2.9 Environmental Performance	12
3 Consultation with Key Government Agencies	13
3.1 NSW Department of Planning and Environment.....	13
3.2 NSW Department of Industry Division of Resources and Energy	17
3.3 NSW Environment Protection Authority.....	17
3.4 NSW Department of Primary Industries - Water.....	17
3.5 NSW Forestry Corporation of NSW.....	17
3.6 NSW Office of Environment and Heritage	17
3.7 Lithgow City Council	17
3.8 Community Consultative Committee	18
4 Environmental Management Performance	19
4.1 Environmental Management Framework.....	19
4.2 Environmental Management Strategy.....	20
4.3 Environmental Risk Assessment	20
4.4 Environment Management Plans	21
4.5 Environment Procedures	23
4.6 Compliance Database	23
4.7 Pollution Control Equipment	24
4.8 Environmental Training.....	24
4.9 Incidents, Complaints and THPSSMMP Notifications	24
4.9.1 Externally Reported Incidents	24
4.9.2 Regulatory Action	25

4.9.3	Complaints.....	26
4.9.4	THPSSMMP Notifications.....	26
5	Compliance Assessment.....	28
5.1	Non-Compliances	29
5.2	Not Verified Conditions.....	32
5.3	Continual Improvement.....	33
6	Photographs	37
7	Abbreviations and Definitions	47
7.1	Abbreviations.....	47
7.2	Definitions	49
8	Limitations of Report	50

Appendices

Appendix A Compliance Assessment: Development Consents

Appendix B Compliance Assessment: EPL

Appendix C Compliance Assessment: Mining Leases

Appendix D Compliance Assessment: SMP Approval

Appendix E Compliance Assessment: Groundwater Licences

Appendix F Compliance Assessment: EPBC Approval

Appendix G Key Management Plan – Adequacy Assessment

Appendix H Auditor Approval

Tables

Table ES-1	Compliance Assessment Summary	
Table 1-1:	Development Consent IEA Conditions.....	4
Table 2-1:	Regulatory Approvals.....	7
Table 2-2:	Compliance Assessment Criteria.....	11
Table 2-3:	Non-compliance Risk Assessment.....	11
Table 3-1:	IEA Issues raised by DPE	13
Table 4-1:	Summary of Externally Reported Incidents.....	24
Table 4-2:	Summary of Complaints.....	26
Table 5-1:	Compliance Assessment Summary	28
Table 5-2:	Non-Compliances and Recommendations	30

Table 5-3: Not verified conditions and Recommendations..... 32

Table 5-4: Opportunities for Improvement..... 33

Table 6-1: Site Inspection Photographs 37



Executive Summary

Springvale Mine is owned by Centennial Springvale Pty Ltd (50%) and Springvale SK Kores Pty Limited (50%); and operated by Springvale Coal Pty Limited. MCW Environmental Consulting Pty Ltd was engaged by Springvale Coal Pty Ltd to conduct an Independent Environmental Audit of the Springvale Mine and the Springvale Mine Extension Project. Springvale Mine is an underground longwall coal mine located near Lithgow on the western fringe of the Blue Mountains. The Springvale Mine Extension Project is an extension to the east of the existing Springvale Mine underground operations.

The IEA was conducted to meet the requirements of SSD-5594 Schedule 6 Condition of Approval 13. MCW Environmental was commissioned in June 2016 to conduct the IEA to meet this condition.

The IEA process was based on Post Approval Guidelines – Independent Audits (NSW Government, 2015), the auditing standard AS/NZS ISO 19011:2014 and MCW Environmental Consulting Pty Ltd.'s proposal to conduct the work dated 17 June 2016. This is the first IEA undertaken at the Springvale Mine.

The IEA consisted of a detailed desktop review of documents supporting compliance, interviews with Springvale Coal Pty Ltd and Centennial Coal Pty Ltd personnel and site inspections of the Springvale Mine pit top site and selected areas of the Newnes Plateau over four days in June and July 2016.

To assist in directing the audit focus, the auditors consulted with the NSW Department of Planning and Environment, NSW Department of Industry Division of Resources and Energy, NSW Environment Protection Authority; NSW Department of Primary Industries -Water, NSW Office of Environment and Heritage, Lithgow City Council, and Centennial Coal's Western Region Community Consultative Committee.

The period of the IEA was from 21 September 2015 (the date that SSD 5594 was approved) to the 27 June 2016 (the first day of the site visit of this IEA). To inform the assessment of environmental performance, the auditors reviewed the environmental management system, regulatory non-compliances, AEMRs and Annual Review, selected management plans, incidents and complaints, for up to three years prior to 27 June 2016.

This report presents the findings of the IEA.

The compliance assessment identified that Springvale Coal has complied with most of the triggered regulatory requirements for the period of the IEA. A summary of the compliance assessment is provided in **Section 5** and detailed compliance assessments with verification, findings and recommendations are presented in **Appendices A to G**. The overall compliance status is summarised in **Table ES-1**.

The IEA assessed 20 approvals and licences in detail and over 10 environmental management strategies, plan and programs in a more general manner. A total of 474 approval and licence conditions and commitments were assessed resulting in nine administrative non-compliances; and five non-compliances that were ranked as having low environmental consequences. No 'high' or 'medium' ranked non-compliances were identified. 6% of the total number of conditions were assessed as not verified as there was insufficient verifiable evidence available.

Recommendations to address non-compliances and conditions assessed as not verified are provided in **Table 5-2** and **Table 5-3** respectively. Opportunities for Improvement, for conditions that were assessed as compliant and where there was opportunity for continual improvement, are provided in **Table 5-4**.

Table ES-1: Compliance Assessment Summary

Instrument	C	NV	NA	Noted	A NC	NC	NT	Total	Total Trig'd	% C
DA 11/92 CoA	20	2	13	2	0	0	5	42	22	91
DA 461/02	6	4	17	0	0	0	0	27	10	60
SSD - 5594	39	6	0	4	3	1	22	75	49	80
SSD - 5594 Environmental Assessment Statement of Commitments	10	3	0	0	0	0	5	18	13	77
Environment Protection Licence 3607	36	4	0	13	2	2	15	72	44	82
Mining Lease 1303	6	0	0	1	0	0	6	13	6	100
Mining Lease 1323	6	0	0	1	0	0	4	11	6	100
Mining Lease 1326	10	3	0	4	0	0	4	21	13	77
Mining Lease 1537	15	1	0	2	0	1	16	35	17	88
Mining Lease 1588	5	0	1	4	0	0	8	18	5	100
Mining Lease 1670	9	0	0	1	0	0	7	17	9	100
Mining Lease 1727	4	0	0	1	0	0	6	11	4	100
Mining Purposes Lease 314	6	0	0	1	0	0	4	11	6	100
Consolidated Coal Lease 337	5	0	1	4	0	0	10	20	5	100
SMP Approval LW 411-417	17	0	0	0	1	0	2	20	18	94
Water Access Licence 36383	1	0	0	0	0	0	0	1	1	100
Water Access Licence 36446	1	0	0	0	0	0	0	1	1	100
Water Access Licence 36443 Note 1	0	0	0	0	0	1	0	1	1	0
EPBC Approval: 2011/5949	13	0	0	0	3	0	18	34	16	81
EPBC Approval: 2013/6881	10	5	0	0	0	0	11	26	15	67
Total	219	28	32	38	9	5	143	474	261	

Abbreviations:

C = Compliant

NC = Non-compliant

NV = Not verified

NT = Not triggered

NA = Not Assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.

Total triggered – No. conditions triggered in this IEA

A NC – Administrative non-compliance

% C – (No. of compliant conditions / Total No. of conditions triggered) %

Findings of the IEA are summarised as:

- A relatively high level of compliance was achieved with conditions triggered by the regulatory approvals;
- There were no non-compliances with commitments in the Springvale Mine Extension Project -SSD 5594 Environmental Impact Statement (Centennial Coal, 04/2014) from a total of 13 triggered commitments;
- There were no non-compliances with conditions triggered by SSD-5594 for management plans however, many conditions were assessed as not verified. Recommendation for conditions assessed as not verified are included in **Table 5-3** and opportunities for continual improvement are included in **Table 5-4**.

- There has been no exceedance of predicted subsidence impacts for LW 411-418 identified in monitoring undertaken during the period of the IEA;
- An historical trend of declining groundwater at CW1 and CW2 exceeded the trigger levels in the Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan and was reported in December 2015. Since notification of the exceedance was provided to regulators, there has been an exchange of information between the Independent Monitoring Panel, NSW Department of Planning and Environment and Centennial Coal considering this trend, resulting in additional monitoring requirements being incorporated into the LW 419 Extraction Plan and component management plans.
- There have been three non-compliances that resulted in regulatory action by the EPA during the period 2013 -2016:
 - 30/05/2013 - turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Coxs River. As a result of this incident, the EPA:
 - Issued a Penalty Infringement Notice (PIN) (\$1,500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days;
 - Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately reporting an incident which threatened material harm to the environment; and
 - Although POEO Act section 153F (implementing the Pollution Incident Response Plan (PIRMP)) was breached – no further action was taken.
 - 12/09/2014 - coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2015 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the upper reaches of the Coxs River.
 - 02/09/2014 and 12/09/2014 - Springvale Delta Water Transfer System incident: Springvale Coal received a Formal Warning from the EPA in 2014 for failing to undertake activities in a competent manner. The EPA determined that the location of the Springvale Delta Water Transfer System was vulnerable to damage by heavy vehicles and roadwork activities.
- The majority of the SSD-5594 conditions that were assessed as 'not verified' resulted from the IEA being conducted within a relatively short period since SSD-5594 was granted. For example:
 - Many of the strategies, plans and programs developed to meet the requirements of SSD-5594 were in draft, had not been implemented and/or were only recently implemented.
 - SSD-5594 includes a number of conditions with performance measures e.g. CoA S3-1 Table 1: Subsidence Impact Performance Measures – Natural and Heritage Features, CoA S3-7 Table 2 Subsidence Impact Built Features, CoA S4-12 Table 6 Water Management and CoA S4-30 Table 7 Rehabilitation. As there had been no reporting triggered for assessment against many of these measures, these conditions were assessed as not verified.
- The Centennial Coal Environmental Management System has been developed to comply with the elements of ISO 14001 and includes a combination of Centennial Coal's Policy, Environmental Management System Framework and Environment and Community Standards; and Springvale Coal site specific procedures and standards. A summary of the Springvale Coal environmental management system is summarised in **Section 4** and includes discussion on key environmental management plans.
- Implementation of the Compliance Database has commenced with the database providing the foundation for an effective management tool for tracking compliance with regulatory approvals.

1 Introduction

1.1 Background

Springvale Mine is owned by Centennial Springvale Pty Ltd (50%) and Springvale SK Kores Pty Limited (50%); and operated by Springvale Coal Pty Limited (Springvale Coal). MCW Environmental Consulting Pty Ltd (MCW Environmental) was engaged by Springvale Coal to conduct an Independent Environmental Audit (IEA) of the Springvale Mine and the Springvale Coal Extension Project (SMEP). Springvale Mine is an underground longwall coal mine located near Lithgow on the western fringe of the Blue Mountains. The SMEP is an extension to the east of the existing Springvale Mine underground operations.

The IEA was conducted to meet the requirements of Development Consent SSD-5594 (SSD-5594) Schedule 6 Condition of Approval (CoA) 13 which requires that by 30 June 2016 and every 3 years thereafter, Springvale Coal shall commission an IEA of the development.

This is the first IEA undertaken at the Springvale Mine.

1.2 Scope of Work

The IEA was conducted in accordance with the requirements set out in SSD-5594 Schedule 6 CoA 13 as detailed in **Table 1-1**.

Table 1-1: Development Consent IEA Conditions

Project Condition	Approval	Requirement	IEA Reference
SSD-5594 Schedule 6 CoA 13		<i>Prior to 30 June 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</i>	This Report
SSD-5594 Schedule 6 CoA 13 (a)		<i>be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</i>	Section 2.2
SSD-5594 Schedule 6 CoA 13 (b)		<i>include consultation with the relevant agencies;</i>	Section 3
SSD-5594 Schedule 6 CoA 13 (c)		<i>assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any other relevant approval, relevant EPL/s or Mining Lease/s (including any assessment, plan or program required under these approvals);</i>	Sections 4, 5, and Appendices A - F
SSD-5594 Schedule 6 CoA 13 (d)		<i>review the adequacy of strategies, plans or programs required under the abovementioned approvals; and</i>	Section 4, 5 and Appendix G
SSD-5594 Schedule 6 CoA 13 (e)		<i>recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.</i>	Section 5
SSD-5594 Schedule 6 CoA 13		<i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i>	Not triggered

1.3 Description of Operations

Springvale Coal has approval to extract up to 4.5 million tonnes per annum (Mtpa) of run of mine (ROM) coal to the domestic power and export markets. Coal is mined from the Lithgow Seam utilising the longwall method. The main components of Springvale Mine's existing operations are an underground longwall mine, accessed via the Springvale Coal pit top, and supporting surface infrastructure within the pit top area and on Newnes Plateau within the Newnes State Forest. ROM coal is supplied directly to the Western Coal Services Site by an overland conveyor. Up to 50,000 tpa of ROM coal is transported by road haulage to local domestic customers. The Newnes Plateau infrastructure areas are accessed for light vehicles on the State Mine Gully Road located in north Lithgow, and the Old Bells Line of Road through Clarence for both light and heavy vehicles.

Springvale Coal operations include:

- Surface to underground decline;
- Coal stockpile;
- Bathhouse and administration buildings;
- Store warehouse;
- Diesel refuelling station and storage shed;
- Machinery washdown bay;
- Mechanical workshop;
- Equipment and materials laydown areas;
- Fire fighting and emergency equipment store;
- Electrical sub-station;
- Solcenic mixing plant;
- Clean and dirty water drainage systems that include a clean water dam, gross pollutant trap, oil/water separator, sediment dams;
- Operating dewatering bore facilities;
- Power and pipeline infrastructure;
- Ventilation Shaft No.3; and
- Springvale Water Transfer Scheme.

Springvale Coal operations do not include the crushing and screening of ROM coal and the loading of the coal onto the overland conveyor system for distribution. These operations are managed by Centennial Coal's Western Coal Services.

1.4 Report Structure

The report is structured as follows:

- Section 1 provides the scope of the IEA, a summary of the operations and environmental improvements undertaken during the period of the IEA and a guide to the structure of the report;
- Section 2 describes the IEA methodology;
- Section 3 summarises the consultation with key regulatory agencies;
- Section 4 provides an assessment of environmental management performance;
- Section 5 presents the findings of the compliance assessment including recommendations and Opportunities for Improvements (OFIs);
- Section 6 provides photographs taken during the site inspections;
- Section 7 provides abbreviations and definitions used in the IEA; and
- Section 8 provides the limitations of the report.

2 Methodology

2.1 Approach

The IEA was undertaken in general accordance with:

- Post Approval Guidelines: Independent Audits (NSW Government, 2015);
- AS/NZS ISO 19011:2014 Guidelines for auditing management systems; and
- MCW Environmental's proposal (dated 17 June 2016).

The IEA methodology included:

- Opening meeting with Springvale Coal management to discuss the approach and process of the IEA;
- Consultation with the following key government agencies on Springvale Coal's environmental performance:
 - NSW Department of Planning and Environment (DPE);
 - NSW Department of Industry Division of Resources and Energy (DRE);
 - NSW Environment Protection Authority (EPA);
 - NSW Department of Primary Industries -Water (DPI Water);
 - Forestry Corporation of NSW (FCNSW)
 - NSW Office of Environment and Heritage (OEH);
 - Lithgow City Council (LCC); and
 - Centennial Coal Western Region's Community Consultative Committee (CCC).
- Preparation of compliance assessment checklists for the regulatory approvals listed in **Table 2-1**;
- Site inspections;
- Review of documentation and interviews with site personnel and contractors;
- A review of environmental management performance including:
 - Centennial Coal's Environmental Management System;
 - Environmental Management Strategy (EMS);
 - Environmental risk assessments;
 - Environmental management plans including an assessment of compliance with the requirements of key management strategies, plans and programmes referred to in the approvals.
 - Environmental management procedures;
 - Non-compliances reported in Annual Environmental Management Reports (AEMR), Annual Review (AR), and EPA Annual Returns;
 - Penalty Notices received;
 - Independent Monitoring Panel reports;
 - Biodiversity monitoring in swamps;
 - Progress with rehabilitation;
 - Selected management plans;
 - Incidents and complaints; and
 - Management and monitoring of subsidence.
- An assessment of compliance was undertaken for each condition within the regulatory approvals listed in **Table 2-1** based on a review of documentation, observations during site inspections, interviews, implementation of management and monitoring plans, incidents, complaints and regulatory action.
- An assessment of compliance was undertaken with the commitments from the environmental assessment documentation referred to in the Development Consents.

- A risk assessment for identified non-compliances that were not administrative, was conducted based on the risk assessment framework in the Post Approval Guidelines: Independent Audits (NSW Government, 2015).
- Provision of recommendations for each non-compliance and for conditions that were assessed as compliant and, where there was opportunity for continual improvement, an OFI was provided.
- Reporting: Provision of a draft IEA report to Springvale Mine to provide an opportunity for additional information and /or correction of fact; and finalisation of the IEA report.

2.2 Audit Team

The IEA was conducted by the following qualified, experienced and independent auditors:

- Michael Woolley, Lead Auditor (MCW Environmental); and
- Jenny MacMahon, Auditor (MCW Environmental).

Michael Woolley is registered by Exemplar Global (formerly RABQSA) as a Certified Lead Auditor for Environmental Management, Site Contamination Assessment and Compliance Auditing. Jenny MacMahon has over 15 years' experience in conducting independent environmental audits.

The auditors were approved by the DPE in a letter dated 15 June 2016 (**Appendix H**). No additional experts were specified by the DPE for the IEA.

2.3 Regulatory Approvals

An assessment of compliance with the conditions of the regulatory approvals listed in **Table 2-1** was conducted. These approvals include Development Consents, Environment Protection Licence (EPL), Mining Leases (ML), Consolidated Coal Leases (CCL), a Mining Purposes Lease (MPL), Subsidence Management Plan (SMP) Approvals, Water Access Licences (WAL) for groundwater extraction bores, Environment Protection and Biodiversity (EPBC) Approvals and commitments from environmental assessment documentation referred to in SSD-5594.

Authorisation and Exploration Licences were excluded from the compliance assessment.

Table 2-1: Regulatory Approvals

Regulator	Reference	Description	Date Approved or Renewed	Expiry
DPE	DA 11/92	<p>Development Consent for the construction and operation of an underground coal mine and overland conveyor and washery was granted in 1992 as described in the Environmental Impact Statement (EIS) prepared by Sinclair Knight & Partners Pty Limited, dated February 1992 and as modified on four occasions (MODs 1 – 4):</p> <ul style="list-style-type: none"> • MOD 1 (29/06/1993) - Modifications to pit top layout, storm water control, new mine entry, relocation of mine ventilation shafts, extension of existing Pacific Power road to access shafts, use of existing WMC washery and relocation of conveyor route; • MOD 2 (11/04/1994) – Replacement of Attachment A (the land description) replace with Attachment 1 Schedule of Land and Tenements; • MOD 3 (08/03/2013) - Construction and operation of an additional dewatering facility as described in the <i>Environmental Assessment Bore 8 Dewatering Facility Springvale Colliery Section 75 W Modification</i>, dated September 2012; and 	27/07/1992	30/09/2015

Regulator	Reference	Description	Date Approved or Renewed	Expiry
		<ul style="list-style-type: none"> MOD 4 (05/12/2013) - Extension of mining operations until 30/09/2015, increase in annual production output to 4.5 Mtpa, an increase in workforce to 310 employees, an extension of operations to 30 September 2015 and connection of the pit top to the Council sewer system as described in the Environmental Assessment titled <i>Section 75W Modification to Development Consent DA 11/92</i>, dated October 2013. 		
DPE	DA 461/02	<p>Construction and operation of Ventilation Shaft 3 Facility on the Newnes Plateau and as modified on one occasion:</p> <ul style="list-style-type: none"> MOD 1 (30/05/2012) - Upgrade of Ventilation Shaft 3 Facility. 	23/01/2003	30/09/2016
DPE	SSD-5594	The Springvale Mine Extension Project for mining beyond September 2015.	21/09/2015	31/12/2028
EPA	EPL 3607	<p>EPL 3607 was varied once by notice for Springvale Coal operations during the period of the IEA on 26/02/2016 for:</p> <ul style="list-style-type: none"> The addition of a Pollution Reduction Program (PRP) titled Salinity Reduction and Toxicity Elimination Program (U1) to reduce salinity in the mine water discharged from the premises through the Springvale Delta Water Transfer Scheme and to eliminate the toxicity of the discharge of the mine water discharged through authorised Licensed Discharge Point (LDP) 009 (No. 1537713). The removal of condition E2 as the Option Study to treat Mine Water Discharge was submitted to the EPA by 30 September 2013; and The addition of L4 noise limits up to 30 June 2016 to align with the consent for the Springvale Mine Extension Project (SSD-5594). <p>EPL 3607 was varied three times by notice for Springvale Coal operations during the period of assessment of environmental performance (i.e. three years prior to June 2016):</p> <ul style="list-style-type: none"> 12/08/2014: The addition of a PRP requiring a Direct Toxicity Assessment of the mine water being discharged from LDP 009 (new Condition U1.1) (No.1523867); 23/10/2014: Modification of the requirement to dispose of sediments from the settling ponds of the Springvale Delta Water Transfer Scheme lawfully (Condition O5.2) (No. 1524848). 10/12/2014: Increasing the scale of the Scheduled Activity - Mining for Coal from 2,000,000-3,500,000 to 3,500,000 - 5,000,000 tonnes of coal produced (No. 1526959). <p>Note: Variations of the EPL 3607 related to LDP 006 and LDP 007 are the responsibility of Springvale Coal Services Pty Ltd and consequently have been excluded from this IEA.</p>		
DRE	ML 1303	Area to the north of the Springvale Coal pit top including LDP 009	08/05/2014	15/12/2034
DRE	ML 1323	Access road to LDP 009	28/06/2014	03/08/2035
DRE	ML 1326	Underground mining including LW 401 – LW 419	01/09/2004	18/08/2024
DRE	ML 1537	Vent shaft No.3	25/06/2003	15/06/2024
DRE	ML1588	Underground mining including LW 420 – 423 and includes	19/10/2006	19/10/2027

Regulator	Reference	Description	Date Approved or Renewed	Expiry
		Borehole 8		
DRE	ML 1670	Borehole 6	17/02/2012	17/02/2033
DRE	ML 1727	SMEP underground mining	04/02/2016	04/02/2037
DRE	MPL 314	Springvale Coal pit top	16/06/2014	03/08/2035
DRE	CCL 377	Area to the southwest of ML 1326 including LW 501-503	01/09/2004	09/03/2025
DRE	SMP Approval 04/1673 & 08/8497	LW 411 – 418 Subsidence Management Plan initial approval in 2006 and as varied under SMP Approval 08/8497.	2006	30/09/2016
DPI-Water	WAL 36383 (10BL603519)	Sydney Basin Richmond Groundwater Source: Dewatering Bore 8 (5,958 ML/year extraction limit)	24/02/2010	In perpetuity
DPI-Water	WAL 36446 (10BL602017)	Sydney Basin Coxs River Groundwater Source: Ventilation Shaft 3 (3,300 ML/year extraction limit)	04/09/2007	In perpetuity
DPI Water	WAL 36443 (10BL601863)	Sydney Basin Coxs River Groundwater Source: Pit top collection system (585 ML/year extraction limit)	04/09/2007	In perpetuity
C'lth DE	EPBC 2011/5949	Mining of Longwalls 415 – 417.	14/03/2012	19/03/2032
C'lth DE	EPBC 2013/6881	Mining associated with the Springvale Mine Extension Project.	15/10/2015	08/10/2035

2.4 Period of the IEA

SSD-5594 was granted on 21 September 2015. This IEA was triggered by SSD-5594 Schedule 6 CoA 13. As there was no regulatory requirement for an IEA prior to the granting of SSD-5594, the period of the IEA was from 21 September 2015 (the date that SSD 5594 was approved) to 27 June 2016 (the first day of the site visit of this IEA).

The assessment of environmental performance was conducted for the three years prior to 27 June 2016 (i.e. 27 June 2013 to 26 June 2016).

2.5 Site Inspections

During the IEA site inspections, the weather conditions were cold, overcast and wet and the following operations were occurring:

- Springvale Coal Mine:
 - Changeover mining from LW 417 to LW 418;
 - Maingate continuing development; and
 - No exploration activities.
- MSEP:
 - Construction had not commenced.

IEA site inspections and interviews were undertaken on 27 June, 28 June, 4 July and 5 July 2016 and included:

- Springvale Mine pit top including ROM coal stockpile and rill tower, clean water dam, sediment dams, gross pollutant trap, oil water separator, sewage treatment area, diesel refuelling area, machinery washdown bay and workshop, equipment and materials storage areas, waste storage areas, solcenic and diesel storage area and utilisation (irrigation) area;
- Ventilation Shaft 3 compound;
- Groundwater extraction borehole 8 compound;
- Newnes plateau swamps and monitoring locations at Carnes Creek, Sunnyside East, Gang Gang West, Gang Gang East and Wolgan River; and.
- Licensed discharge point (LDP) 009 located near the Kerosene Vale ash dam.

Photographs taken during the site inspections are provided in **Section 6**.

2.6 Documents Reviewed

Springvale Coal provided the following information for review during the IEA:

- Environmental management strategy, plans, programmes;
- Compliance Database;
- Procedures and checklists;
- Technical reports;
- Meeting minutes;
- Induction and training records; and
- Monitoring records.

Specific documents that were referenced during the IEA are included within the compliance assessment checklists in **Appendices A to F**.

2.7 Interviews

During the site inspections, interviews were conducted with the following key site personnel:

- Acting Mine Manager;
- Environment Superintendent;
- Environment Coordinator;
- Centennial Approvals Manager;
- Compliance Manager;
- Engineering Manager;
- Mining and Subsidence Engineer
- Surveyors; and
- Geologists.

2.8 Compliance Assessment

The findings of the compliance assessment for each condition within the regulatory approvals listed in **Table 2-1**, for the period of the IEA, are summarised in **Section 5** and detailed compliance assessments, including verification evidence, are included in **Appendices A to F**. Conditions that were assessed as non-compliant and not verified, with corresponding recommendations, are provided in **Table 5-2** and **Table 5-3** respectively. Conditions that were assessed as compliant and/or where opportunities were identified for continuous improvement, are provided in **Table 5-4**.

2.8.1 Criteria

Compliance for each condition of the regulatory approvals was based on the criteria in the Post Approval Guidelines: Independent Audits (NSW Government, 2015) provided in **Table 2-2** with an

additional compliance criteria included for conditions assessed as 'Prior to the periods of the IEA and assessment of environmental performance' (i.e. prior to 27 June 2013).

Table 2-2: Compliance Assessment Criteria

Criteria	Definition
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.
Note	A statement or fact, where no assessment of compliance is required.
Not assessed	The requirement was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.

2.8.2 Categorisation of Non-compliances

Where the compliance assessment identified that the intent of specific elements of the regulatory instrument approval had not been met, an assessment of 'non-compliance' has been made. The category of non-compliance was ranked according to potential environmental significance using the risk assessment framework in the Post Approval Guidelines: Independent Audits (NSW Government, 2015) provided in **Table 2-3**.

Table 2-3: Non-compliance Risk Assessment

Risk level	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"> • Potential for serious environmental consequences, but is unlikely to occur; or • Potential for moderate environmental consequences, but is likely to occur
Low	Non-compliance with: <ul style="list-style-type: none"> • Potential for moderate environmental consequences, but is unlikely to occur; or • Potential for low environmental consequences, but is likely to occur

Risk level	Description
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)

2.9 Environmental Performance

An assessment of the environmental performance of the Springvale Mine was undertaken and is summarised in **Section 4**. The assessment included a high level review of:

- Environmental management system;
- Environmental risk assessment;
- Environmental management plans;
- Environment procedures;
- Compliance database;
- Inspections;
- Training; and
- Incidents and complaints.

Environmental performance was assessed for the three-year period prior to 27 June 2016.

3 Consultation with Key Government Agencies

Springvale Coal prepared Annual Environmental Management Reports (AEMR) for 2013 (Centennial Coal [CC], 2014) and 2014 (CC, 2015) and an Annual Review (AR) for 2015 (CC, 2016). These reports were provided to the DPE, DRE, EPA, OEH, DPI Water, LCC and CCC. The reports included descriptions of operations, environmental performance, and updates on water management, rehabilitation, community consultation and non-compliances. The AEMRs and AR are available on the Centennial Coal website.

The Springvale Coal Pollution Incident Response Management Plan (PIRMP) requires immediate external reporting for pollution incidents which have caused or threaten to cause material harm to the environment, to EPA, Ministry of Health, WorkCover, LCC and Fire and Rescue NSW. The external reporting requirements of the PIRMP were not triggered during the period of the IEA.

Prior to the final IEA site inspection, MCW Environmental contacted the DPE, DRE, EPA, OEH, DPI Water, FCNSW, LCC and CCC to discuss the scope of the IEA. Issues raised by the regulatory agencies are summarised in this section.

3.1 NSW Department of Planning and Environment

MCW Environmental contacted the DPE Senior Compliance Office on 27 June and 25 July 2016 to discuss the scope of the IEA. The DPE advised that the following incidents have been recorded by the DPE for Springvale Coal:

- One noise non-compliance associated with dozer operations on the coal stockpile (31/3/2016);
- Incidents and exceedances as reported in Annual Reviews; and
- Reportable incidents and regulatory actions as reported in Annual Reviews.

The DPE requested that the IEA include a review of the topics listed in **Table 3-1** Table 3-1: IEA Issues raised by DPE. The IEA findings on each topic and a reference to where this information has been included within this IEA report is also included in **Table 3-1**.

Table 3-1: IEA Issues raised by DPE

Topic	Summary of Findings	IEA Reference
A complete review of all approvals/licences for the site and documents as required under these approvals/licences (strategies, plans and programs)	Springvale Coal achieved a relatively high level of compliance with conditions of the regulatory approvals and licences. A summary of non-compliances, conditions that were unable to be verified and opportunities for improvement are included in Section 5 .	Section 4, Section 5 & Appendices A to G.
Low frequency noise investigations – progress and outcomes	Springvale Coal reported that low frequency noise investigations had been undertaken and reports provided to the DPE (15/06/2015) however; a recommendation has been made in the IEA for the findings of the low frequency investigations, referenced in Appendix E of the 2016 WRNMP, to be provided to the DPE and included in the revised 2016 WRNMP.	Appendix A1 CoA S4-4
Biodiversity monitoring – in particular swamps	Biodiversity monitoring during the underground mining of LW 418 was undertaken in accordance with LW 411-418 LW EMP, EPBC 2013/6881 and the Longwall 418 THPSS MMP. The THPSSMMP Annual Report (03/2016) concludes that “ <i>overall the annual report prepared shows compliance with the requirements of</i> ”	Appendix A1 CoA S3-1 & Appendix F

Topic	Summary of Findings	IEA Reference
	<p><i>the THPSSMMP and no discernible impact from mining on THPSS".</i> The conclusion was based on:</p> <ul style="list-style-type: none"> • Although B-Line monitoring results (Table 8) identified that LW 415 Tilt (15.4 mm/ m) was greater than the trigger value (10 mm/m), as this event was approx. 630 m from the nearest THPSS (and not within the Tilt trigger level area of within 200 m of the THPSS on sandstone ecological community), subsidence, tilt, tensile strain and compressive strain results were reported as not exceeding the trigger values defined in the THPSSMP; • Groundwater levels exceeded both swamp and aquifer THPSSMMP trigger values. Centennial Coal notified the DoE of the exceedance of the THPSSMMP trigger levels for an historical trend of declining groundwater at CW1 and CW2 in accordance with the notification requirements in the LW 418 THPSSMMP. Since that notification, there has been an exchange of information between the IMP, DPE and Centennial Coal considering this trend and implications on the draft LW 419 Extraction Plan and component management plans. As a consequence, the draft LW 419 Extraction Plan and component management plans were revised to include actions as proposed by the IMP and approved by the DPE. The exceedance of the trigger level has not been identified in correspondence from the DoE, DPE or IMP that was reviewed by MCW Environmental, as a non-compliance with SSD-5594 Table 1 subsidence performance measures or EPBC Approval 6881 conditions. • One trigger exceedance was observed for a flora impact site and three flora reference sites during the 2015 monitoring period. Confounding environmental factors including weather, fire and logging were found to be active within the monitoring area. While inconclusive, the monitoring data indicates that prolonged dry and warm conditions on the Newnes Plateau are having a substantial impact on swamp condition and is likely to be acting independent of any mining related impacts. Unless future monitoring data indicates otherwise, it is considered that the trigger exceedances observed in 2015 were isolated and unrelated to a specific causal factor. • Surface water flows and water chemistry showed trends that are consistent with that observed in previous years of monitoring and showed no discernible effects from mining. 	
Water quality monitoring at LDPs (any exceedances and actions taken);	<p><u>Regulatory Action (Water Quality)</u></p> <p>The following regulatory action has been taken by the EPA in response to water quality monitoring:</p> <ul style="list-style-type: none"> • 30/05/2013 - turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Coxs River. As a result of this incident, the EPA: <ul style="list-style-type: none"> ○ Issued a Penalty Infringement Notice (PIN) (\$1,500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days; ○ Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately reporting an incident which threatened material harm to the environment; and ○ Although POEO Act section 153F (implementing the PIRMP) was breached – no further action was 	Appendix B L2.4

Topic	Summary of Findings	IEA Reference
-------	---------------------	---------------

taken.

The likely cause of turbidity at LDP 009 was identified as a strata failure event underground and the flocculent being used at the LDP09 treatment pond was not suitable to treat the anomalous water chemistry following the strata failure. To prevent a re-occurrence an alternative flocculent (WTS 8-23) was permanently installed into the LDP09 water treatment plant.

- 12/09/2014 - coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2015 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the upper reaches of the Coxs River.

The cause of the coal fines incident was identified as wet coal fines overtopping the dirty water drainage channel and temporary pipe into the clean water drainage channel resulting in coal fines being discharged from LDP 001. Mitigation measures that were undertaken included increased inspection regimes, regular cleaning of the trash rack in the clean water drain adjacent to coal stockpile, upgrade of the crusher house dam pumping facility, procedures for dam excavation and investigation into improved capacity of the dirty water drainage channel.

During the site inspection, the auditors observed that improvement works had also been recently undertaken to reduce the sediment load in the primary and secondary pond and consequently improve performance at LDP 001 e.g. installation of new gabion drains and dam excavation pads.

- 02/09/2014 and 12/09/2014 - Springvale Delta Water Transfer System (SDWTS) incident: Springvale Coal received a Formal Warning from the EPA in 2014 for failing to undertake activities in a competent manner. The EPA determined that the location of the Springvale Delta Water Transfer System was vulnerable to damage by heavy vehicles and roadwork activities.

The cause of the water leak incident was identified as a fractured poly weld that connected the SDWTS branch line to the main line. Mine dewatering pumps were isolated and the pipeline was repaired using a stainless steel clamp. A barrier was installed to prevent future disturbance from vehicle traffic.

EPL 3607 Water Quality Limit Exceedances

The following non-compliances with EPL 3607 water quality criteria, that were the responsibility of Springvale Coal, were reported in the 2013 – 2016 Annual Returns:

- 2013 Annual Return-EPL 3607 condition L2.4:
 - Minor exceedances of pH, TSS, turbidity, total aluminium, filtered arsenic, filtered copper and zinc concentration limits at various discharge points.
- 2014 Annual Return-EPL 3607 condition L2.4:
 - Minor exceedance of licence discharge limit for arsenic, EC, copper and turbidity at LDP 009 on several occasions.
 - Minor exceedance of pH and TSS discharge limits at LDP 001.
- 2015 Annual Return-EPL 3607 condition L2.4:
 - Exceedance of the EC limit at LDP 009 on 15 occasions between 27/01/2015 and 29/12/2015);
 - Minor exceedance of the arsenic limit at LDP 009 (13/01/2015).
 - Exceedance of the copper limit at LDP 009 (25/02/2015)

Surface water quality results reported in the monthly environmental compliance reports identified exceedance of the EC limits at LDP 009

Topic	Summary of Findings	IEA Reference
	<p>in each month from January 2016 to June 2016.</p> <p>Although exceedances of EPL 3607 EC limits at LDP 009 have been reported since SSD-5594 was granted in September 2015, as Springvale Coal has completed previous studies to the satisfaction of the EPA on toxicity assessment and salinity reduction, and as EPL 3607 currently includes a pollution reduction program to reduce salinity and eliminate toxicity, it is evident that consideration has been given by the EPA to the exceedance of the concentration limits provided in EPL 3607 condition L2.4. The EPA has required Springvale Coal to monitor and assess water quality (previous PRPs) and undertake further action and reporting to the EPA by 30 June 2017 (PRP U1). The auditors understand that further action is likely to include additional treatment of water discharged from LDP 009.</p>	
<p>Progress with rehabilitation</p>	<ul style="list-style-type: none"> • No rehabilitation was undertaken during 2013 -2016. The status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR. Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure. • The 2015 AR reported that there were no exploration or construction activities undertaken during 2015. • Progress reporting of rehabilitation at the pit top (SPR 1 - old fire dam) and Newnes Plateau (SPR 2 infrastructure corridor and SPR 3 – bore 1 dewatering facility) was included in the 2015 AR. The auditors observed progressive rehabilitation at SPR 1403 and the Bore 8 compound with contouring of the land, forest litter material and logs spread over the rehabilitated area and no exotic species. • The November 2015 – October 2022 Mining Operations Plan (MOP) includes: <ul style="list-style-type: none"> ○ rehabilitation objectives listed in SSD-5594 CoA S4-30 Table 7 (MOP Tables 3 and 14). ○ progressive rehabilitation schedules (sections 7 and 8) and performance indicators and completion criteria for rehabilitation phases (Tables 18 – 22). 	<ul style="list-style-type: none"> • Appendix A1 CoA S4-30 • Appendix C3 ML 1326 (LW 411-418) CoA 2
<p>Implementation of management plans</p>	<p>A review of compliance with key management plans is included in Section 4. Due to the relatively short period since SSD-5594 was granted, many of the strategies, plans and programs developed to meet the requirements of SSD-5594 were in draft, had not been implemented and/or were only recently implemented.</p>	<p>Section 4 & Appendix A1 CoA S6-2</p>
<p>Compliance with Independent Monitoring Panel requirements and upload of information to the proponent's website</p>	<p>MCW Environmental reviewed the final LW 419 Swamp Monitoring Program, Biodiversity Management Plan and the Water Management Plan and confirmed that monitoring was revised to reflect IMP monitoring on swamps e.g. LW 410 Swamp Monitoring Program (section 5.7.1) and LW 419 Biodiversity Management Plan (section 3): now includes a 600m groundwater study area.</p> <p>A high level review by MCW Environmental identified that information provided to and recommendations made by the Independent Monitoring Panel was not available on the Centennial Coal website e.g. IMP comments on the draft LW 419 Extraction Plans dated 13/04/2016 and 09/06/2016.</p>	<p>Appendix A1 CoA S6-15</p>

3.2 NSW Department of Industry Division of Resources and Energy

MCW Environmental discussed the audit scope with the Manager & Principal Inspector Environment (Southern) (DRE) on 29 June 2016. The DRE advised that during the period of the IEA the DRE had undertaken an inspection of the Newnes Plateau swamp area, an audit of mining leases and review of technical reports as provided by the site (e.g. Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan Action Plan, four-monthly Subsidence Management Status Reports and an End of Panel Report). The DRE advised that technical reports provided by Springvale Coal were comprehensive and responses to triggered investigations were being progressed in consultation with other relevant agencies.

3.3 NSW Environment Protection Authority

MCW Environmental discussed the audit scope with the Regional Operations Officer and Operations Officers, Central West NSW, (EPA) on 1 July 2016. The EPA advised that Springvale Coal had provided Annual Returns in 2013, 2014 and 2015 which included non-compliances with licence conditions; and that two penalty notices have been issued by the EPA within the 2013 – 2106 period. A number of pollution reduction programmes (PRPs) had been included on the Environment Protection Licence for Springvale Coal (EPL 3607) over the last three years. Springvale Coal had provided technical reports and undertaken corrective actions as required in response to historic PRPs. The current PRP for salinity reduction and toxicity elimination had been developed to address exceedances of EPL 3607 electrical conductivity limits at licensed discharge point (LDP) 009. The EPA had been included in discussions regarding proposed revisions to the Water Treatment Strategy for Springvale Coal.

3.4 NSW Department of Primary Industries - Water

MCW Environmental discussed the audit scope with a Water Regulation Officer on 1 July 2016. DPI-Water advised that Springvale Coal provides copies of the AEMRs and within these reports Springvale provide records of extracted volumes of groundwater from the site. From the recent reports provided DPI Water has not noted any exceedance in licenced volumes extracted and that there were no outstanding responses to requests for information.

3.5 NSW Forestry Corporation of NSW

MCW Environmental discussed the audit scope with the Stewardship and Fire Supervisor (FCNSW) on 1 July 2016. FCNSW reported that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016). FCNSW advised that there were no outstanding responses to requests for information.

3.6 NSW Office of Environment and Heritage

MCW Environmental discussed the audit scope with Senior Team Leader Planning, North West Region on 1 July 2016. The OEH reported that feedback had been provided to the DPE on management plans as part of the Environmental Assessment process for SSD-5594 and that the OEH had attended a site inspection with the Independent Monitoring Panel (IMP) on the Newnes Plateau in February 2016. The OEH were currently awaiting feedback from the site inspection from the IMP and advised that there were no other outstanding corrective actions relating to environmental performance.

3.7 Lithgow City Council

MCW Environmental discussed the audit scope with the Development Planner at LCC on 29 June 2016. LCC advised that Springvale Coal management plans had been provided to LCC for review, the first year of contributions had been received, LCC representatives attended CCC meetings and that there were no outstanding issues relating to environmental performance.

3.8 Community Consultative Committee

MCW Environmental discussed the audit scope with the Chair of the Centennial Coal Western Region CCC on 27 June 2016. The Chair advised that information has been provided by Springvale Coal to the CCC regarding the Extension Project and that there were no outstanding requests for information.

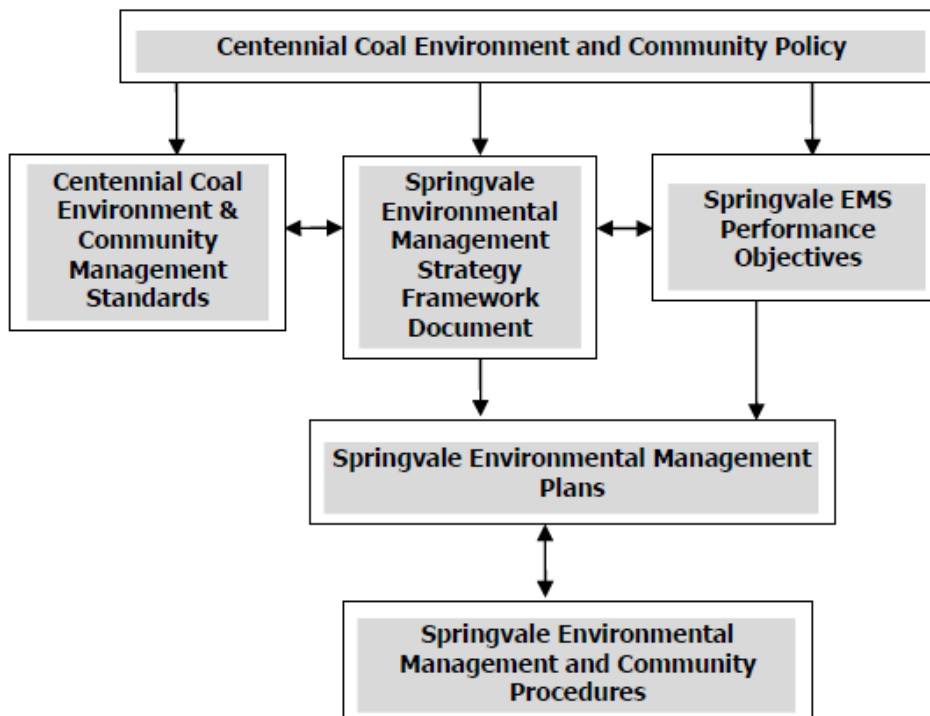
4 Environmental Management Performance

This section assesses the environmental performance of the development by providing an overview of the environmental management system used by Springvale Coal to manage and monitor environmental performance and environmental incidents and complaints as an indicator of environmental performance. Compliance with Approvals and Licences is also a key indicator of environmental performance and is discussed in **Section 5**.

4.1 Environmental Management Framework

The Centennial Coal Environmental Management Framework (**Figure 4-1**) includes a combination of Centennial Coal's Policy, Environmental Management System Framework and Environment and Community Standards; and Springvale Coal site specific procedures and standards.

Figure 4-1: Centennial Coal's Environmental Management Framework



The Framework has been developed to be consistent with the International Standard for Environmental Management Systems ISO 14001 and includes the following elements:

- Commitment and policy;
- Identification of aspects and impacts;
- Legal and other requirements;
- Objectives and targets;
- Management plans;
- Responsibility for implementing the EMS;
- Training, awareness and competence;
- Communication;
- Documentation and document control;
- Operational control;
- Emergency preparedness and response;
- Measurement and evaluation; and

- Management review.

The Framework is applicable to activities and areas managed by Centennial Coal including Springvale Coal. The Centennial Coal Environmental Management System Framework and the implementation of these documents on site were not assessed in detail during the IEA.

4.2 Environmental Management Strategy

The Springvale Coal EMS has been developed to satisfy the requirements of SSD-5594 CoA S6-1 and to be consistent with the Centennial Coal Environmental Management System Framework objectives. Springvale Coal provided a draft EMS to the DPE on 18/03/2016 and approval of the draft EMS was not available at the time of the IEA site inspection.

The EMS included:

- The strategic framework for environmental management;
- Statutory approvals that apply to Springvale Coal;
- Role, responsibility, authority and accountability of key personnel involved in the environmental management;
- SSD-5594 performance objectives, outcomes and associated management plan;
- Inspections;
- Training;
- Reporting;
- Procedures that would be implemented to:
 - Keep the local community and relevant agencies informed about the operation and environmental performance;
 - Receive, handle, respond to, and record complaints;
 - Resolve disputes;
 - Respond to non-compliances; and
 - Respond to emergencies.

A recommendation for improvement to the EMS was included in the compliance assessment of SSD-5594 CoA S6-1 (Appendix A1) for the development of a register that identifies the status of strategies, plans and programs approved under SSD-5594; and a clear plan depicting the monitoring required to be carried out under SSD-5594. An OFI (SSD-5594 CoA S2-2) was also identified to include responsibility for maintaining the Compliance Database in the EMS.

4.3 Environmental Risk Assessment

Springvale Coal undertakes an annual environmental risk assessment using the Stature Risk Assessment Program which is designed in accordance with AS/NZS ISO 31000:2009 Risk Management – Principles & Guidelines (Standards Australia, 2009). The risk assessment is conducted to assess environmental impacts and aspects for Springvale Coal operations.

Risk assessments of subsidence related effects from longwall mining are conducted for each SMP application and are submitted for approval by the DRE prior to longwall mining.

The Stature Risk Assessment Program considers environmental consequences and has a risk ranking matrix for assessing identified risks. This Program considers the operational activities of Springvale Coal, identifies the potential environmental hazards associated with each activity and assesses the potential risk posed by that hazard. The risk assessment includes actions for reducing unacceptable risks. The risk assessment reporting process triggers review of the status of implementation of these actions by the Compliance Manager.

The 2015 – 2022 MOP identifies that the most recent environmental risk assessment was undertaken on 02/06/2015.

In addition, Job Safety Analyses identify, assess and address environmental risks for small and/or low risk tasks.

4.4 Environment Management Plans

Springvale Coal requested approval from the DPE in 2015 to prepare management plans for Centennial Coal's western region's operations. Approval was provided by the DPE for the regional approach in November 2015 and subsequently regional management plans have been developed to provide an overview of the requirements for environmental aspects across Centennial Coal's western operations and to standardise their management. The regional management plans are supported by site-specific management plans which are being developed to address Springvale Coal's development approval conditions and specific management requirements.

Following the granting of the Development Consent for the SMEP (SSD-5594) in September 2015, Springvale Coal has commenced streamlining and updating existing management plans and developing new management plans that are triggered by SSD-5594.

At the time of the IEA the status of management plans triggered by SSD-5594, Mining Leases, EPBC Approvals and/or the EMS was:

- Recently Approved (since March 2016):
 - Final November 2015 – October 2022 Mining Operations Plan (MOP) (CC, 03/2016)
 - Regional Stygofauna Monitoring and Assessment Plan (CC, 03/2016)
 - Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016) (AQGHGMP)
 - Western Region Noise Management Plan (CC, 07/2016) (WRNMP)
 - Western Region Aboriginal Cultural Heritage Management Plan (CC, 07/2016) (WRACHMP)
 - Western Region Historic Heritage Management Plan (CC, 07/2016) (WRHHMP)
 - LW 419 Extraction Plan including component management plans:
 - LW 419 Biodiversity Management Plan (CC, 05/2016)
 - LW 419 Built Feature Management Plan (CC, 05/2016)
 - LW 419 Heritage Management Plan (CC, 05/2016)
 - LW 419 Land Management Plan (CC, 05/2016)
 - LW 419 Public Safety Management Plan (CC, 05/2016)
 - LW 419 Subsidence Monitoring Program (CC, 06/2016)
 - LW 419 Swamp Monitoring Program (CC, 07/2016)
 - LW 419 Water Management Plan (CC, 05/2016)
- Approved (prior to March 2016)
 - Pollution Incident Response Management Plan (CC, 14/12/2015)
 - LW 411 – 418 Subsidence Management Plan Approval
 - LW 411-418 Environmental Management Plan (CC, 2015)
 - LW 411- 418 Environmental Monitoring Program (CC, 06/2015)
 - Newnes Plateau Shrub Swamp Management Plan (CC, 2013)
 - Temperate Highland Peat Swamp on Sandstone Monitoring and Management Plan (CC, 08/2015)
 - Public Safety Management Plan (CC, 07/2013)
 - Infrastructure Management Plan (CC, 2009)
 - Land Management Plan (CC, 08/2013)
 - Road Management Plan (CC, 2006)
- Draft submitted for comment
 - Draft Western Region Water Management Plan (CC, 03/2016)
 - Draft Springvale Water Management Plan (CC, 03/2016)

- Draft Exploration Activities and Minor Surface Infrastructure Management Plan (CC, 22/01/2016)
- Not sighted, not triggered and/or under development:
 - Construction Traffic Management Plan
 - Construction Environmental Management Plan
 - Biodiversity Management Plan
 - Upper Cocks River Action and Monitoring Plan

Assessment of compliance against SSD-5594 conditions that had been triggered for all management plans is included in **Appendix A-1**. There were no non-compliances with conditions triggered by SSD-5594 for management plans however, many conditions were assessed as not verified and/or where opportunities for continual improvement were identified. Recommendations for conditions assessed as not verified are included in **Table 5-3** and opportunities for continual improvement are included in **Table 5-4**.

As many of the strategies, plans and programs developed to meet the requirements of SSD-5594 were in draft, had not been approved and/ or were only recently implemented, the assessment of adequacy of management plans undertaken for the IEA focussed on the following approved and implemented plans that were relevant to SSD-5594:

- Final November 2015 – October 2022 MOP (CC, 03/2016);
- Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016);
- Western Region Noise Management Plan (CC, 07/2016); and
- PIRMP (CC, 2016).

MCW Environmental has not undertaken a technical assessment of these key management plans. An assessment of the general adequacy of the implementation of the requirements of these key management plans is included in **Appendix G**.

The following general comments are made regarding the management plans and monitoring programs that were reviewed for the IEA:

- Management plans triggered by SSD-5594, and approved by DPE, have been standardised and generally include:
 - Statutory requirements (including any relevant approval, licence or lease conditions);
 - Performance measures;
 - Monitoring programs;
 - Performance criteria;
 - Trigger Action Response Plans are included in the LW411-418 EMP, WRNMP and WRAQGHGMP which provide actions for issues such as EPL and/or CoA limit exceedances, incidents and complaints;
 - Responsibilities;
 - Reporting requirements;
 - Review; and
 - Document Control.
- Management plans are supported by figures that identify monitoring locations and relevant site features.
- The 2015-2022 MOP was prepared to address both the MOP requirements within Mining Leases and to meet the SSD-5594 CoA S4-32 for a Rehabilitation Management Plan.
- As the SMEP is at the design stage, the requirement for the Construction Environmental Management Plan, and supporting sub-plans, to meet SSD-5594 CoAs for construction of the SMEP had not been triggered.
- The Pollution Incident Response Management Plan was revised in 2015.
- Evidence of implementation of monitoring triggered by the AQGHGMP (CC, 2016) and WRNMP (CC, 2016) was available in monthly environmental monitoring reports, 2015 AR and supporting

specialist reports. Monthly environmental monitoring reports from September 2015 to June 2016 2016 were available on the Centennial Coal (Springvale Coal) website and these reports included:

- Weather data;
- Depositional dust monthly results, 12-month trend and comparison with the annual average limit;
- Surface water quality for LDP 001 and LDP 009 including 12-month trend and comparison with EPL limit;
- Water volume discharged from DP 001, LDP 002, LDP 004, LDP 005, LDP 009 and LDP 010; and
- Complaints.
- The 2013 and 2014 AEMR and 2015 AR included summaries of the results of monitoring programs, triggered by environmental management plans, for the following environmental aspects:
 - Noise
 - Air quality;
 - Biodiversity including threatened species / endangered ecological species, aquatic habitat, flora, fauna, stygofauna and swamps;
 - Aboriginal heritage;
 - Historic heritage;
 - Waste;
 - Volumes of water extracted under WALs;
 - Rehabilitation; and
 - Complaints.

4.5 Environment Procedures

Springvale Coal has developed the following site specific environmental procedures which were available on the CC intranet:

- Air Quality Management Surface SV-STD-2169;
- Code of Environmental Practice for Exploration Activities SV20MP-009;
- Community Compliant or Request for Information TARP SV-TARP1758;
- Dangerous Goods List;
- Environmental Incident Reporting Procedure SV-MS 027WP-528;
- Erosion and Sediment Control Procedure SV-MS-027-WP-529;
- Flocculation Transport Procedure;
- Hydrocarbon/Chemical Management SV-MP-027-WP-527;
- Light Installation Surface Standard SV-STD-2171;
- Noise Management Surface SV-STD-2172;
- Notification of Environmental Regulatory Authorities SV-SVP-1727;
- Pollution Control Maintenance SV-SWP-2128;
- PIRMP SV-MP-1122;
- SDWTS Incident Response SV-TARP-1827;
- State Forest Civil and General Earthworks Environmental Controls SV-STD-1972;
- Waste Management Standard SV-STD-2184; and
- Water Management Procedure SV-MS-034-WP-663.

4.6 Compliance Database

Springvale Coal has commenced implementation of the Compliance Database which is being developed as the primary tool for tracking compliance with Conditions of Approval (CoA), Licences and Leases. At the time of undertaking the IEA, the statement of commitments within environmental assessments and commitments made in the MOP had not been included within the Compliance Database. Although the database has the capacity to facilitate compliance (including identification of a responsible person, dates for actions to be completed and records verification information and email alerts sent to the responsible person in advance of, and when, actions were due and overdue); the

system had only been partially implemented. There is currently no formal process for responding to overdue actions and the EMS does not define responsibility for maintaining the Compliance Database.

4.7 Pollution Control Equipment

The following records supporting proper maintenance and operation of pollution control equipment were sighted during the IEA:

- Weekly inspection of the Pit Top including visual assessment of the oil/water separator, waste, wash bay and storage areas;
- Calibration certificate for LDP 001 flowmeter;
- Springvale Site Clean-up reports (New Era, 05/2015 and 04-08/12/2015);
- Monthly record of maintenance to environmental controls including oily sludge removal from oil/water separator, solids removal from wash bay and sumps, backflush gabion filters at top yard drain and sort and disposal of steel rubbish;
- Monthly Environment Coordinator inspection records (19/01/2-016 and 11/03/2016);
- Repairs to silt drains (19/02/2016); and
- Water treatment / dosing records.

The Pulse work order system triggers monthly inspections by the Environment Co-ordinator and quarterly inspections of Springvale Mine pit top and stockpile area by the Mine Services Manager to identify best practice opportunities (housekeeping, maintenance of equipment, surface water management and sediment load, dust generating activities etc). At the time of undertaking the IEA site inspection, the June 2016 inspection was overdue and the standard of housekeeping required improvement (refer to Appendix A1 SSD-5594 CoA S2-14).

4.8 Environmental Training

The Environment and Community Coordinator has responsibility for the development and implementation of environmental training and inductions. Springvale Coal provided evidence that environmental induction training had been undertaken. The training package included incident reporting, EMS overview, key environmental aspects and controls and a summary of requirements for all personnel. Training included competency assessment of attendees.

4.9 Incidents, Complaints and THPSSMMP Notifications

The CC Standard 012 – External Environmental Reporting (EER) provides procedures to follow in the event of an environmental incident and categorises incidents according to severity of the consequences. The EER is consistent with the PIRMP regarding immediate reporting of a pollution incident that causes or threatens material harm to the environment. The Springvale Coal PIRMP contains details of how employees should respond to an environmental incident, site layout and Emergency Call Record, SV-SWP 1727 Notification of Environmental Regulatory Authority and SV-TARP 1758 Community Complaint or Request for Information.

4.9.1 Externally Reported Incidents

Externally reported incidents recorded during the 2013 -2016 period are summarised in **Table 4-1**.

Table 4-1: Summary of Externally Reported Incidents

Date	Nature of Incident	Source
30/03/2016	Exceedance of noise limit at receptor S2	Environment and Community Database
2013	<ul style="list-style-type: none"> • Minor exceedences of pH, TSS, turbidity, total aluminium, filtered arsenic, filtered copper and zinc concentration limits at various discharge points. 	EPA Annual Return

Date	Nature of Incident	Source
2014	<ul style="list-style-type: none"> Minor exceedance of licence discharge limit for arsenic, EC, copper and turbidity at LDP 009 on several occasions. Minor exceedance of pH and TSS discharge limits at LDP 001. 	EPA Annual Return
2015	<ul style="list-style-type: none"> Exceedance of the EC limit at LDP 009 on 15 occasions between 27/01/2015 and 29/12/2015); Minor exceedance of the arsenic limit at LDP 009 (13/01/2015). Exceedance of the copper limit at LDP 009 (25/02/2015) 	EPA Annual Return
01/2016 to 06/2016	<ul style="list-style-type: none"> Exceedance of the EC limits at LDP 009 in each month 	Monthly EPL monitoring Reports

4.9.2 Regulatory Action

Regulatory action has been taken by the EPA during 2013 – 2016 for the following incidents:

- 30/05/2013 - turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Coxs River. As a result of this incident, the EPA:
 - Issued a Penalty Infringement Notice (PIN) (\$1,500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days;
 - Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately reporting an incident which threatened material harm to the environment; and
 - Although POEO Act section 153F (implementing the PIRMP) was breached – no further action was taken.

The likely cause of turbidity at LDP 009 was identified as a strata failure event underground and the flocculent being used at the LDP09 treatment pond was not suitable to treat the anomalous water chemistry following the strata failure. To prevent a re-occurrence an alternative flocculent (WTS 8-23) was permanently installed into the LDP09 water treatment plant.

- 12/09/2014 - coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2015 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the upper reaches of the Coxs River.

The cause of the coal fines incident was identified as wet coal fines overtopping the dirty water drainage channel and temporary pipe into the clean water drainage channel resulting in coal fines being discharged from LDP 001. Mitigation measures that were undertaken included increased inspection regimes, regular cleaning of the trash rack in the clean water drain adjacent to coal stockpile, upgrade of the crusher house dam pumping facility, procedures for dam excavation and investigation into improved capacity of the dirty water drainage channel.

During the site inspection, the auditors observed that improvement works had also been recently undertaken to reduce the sediment load in the primary and secondary pond and consequently improve performance at LDP 001 e.g. installation of new gabion drains and dam excavation pads.

- 02/09/2014 and 12/09/2014 - Springvale Delta Water Transfer System (SDWTS) water leak incident: Springvale Coal received a Formal Warning from the EPA in 2014 for failing to undertake activities in a competent manner. The EPA determined that the location of the Springvale Delta Water Transfer System was vulnerable to damage by heavy vehicles and roadwork activities.

The cause of the SDWTS water leak incident was identified as a fractured poly weld in a connection between the SDWTS branch line and the main line. Mine dewatering pumps were isolated and the pipeline was repaired using a stainless steel clamp. A barrier was installed to prevent future disturbance from vehicle traffic.

On 12 October 2011, Springvale and Angus Place Collieries were part of an enforceable undertaking by Department of Sustainability, Environment, Water, Population and Communities (now Commonwealth Department of Environment (DoE)) under the EPBC Act relating to impacts on swamps comprising Narrow Swamp; East Wolgan Swamp and Junction Swamp. These events were prior to the period of the audit and hence are not covered in detail in this report. Springvale has undertaken remedial activities in East Wolgan swamp which were inspected during the IEA. Photos 39 to 42 show the rehabilitation status of the swamps at the time of the IEA site inspections.

4.9.3 Complaints

A community information and complaints line (02 6350 1640) is maintained by Springvale Coal. The number is directed to the Springvale Mine control room that is manned 24 hrs a day. The caller's details are recorded and passed on to the Environment Coordinator. A record of the complaint form dated 4/2015/ccapp1000259 was available for review. The complaints line number was tested during the site visit. The test call was answered by the Springvale Coal control room.

Complaints are recorded by the Environmental Coordinator in the Environment and Community Database. The record includes reference number, complainant details, complaint type, date and time of occurrence, complaint details, investigation / cause, remediation details, implementation process, implementation date and details of consultation.

Complaints that were received by Springvale Coal during the 2013 -2016 period have been reported in the 2013 and 2014 AEMRs and the 2015 AR, and are summarised in **Table 4-2**.

Table 4-2: Summary of Complaints

Issue	Date	Nature of Incident
Traffic	28/09/2015	<p>There was one community complaint during 2015:</p> <ul style="list-style-type: none"> A vehicle was reported entering the highway from the mine access road at 5:30 am on the 28/09/2015. It was unknown whether the vehicle had come from Springvale Coal.
Noise (not Springvale Coal)	2014	<p>There were two community complaints received during 2014 that were reported by Springvale Coal to be related to low frequency noise from Western Coal Services.</p> <p>There were no community complaints recorded for Springvale Coal during 2014.</p>
Noise	2013	<p>There were two community complaints during 2013:</p> <ul style="list-style-type: none"> One complaint related to the beeper fitted to the dozer working at the ROM coal stockpile. Following the complaint, the beeper alarm was turned down to its lowest setting. The complainant was satisfied with this action. One complaint related to noise from the upcast ventilation shaft located on the Newnes Plateau. Monitoring at the complainant's property failed to detect any signature from the ventilation fan

4.9.4 THPSSMMP Notifications

The THPSSMMP Annual Compliance Report (03/2016) identifies that the following notification and investigations were conducted in accordance with TARP and notification processes defined in LW 415-417 and LW 418 THPSSMMPs:

- SSE1 and SPR1101: Notification of the groundwater monitoring trigger was reported to DoE on 28/03/2014 with subsequent provision of an investigation report on 19/05/2014 and additional investigation details provided on 19/01/2016.
- SSE2 and SSE3: Notification of the groundwater monitoring trigger was reported to the DoE on 30/03/2015 with subsequent provision of an investigation report on 22/05/2015.

- Stolen Piezometers: Stolen piezometers were reported to the DoE on 5/5 (assumed to be 2015).
- CW3 and CW4: Notification of the defined groundwater monitoring trigger was reported to DoE on 05/08/2015 and a preliminary investigation report was provided on 22/09/2015.
- SPR1109: Notification of an historical trend of decline groundwater levels was reported to the DoE on 05/08/2015 and a preliminary findings report submitted to the DoE on 22/09/2015.
- CW1 and CW2: Notification of an historical trend of declining groundwater levels was reported to the DoE on 22/12/2015 with subsequent provision of a preliminary investigation report on 12/02/2016. This report summarised monitoring data related to the impact, provided an explanation of the expected cause and that further data analysis was required to determine if the changes to water levels in Carne West Swamp are related to mine subsidence or the decline observed in the regional groundwater table aquifer.

5 Compliance Assessment

The findings of the IEA compliance assessment for conditions within the regulatory approvals listed in **Table 2-1** are presented in this section. The detailed compliance assessments, including verification evidence, are included in:

- **Appendix A:** Development Consents – SSD-5594, DA 11/92 and DA 461/02.
- **Appendix B:** EPL 3607;
- **Appendix C:** Mining Leases and Consolidated Coal Leases – ML 1303, ML 1323, ML 1326, ML 1537, ML 1588, ML 1670, ML 1727, MPL 314 and CCL 337;
- **Appendix D:** SMP Approvals: LW 411- 417;
- **Appendix E:** Water Access Licence: 36383 (10BL603519), 36446 (10BL601863) and 36443 (10BL602017); and
- **Appendix F:** EPBC Approvals: 2013/6881 and 2011/5949.

The compliance status was assessed by application of the criteria generally in accordance with the Post Approval Guidelines: Independent Audits (NSW Government, 2015) provided in **Table 2-2**.

The compliance assessment was based on visual observations of the Springvale Coal operations being undertaken on site during site inspections for the IEA, interviews with site personnel and interpretation of the documentation provided by Springvale Coal. Opinions expressed in the compliance assessment apply to the operations as they existed at the time of the IEA and from information provided by site personnel. Changes to this information of which the auditors are not aware, and have not had the opportunity to assess, have not been considered in the compliance assessment.

A summary of the compliance assessment for Springvale Coal is provided in **Table 5-1**. The IEA findings indicate that Springvale Coal has achieved a relatively high level of compliance during the period of the IEA. Non-compliances with regulatory requirements that occurred in the three-year period prior to the IEA are described in **Section 5.1**.

Table 5-1: Compliance Assessment Summary

Instrument	C	NV	NA	Noted	A NC	NC	NT	Total	Total Trig'd	% C
DA 11/92 CoA	20	2	13	2	0	0	5	42	22	91
DA 461/02	6	4	17	0	0	0	0	27	10	60
SSD - 5594	39	6	0	4	3	1	22	75	49	80
SSD - 5594 Environmental Assessment Statement of Commitments	10	3	0	0	0	0	5	18	13	77
Environment Protection Licence 3607	36	4	0	13	2	2	15	72	44	82
Mining Lease 1303	6	0	0	1	0	0	6	13	6	100
Mining Lease 1323	6	0	0	1	0	0	4	11	6	100
Mining Lease 1326	10	3	0	4	0	0	4	21	13	77
Mining Lease 1537	15	1	0	2	0	1	16	35	17	88
Mining Lease 1588	5	0	1	4	0	0	8	18	5	100
Mining Lease 1670	9	0	0	1	0	0	7	17	9	100
Mining Lease 1727	4	0	0	1	0	0	6	11	4	100
Mining Purposes Lease 314	6	0	0	1	0	0	4	11	6	100
Consolidated Coal Lease 337	5	0	1	4	0	0	10	20	5	100

Instrument	C	NV	NA	Noted	A NC	NC	NT	Total	Total Trig'd	% C
SMP Approval LW 411-417	17	0	0	0	1	0	2	20	18	94
Water Access Licence 36383	1	0	0	0	0	0	0	1	1	100
Water Access Licence 36446	1	0	0	0	0	0	0	1	1	100
Water Access Licence 36443 Note 1	0	0	0	0	0	1	0	1	1	0
EPBC Approval: 2011/5949	13	0	0	0	3	0	18	34	16	81
EPBC Approval: 2013/6881	10	5	0	0	0	0	11	26	15	67
Total	219	28	32	38	9	5	143	474	261	

Table 5-1 Abbreviations:

C = Compliant

NC = Non-compliant

NV = Not verified

NT = Not triggered

NA = Not Assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.

Total triggered – No. conditions triggered in this IEA

A NC – Administrative non-compliance

% C – (No. of compliant conditions / Total No. of conditions triggered) %

Note 1: The exceedance of the WAL 36443 extraction limit in 2013 is outside the period of the IEA, however it is within the period of review of environmental performance.

5.1 Non-Compliances

Where the compliance assessment identified that the intent of specific elements of the regulatory instrument approval had not been met, an assessment of 'non-compliance' has been made. The category of non-compliance was ranked according to potential environmental significance using the risk assessment framework in the Post Approval Guidelines: Independent Audits (NSW Government, 2015) provided in **Table 2-3**.

The compliance assessment resulted in the following five low risk non-compliances:

- SSD-5594: One low risk non-compliance (exceedance of noise limits);
- EPL 3607: Two low risk non-compliances (exceedance of noise limits and water pollution concentration limits);
- ML 1537: One low risk non-compliance (soil erosion at the Ventilation Shaft No.3 compound); and
- WAL 36446: One low risk non-compliance (exceedance of groundwater extraction volume limit).

The compliance assessment resulted in the following administrative non-compliances:

- SSD-5594: Three administrative non-compliances (low frequency noise, EMS and publishing of reports);
- EPL 3607: Two administrative non-compliances (premises details and signage);
- SMP Approval LW 411-418: One administrative non-compliance (notification of subsidence); and
- EPBC Approval 2011/5949: Three administrative non-compliances (publishing reports).

The non-compliances and corresponding recommendations are summarised in **Table 5-2** and detailed in **Appendices A to F**.

Table 5-2: Non-Compliances and Recommendations

Risk Rating	Non-compliant: CoA / Topic / Findings / Recommendation
Low	<p>SSD-5594 CoA S4-1 and EPL 3607 condition L4.4 Noise Criteria</p> <p>Finding: The quarterly attended noise monitoring results for monitoring undertaken on 31/03/2016 were provided to Springvale Coal on 12/04/2016. The results recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2.</p> <p>Recommendation 1: Implement a process for consultants undertaking attended noise monitoring, that following data validation noise limit exceedances are reported immediately to the Springvale Coal Environment Coordinator.</p> <p>Recommendation 2: Assess if processes are in place for immediate reporting by consultants to CC of exceedances for other monitoring required under regulatory approvals and licences that is undertaken by consultants (in addition to noise) e.g. water quality, dust, subsidence etc.</p> <p>Recommendation 3: Revise SV-STD- 2172 Noise Management Surface Standard to:</p> <ul style="list-style-type: none"> ○ Increase the frequency of undertaking inspections in accordance with SV-STD-2172 (Noise Management Surface) to quarterly; ○ Identify responsibility for implementing SV-STD-2172; and ○ Describe how the effectiveness of implementing the procedure is monitored and reported.
A NC	<p>SSD-5594 CoA S4-4 Noise Management Plan</p> <p>Finding: Low frequency investigations were not included in the 2016 WRNMP.</p> <p>Recommendation 4: Include the findings of the low frequency investigations that are currently being undertaken, referenced in Appendix E of the 2016 WRNMP, in future Annual Reviews and consider incorporation of relevant findings/actions from the investigation into the WRNMP.</p>
A NC	<p>SSD-5594 CoA S6-1 EMS</p> <p>Finding: The EMS did not include a comprehensive list of management plans and the status of the plan; and a plan depicting all of the monitoring required to be carried out under SSD-5594 was only partially provided. Although SSD-5594 conditions were available on the Compliance Database, the system had not been comprehensively and consistently adopted for tracking compliance across EPBC Approvals, mining tenements, licences and related mining approvals.</p> <p>Recommendation 5: Update the EMS to include:</p> <ul style="list-style-type: none"> • References and/or links to a register identifying the status of strategies, plans and programs approved under SSD-5594 (e.g. not commenced, draft, approved, final etc); and • A clear plan in the EMS depicting all of the monitoring required to be carried out under SSD-5594. <p>Refer also to SSD-5594 CoA S6-15.</p>
A NC	<p>SSD-5594 CoA S6-15 Access to Information</p> <p>Finding: A high level review by MCW Environmental identified that the following information was not available on the Centennial Coal website at the time of the IEA (although this list is not considered comprehensive):</p> <ul style="list-style-type: none"> • DA 461/02 (Ventilation Shaft No.3); • Statement of environmental effects and the letter supplied by Umwelt Environmental Consultants (15/01/2003) for DA 461/02; • ML 1727; • 2016 Environment Management Strategy; • MOP (2015 -2022); and • Information provided to and recommendations made by the Independent Monitoring Panel. <p>Recommendation 6: Develop a register of mining tenements, approvals, licences and management plans, strategies, programs and correspondence that is document controlled and consistent across:</p> <ul style="list-style-type: none"> • MOP Table 4; • EPL 3607 condition A2.1; • Environmental Assessments; • Annual Reviews; • Management Plans; and

Risk Rating	Non-compliant: CoA / Topic / Findings / Recommendation
	<ul style="list-style-type: none"> Centennial Coal (Springvale Coal) website. <p>When the register is complete, update information on the Centennial Coal web site in accordance with SSD-5594 CoA S6-15 including the general description of the project 'Development and Environment Approvals'.</p>
A NC	<p>EPL 3607 condition A2.1 Premises</p> <p>Finding: The mining tenements listed in EPL 3607 Premises Details were not consistent with the mining tenements provided in Table 4 of the 2015 – 2022 MOP e.g. EPL 3607 included CL 733 (rather than 377) and did not include ML 1620 and ML 1727. The map titled 'Figure No. 1 – Plan of Operations' did not include mining tenements for SSD 5594.</p> <p>Recommendation 7: Submit an EPL 3607 variation to reflect the SMEP premises such as current mining tenements and supporting figure.</p>
Low	<p>EPL 3607 condition L2.4 Water Concentration Limits</p> <p>Finding: Exceedances of EPL 3607 EC limits at LDP 009 have been reported since SSD-5594 was granted in September 2015. As Springvale Coal has completed previous studies to the satisfaction of the EPA on toxicity assessment and salinity reduction, and as EPL 3607 currently includes a pollution reduction program to reduce salinity and eliminate toxicity, it is evident that consideration has been given by the EPA to the exceedance of the concentration limits provided in EPL 3607 condition L2.4.</p> <p>As the EPA has required Springvale Coal to monitor and assess water quality (previous PRPs) and undertake further action and reporting to the EPA by 30 June 2017 (PRP U1), no further recommendations have been made.</p>
A NC	<p>EPL 3607 condition G2.1 Signage</p> <p>Finding: During an inspection of LDP 4 and 5, no signage was sighted indicating the identification number of the LDP.</p> <p>Recommendation 8: Mark the location of LDPs 004 and 005 clearly. Locate the signs as close as practical to LDPs 004 and 005.</p>
Low	<p>ML 1537 CoA 30 Soil Erosion</p> <p>Finding: During the site inspection at the Ventilation Shaft No. 3 compound on 27/06/2016 MCW Environmental observed areas of the site that had not been revegetated or sealed, evidence of erosion in the area adjacent to the sediment dams, shallow channelling in the APZ and a high sediment load behind some sediment fences.</p> <p>Recommendation 9: Identify the cause of erosion on the Ventilation Shaft No. 3 site and shallow channelling in the adjacent APZ zone. Undertake corrective actions to improve sediment and erosion controls.</p>
A NC	<p>SMP Approval LW 411- 418 CoA 12 Subsidence Reporting</p> <p>Finding: As some of the notification requirements triggered by SMP Approval CoA 12 were not issued within 24 hours of the occurrence, (e.g. the water levels at CW1 and CW2 in Carne West Swamp) there is potential that CC were not in compliance with this aspect of the condition.</p> <p>As CC now operates within a recently approved Extraction Plan, the requirements of the SMP are now reflected in the Extraction Plan, and consequently no further recommendations have been made.</p>
A NC	<p>EPBC Approval 2011/5949 CoAs 26, 29 & 34 Publishing Reports</p> <p>Finding: A number of documents required under EPBC 2011/5949 were not sighted on the Centennial Coal website.</p> <p>Recommendation 10: The following improvements were identified for the Centennial Coal website:</p> <ul style="list-style-type: none"> Locate all documents required under EPBC Approval 2011/5949 in one location on the Centennial Coal website; Standardise document titles to clearly identify document title and purpose of each document (e.g. 2015 THPSSMP Annual Report/ EPBC Approval condition 29); Include the document date on the website (not the date uploaded); Upload the 2015 THPSSMP Annual Report (CC, 03/2016); and Upload annual EPBC 2011/5949 Compliance Reports (2013 to 2016) on the Centennial Coal website.

Risk Rating	Non-compliant: CoA / Topic / Findings / Recommendation
Low	<p>WAL 36443 Extraction Limit</p> <p>Finding: The WAL extraction limit of 585 ML was exceeded in 2012/2013 Water Year. The exceedance of the WAL 36443 extraction limit in 2013 is outside the period of the IEA, however it is within the period of review of environmental performance. Springvale Coal reported that they had recently applied to DPI Water to list additional pumps on 10WAL118719 to ensure that groundwater sources reflect water extraction practices on-site; and that the following controls were in place to meet Water Access Licence entitlements:</p> <ul style="list-style-type: none"> • Monitoring and tracking of groundwater extraction volumes against entitlements; and • Monthly Water Improvement Team meetings to review water extraction practices and identify improvement opportunities. <p>As the Water Access Licence entitlements have not been exceeded in 2013/2014 and 2014/2015 Water Years, and extraction volumes are monitored, no further recommendations have been made.</p>

A NC – Administrative non-compliance

5.2 Not Verified Conditions

Where the auditor was not 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, the condition was assessed as 'not verified'. The conditions assessed as 'not verified' with corresponding recommendations are summarised in **Table 5-3** and detailed in **Appendices A to F**.

Table 5-3: Not verified conditions and Recommendations

CoA	Not Verified: Topic / Finding / Recommendation
SSD-5594 CoA S4-12	<p>Finding: During the site inspection on 27/06/2016 MCW Environmental observed that the design of the sediment fence adjacent to the windrow on the Bore 8 compound site generated a high, downslope sediment load and there was a high sediment load behind some sediment fences. Opportunities for improvement in erosion and sediment control at the Ventilation Shaft 3 compound were also identified. To meet the SSD-5594 CoA S4-12 Table 6 performance measure on 'Construction and Operation of Infrastructure', the design, installation and maintenance of erosion and sediment controls is required to be generally in accordance with Managing Urban Stormwater: Soils and Construction.</p> <p>Recommendation 11: Revegetate disturbed areas outside of the operations areas and/or design and maintain sediment and erosion controls in accordance with the Managing Urban Stormwater: Soils and Construction e.g. at the Borehole 8 dewatering facility and Ventilation Shaft 3 compound. The sediment and erosion controls are required so that operations do not to cause or aggravate soil erosion and to meet the requirements of s120 of the Protection of the Environment Operations Act 1997.</p>
SSD-5594 CoA S4-26	<p>Bushfire Management</p> <p>Finding: As the Bushfire Management Plan and Bushfire Management Procedure had not been revised since 2013, and as the MSEP works had not commenced on site, an assessment that the development is suitably equipped to respond to any fire on site was unable to be made and consequently SSD-5594 CoA S4-26 was assessed as not verified.</p> <p>Recommendation 12: Undertake an independent Bushfire Hazard Assessment to assess the adequacy of fire response equipment and procedures at the Pit Top and for the SMEP development:</p> <ul style="list-style-type: none"> • In accordance with the requirements of the Rural Fires Act 1997, the Rural Fires Regulation 2008, the RFS document 'Planning for Bushfire Protection 2006' for the purposes of bushfire hazard and impact determination and Australian Standard AS 3959 – 2009 titled 'Construction of buildings in bushfire-prone zone areas as amended for building/structural provisions; • In consultation with the RFS and FCNSW; and • Taking into account ISSC 3 Guideline for Managing Vegetation Near Power Lines – December 2005. <p>Following completion of the assessment, revise the Bushfire Management Plan as required.</p>

CoA	Not Verified: Topic / Finding / Recommendation
ML 1326 CoAs 28 & 29	<p>Notification of Approval</p> <p>Finding: An assessment of mining operations in the Warragamba Outer Catchment Area against the requirements of Sydney Water Catchment Management Act 1998 and regulations applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply.</p> <p>Recommendation 13: Assess if the requirements of Sydney Water Catchment Management Act 1998 and regulations applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply have been taken into account in the plans and procedures associated with works in the Outer Catchment Area e.g. Upper Coxs River Action and Monitoring Plan, Water Management Plan, SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls. and Springvale Coal incident reporting requirements. Record the findings of the assessment on the Compliance Database for ML 1326 CoA 28. Undertake corrective actions as required.</p>
EPBC Approval 2013/6881 CoA 4	<p>Temperate Highland Peat Swamps</p> <p>Finding: Since EPBC Approval 2013/6881 was granted on 13 October 2015, although swamp and aquifer trigger values had been exceeded (e.g. CW 1 and CW2), greater than negligible environmental consequences on Temperate Highland Peat Swamps within the project area had not been reported in the 2015 and 2016 EPBC 2013/6881 Annual Compliance Reports. The issue of the extent of impacts as defined by water level drops measured in Carne West Swamp has not been formally assessed by the IMP or the DPE against the “negligible environmental consequences” criteria as defined in this condition. On this basis, MCW Environmental is not able to verify compliance or otherwise with this condition and has included in SSD-5594 CoA S3-11 OFI that, in association with the DPE, CC consider clarifying the role and functioning of the IMP with respect to implementing its responsibilities under SSD-5594 CoA S3-11 and EPBC Approval 2013/6881 CoA 4.</p>

5.3 Continual Improvement

Conditions that were assessed as compliant and/or where opportunities were identified for continuous improvement are provided in **Table 5-4** and detailed in **Appendices A to F**.

Table 5-4: Opportunities for Improvement

OFI	Approval	Opportunity for Improvement
OFI-1.	SSD-5594 CoA S2-2 Terms of Approval	<p>Implement and maintain the Compliance Database including:</p> <ul style="list-style-type: none"> Assign responsibilities for maintaining the Compliance Database and document this responsibility in the EMS and/or position descriptions; Track and report the status of overdue Compliance Database actions to the Mine Manager on a monthly basis; and Include conditions from regulatory instruments applicable to the SMEP including the Statement of Commitments from the SMEP EIS.
OFI-2.	SSD-5594 CoA S2-14	<ul style="list-style-type: none"> Assess the adequacy/capacity of the Pit Top oil/water separator for the current dirty water load and undertake corrective actions as required. Undertake quarterly pit top inspections by the Mine Services Superintendent to identify best practice opportunities for housekeeping, maintenance of environmental control equipment, surface water management and sediment load, dust generating activities, waste segregation etc. Report results of completed inspections at leadership meetings and track implementation of corrective actions.
OFI-3.	SSD-5594 CoA S3-11 IMP	In association with the DPE, consider clarifying the role and functioning of the IMP with respect to implementing its responsibilities under SSD-5594 CoA S3-11 (subsidence impacts) and EPBC Approval 6881 CoA 4 (THPSS impacts).
OFI-4.	SSD-5594 CoA S4-6 Air Quality	Reinstall water sprays onto the coal stockpile area that were decommissioned during roadworks undertaken to improve surface water management and reduce sediment load in the primary and secondary ponds.

OFI	Approval	Opportunity for Improvement
OFI-5.	SSD-5594 CoA S4-6 Air Quality	Implement the action provided in the Compliance Database for SSD 5594 CoA S4-6 to investigate installation of a meteorological condition TARP for the control room and/or the installation of automated alarms in the control room for wind speed and regional real time monitoring, to minimise air quality impacts that may result in off-site dust complaints and/or exceedance of SSD 5594 CoA S4-5 criteria.
OFI-6.	SSD-5594 S4-7 WRAQGH GMP	In addition to the proposed monitoring of short term and long term air quality, include in the WRAQGHGMP monitoring and reporting against performance measures for: <ul style="list-style-type: none"> • Minimising visible off-site air pollution generated by the development. • Minimising the surface disturbance of the site generated by the development. • Minimising the air quality impacts of the development during adverse meteorological conditions and extraordinary events.
OFI-7.	SSD-5594 S4-12 Water	Revise the existing Environment Coordinator site inspection checklist to include assessment of compliance of sediment and erosion controls at Springvale Mine and infrastructure on Newnes Plateau, against the Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries.
OFI-8.	SSD-5594 CoA S4-19 Transport	Include an action on the Compliance Database for monitoring compliance with both SSD-5594 S2-8 (limiting tonnes of coal transported by road to < 50,000 tonnes) and CoA S4-19 (quarterly reporting of coal transport records on the Centennial Coal website).
OFI-9.	SSD-5594 CoA S4-21 Transport	<ul style="list-style-type: none"> • Finalise the report Castlereagh Highway & Springvale Mine Access Road Traffic Flow & Warrants Review DRAFT 1 (ARC Traffic and Transport, 30/10/2015) and save on the Compliance Database for SSD-5594 CoA S4-21. • Include actions on the Compliance Database for SSD-5594 CoA S4-21 to conduct ATC surveys every 6 months, supplemented with an additional intersection survey (i.e. all movements at the intersection of Castlereagh Highway & Mine Access Road) every 12 months (i.e. every second ATC survey) to ensure that the critical right turn flow Castlereagh Highway to Mine Access Road has not increased.
OFI-10.	SSD-5594 CoA S4-25 Visual	Include on the procedure SV-STD-2171 Light Installation Surface Standard and/or the Compliance Database, a responsible role for implementation of the procedure, the frequency of undertaking the procedure and reporting requirements.
OFI-11.	SSD-5594 CoA S4-27 Waste	Store and handle waste appropriately across the Springvale Coal sites e.g. segregate waste in the equipment storage area adjacent to the coal stockpile, store liquid waste and 20L drums in banded areas, reduce sediment loads in wash bays, and improve general housekeeping.
OFI-12.	SSD-5594 CoA S4-27 Waste	Revise the SV-STD-218 Waste Management Procedure to: <ul style="list-style-type: none"> • Include responsibilities for implementing SV-STD-218; and • Describe how the effectiveness of implementing the procedure is monitored and reported.
OFI-13.	SSD-5594 CoA S4-32 Rehab.	Undertake the following actions related to the MOP: <ul style="list-style-type: none"> • Develop and implement the monitoring system referenced in the MOP (section 8.1) to assess the effectiveness of the rehabilitation measures and progress against the detailed performance and completion criteria. • Include in the MOP how the rehabilitation management requirements in the MOP build to the maximum extent practicable on the other management plans required under the SSD-5594 consent. This is particularly relevant for integration of the MOP and the Biodiversity Management plan which was under development at the time of the IEA. • Include a copy of the DPE approved 2015-2022 MOP on the Centennial Coal website. • Include rehabilitation commitments made in the MOP in the Compliance Database

OFI	Approval	Opportunity for Improvement
OFI-14.	SSD-5594 CoA A3-10 Air Quality	Assess if the additional TEOM, referenced in SSD-5594 CoA SOC A3-10, will be installed as part of a regional air quality monitoring programme that is currently being developed by Centennial Coal. If not, undertake corrective actions to avoid future non-compliances with this commitment.
OFI-15.	DA 11/92 CoA S2-13 Effluent	If water from the on-site sewage effluent treatment ponds continues to be applied to the utilisation area, assess irrigation practices for the effluent irrigation area against the EPA guidelines 'Use of Effluent for Irrigation' and implement corrective actions as required.
OFI-16.	EPL 3607 P1.1	Revise the nomenclature for the dust deposition monitoring network to be consistent across: <ul style="list-style-type: none"> • EPL 3607 condition P1.1; • AQGHGMP (Appendix 5) for Springvale Coal; and • Environmental monitoring reports.
OFI-17.	EPL 3607 L4.4	Revise WRNMP (Appendix E) to include the requirements of EPL 3607 conditions P1.4 and L4.1 to L4.4.
OFI-18.	EPL 3607 M3.1	Include on both the ALS monitoring spreadsheet and the Centennial Coal monthly environmental monitoring report, the analytical method used for deposited dust, PM 10 and TSP and that this method is in accordance with "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".
OFI-19.	EPL 3607 M3.2	Include on both the ALS monitoring spreadsheet and the monthly environmental monitoring report the analytical methods used for water quality analyses and that these methods are in accordance with "Approved Methods Publication".
OFI-20.	EPL 3607 M6.2	As the telephone complaints number has not been included in a Newsletter recently and/or is not available on the sign at the entrance to the site, develop a system to provide regular notification to 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 (e.g. six-monthly).
OFI-21.	EPL 3607 R2.2	Include the DPE and the DRE contact details as appropriate regulatory authorities for reporting pollution incidents (Table 7) in the PIRMP.
OFI-22.	EPL 3607 G2.1	Assess if the location of LDPs 004 and 005 is clearly marked, that the signs are located as close as practical to LDPs 004 and 005. Undertake corrective action as required, obtain photographic evidence and save on the Compliance Database.
OFI-23.	ML 1303 CoA 9	Prepare the 2016 Exploration Report 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) which was revised in March 2016; and include a statement in Exploration Report that report has been prepared in accordance with this revised guideline.
OFI-24.	SMP Approval LW 411- 418 CoA 12	Include in SMP Approvals an assessment of the requirements for subsidence monitoring and reporting set out in the Guideline for Applications for Subsidence Management Approvals and the New Approval Process for Management of Coal Mining Subsidence – Policy.
OFI-25.	SMP Approval LW 411- 418 CoA 14	Include in the SMSR a statement regarding the presence/absence of trends in the development of ground deformations/subsidence movements compared to triggers and predicted subsidence.

OFI	Approval	Opportunity for Improvement
OFI-26.	SMP Approval LW 411- 418 CoA 14	Include all SMSR reports on the Centennial Coal website.
OFI-27.	EPBC Approval 6881 CoA 9 & 12	Obtain a record of approval from the DoE for LW 419 Swamp Monitoring Program and Biodiversity Management Plan and record on Compliance Database.
OFI-28.	EPBC Approval 2011/5949 CoA 26	<p>The following improvements were identified for the Centennial Coal website:</p> <ul style="list-style-type: none"> • Locate all documents required under EPBC Approval 2011/5949 in one location on the Centennial Coal website; • Standardise document titles to clearly identify document title and purpose of each document (e.g. 2015 THPSSMP Annual Report/ EPBC Approval condition 29); • Include the document date on the website (not the date uploaded); • Upload the 2015 THPSSMP Annual Report (CC, 03/2016); and • Upload annual EPBC 2011/5949 Compliance Reports (2013 to 2016) on the Centennial Coal website.

6 Photographs

Photographs taken or referenced during the site inspections are included in **Table 6-1**. Site inspections were hosted by Springvale Coal personnel.

Table 6-1: Site Inspection Photographs





Photo No.	Applicable CoA: Photo Description	Photo
Photo 1.	LDP 009: Sediment ponds upslope of LDP 009	 <p>A photograph showing a series of sediment ponds or channels. The water is a milky, greyish-brown color, indicating high turbidity. The banks are composed of light-colored soil and some sparse green vegetation. A timestamp in the bottom right corner reads '27.06.2018 12:53'.</p>
Photo 2.	LDP 009: Discharge channel from LDP 009 sediment pond	 <p>A photograph of a discharge channel. The water is dark and turbulent as it flows through a concrete-lined channel. The surrounding area is dry and has some sparse vegetation. A timestamp in the bottom right corner reads '27.06.2018 13:14'.</p>
Photo 3.	Ventilation Shaft No. 3 – 3.6 ML Holding Dam	 <p>A photograph of a holding dam. The water is calm and has a milky appearance. In the foreground, there are several concrete blocks or structures. A timestamp in the bottom right corner reads '27.06.2018 14:15'.</p>
Photo 4.	Ventilation Shaft No. 3 – On-site erosion	 <p>A photograph showing significant on-site erosion. The ground is uneven, with exposed soil and some debris. A person in an orange safety vest is visible in the background for scale. A timestamp in the bottom right corner reads '27.06.2018 14:15'.</p>






Photo No.	Applicable CoA: Photo Description	Photo
Photo 5.	Ventilation Shaft No. 3: Damaged sediment fence and overland water flow from Ventilation Shaft No. 3 compound area	
Photo 6.	Ventilation Shaft No. 3: Sediment fence (up slope from Ventilation Shaft No. 3 compound) collecting sediment from access track and channelling downstream of sediment fence	
Photo 7.	Survey marker near Sunnyside East Swamp.	
Photo 8.	SPR 1403 where forest litter and logs have been spread over the rehabilitated drill pad area	
Photo 9.	Newnes State Forest Bore 8 water pipeline corridor. Forest litter and logs had been spread over the rehabilitated pipeline construction area	

Photo No.	Applicable CoA: Photo Description	Photo
-----------	-----------------------------------	-------

Photo 10. Bore 8 compound. Minor shallow channels in surface



Photo 11. Bore 8 compound. Sediment fence installed parallel to the overland flow and sediment fence with high sediment load downslope of compound



Photo 12. Bore 8. Rehabilitation of construction area reducing the footprint of the construction compound area. Forest litter and logs spread over the rehabilitation area



Photo 13. Piezometer and data logger in Carne West Swamp



Photo No.	Applicable CoA: Photo Description	Photo
Photo 14.	Condition of track in Newnes State Forest (near Sunnyside East Swamp)	
Photo 15.	Gang Gang West swamp	
Photo 16.	Gang Gang East swamp	
Photo 17.	Pit Top: Springvale Mine adit	
Photo 18.	Pit Top: Vehicle wash bay and ramp from contractor's compound	

Photo No.	Applicable CoA: Photo Description	Photo
Photo 19.	Pit Top: Contractor's compound (south of the wash bay)	
Photo 20.	Pit Top: Unbundled 20L drum storage	
Photo 21.	Pit Top: Absorbent on oil spillage (not cleaned up) on main access road	
Photo 22.	Pit Top: Spill kit used as waste receptacle	

Photo No.	Applicable CoA: Photo Description	Photo
-----------	-----------------------------------	-------

Photo 23. Pit Top: Spill kit and recycling bin are the same colour (which has the potential for contamination of the spill kit)



Photo 24. Pit Top: Hazardous material and waste storage improvements: Unbundled 20L drum and 1,000 L IBC storage and absorbent not cleaned up

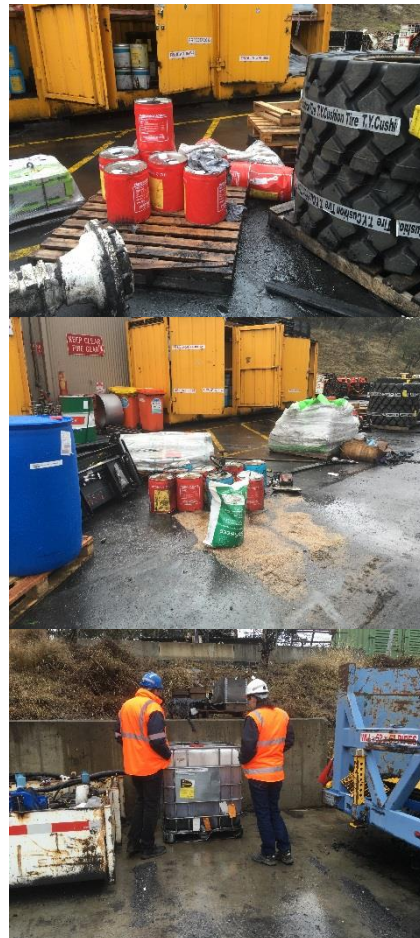


Photo 25. Pit Top: Diesel storage






Photo No.	Applicable CoA: Photo Description	Photo
Photo 26.	Pit Top: Evidence of overflow of oily water overflow from the oil water separator bund	
Photo 27.	Pit Top: Oily water separator	
Photo 28.	Equipment storage area adjacent to coal stockpile: waste is not segregated and portable bunds overloaded with 20L drums	
Photo 29.	Coal stockpile	

Photo No.	Applicable CoA: Photo Description	Photo
Photo 30.	Equipment storage area adjacent to coal stockpile: Potential for dust as the area is unsealed surfaces	
Photo 31.	Road adjacent to coal stockpile	
Photo 32.	Recent improvements to the clean water system near the CHP adjacent to coal stockpile	
Photo 33.	Clean water diversion channel around coal stockpile	
Photo 34.	Sewage treatment pond	

Photo No.	Applicable CoA: Photo Description	Photo
-----------	-----------------------------------	-------

Photo 35. Water Quality monitoring: LDP 001



Photo 36. Air quality monitoring - Dust deposition gauge (DG 1) and real-time PM10 monitoring station






Photo 37. Air quality monitoring - Dust deposition gauge (DG 2)



Photo 38. Licenced Discharge Points 4 and 5. No evidence of signage of the discharge points was sighted



Photo No.	Applicable CoA: Photo Description	Photo
Photo 39.	Rehabilitation in East Wolgan Swamp following slumping. Rehabilitation comprised placement of bentonite in subsidence cracks; removal and maintaining peat scoured areas; filling up areas with materials where required; replacement of peat at surface; soil stabilisation with jute and bush matting	
Photo 40.		
Rehabilitation in East Wolgan Swamp		
Photo 41.	Rehabilitation in East Wolgan Swamp through stabilisation of soils with jute matting and timber. Some regrowth was observed in some areas	

7 Abbreviations and Definitions

7.1 Abbreviations

Abbreviation	Description
ACHMP	Aboriginal Cultural Heritage Management Plan
AEMR	Annual Environmental Management Report
AQMP	Air Quality Management Plan
AR	Annual Review (the annual environmental management report that has been prepared in accordance with the Annual Review Guideline (DRE, 10/2015))
Authority	Sydney Catchment Authority
CC	Centennial Coal Pty Ltd
CCC	Community Consultation Committee
CCL	Consolidated Coal Lease
CD	Compliance database
CEMP	Construction Environmental Management Plan
CHP	Coal handling plant
C'lth	Commonwealth
CW	Carne West
DA	Development Approval
DA 11/92	Consolidated Development Consent – Mod 4
DoE	Department of Environment (Commonwealth) previously Department of Sustainability, Environment, Water, Population and Communities
DG	Dust Deposition Gauge
DoP	NSW Department of Planning and Environment (previously NSW Department of Planning)
DNR	Department of Natural Resources
DPE	NSW Department of Planning and Environment
DPI	NSW Department of Primary Industries
DPI- MR	Department of Primary Industries – Mineral Resources (now DRE)
DPI Water	Division of Water within the NSW Department of Primary Industries (previously NSW Office of Water)
DRE	Division of Resources and Energy within the NSW Department of Industry
EA	Environmental Assessment
EC	Electrical Conductivity ($\mu\text{S}/\text{cm}$)
ECC	Environment and Community Coordinator
EER	External Environmental Reporting
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMS	Environmental Management Strategy
EP&A Act	Environmental Planning and Assessment Act 1979 (NSW)
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
ESCP	Erosion and Sediment Control Plan
FCNSW	Forestry Corporation of NSW
NRHHMP	Northern Region Historic Heritage Management Plan
HVAS	High Volume Air Sampler
IEA	Independent Environmental Audit
IMP	Infrastructure Management Plan
INP	Industrial Noise Policy

Abbreviation	Description
LDP	Licensed Discharge Point
LCC	Lithgow City Council
LMP	Land Management Plan
LW	Longwall
MCW Environmental	MCW Environmental Consulting Pty Ltd
Minister	NSW Minister for Planning, or delegate
mm	millimetre
m	metre
ML	Mining Lease
MLC	Mining Lease Condition
MP	Management Plan
MSB	Mine Subsidence Board
Mtpa	Million tonnes per annum
MWDMP	Mine Water Discharges Management Plan
NMMP	Noise Management and Monitoring Program
NOW	NSW Office of Water, now DPI Water
NPSSMP	Newnes Plateau Shrub Swamp Management Plan
NSW	New South Wales
OEH	Office of Environment and Heritage
OFI	Opportunity for Improvement
PAC	Planning and Assessment Commission
PIRMP	Pollution Incident Response Management Plan
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
PSMP	Property Subsidence Management Plan
RMP	Road Management Plan
ROM	Run of Mine
SCA	Sydney Catchment Authority
SDWTS	Springvale Delta Water Transfer System
SEWPACC	Commonwealth Department of Sustainability, Environment, Water, Population and Communities (now DoE)
Secretary	Secretary of Department of Planning and Environment or delegate
SMEP	Springvale Mine Extension Project
SMP	Subsidence Management Plan
SMSR	Subsidence Management Status Report
SoC	Statement of Commitments from the EA
Springvale Coal	Springvale Coal Pty Ltd
SS	Sunnyside
SSD	State Significant Development
SSD-5144	Development Consent for MSEP
TARP	Trigger Action Response Plan
THPSSMP	Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan
TSP	Total Suspended Particulate
TSS	Total Suspended Solids
WMP	Water Management Plan
WRACHMP	Western Region Aboriginal Cultural Heritage Management Plan
WRAQGHGMP	Western Region Air Quality and Greenhouse Gas Management Plan
WRNMP	Western Region Noise Management Plan MEMS-NMP-8010
WRWMP	Western Region Water Management Plan

7.2 Definitions

Abbreviation	Description
Approval	A relevant regulatory approval instrument such as a Development Consent (including commitments in environmental assessments referred to Development Consents), Environment Protection Licence, Mining Lease, Consolidated Coal Lease, Subsidence Management Plan Approval or Groundwater Bore Licence.
Compliance Database	Springvale Coal's system tracking compliance with Conditions of Consent, Licences and Leases.
Conditions	Conditions of the Development Consent and Project Approvals and commitments made within Environmental Assessments and Statement of Environmental Effects
Development	A development which is the subject of a consent or approval under the Environmental Planning and Assessment Act 1979.
Environment and Community Database	Springvale Coal's incident reporting system
Period of the IEA	5 February 2013 – 4 April 2016
Project	The developments as described in the EAs and approved under DA 97/800 (08_0223) and SSD-5144
Proponent	Centennial Coal Company
Water Year	1 July to 30 June (as defined in Groundwater Licence 20BL 173524)

8 Limitations of Report

MCW Environmental Consulting Pty Limited (MCW Environmental) has conducted this Independent Environmental Audit (IEA) and generated this report in accordance with the usual care and thoroughness of the consulting profession for the use of Centennial Coal Pty Ltd and only those third parties who have been authorised in writing by MCW Environmental to rely on this Report.

It is based on generally accepted practices and standards at the time it was prepared. No other warranty, expressed or implied, is made as to the professional advice included in this Report. This IEA report did not assess any aspects relating to safety at the site.

The IEA Report is prepared in accordance with the scope of work and for the purpose outlined in the MCW Environmental Proposal dated 16 July 2015 and the signed contract executed between MCW Environmental and Centennial Coal Pty Limited.

Where this IEA Report indicates that information has been provided to MCW Environmental by third parties, MCW Environmental has made no independent verification of this information except as expressly stated in the Report. MCW Environmental assumes no liability for any inaccuracies in or omissions to that information.

This IEA Report was prepared between June and October 2016 and is based on the conditions encountered and information reviewed at the time of the site visits on 27 June, 28 June, 4 July and 5 July 2016. MCW Environmental disclaims responsibility for any changes that may have occurred after this time.

This IEA 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 or by third parties. This IEA Report does not purport to give legal advice. Legal advice can only be given by qualified legal practitioners.

Except as required by law, no third party may use or rely on this IEA Report unless otherwise agreed by MCW Environmental in writing. Where such agreement is provided, MCW Environmental will provide a letter of reliance to the agreed third party in the form required by MCW Environmental.

To the extent permitted by law, MCW Environmental expressly disclaims and excludes liability for any loss, damage, cost or expenses suffered by any third party relating to or resulting from the use of, or reliance on, any information contained in this IEA Report. MCW Environmental does not admit that any action, liability or claim may exist or be available to any third party.

Except as specifically stated in this section, MCW Environmental does not authorise the use of this IEA Report by any third party.

It is the responsibility of third parties to independently make inquiries or seek advice in relation to their particular requirements and proposed use of the site.

Any estimates of potential costs which have been provided are presented as estimates only as at the date of the IEA Report. Any cost estimates that have been provided may therefore vary from actual costs at the time of expenditure.

Appendix A

Development Consent Compliance Assessments

1. Table A-1: SSD 5594 Springvale Mine Extension Project
2. Table A-2: DA 11/92 (Consolidated Consent Mod 4)
3. Table A-3: DA 461/02 (Modified Vent Shaft 3)

Table A-1: Springvale Mine Development Consent SSD 5594

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S2-1	<p>Obligation to minimise harm</p> <p>In addition to meeting the specific performance measures and criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.</p>	<ul style="list-style-type: none"> Compliance Database EMS (CC, 18/03/2016) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 03/2016) EIS SMEP (CC, 07/04/2014) 	<p>The consent for SSD-5594 was granted on 21/09/2015. The original approval for the Springvale Mine (DA 11/92 as modified) was granted in 1992 and did not include a condition for an IEA. Consequently, since 1992 there have been no previous IEAs undertaken at the Springvale Mine.</p> <p>The assessment of compliance for SSD-5594 for this IEA was undertaken over a nine-month period from the date that SSD-5594 was granted (21/09/2015) to the first day of the IEA site inspection (27/06/2016). Due to this relatively short period since consent was granted, many of the strategies, plans and programs developed to meet criteria under the consent were in draft, had not been implemented and/or were only recently implemented.</p> <p>MCW Environmental has not completed a full and detailed assessment of the Springvale Mine against the environmental assessments, modifications and approval instruments.</p> <p>There have been no incidents that threatened or caused actual material environmental harm reported and with the exception of issues identified in this IEA, MCW Environmental has assessed that in general, Springvale Coal was compliant with the criteria established under SSD-5594.</p>	Compliant
S2-2	<p>Terms of Approval</p> <p>The Applicant shall carry out the development:</p> <p>(a) generally in accordance with the EIS;</p> <p>(b) in accordance with the Development Layout Plan and the Statement of Commitments; and</p> <p>(c) in accordance with the conditions of this consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> The Development Layout Plan is shown in Appendix 2 The Applicant's Statement of Commitments is shown in Appendix 3. 	<ul style="list-style-type: none"> Compliance Database 2015 AR (CC, 24/03/2016) Letters: Provision of 2015 AR to DPE, LCC, FCNSW, DPI-Water, EPA, DRE, SCA (CC, 24/03/2016) Letter: Feedback on Springvale 2015 AR (DPE:CC, 18/04/2016) EMS SMEP (CC, 18/03/2016) EIS (CC, 07/04/2014) Environment and Community Database 2015 AR (CC, 03/2016) Statement of Environmental Effects SMEP – modification 1 (CC, 22/07/2016) 	<p>The commitments made in the EIS for the SMEP were generally incorporated into the EMS. Management plans referenced in SSD-5594 conditions were at varying stages of preparation, in accordance with SSD-5594 requirements e.g. approved, draft submitted for comment and/or not commenced/in draft. An assessment of the implementation of the EMS and management plans is presented in relevant sections of this compliance table.</p> <p>Springvale Coal has commenced implementation of the Compliance Database which is being developed as the primary tool for tracking compliance with Conditions of Approval (CoA), Licences and Leases. At the time of undertaking the IEA, the statement of commitments within environmental assessments had not been included within the Compliance Database. In addition, although the database has the capacity to facilitate compliance (including identification of a responsible person, dates for actions to be completed and records verification information and email alerts sent to the responsible person in advance of, and when, actions were due and overdue); the system has only been partially implemented. There is currently no formal process for responding to overdue actions and the EMS does not define responsibility for maintaining the Compliance Database.</p> <p>The status of management plans required under SSD-5594, which are key to managing the development in accordance with the EIS, Statement of Commitments and the SSD-554, is summarised in SSD-5594 CoA S6-2. In summary, many of the management plans were in draft and/or had only been recently approved for implementation.</p> <p>Springvale Coal has prepared a 2015 Annual Review (AR). The 2015 AR included a summary of self-assessed non-compliances with the SSD-5594 CoAs that have been identified during internal inspections, incidents and monitoring. The DPE provided feedback on the Springvale 2015 AR (18/04/2016) advising that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. A revised AR was being prepared and was proposed to be submitted to the DPE by 18/07/2016.</p>	<p>Not verified (pending review of the revised 2015 AR and comparison of monitoring results against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS or the identification of trends and gaps for at least three years).</p> <p>SSD-5594 CoA S2-2 OFI: Implement and maintain the Compliance Database including:</p> <ul style="list-style-type: none"> Assign responsibilities for maintaining the Compliance Database and document this responsibility in the EMS and/or position descriptions; Track and report the status of overdue Compliance Database actions to the Mine Manager on a monthly basis; and Include conditions from regulatory instruments applicable to the SMEP including the Statement of Commitments from the SMEP EIS.

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>The 2015 AR (Table 3 and section 11) reported that during the 2015 AR reporting period, SSD-5594 CoA S2-2(a) 'generally in accordance with EIS' was non-compliant. The auditors understand that this non-compliance resulted from the Springvale Coal manning levels exceeding the EIS predicted full time workforce of up to 310 due to the Angus Place mine being on Care and Maintenance and the resultant transfer of some of the workforce to the Springvale Coal mine. Springvale Coal reported in the 2015 AR that there were no adverse effects to the community as a result of increased workforce. A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 full time equivalent (fte) personnel, including contractors, to 450 fte personnel.</p> <p>At the April 2016 CCC, the following update on the SSD-5594 project approval was provided by Springvale Coal "In December 2015, 4Nature Inc., represented by the NSW Environmental Defenders Office (EDO), filed a Summons (Judicial Review) in the Land and Environment Court of NSW, in which it seeks to challenge the recent granting of Springvale's mining consent. A copy of the media statement was provided to the CCC. A modification application (MOD 1) is being prepared and will be submitted to seek modifications to allow for: an increase in the workforce from the approved 310 full time equivalent (fte), including contractors, to 450 fte, an increase in run-of-mine (ROM) coal production from the approved 4.5 million tonnes per annum (Mtpa) to 5.5 Mtpa, an increase in ROM coal stockpile at the pit top from the approved 85,000 tonnes to 200,000 tonnes and an increase in the coal stockpile footprint north of the existing area." At the time of preparing the IEA report, the modification had been submitted and was available on the DPE Major Project website. CC were currently reviewing submissions that had been received whilst the Statement of Environmental Effects that supported the modification was on exhibition.</p> <p>Based on the assessment of compliance against the SSD-5594 CoAs, MCW Environmental has assessed that Springvale Coal has carried out the development generally in accordance with the environmental assessments. As many of the plans, strategies and monitoring programs that are required by SSD-5594 were in draft and/or only recently implemented, and as the 2015 AR was under review at the time of the IEA, this condition was assessed as 'not verified' as the auditors were unable to compare monitoring results against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS or the identification of trends and gaps for at least three years.</p>	
S2-3	<p>Terms of Approval</p> <p>If there is any inconsistency between the above documents, the more recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.</p>		This condition is included in the Compliance Database.	Noted
S2-4	<p>Terms of Approval</p> <p>The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:</p> <p>(a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent;</p> <p>(b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent; and</p> <p>(c) the implementation of any actions or measures contained in these documents.</p>	<ul style="list-style-type: none"> • Email: DPE Feedback for 2016 Springvale Mine IEA (DPE: MCWEC, 01/07/2016) • LW 419 Extraction Plan (CC, 22/07/2016) • LW 411-418 Environmental Management Plan (CC, 2015) • LW411-418 Environmental Monitoring Program (CC, 06/2015) • Temperate Highland Peat Swamps on Sandstone Monitoring and Managements Plan for LW's 415-417 (CC, 2013) • Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan (THPSS MMP) for LW 418 (CC, 08/2015) • Environmental Management Plan (CC, 2015) • Environmental Monitoring Program (CC, 06/2015) • Newnes Plateau Shrub Swamp Management Plan (CC, 2013) • Public Safety Management Plan (CC, 07/2013) 	<p>During consultation with the DPE regarding the scope of the IEA, the DPE did not identify outstanding responses and/or actions from Springvale Coal following assessment of reports, strategies, plans, programs, reviews, audits, correspondence and actions triggered to date by SSD-5594.</p> <p>At the time of the IEA the status of management plans triggered by SSD-5594 and/or the EMS was:</p> <ul style="list-style-type: none"> • Recently Approved (since March 2016): <ul style="list-style-type: none"> ○ Regional Stygofauna Monitoring and Assessment Plan (CC, 03/2016) ○ Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016) ○ Western Region Noise Management Plan (CC, 07/2016) ○ Western Region Aboriginal Cultural Heritage Management Plan 	Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> • Infrastructure Management Plan (CC, 2009) • Land Management Plan (CC, 08/2013) • Extraction Plan LW 419 (CC, 06/2016) • Regional Stygofauna Monitoring and Assessment Plan (CC, 03/2016) • Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016) • Western Region Noise Management Plan (CC, 07/2016) • Western Region Aboriginal Cultural Heritage Management Plan (CC, 07/2016) • Western Region Historic Heritage Management Plan (CC, 07/2016) • Pollution Incident Response Management Plan (CC, 14/12/2015) • Draft Western Region Water Management Plan (CC, 03/2016) • Draft Springvale Water Management Plan (CC, 03/2016) • Letter: Feedback from EPA & OEH on Water Management Plans (EPA, 04/04/2016) • EMS (CC, 03/2016) • Environment and Community Database 	<p>(CC, 07/2016)</p> <ul style="list-style-type: none"> ○ Western Region Historic Heritage Management Plan (CC, 07/2016) ○ LW 419 Extraction Plan including component management plans: <ul style="list-style-type: none"> ▪ LW 419 Biodiversity Management Plan (CC, 05/2016) ▪ LW 419 Built Feature Management Plan (CC, 05/2016) ▪ LW 419 Heritage Management Plan (CC, 05/2016) ▪ LW 419 Land Management Plan (CC, 05/2016) ▪ LW 419 Public Safety Management Plan (CC, 05/2016) ▪ LW 419 Subsidence Monitoring Program (CC, 06/2016) ▪ LW 419 Swamp Monitoring Program (CC, 07/2016) ▪ LW 419 Water Management Plan (CC, 05/2016) • Approved (prior to March 2016) <ul style="list-style-type: none"> ○ Pollution Incident Response Management Plan (CC, 14/12/2015) ○ LW 411 – 418 Subsidence Management Plan <ul style="list-style-type: none"> ▪ Environmental Management Plan (CC, 2015) ▪ Environmental Monitoring Program (CC, 06/2015) ▪ Newnes Plateau Shrub Swamp Management Plan (CC, 2013) ▪ Temperate Highland Peat Swamp on Sandstone Monitoring and Management Plan (CC, 08/2015) ▪ Public Safety Management Plan (CC, 07/2013) ▪ Infrastructure Management Plan (CC, 2009) ▪ Land Management Plan (CC, 08/2013) • Draft submitted for comment <ul style="list-style-type: none"> ○ Draft Western Region Water Management Plan (CC, 03/2016) ○ Draft Springvale Water Management Plan (CC, 03/2016) ○ Draft Exploration Activities and Minor Surface Infrastructure Management Plan (CC, 22/01/2016) • Not sighted, not triggered and/or under development: <ul style="list-style-type: none"> ○ Construction Traffic Management Plan ○ Construction Environmental Management Plan ○ Biodiversity Management Plan ○ Upper Cocks River Action and Monitoring Plan <p>The DPE provided feedback on the 2015 AR (18/04/2016) advising that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016.</p> <p>Feedback from the OEH to Springvale Coal, stated that significant issues were identified in the draft Water Management Plan and, as at the time of the IEA site inspection, these issues had not been resolved and consequently, the plan had not been finalised (Refer SSD-5594 CoA S4-14).</p> <p>At the time of the IEA, based on the assessment of management plans triggered by SSD-5594, MCW Environmental has assessed that Springvale Coal has complied with reasonable requirements arising from DPE assessment of reports, strategies, plans, programs, reviews, audits, correspondence and actions triggered by SSD-5594. Management plans and programs had been submitted on time and, where required, were being revised to reflect comments from stakeholders prior to implementation.</p>	
S2-5	Limits on Consent – Mining Operations The Applicant may carry out mining operations on the site until 31		Mining operations were prior to the limit of consent of 31 December 2028. The Compliance Database includes an action scheduled for 07/12/2023 for an	Compliant

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	December 2028. <i>Note: Under this consent, the Applicant is required to rehabilitate the site and perform additional undertakings to the satisfaction of both the Secretary and DRE. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.</i>		annual reminder to assess operations against approval to mine until 2028.	
S2-6	Limits on Consent – Coal Extraction The Applicant shall not extract more than 4.5 million tonnes of ROM coal from the site per calendar year.	<ul style="list-style-type: none"> 2015 AR (CC, 03/2016) 	The 2015 AR reports that 3,531,844 Mt of ROM Coal was mined from Springvale Coal within the 2015 calendar year.	Compliant
S2-7	Limits on Consent – Hours of Operation The Applicant may undertake mining operations 24 hours a day, 7 days a week.	<ul style="list-style-type: none"> Environment and Community Database 	There were no complaints recorded on the Environment and Community Database regarding operating hours.	Compliant
S2-8	Limits on Consent-Coal Transport The Applicant shall not transport more than 50,000 tonnes of ROM coal by road from the site to local domestic customers in any calendar year.	<ul style="list-style-type: none"> 2015 AR (CC, 03/2016) Quarterly Coal Transport Records (CC, 12/2015) Pulse Work Order OM 53797 Coal transport records (CC, 03/2016) (CC, 12/2015) Springvale Coal website: http://data.centennialcoal.com.au/domino/centennialcoal/cc205.nsf/Published.xsp?site=Springvale&type=Environmental%20Management%20Report&date=All 	<p>The 2015 AR reports that 2,799.5 tonnes of ROM coal was transported by road.</p> <p>A Pulse Work Order was sighted (28/06/2016) with an action for the Commercial Manager to notify the Mine Manager and Environment Coordinator of the percentage of ROM coal transported off site by road transport.</p> <p>The Compliance Database includes an action for the Commercial Manager to track quantities of coal transported by road on 30/06 and 04/11 each year. Records reviewed identified that movement of sediment from the 'silt bag' located at LDP 009 were included within road transportation records.</p> <p>Quarterly records of coal transported by conveyor, private haul road and public road were available on the website for December 2015 and March 2016. These reports identified that < 1,000 tonnes of coal waste had been transported on a public road and no coal had been transported on private haul roads during the six months prior to 29/02/2016.</p>	<p>Compliant</p> <p>Refer SSD-5594 CoA S4-19</p>
S2-9	Limits of Consent – Springvale Delta Water Transfer Scheme Nothing in this consent allows duplication of pipelines or other increase in capacity of the Springvale Delta Water Transfer Scheme.	<ul style="list-style-type: none"> Dwg No. 6810 (CC, 02/2013) Draft Springvale Water Management Plan (CC, 03/2016) 	<p>Springvale Coal reported that the Springvale Delta Water Transfer Scheme had not been duplicated or increased in capacity.</p> <p>The Springvale Delta Water Transfer Scheme provided water to Wallerawang Power Station to be used in their cooling towers however this ceased in March 2014. Since March 2014 groundwater extracted from boreholes at Angus Place Colliery and Springvale Mine has been transferred in subterranean pipelines and discharged at LDP 009 to the Coxs River.</p>	Compliant
S2-10	Surrender of Existing Development Consents The Applicant shall surrender all existing development consents for the site in accordance with section 104A of the EP&A Act within 12 months of the date of this consent, unless otherwise agreed by the Secretary. Prior to the surrender or lapsing of any existing development consents, the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of these consents. <i>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used</i>	<ul style="list-style-type: none"> Compliance Database 	The Compliance Database includes an action identifying that existing development consents are required to be surrendered by 21 September 2016.	Not triggered.
S2-11	Structural Adequacy The Applicant shall ensure that all new buildings and structures,	<ul style="list-style-type: none"> SV-SWP-1979 Construction Site (CC, 11/2015) SV-FM-2036 Change Management Form (CC, 17/01/2016) 	No new buildings and structures have been constructed since SSD-5594 was granted.	Compliant

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; and Part 8 of the EP&A Regulation sets out the requirements for the certification of the development 		<p>The Compliance Database references the Springvale Construction procedure (SV-SWP-1979) which subsequently references that construction is required to be undertaken to meet the BCA (Section 5).</p> <p>The Change Management checklist includes assessment of change (new, replace, modify or repair) and approval by the Environment Coordinator if applicable. A completed Change Management Form for installation of new portable buildings dated 17/01/2016 was sighted however, this form had not triggered environmental impacts warranting approval by the Environment Coordinator.</p>	
S2-12	<p>Demolition</p> <p>The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p>	<ul style="list-style-type: none"> Compliance Database 	<p>Springvale Coal reported that no demolition had been undertaken since SSD-5594 was granted.</p> <p>The Compliance Database identifies that the Construction procedure (SV-SWP-1979) references Australian Standard 2601 The demolition of structures (Section 6).</p>	Not triggered
S2-13	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant shall:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage.</p>	<ul style="list-style-type: none"> Environment and Community Database 	<p>As there were no incidents or complaints relating to damage to public infrastructure recorded on the Environment and Community Database or reported by LCC and other regulators contacted by MCW Environmental as part of the IEA, this condition was assessed as not triggered.</p>	Not triggered.
S2-14	<p>Operation of plant and equipment</p> <p>The Applicant shall ensure that all plant and equipment used on site is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<ul style="list-style-type: none"> Mine / Site Waste Review (JRR, 03/03/2016) Monthly inspection of dirty surface water oil/water separator (Allfow, 11/2015) Email: Records of February 2016 maintenance to environmental controls (Geolen Services: CC, 07/03/2016) Springvale Site Clean-up reports (New Era, 05/2015 and 04-08/12/2015) LDP 001 Calibration certificate for flowmeter (Hyquest, 08/03/2016) Monthly Environment Inspection (CC, 19/01/2016), (CC, 11/03/2016) Springvale Environment Procedures: <ul style="list-style-type: none"> Pollution Control Maintenance procedure SV-SWP-2166 Hydrocarbon Chemical Management SZ-MP-027-WP-527 Erosion and Sediment Control Procedure SV-MS-027-WP-529 Noise Management Surface SV-STD-2172 State Forest Civil and General Earthworks Environmental Controls SV-STD-1972 Waste Management Procedure SV-MS-034-WP-663 Pulse Work Order SWP-2166 for maintenance to oil/water separator pump (CC, 29/02/2016) Draft Springvale Water Management Plan (CC, 03/2016) Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015) Springvale Service Report Feb 16.pdf 160307 Centennial Coal Weekly Service Report.docx 	<p>The following records of maintenance and proper operation of pollution control equipment were sighted:</p> <ul style="list-style-type: none"> Weekly inspection of the Pit Top including visual assessment of the oil/water separator, waste, wash bay and storage areas; Calibration certificate for LDP 001 flowmeter; Site clean-up reports; Monthly record of maintenance to environmental controls including oily sludge removal from oil/water separator, solids removal from wash bay and sumps, backflush gabion filters at top yard drain and sort and disposal of steel rubbish; Monthly Environment Coordinator inspection records; Repairs to silt drains (19/02/2016); and Water treatment / dosing records. <p>The Draft Springvale Water Management Plan Section 3.1.4 and Fig 3-4 identifies that excess water from the grit trap, wastewater from the machinery wash-down bay, hardstand areas, oil storage areas, workshop, and run-off from the contributing dirty water catchment discharges to the Pit Top oil/water separator; and water from the oil/water separator is transferred to the Secondary Pond and ultimately to the Renown colliery workings or discharged at LDP 001 to Springvale Creek. Although records of regular inspections and maintenance for the Pit Top oil/water separator were provided by Springvale Coal, at the time of the IEA site inspection the plates in the separator were blocked with sediment. Although EPL 3607 monthly Environmental Monitoring Reports did not identify an exceedance of the LDP 001 oil and grease concentration limit; as the oil/water separator removes oil from water discharged to the Secondary Pond, integrity of the oil/water separator is critical. Consequently, a recommendation was identified to assess the adequacy of the existing oil/water separator for the current dirty water load.</p> <p>Springvale Coal reported that the Pulse work order system triggers quarterly</p>	<p>Compliant</p> <p>SSD-5594 CoA S2-14 OFI: Assess the adequacy/capacity of the Pit Top oil/water separator for the current dirty water load and undertake corrective actions as required.</p> <p>SSD-5594 CoA S2-14 OFI: To support compliance with SSD-5594 CoA S2-14 and EPL conditions O1 and O2, undertake quarterly pit top inspections by the Mine Services Superintendent to identify best practice opportunities for housekeeping, maintenance of environmental control equipment, surface water management and sediment load, dust generating activities, waste segregation etc. Report results of completed inspections at leadership meetings and track implementation of corrective actions.</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> APP118597_SV103 151128 Rep E1.pdf APP118597_SVMT 1509 Rep - OHL ISSC3 Compliance.pdf 	<p>inspections of Springvale Mine pit top and stockpile area by the Mine Services Manager to identify best practice opportunities (housekeeping, maintenance of equipment, surface water management and sediment load, dust generating activities etc). At the time of undertaking the IEA site inspection, the June inspection was overdue and the housekeeping required improvement.</p> <p>During the site inspection the following observations were made regarding housekeeping, waste management, hazardous material storage and spill response at the Pit Top areas adjacent to the adit, store and workshop:</p> <ul style="list-style-type: none"> The capacity of the wash bay near the workshop was reduced due to amount of sediment and required cleaning out. Spill response: <ul style="list-style-type: none"> A spill response bin and comingled waste bin were both the same orange colour and located side by side adjacent to the outbye. This has the potential for misuse of the spill response bin as a waste receptacle. A spill response bin located near the store had been used for rubbish disposal. Blue and orange coloured spill response bins were available which has the potential for confusion. Although absorbent had been used on oil spills outside the store, the contaminated absorbent had not been swept up and disposed. The Contractors compound located to the southeast of the wash bay near the workshop had unbanded 20L oil drums and general waste scattered across the area. Un-rolled hoses were prevalent throughout the Pit Top area. 20L hydraulic oil drums were stored on timber pallets and not banded across the pit top area. Combustible timber pallets were present in the Class 3 Dangerous Goods storage containers located near the store. One x 1,000 L IBC labelled as 'contaminated' was unbanded on the hardstand area to the south east of the wash bay near the workshop. Equipment and materials were stored outside of the store and outside the yellow marked areas reducing the space for vehicle and pedestrian access and providing opportunity for loss of containment from impact with material. Evidence of overflow of oily water overflow from the oil water separator bund. <p>Although the Pit Top areas adjacent to the outbye, store and workshop are within the dirty surface water system, which is diverted to the grit trap and oil/water separator system, there is opportunity to reduce the load on the grit trap and oil/water separator by improving housekeeping and materials storage.</p> <p>During the site inspection at the equipment storage area adjacent to the coal stockpile the following observations were made:</p> <ul style="list-style-type: none"> Waste was not segregated in skips (eg metal, timber, general waste in one skip); and Although 20L drums were stored on banded pallets, the number of drums stored on one pallet exceeded the capacity of the pallet and drums were stored over the edge of the pallet. <p>There was evidence that plant and equipment was maintained and operated in a proper manner (e.g. no exceedance of limits at LDP 001); this condition was assessed as generally compliant however; based on observations during the site inspection, the standard of housekeeping, including hazardous material storage and handling, and waste management required improvement.</p>	
S2-15	<p>Community Enhancement</p> <p>From 31 March 2017, the Applicant shall pay a community contribution to LCC of \$0.03 per saleable tonne of coal produced from the Springvale, Angus Place and Airly mines capped at a</p>	<ul style="list-style-type: none"> Letter: 2015 Springvale Mine Contribution (CC: LCC, 23/02/2016 	<p>The Compliance Database includes an action for payment of this contribution by the Commercial Manager by 31 March each year.</p> <p>In 2016, a contribution for 2015 was made to LCC based on \$0.03/tonne.</p>	Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
-----	-----------	-----------------	-------------------	------------------------------------

maximum payment of \$200,000 in total (ie for all 3 mines collectively). The community contribution shall be paid on an annual basis to LCC and no later than 31 March each year (for the preceding year). The contribution shall be used for long-term community activities and projects to be agreed by both the Applicant and LCC and must be reported publicly

S3- 1 Subsidence – Performance Measures

The Applicant shall ensure that the development does not cause any exceedances of the performance measures in Table 1, to the satisfaction of the Secretary.

Table 1: Subsidence Impact Performance Measures – Natural and Heritage Features, etc

Water Resources	Performance Measure
Wolgan River, and other watercourses located outside the site	Negligible subsidence impacts or environmental consequences including: -> negligible diversion of flows or changes in the natural drainage behaviour of pools; -> negligible reduction in water quality; -> negligible increase in bank erosion or sediment load.
Carne Creek, Marrangaroo Creek and Paddys Creek	No greater subsidence impacts or environmental consequences than predicted in the EIS.
All other watercourses	No greater subsidence impacts or environmental consequences than predicted in the EIS.
Swamps	
Shrub swamps: Sunnyside and Nine Miles	Negligible environmental consequences including: -> negligible change to the shallow groundwater regime when compared with control swamps; -> negligible erosion of the surface of the swamp; -> negligible change in the size of the swamp; -> negligible change in the ecosystem functionality of the swamp; -> negligible change to the composition or distribution of species within the swamp; and -> negligible change to the structural integrity of the bedrock base or any controlling rockbar/s of the swamp.
Hanging swamps	Negligible environmental consequences including: -> negligible change in the size of the swamp; -> negligible change in the ecosystem functionality of the swamp; and -> negligible change to the composition or distribution of species within the swamp.
Land	
Cliffs, minor cliffs, steep slopes and pothole formations	No greater subsidence impacts or environmental consequences than predicted in the EIS.
Biodiversity	
Threatened species, populations or their habitats and ECCs (except Sunnyside East, Carne West, Gang Gang South West, Gang Gang East, Pine, Pine Upper, Paddys, Marrangaroo Creek and Marrangaroo Creek Upper Swamps)	Negligible environmental consequences.
Heritage Features	
Aboriginal heritage sites (except sites 45-1-0002, 45-1-005 and 45-1-0065)	Negligible subsidence impact or environmental consequences.
Aboriginal heritage sites 45-1-0002, 45-1-005 and 45-1-0065	No greater subsidence impact or environmental consequences than predicted in the EIS.
Historic heritage sites	Negligible subsidence impact or environmental consequences.
Mine workings	
First workings beneath any feature where performance measures in this table require negligible subsidence impact or environmental consequences	To remain long-term stable and non-subsiding.
First workings within a 26.5 degree angle of draw of cliffs	
Second workings	To be carried out only in accordance with an approved Extraction Plan.

Notes:

- These performance measures apply to all mining taking place after the date of this consent.
- The Applicant will be required to define more detailed performance indicators (including impact assessment criteria) for each of these performance measures in the various management plans that are required under this consent (see Condition 5 below).
- Measurement and/or monitoring of compliance with performance measures and performance indicators is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans. In the event of a dispute over the appropriateness of proposed methods, the Secretary will be the

- Extraction Plan LW 419 (CC, 21/07/2016)
- LW 419 Biodiversity Management Plan (CC, 05/2016)
- LW 419 Built Feature Management Plan (CC, 05/2016)
- LW 419 Heritage Management Plan (CC, 05/2016)
- LW 419 Land Management Plan (CC, 05/2016)
- LW 419 Public Safety Management Plan (CC, 05/2016)
- LW 419 Subsidence Monitoring Program (CC, 06/2016)
- LW 419 Swamp Monitoring Program (CC, 07/2016)
- LW 419 Water Management Plan (CC, 05/2016)
- LW 419 Subsidence Monitoring Program (CC, 06/2016)
- 2015 AR (CC, 2016)
- THPSSMMP LW 415-417 (CC, 04/2013)
- THPSSMMP LW 418 (CC, 08/2015)
- SMSR (CC, 03/2016)
- Approval SSD5594 and EPBC Approval 2013/6881 Evolution of understanding of the interactions of groundwater behaviour and mine subsidence at Springvale Mine (CC, 05/2016)

The performance measures in SSD-5594 S3-1 Table 1 apply to mining taking place after 21/09/2015. During 2015 coal was mined from Longwalls 417 and 418 and although subsidence impact monitoring was undertaken to meet SMP and EPBC Approvals, at the time of preparing this report, assessment against the performance criteria in Table 1 had not been specifically reported, consequently, this condition has been assessed as not verified.

LW 419 Extraction Plan

Draft LW 419 Extraction Plan and component management plans were prepared and provided to the DPE and IMP for comment in March 2016. The IMP provided preliminary comments on the draft LW 419 Extraction Plans to the DPE on 13/04/2016 which included that the draft LW 419 Extraction Plan required consideration of the most recent data available in relation to mining impacts at Carne West swamp and the high likelihood that these impacts were mining induced. A letter report from the IMP (09/06/2016) stated that Centennial Coal had provided the IMP with a revised LW 419 Extraction Plan for review in May 2016 and that the IMP recommended that LW 419 be allowed to commence subject to recommendations contained within the advice. The IMP had requested substantial changes on the Extraction Plan's associated management plans and specific changes to reflect recent data on swamp impacts. The advice of the IMP is available on the DPE Major Projects website (SSD-5594). The IMP feedback included changes to the LW 419 Subsidence Monitoring Program, Water Management Plan and Swamp Monitoring Program. The DPE reported on 21/07/2016 that following acceptance of the IMP recommendations on the LW 419 Extraction Plan, the DPE has assessed and approved the Extraction Plan and component management plans attaching strict conditions to monitoring impacts on swamp vegetation communities. The LW419 Extraction Plan was finalised in July 2016 and placed on the Springvale Coal website on 22/07/2016.

The final LW 419 Extraction Plan and the following component management plans referenced in SSD-5594 CoA S4-10 were approved and were provided to the auditors in July 2016:

- LW 419 Biodiversity Management Plan (CC, 05/2016)
- LW 419 Built Feature Management Plan (CC, 05/2016)
- LW 419 Heritage Management Plan (CC, 05/2016)
- LW 419 Land Management Plan (CC, 05/2016)
- LW 419 Public Safety Management Plan (CC, 05/2016)
- LW 419 Subsidence Monitoring Program (CC, 06/2016)
- LW 419 Swamp Monitoring Program (CC, 07/2016)
- LW 419 Water Management Plan (CC, 05/2016)

Subsidence Impact Performance Measures listed in Table 1 were listed in the LW 419 Extraction Plan and component management plans. Monitoring of performance indicators to address performance measures listed in Table 1 was described in the following management plans and monitoring programs, however these plans had not been implemented at the time of the IEA:

- Water Resources – LW 419 Water Management Plan (which includes surface water and groundwater monitoring).
- Swamps - LW 419 Biodiversity Management Plan (which includes flora, fauna, aquatic ecology and EPBC Approval CoA 12 (a) to (d) monitoring) and Swamp Monitoring Program.
- Land - LW 419 Land Management Plan and Subsidence Monitoring

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	final arbiter.		<p>Program.</p> <ul style="list-style-type: none"> Biodiversity - LW 419 Biodiversity Management Plan (which includes flora, fauna, aquatic ecology and EPBC Approval CoA 12 (a) to (d) monitoring). Heritage – LW 419 Heritage Management Plan (which includes aboriginal cultural heritage monitoring). Mine workings – LW 419 Subsidence Monitoring Program. <p>As LW 419 Extraction Plan was approved after the period of the IEA, an assessment of implementation of the management plans was unable to be undertaken.</p> <p>The LW 419 Subsidence Monitoring Program and LW 419 Swamp Monitoring Program included performance measures, performance indicators and reporting requirements.</p> <p><u>THPSSMP</u></p> <p>Longwall 418 is also covered under LW 4111-418 LW EMP, EPBC 2013/6881 and the Longwall 418 THPSS MMP. The THPSSMMP Annual Report (03/2016) concludes that “overall the annual report prepared shows compliance with the requirements of the THPSSMMP and no discernible impact from mining on THPSS”. The conclusion was based on:</p> <ul style="list-style-type: none"> Although B-Line monitoring results (Table 8) identified that LW 415 Tilt (15.4 mm/ m) was greater than the trigger value (10 mm/m), as this event was approx. 630 m from the nearest THPSS (and not within the Tilt trigger level area of within 200 m of the THPSS on sandstone ecological community), subsidence, tilt, tensile strain and compressive strain results were reported as not exceeding the trigger values defined in the THPSSMP; Groundwater levels exceeded both swamp and aquifer trigger values and Springvale Coal had reported, investigated and undertaken action to determine potential impact from mining; One trigger exceedance was observed for a flora impact site and three flora reference sites during the 2015 monitoring period. Confounding environmental factors including weather, fire and logging were found to be active within the monitoring area. While inconclusive, the monitoring data indicates that prolonged dry and warm conditions on the Newnes Plateau are having a substantial impact on swamp condition and is likely to be acting independent of any mining related impacts. Unless future monitoring data indicates otherwise, it is considered that the trigger exceedances observed in 2015 were isolated and unrelated to a specific causal factor. Surface water flows and water chemistry showed trends that are consistent with that observed in previous years of monitoring and showed no discernible effects from mining. <p><u>Interaction between Groundwater and Mining</u></p> <p>In May 2016, CC provided the DoE and DPE with a report summarising the evolution of understanding of the interactions of groundwater behaviour and mine subsidence at Springvale Mine. This report concluded that “the Management Plans to which groundwater is relevant will include a study area which extends 600m to the east, north and south of Longwall 419. TARPs related to groundwater monitoring and management will use the 600m groundwater study area for the purpose of defining investigation triggers. The Management Plans which will be modified with the 600m groundwater study area are the Swamp Monitoring Program, Biodiversity Management Plan and the Water Management Plan”.</p> <p><u>Swamp Monitoring</u></p> <p>MCW Environmental reviewed the final LW 419 Swamp Monitoring Program, Biodiversity Management Plan and the Water Management Plan and confirmed that monitoring now includes a 600m groundwater study area:</p>	

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<ul style="list-style-type: none"> LW 419 Swamp Monitoring Program (section 5.7.1): Swamps that fall within 600 m of LW419, this representing the far field area of impact for swamp communities (i.e. groundwater dependant ecosystem), are deemed to be within the area of impact from the longwall subsidence and are termed Impact Swamps. This area includes the zone demarcated by the angle of draw (AOD) of the longwall subsidence. Monitoring has also been implemented at a number of swamps that have not yet been, or will not be, encroached upon by the 600 m buffer, these are designated as Reference Swamps. LW 419 Water Management Plan (sections 2 and 3): It is noted that this Water Management Plan needs to be read in conjunction with the other components of the Extraction Plan, specifically the Swamp Monitoring Program and the Biodiversity Management Plan. LW 419 Biodiversity Management Plan (section 3): 600 metre far field subsidence investigation area (for effects to groundwater and GDEs). <p><u>Summary</u></p> <p>In summary, CC notified the DoE of an exceedance of THPSSMMP trigger levels for an historical trend of declining groundwater at CW1 and CW2 in accordance with the notification requirements in the LW 418 THPSSMMP. Since that notification, there has been an exchange of information between the IMP, DPE and CC considering this trend and implications on the draft LW 419 Extraction Plan and component management plans. As a consequence, the draft LW 419 Extraction Plan and component management plans were revised to include actions as proposed by the IMP and approved by the DPE. The exceedance of the trigger level has not been identified in correspondence from the DoE, DPE or IMP that was reviewed by MCW Environmental, as a non-compliance with SSD-5594 Table 1 subsidence performance measures or EPBC Approval 6881 conditions. As performance against the criteria listed in Table 1 has not been monitored, this condition was assessed as not verified.</p> <p>For further information on subsidence monitoring required under EPBC Approvals and THPSS monitoring and management, refer to Appendix F EPBC Approvals.</p>	
S3- 2	<p>Subsidence-Performance Measures</p> <p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the performance measures in Table 1. Any exceedance of these performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation, notwithstanding actions taken pursuant to paragraphs (a)-(c) or condition 4 below. Where any exceedance of these performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary</p>	<ul style="list-style-type: none"> LW 419 Subsidence Monitoring Program (CC, 06/2016) Extraction Plan LW 419 (CC, 21/07/2016) 	<p>The LW 419 Extraction Plan states that performance of the implementation of the LW 419 Extraction Plan and component management plans will be tracked and reported as follows:</p> <ul style="list-style-type: none"> Incident reporting: following any occasion of incident, in accordance with the conditions of consent and/or environment protection licence and/or any requirements in the TARP(s); Bi-monthly subsidence impact reporting (i.e. reports only if impact from mining observed): following regular monthly inspections, but only if any new impact is identified. Impacts should be clearly distinguished between those which are within predictions, those which exceed predictions but remain within performance measures and/or performance indicators, and those which exceed performance measures and/or performance indicators. Impact reporting must include a full description, location identification using aerial photos with longwall layout superimposed, photos of the impact, and preliminary characterisation of the impact in accordance with the relevant TARP(s); Six-monthly reporting of all impacts and environmental monitoring results (during extraction of the Longwall only), including: <ul style="list-style-type: none"> a comprehensive summary of all impacts, including a revised characterisation according to the relevant TARP(s); any proposed actions resulting from Triggers being met in the TARP, or other actions; assessment of compliance with all relevant performance measures and indicators; a comprehensive summary of all quantitative and qualitative 	Not triggered

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>environmental monitoring results, including landscape monitoring, water quality data, water flow and pool level data, piezometer readings, etc; and</p> <ul style="list-style-type: none"> The reports will be submitted by 31st September (covering January to June) and on the 31st of March in the form of an Annual Review. Annual Review reporting, will include a summary of impacts, environmental monitoring results and a summary of subsidence effects monitoring results. <p>Springvale Coal has developed processes to assess and manage development related risks and to monitor and report exceedances of the performance measures in Table 1. As the performance measures listed in Table 1 were included for the first time in the recently approved LW 419 Extraction Plan and component management plans and, as LW 419 mining had not commenced during the period of the IEA, exceedance of performance measures had not been reported. Consequently, this condition was assessed as not triggered.</p>	
S3- 3	<p>Subsidence – Offsets</p> <p>If the Applicant exceeds the performance measures in Table 1 and the Secretary determines that:</p> <p>(a) it is not reasonable or feasible to remediate the subsidence impact or environmental consequence; or</p> <p>(b) remediation measures implemented by the Applicant have failed to satisfactorily remediate the subsidence impact or environmental consequence;</p> <p>then the Applicant shall provide a suitable offset to compensate for the subsidence impact or environmental consequence, to the satisfaction of the Secretary.</p> <p>The offset must give priority to like-for-like physical environmental offsets, but may also consider payment into any NSW Offset Fund established by OEH, or funding or implementation of supplementary measures such as:</p> <ul style="list-style-type: none"> actions outlined in threatened species recovery programs; actions that contribute to threat abatement programs; biodiversity research and survey programs; and/or rehabilitating degraded habitat. <p><i>Note: Any offset required under this condition must be proportionate with the significance of the impact or environmental consequence.</i></p>	<ul style="list-style-type: none"> Extraction Plan LW 419 (CC, 21/07/2016) Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) 	<p>Performance measures listed in Table 1 were included for the first time in the LW 419 Extraction Plan which was approved in July 2016. At this early stage of the implementation of the LW 419 Extraction Plan, Springvale Coal reported that there have been no requests provided by the DPE for offset(s) to compensate subsidence or environmental consequence.</p> <p>Refer to SSD-5594 CoA S3-5 for information on Offset calculation.</p>	Not triggered
S3- 4	<p>Subsidence – Swamp Offset Bond for First Swamps Undermined</p> <p>Prior to the commencement of mining, unless otherwise agreed by the Secretary, the Applicant shall lodge a Swamp Offset Bond of \$2,000,000 with the Department.</p> <p>If, after 12 months of completion of all mining under this consent within 400 metres of either Sunnyside East or Carne West Swamps, monitoring demonstrates that no greater than 'negligible environmental consequences' have resulted to the swamp from mining under this consent, to the satisfaction of the Secretary, then the Secretary will release the half of the Bond that applies to that swamp.</p> <p>If monitoring demonstrates that greater than 'negligible environmental consequences' have resulted to either of these shrub swamps from mining under this consent, and that these consequences have stabilised for a period of at least 12 months,</p>	<ul style="list-style-type: none"> Letter: Springvale Mine Extension Project – Swamp Offset Bond (CC: DPE, 08/10/2015) LW 419 Extraction Plan (CC, 21/07/2016) Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) 	<p>The LW 419 Extraction Plan identified that:</p> <ul style="list-style-type: none"> SSD 5594 CoA S3-4 has been triggered and that the swamp offset bond has been secured. As such, the results of swamp monitoring for the purposes of LW 419 will be managed as per the requirements of S3-4. Shrub swamps located within the LW 419 study area include a portion of Sunnyside East, Carne West Swamp, Gang Gang South West and Gang Gang Swamp East. Sunnyside East and Carne West have been subject to subsidence approved under the LW 411 -418 Extraction Plan and EPBC 2011/5949. A Swamp Offset Bond has been lodged with the Department of Planning as required under SSD-5594 CoA S3-4. Gang Gang South West and Gang Gang Swamp East lie within the 26.5 Angle of Draw for LW 419. Additional hanging swamps are located within the study area. <p>Centennial Coal provided a bank guarantee to the DPE for the amount of</p>	Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>then the Applicant must offset the environmental consequences to that swamp to the satisfaction of the Secretary within any period specified by the Secretary.</p> <p>The offset liability will be set by the Secretary in consultation with OEH, following consideration of:</p> <p>(a) the estimated liability using the Framework for Biodiversity Assessment in accordance with the NSW Biodiversity Offsets Policy for Major Projects; and</p> <p>(b) advice from the Independent Monitoring Panel that will be established by the Secretary for the development.</p> <p>Once the Applicant has offset the environmental consequences to the satisfaction of the Secretary, the relevant proportion of the Swamp Offset Bond will be returned to the Applicant.</p> <p>Notes:</p> <ul style="list-style-type: none"> Alternative funding arrangements, such as provision of capital and management funding as agreed by OEH as part of a Biobanking Agreement or transfer to conservation reserve estate, can be used as part of the Swamp Offset Bond. A bank guarantee can be lodged in place of a cash bond 		<p>\$2,000,000 to meet SSD-5594 CoA S3-4. The guarantee was provided by:</p> <ul style="list-style-type: none"> Centennial Springvale Pty Ltd-\$1,000,000 Springvale SK Kores Pty Ltd-\$1,000,000. <p>Note: The Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 2016) has been provided to the DoE and state regulators to facilitate discussion, and at the time of preparing the IEA, the Framework had not been finalised.</p>	
S3- 5	<p>Subsidence – Swamp Offsets for all other Shrub Swamps</p> <p>Prior to the commencement of mining operations under an approved Extraction Plan which are predicted to cause greater than negligible environmental consequences to either Gang Gang South West, Gang Gang East, Pine, Pine Upper, Paddys, Marangaroo Creek or Marrangaroo Creek Upper Swamp, the Applicant shall demonstrate that it can satisfy the maximum predicted offset liability for the total area of swamp(s) predicted to be impacted under that Extraction Plan.</p> <p>If, after 12 months of completion of all mining under this consent within 400 metres of any of these shrub swamps, monitoring demonstrates that no greater than 'negligible environmental consequences' have resulted to the swamp from mining under this consent, to the satisfaction of the Secretary, then the Applicant will not be required to secure the offset or retire the credits relating to that swamp.</p> <p>If monitoring demonstrates that greater than 'negligible environmental consequences' have resulted to any of these shrub swamps from mining under this consent, and that these consequences have stabilised for a period of at least 12 months, then the Applicant must offset the environmental consequences to that swamp to the satisfaction of the Secretary within any period specified by the Secretary.</p> <p>The offset liability will be set by the Secretary in consultation with OEH, following consideration of:</p> <p>(a) the estimated liability using the Framework for Biodiversity Assessment in accordance with the NSW Biodiversity Offsets Policy for Major Projects; and</p> <p>(b) advice from the Independent Monitoring Panel that will be established by the Secretary for the development.</p> <p>Note: Alternative funding arrangements, such as provision of capital and management funding as agreed by OEH as part of a Biobanking Agreement or transfer to conservation reserve estate,</p>	<ul style="list-style-type: none"> Letter: Endorsement of LW 419 Extraction Plan team (DPE:CC, 15/10/2015) Draft Extraction Plan LW 419 (CC, 03/2016) Letter: LW 419 Extraction Plan to DPE (CC: DPE, 10/03/2016) Letter: LW 419 Extraction Plan to DRE (CC: DRE, 10/03/2016) Extraction Plan LW 419 (CC, 06/2016) Letter: IMP advice on component plans for LW 419 Extraction Plan (IMP: DPE, 13/04/2016) Letter: IMP advice on LW 419 Extraction Plan (IMP: DPE, 09/06/2016) DPE Website: http://www.planning.nsw.gov.au/News/2016/Department-supports-independent-advice-on-the-Springvale-Extension-Project EIS, (CC, 2014) Draft Maximum Offset Liability Gang Gang Swamp (RPS, 05/2016) Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) Letter: Springvale Colliery LW 419 Extraction Plan Post Approval – Swamp Offset Bond (CC: DRE, 01/09/2016) 	<p>The EIS identified that predicted environmental consequences to Gang Gang South West, Gang Gang East, Pine, Pine Upper, Paddys, Marangaroo Creek or Marangaroo Creek Upper Swamp would not be greater than negligible.</p> <p>The Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) has been developed to address the requirements of SSD-5594 CoA S3-5 by describing how CC propose to:</p> <ul style="list-style-type: none"> Define a negligible environmental consequence in the context of swamp communities; Establish the offset liability; and Monitor for mining induced impacts for which an offset would be required. <p>The Framework includes monitoring performance indicators and trigger levels for both shrub swamps (MU50) and hanging swamps (MU51); and three scenarios to calculate the offset liability using the BioBanking Assessment Methodology 2014 (BBAM 2014); this being the methodology that underpins the Framework for Biodiversity Assessment (OEH, 2014). The scenarios are summarised as:</p> <ul style="list-style-type: none"> Scenario 1: Maximum loss, or 'maximum offset liability' (complete loss of THPSS); Scenario 2: Mitigated loss, or 'mitigated offset liability' (loss of 1 condition score for Biometric attributes); and Scenario 3: Actual offset liability, which uses 'before' and 'after' data obtained from impact and reference sites using multiple vegetation/management zones. <p>The Draft Upland Swamp Maximum Offset Liability Framework Western Region states that where one or more triggers are exceeded within whole or part thereof a swamp, an offset is required; and provides a flow chart describing the steps to identify the requirement for an offset. The Draft Framework has been provided to the DoE and state regulators to facilitate discussion, and at the time of preparing the IEA the Framework had not been finalised.</p> <p>The draft Extraction Plan for LW 419 was prepared generally in accordance with the DPE and DRE draft Guidelines for the Preparation of Extraction Plans, and was provided to the DPE in March 2016. A letter report (dated 09/06/2016) from the IMP states that Centennial Coal provided the IMP with the LW 419 Extraction Plan for review in May 2016. The IMP review concluded that their</p>	Not verified (pending finalisation of Upland Swamp Maximum Offset Liability Framework)

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation								
	<p>can be used as part of the Swamp Offset.</p>		<p>advice was not comprehensive and recommended that LW 419 be allowed to commence subject to recommendations contained within the advice. The DPE informed CC on 21/07/2016 that following acceptance of the IMP recommendations on the LW 419 Extraction Plan, the DPE has assessed and approved the Extraction Plan attaching strict conditions to monitoring impacts on swamp vegetation communities and has also required Springvale Coal to lodge another \$2 million offset bond, in addition to the \$2 million bond already lodged, to cover any potential impacts to swamps. The LW 419 Extraction Plan was approved on 11 July 2016. The approval required a swamp offset bond to be provided within 3 months (not prior to extraction) of the LW419 Extraction Plan being approved. The Swamp Offset Bond (\$2 million) was provided to the DRE on 1 September 2016.</p> <p>This condition was assessed as not verified as the Draft Upland Swamp Maximum Offset Liability Framework Western Region had not been finalised.</p>									
S3- 6	<p>Subsidence – Swamp Offsets for all other Shrub Swamps</p> <p>As part of each Extraction Plan for mining within 400 metres of the swamps subject to condition 5 above, the Applicant must:</p> <p>(a) calculate the maximum predicted offset liability for any environmental consequences on these swamps that may result from the proposed mining using the Framework for Biodiversity Assessment in accordance with the NSW Biodiversity Offsets Policy for Major Projects; and</p> <p>(b) demonstrate that it has suitable arrangements in place to deal with these liabilities quickly in the event that offsets are required</p>	<ul style="list-style-type: none"> • Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) 	<p>Springvale Coal has prepared the Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) to address the requirements of SSD-5594 CoA S3-5 and calculation of offset liability. As the Framework has not been finalised, in the event that an offset is required for other swamps, an offset may not be quickly calculated. Consequently, this condition was assessed as not verified.</p> <p>Refer to SSD-5594 CoA S3-5.</p>	<p>Not verified (pending finalisation of Upland Swamp Maximum Offset Liability Framework)</p>								
S3- 7	<p>Subsidence – Performance Measures – Built Features</p> <p>The Applicant shall ensure that the development does not cause any exceedances of the performance measures in Table 2, to the satisfaction of the Secretary.</p> <p><i>Table 2: Subsidence Impact Performance Measures</i></p> <table border="1" data-bbox="270 1276 937 1444"> <thead> <tr> <th>Built Features</th> <th>Performance Measures</th> </tr> </thead> <tbody> <tr> <td>Key public infrastructure: Lithgow Water Supply Dam</td> <td>No damage or additional risk</td> </tr> <tr> <td>Power transmission lines and associated towers, unsealed roads and road culverts, fire trails, other public infrastructure, fences and other built features</td> <td>Always safe Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated</td> </tr> <tr> <td>Public safety</td> <td>Negligible additional risk</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> • These performance measures apply to all mining taking place after the date of this consent. • The Applicant will be required to define more detailed performance indicators for each of these performance measures in the Built Features Management Plans or Public Safety Management Plan (see condition 10 below). • Measurement and/or monitoring of compliance with performance measures and performance indicators is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans. In the event of a dispute over the appropriateness of proposed methods, the Secretary will be the final arbiter. • Requirements regarding safety or serviceability do not prevent 	Built Features	Performance Measures	Key public infrastructure: Lithgow Water Supply Dam	No damage or additional risk	Power transmission lines and associated towers, unsealed roads and road culverts, fire trails, other public infrastructure, fences and other built features	Always safe Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated	Public safety	Negligible additional risk	<ul style="list-style-type: none"> • LW 419 Subsidence Monitoring Program (CC, 06/2016) • LW 419 Built Features Management Plan (CC, 06/05/2016) • LW 416 EOP Subsidence Review (DGS, 30/12/2104) 	<p>As mining for LW 419 has not commenced, assessment against the performance measures for built features in Table 2 has not been undertaken, consequently SSD-5594 CoA S3-7 was assessed as not triggered.</p> <p>The LW 419 Subsidence Management Program identifies that the land overlying the LW 419 Extraction Plan area is State Forest and contains no private landholdings, the only public infrastructure above the mining area is FCNSW roads and trails, and that man-made infrastructure includes the CC dewatering pipeline and electrical cables in the Bore 8 and Bore 9 corridors.</p> <p>The LW 419 Built Features Management Plan addresses the potential impact on built features in the LW 419 Extraction Plan area and includes a monitoring program (Section 9) to assess if the following performance indicators have been met:</p> <ul style="list-style-type: none"> • Visual inspections of the site identify that subsidence related impacts are consistent with predicted impacts; • Visual inspections of the site identify that the infrastructure is safe and serviceable; and • Survey monitoring within the Extraction Plan Area identifies that subsidence parameters (subsidence, tilt and strain) are within the limits of the prediction model. <p>EOP subsidence reviews are undertaken by Ditton Geotechnical Services e.g. LW 416 EOP subsidence review identified the following built features:</p> <ul style="list-style-type: none"> • Endeavour Energy 66kV Line: No impact or corrective remedial works have been required for the line to-date. • Sunnyside Ridge Road: No surface cracking or erosion impacts have been reported since the completion of the panel. It is possible however, that minor cracking has occurred at some stage along and across the gravel road during the development of subsidence. It is considered that the cracks, if they occurred, are likely to have been in-filled with sediment during storm events or traffic movements, and unlikely to require 	<p>Not triggered</p>
Built Features	Performance Measures											
Key public infrastructure: Lithgow Water Supply Dam	No damage or additional risk											
Power transmission lines and associated towers, unsealed roads and road culverts, fire trails, other public infrastructure, fences and other built features	Always safe Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated											
Public safety	Negligible additional risk											

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<i>preventative or mitigatory actions being taken prior to or during mining in order to achieve or maintain these outcomes</i>		<i>remediation works.</i>	
S3- 8	<p>Subsidence-Performance Measures – Built Features</p> <p>Any dispute between the Applicant and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 2 is to be settled by the Secretary, following consultation with DRE. Any decision by the Secretary shall be final and not subject to further dispute resolution under this consent.</p>		As mining for LW 419 had not commenced, assessment against the Subsidence Impact Performance Measures for Built Features has not been undertaken.	Not triggered
S3- 9	<p>Subsidence – First workings</p> <p>Subject to condition 10 below, the Applicant may carry out first workings within the underground mining area, other than in accordance with an approved Extraction Plan, provided that DRE is satisfied that the first workings are designed to remain stable and non-subsiding in the long-term, except insofar as they may be impacted by approved second workings.</p> <p><i>Note: The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible resulting direct subsidence impacts</i></p>		Springvale Coal reported that first workings had been conducted during the reporting period which included first workings for LW 419.	Noted
S3- 10	<p>Subsidence – Extraction Plan</p> <p>The Applicant shall prepare and implement an Extraction Plan for all second workings on site to the satisfaction of the Secretary. Each Extraction Plan must:</p> <p>(a) be prepared in consultation with DRE and by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p> <p>(b) be approved by the Secretary before the Applicant carries out any of the second workings covered by the plan;</p> <p>(c) include detailed plans of existing and proposed first and second workings and overlying surface features, including any applicable adaptive management measures;</p> <p>(d) include adequate consideration of mine roof and floor conditions, pillar width to height ratio, final pillar design dimensions and the long-term stability of pillars which has been undertaken in consultation with DRE;</p> <p>(e) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed mining covered by the Extraction Plan, incorporating any relevant information obtained since this consent;</p> <p>(f) provide revised predictions for potential environmental consequences on affected shrub swamps and the social and economic costs of avoiding these consequences;</p> <p>(g) describe in detail the performance indicators that would be implemented to ensure compliance with the performance measures in Tables 1 and 2, and manage or remediate any impacts and/or environmental consequences to meet the rehabilitation objectives in condition 30 of Schedule 4;</p> <p>(h) include a:</p> <p>(i) Subsidence Monitoring Program which has been prepared in</p>	<ul style="list-style-type: none"> Letter: Endorsement of LW 419 Extraction Plan team (DPE:CC, 15/10/2015) Draft Extraction Plan LW 419 (CC, 03/2016) Letter: LW 419 Extraction Plan to DPE (CC: DPE, 10/03/2016) Letter: LW 419 Extraction Plan to DRE (CC: DRE, 10/03/2016) Extraction Plan LW 419 (CC, 07/2016) Letter: IMP advice on component plans for LW 419 Extraction Plan (IMP: DPE, 13/04/2016) Letter: IMP advice on LW 419 Extraction Plan (IMP: DPE, 09/06/2016) LW 419 Subsidence Monitoring Program (CC, 06/2016) LW 419 Built Features Management Plan (CC, 06/05/2016) DPE Website: Department supports independent advice on the extension project http://www.planning.nsw.gov.au/News/2016/Department-supports-independent-advice-on-the-Springvale-Extension-Project (DPE, 21/07/2016) Letter: Feedback from EPA & OEH on Water Management Plans (EPA, 04/04/2016) 	<p>A draft Extraction Plan for LW 419 was prepared in accordance with the DPE and DRE draft Guidelines for the Preparation of Extraction Plans, and provided to the DPE in March 2016. The Extraction Plan was prepared by suitably qualified and experienced persons whose appointments were endorsed by the DPE. The draft LW 419 Extraction Plan and component management plans were prepared and provided to the DPE and IMP for comment. The IMP provided preliminary comments on the draft LW 419 Extraction Plans to the DPE on 13/04/2016 which included that the draft LW 419 Extraction Plan required consideration of the most recent data available in relation to mining impacts at Carne West swamp and the high likelihood that these impacts were mining induced. A letter report (dated 09/06/2016) from the IMP states that Centennial Coal provided the IMP with a revised LW 419 Extraction Plan for review in May 2016 and that the IMP recommended that LW 419 be allowed to commence subject to recommendations contained within the advice. The IMP requested substantial changes on the Extraction Plan's associated management plans and specific changes to reflect recent data on swamp impacts (referenced in IMP correspondence dated 13/04/2016). The advice of the IMP is available on the DPE Major Projects website (SSD-5594). The feedback included changes to the LW 419 Subsidence Monitoring Program, Water Management Plan and Swamp Monitoring Program. The DPE reported on 21/07/2016 that following acceptance of the IMP recommendations on the LW 419 Extraction Plan, the DPE has assessed and approved the Extraction Plan and component management plans attaching strict conditions to monitoring impacts on swamp vegetation communities. The LW419 Extraction Plan was finalised in July 2016 and placed on the Springvale Coal website on 22/07/2016.</p> <p>The auditors were unable to download the Extraction Plan from the website which may be the result of the file size being 111 MB.</p> <p>The LW 419 Extraction Plan and the following component management plans referenced in SSD-5594 CoA S4-10 were approved after the period of the IEA and provided to the auditors:</p> <ul style="list-style-type: none"> (i) LW 419 Subsidence Monitoring Program (CC, 06/2016) (ii) LW 419 Built Feature Management Plan (CC, 05/2016) (iii) LW 419 Water Management Plan (CC, 05/2016) 	Not triggered.

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>consultation with DRE to:</p> <ul style="list-style-type: none"> • describe the ongoing conventional and non-conventional subsidence monitoring program: • provide data to assist with the management of risks associated with conventional and non- conventional subsidence; • validate the conventional and non-conventional subsidence predictions; • analyse the relationship between the predicted and resulting conventional and non-conventional subsidence effects and predicted and resulting impacts under the plan and any ensuring environmental consequences; and • inform the contingency plan and adaptive management process in paragraphs (ix) and (x) below; <p>(ii) Built Features Management Plan which has been prepared in consultation with DRE, to manage the potential subsidence impacts of the proposed underground workings on built features, and which:</p> <ul style="list-style-type: none"> • has been prepared in consultation with the owner/s of potentially affected feature/s; • addresses in appropriate detail all items of key public infrastructure and other public infrastructure and all classes of other built features; • recommends appropriate pre-mining mitigation measures to reduce subsidence impacts; and • recommends appropriate remedial measures and includes commitments to mitigate, repair, replace or compensate predicted impacts on potentially affected built features in a timely manner; <p>(iii) Water Management Plan which has been prepared in consultation with DPI-Water, WaterNSW and the Independent Monitoring Panel (required by condition 11), which provides for the management of potential impacts and/or environmental consequences of the proposed underground workings on watercourses and aquifers, including:</p> <ul style="list-style-type: none"> • detailed baseline data on: <ul style="list-style-type: none"> - surface water flows and quality in water bodies that could be affected by subsidence, including Wolgan River, Carne Creek, Marangaroo Creek, Coxs River and all major associated tributaries; - groundwater levels, yield and quality in the region; • surface and groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; • a surface water monitoring program to monitor and report on: <ul style="list-style-type: none"> - stream flows and quality; - stream and riparian vegetation health; - channel and bank stability; • a groundwater monitoring program to monitor and report on - springs, their discharge quantity and quality, as well as associated groundwater dependent ecosystems; <ul style="list-style-type: none"> - groundwater inflows to the underground mining operations; 		<ul style="list-style-type: none"> • (iv) LW 419 Biodiversity Management Plan (CC, 05/2016) • (v) LW 419 Swamp Monitoring Program (CC, 07/2016) • (vi) LW 419 Land Management Plan (CC, 05/2016) • (vii) LW 419 Heritage Management Plan (CC, 05/2016) • (viii) LW 419 Public Safety Management Plan (CC, 05/2016) <p>The LW419 Extraction Plan and component plans clearly map where the requirements of SSD-5594 CoA S3-10 are addressed within each document and include (ix) TARP's addressing features in Tables 1 and 2 and (x) contingency plans.</p> <p>As the LW 419 Extraction Plan was finalised after the period of the IEA, this condition was assessed as 'Not triggered'. MCW Environmental has not assessed if the LW 419 Extraction Plan and component management plans address the issues identified by following subject matter expert reviews</p> <ul style="list-style-type: none"> • IMP recommendations (09/06/2016); • IMP advice on component management plans of LW 419 (13/04/2016); and • Feedback from regulators on the draft LW 419 Extraction Plan and component management plans. 	

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<ul style="list-style-type: none"> - the height of groundwater depressurization; - background changes in groundwater yield/quality against mine-induced changes, in particular, on groundwater bore users in the vicinity of the site; - permeability, hydraulic gradient, flow direction and connectivity of the deep and shallow groundwater aquifers; - impacts of the development on upland swamps (refer to condition 10 below) and other groundwater dependent ecosystems; • a description of any adaptive management practices implemented to guide future mining activities in the event of greater than predicted impacts on aquatic habitat; • a program to validate the surface water and groundwater models for the development, and compare monitoring results with modelled predictions; and • a plan to respond to any exceedances of the surface water and groundwater assessment criteria; <p>(iv) Biodiversity Management Plan which has been prepared in consultation with OEH and the Independent Monitoring Panel, which provides for the management of potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats and EECs, including a management and research program for the Blue Mountains Water Skink (<i>Eulamprus leuraensis</i>);</p> <p>(v) Swamp Monitoring Program which has been prepared in consultation with OEH, DPI-Water, WaterNSW and the Independent Monitoring Panel, and which includes (as a minimum):</p> <ul style="list-style-type: none"> • further consideration of the location of existing piezometers and the installation of upslope and downslope piezometers in all shrub swamps, in order to better understand the down-slope movement of shallow groundwater; • installation of flow monitoring points in all shrub swamps; • measures to record the nature and condition of terrestrial and aquatic flora and fauna within all shrub swamps and selected hanging swamps; • measures to characterise soils or peat layers within the swamps to determine: <ul style="list-style-type: none"> - porosity; - a basis for relating water levels to rainfall and evapotranspiration; and - the presence, or absence, of clay materials at the interface with the underlying bedrock; • a program for monthly review of the water balance of all monitored swamps based on recorded rainfall, estimated evapotranspiration and recorded surface and shallow groundwater levels and outflow measurements; • detailed performance indicators for the relevant performance measures in Table 1, including performance indicators relating to surface and shallow groundwater levels and outflow measurements; • assessment of any post-mining impacts on the incision feature 			

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>in Sunnyside East Swamp;</p> <ul style="list-style-type: none"> specific consideration of subsidence impacts on and environmental consequences to hanging swamps; consideration of a minimum of 2 years of baseline data for swamp hydrology and swamp vegetation; hydrological and vegetative monitoring which fully satisfies Before After Control Impact (BACI) design principles; provision of raw piezometer and other monitoring data to the Department, OEH and the Independent Monitoring Panel, if requested; and incorporation of any relevant findings from swamp research projects into the swamp monitoring program; <p>(vi) Land Management Plan which has been prepared in consultation with OEH and any other affected public authorities, which provides for the management of potential impacts and/or environmental consequences of the proposed underground workings on land in general, with a specific focus on cliffs, minor cliffs, pagoda formations, steep slopes and gorges;</p> <p>(vii) Heritage Management Plan which has been prepared in consultation with OEH and relevant stakeholders for both Aboriginal and non-Aboriginal heritage, which provides for the management of potential environmental consequences of the proposed second workings on Aboriginal and non- Aboriginal heritage and includes all requirements under condition 24 of Schedule 4;</p> <p>(viii) Public Safety Management Plan which has been prepared in consultation with DRE and OEH, which ensures public safety and manages access on the site;</p> <p>(ix) TARP's addressing all features in Tables 1 and 2, which contain:</p> <ul style="list-style-type: none"> appropriate triggers to warn of increased risk of exceedance of any performance measure; and specific actions to respond to high risk of exceedance of any performance measure to ensure that the measure is not exceeded; an assessment of remediation measures that may be required if exceedances occur and the capacity to implement the measures <p>(x) Contingency Plan that expressly provides for:</p> <ul style="list-style-type: none"> adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Tables 1 and 2, or where any such exceedance appears likely; and an assessment of remediation measures that may be required if exceedances occur and the capacity to implement those measures; <p>(xi) proposes appropriate revisions to the Rehabilitation Management Plan required under condition 32 in Schedule 4; and</p> <p>(xii) includes a program to collect sufficient baseline data for future Extraction Plans.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <i>This condition does not apply to first or second workings which</i> 			

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>are covered by an Extraction Plan or Subsidence Management Plan approved, or submitted for approval, as at the date of this development consent.</p> <ul style="list-style-type: none"> In accordance with condition 7 in Schedule 6, the preparation and implementation of Extraction Plans may be staged, with each plan covering a defined area of underground workings. In addition, these plans are only required to contain management plans that are relevant to the specific underground workings that are being carried out. Due to the sensitive and rugged terrain of the Newnes Plateau, the Applicant may propose remote subsidence monitoring techniques 			
S3-11	<p>Subsidence – Independent Monitoring Panel</p> <p>An Independent Monitoring Panel for the development will be established by the Secretary, and be comprised of suitably qualified experts in the fields of mining subsidence, upland swamps and landforms of the western Blue Mountains. The role of the Panel is to provide timely, accurate and focussed advice to the Applicant and the Secretary regarding the:</p> <p>(a) collection of relevant data to predict and monitor the potential subsidence impacts and environmental consequences of second workings;</p> <p>(b) achievement of performance measures in Table 1 in respect of Swamps, Land and Biodiversity, including relevant performance indicators, including avoidance of impacts where reasonable and feasible, rather than relying on remediation and offsets;</p> <p>(c) preparation, revision and implementation of Extraction Plans, particularly the Swamp Monitoring Program, Biodiversity Management Plan and Land Management Plan components;</p> <p>(d) undertaking iterative risk assessment in Extraction Plans, including consideration of all options for avoiding or minimising damage to swamps and all possible adaptive management measures;</p> <p>(e) appropriate implementation of the swamp and groundwater monitoring programs and adaptive management regime throughout the life of the project; and</p> <p>(f) calculation of swamp offset liability and verification of calculated swamp offset liability under conditions 4 and 5 of Schedule 3.</p>	<ul style="list-style-type: none"> Letter: IMP Comments on Extraction (IMP: DPE, 09/06/2016) Letter: Comments on LW 419 Extraction Plan (CC: DPE, 10/06/2016) Letter: DPRE referencing IMP comments on LW 419 Extraction Plan (DPE: CC, 211/06/2016) 	<p>The IMP has been established and consists of Dr Wendy Timms (water/groundwater), Dr Barbara Mactaggart (swamp ecology), and Emeritus professor Jim Galvin (subsidence).</p> <p>Evidence was sighted of correspondence between the IMP and the DPE regarding review of the LW 419 Extraction Plan and component management plans: Water Management Plan, Biodiversity Management Plan and Swamp Monitoring Program. The correspondence included references to adequacy of the plans and recommendations for changes.</p> <p>There was no formal advice sighted from the panel specifically relating to achievement of performance measures in Table 1, nor regarding some of the other aspects of the condition.</p> <p>Further, it is unclear how and when this advice would be provided. A Terms of reference for the Panel was not sighted that may elaborate on the functioning of the IMP and how it would operate as Independent.</p> <p>In assessing compliance with EPBC Approval 2013/ 6881 CoA 4 (Appendix F), MCW Environmental identified that following the exceedance of groundwater trigger values for CW1 and CW2 (18/12/2015), the issue of the extent of impacts as defined by water level drops measured in Carne West Swamp has not been formally assessed by the IMP or the DPE against the “negligible environmental consequences” criteria. MCW Environmental has included in the SSD-5594 CoA S3-11 OFI that role of the IMP be clarified with respect to the functioning of the IMP in implementing its responsibilities under SSD-5594 CoA S3-11 and EPBC Approval 6881 CoA 4.</p>	<p>Compliant</p> <p>SSD-5594 CoA S3-11 OFI: In association with the DPE, consider clarifying the role and functioning of the IMP with respect to implementing its responsibilities under SSD-5594 CoA S3-11 and EPBC Approval 6881 CoA 4.</p>
S3-12	<p>Payment of Reasonable Costs</p> <p>The Applicant shall pay all reasonable costs incurred by the Department to:</p> <p>(a) engage suitably qualified, experienced and independent persons to review the adequacy of any aspect of an Extraction Plan; and</p> <p>(b) establish and operate the Independent Monitoring Panel for the development</p>		<p>The Independent Monitoring Pan was established and had provided comment on LW 419 Extraction Plan (refer SSD-5594 CoA S3 – 11).</p>	<p>Compliant</p>
S4 -1	<p>Noise – Noise Criteria</p> <p>From the date of this consent until 30 June 2016, the Applicant shall</p>	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), 	<p>Quarterly noise monitoring results, and noise limits, were available in the April 2016 and July 2016 Springvale Environmental Monitoring Reports (available on</p>	<p>Non-compliant (Low)</p> <p>SSD-5594 CoA S4 – 1</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																													
	<p>ensure that the noise generated by the development does not exceed the criteria in Table 3 at any residence on privately-owned land.</p> <p><i>Table 3: Noise Criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Location-Receiver-Numbers</th> <th>Days</th> <th>Evenings</th> <th colspan="2">Nights</th> </tr> <tr> <th>L_{Aeq}(15 min)_d</th> <th>L_{Aeq}(15 min)_e</th> <th>L_{Aeq}(15 min)_n</th> <th>L_{A1}(1 min)_n</th> </tr> </thead> <tbody> <tr> <td>S1_r</td> <td>44_r</td> <td>44_r</td> <td>46_r</td> <td>52_r</td> </tr> <tr> <td>S2_r</td> <td>43_r</td> <td>43_r</td> <td>46_r</td> <td>53_r</td> </tr> <tr> <td>S3_r</td> <td>35_r</td> <td>35_r</td> <td>35_r</td> <td>60_r</td> </tr> <tr> <td>All other privately-owned land_r</td> <td>35_r</td> <td>35_r</td> <td>35_r</td> <td>45_r</td> </tr> </tbody> </table> <p><i>Note: To interpret the locations referred to in Table 3 see the applicable figure in Appendix 4.</i></p> <p><i>Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy. Appendix 5 details the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.</i></p> <p><i>However, these criteria do not apply if the Applicant has a negotiated agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.</i></p>	Location-Receiver-Numbers	Days	Evenings	Nights		L _{Aeq} (15 min) _d	L _{Aeq} (15 min) _e	L _{Aeq} (15 min) _n	L _{A1} (1 min) _n	S1 _r	44 _r	44 _r	46 _r	52 _r	S2 _r	43 _r	43 _r	46 _r	53 _r	S3 _r	35 _r	35 _r	35 _r	60 _r	All other privately-owned land _r	35 _r	35 _r	35 _r	45 _r	<p>(CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013)</p> <ul style="list-style-type: none"> Quarterly Noise Monitoring (SLR, 12/04/2016) Letter: Notification and Report Noise Exceedance (CC; Landowner, 13/04/2016) Letter: Notification and Report Noise Exceedance (CC; DPE, 12/04/2016) Letter: Report Noise Exceedance Corrective Actions (CC; DPE, 31/05/2016) Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016) SV-STD-2172 Noise Management Surface (CC, 04/2016) Environment and Community Database 2015 Annual Return (C, 2016) Email: Attended Noise Monitoring (SLR: CC, 17/10/2016) 	<p>the CC website).</p> <p>The 2015 Annual Return reports that there were five noise complaints during the 2015 reporting period. The auditors understand that these complaints were not related to Springvale Coal as the Annual Return includes reporting for some aspects of Western Coal Services in addition to Springvale Coal. The June monthly environmental monitoring report identified that there were no noise complaints between July 2015 and June 2016. There were no noise complaints sighted on the Environment and Community Database for the period of the IEA.</p> <p>The quarterly attended noise monitoring results for 31/03/2016 were provided to Springvale Coal on 12/04/2016, were sighted in the April 2016 Springvale Environmental Monitoring Report and were available on the Centennial Coal website. The results identified that the attended noise monitoring undertaken in March 2016 by SLR, recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2. The exceedance was recorded on the Environment and Community Database Ref No. 4/2016/ccapp1000311.</p> <p>The auditors were advised by CC, that while the final noise monitoring report may not be provided immediately post monitoring by the noise monitoring consultants (SLR), the consultants verbally notify Springvale Environment Department of indicative results/potential exceedances/notable environmental conditions following monitoring, and that an exceedance cannot be immediately reported as data processing/validation of results has to occur.</p> <p>Following the exceedance, notification letters were provided to the landowner at Receptor S2 on 13/04/2016 and the DPE and EPA on 12/04/2016, and a follow up letter provided to the DPE on 31/05/2016 identifying that the cause of the noise exceedance was track chains on the stockpile dozer and that the following corrective actions had been undertaken:</p> <ul style="list-style-type: none"> Dozer sent to Westrac Bathurst Services for new tracks; CHP operators informed to: <ul style="list-style-type: none"> Report abnormal noise emanating from the dozer; Drivers to use second gear whilst reversing to reduce tack slap; and Westrac fitters to inspect tracks at regular maintenance intervals and increased frequency of custom track services by CAT product support. <p>The consultant undertaking attended noise monitoring stated confirmed in an email dated 17/10/2016 that noise monitoring is conducted in accordance with the NSW Industrial Noise Policy (INP) and the Springvale Noise Monitoring Plan. The attended noise monitoring report (SLR, 12/04/2016) did not state that attended noise was measured in accordance with the INP. SLR advised (Email, 17/10/2016) that future reports would reference that noise monitoring is conducted in accordance with the NSW INP.</p> <p>As the noise criteria in SSD-5594 CoA S4-1 Table 3 had been exceeded, this condition was assessed as non-compliant. Although Springvale Coal had reported to the DPE that the tracks on the dozer had been replaced, and administrative controls implemented (i.e. training and maintenance scheduling), a recommendation was made to:</p> <ul style="list-style-type: none"> Increase the frequency of undertaking inspections in accordance with SV-STD-2172 (Noise Management Surface) to quarterly; Identify responsibility for implementing SV-STD-2172; Links to completed SV-STD-2172 forms included on the Compliance Database for SSD-5594 CoA S4-3. <p>The June 2016 Springvale Environmental Monitoring Report states "Noise monitoring is undertaken quarterly and was completed in June 2016. Results to be provided in July Monitoring Report".</p> <p>Monthly Environmental Inspections are undertaken by the Environmental Coordinator and include assessment of noise controls.</p>	<p>Recommendation: Implement a process for consultants undertaking attended noise monitoring, that following data validation, noise limit exceedances are reported immediately to the Springvale Coal Environment Coordinator.</p> <p>SSD-5594 CoA S4 – 1 Recommendation: Assess if processes are in place for immediate reporting by consultants to CC of exceedances for other monitoring required under regulatory approvals and licences that is undertaken by consultants (in addition to noise) e.g. water quality, dust, subsidence etc.</p> <p>SSD-5594 CoA S4 – 1 Recommendation: Revise SV-STD- 2172 Noise Management Surface Standard to:</p> <ul style="list-style-type: none"> Increase the frequency of undertaking inspections in accordance with SV-STD-2172 (Noise Management Surface) to quarterly; Identify responsibility for implementing SV-STD-2172; Describe how the effectiveness of implementing the procedure is monitored and reported.
Location-Receiver-Numbers	Days		Evenings	Nights																													
	L _{Aeq} (15 min) _d	L _{Aeq} (15 min) _e	L _{Aeq} (15 min) _n	L _{A1} (1 min) _n																													
S1 _r	44 _r	44 _r	46 _r	52 _r																													
S2 _r	43 _r	43 _r	46 _r	53 _r																													
S3 _r	35 _r	35 _r	35 _r	60 _r																													
All other privately-owned land _r	35 _r	35 _r	35 _r	45 _r																													

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																													
S4-2	<p>Noise – Noise Criteria</p> <p>From 1 July 2016, the Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 4 at any residence on privately-owned land, or have notified, in accordance with Schedule 5, the owners of residences represented by Receiver Numbers S1 and S2 that they are entitled to acoustic treatment of their residence.</p> <p>Table 4: Noise Criteria dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">Location-Receiver Number</th> <th>Days</th> <th>Evenings</th> <th colspan="2">Nights</th> </tr> <tr> <th>L_{Aeq} (15 min)_d</th> <th>L_{Aeq} (15 min)_e</th> <th>L_{Aeq} (15 min)_n</th> <th>L_{A1} (1 min)_n</th> </tr> </thead> <tbody> <tr> <td>S1#</td> <td>44#</td> <td>44#</td> <td>42#</td> <td>52#</td> </tr> <tr> <td>S2#</td> <td>43#</td> <td>43#</td> <td>43#</td> <td>53#</td> </tr> <tr> <td>S3#</td> <td>35#</td> <td>35#</td> <td>35#</td> <td>60#</td> </tr> <tr> <td>All other privately-owned land#</td> <td>35#</td> <td>35#</td> <td>35#</td> <td>45#</td> </tr> </tbody> </table> <p>Note: To interpret the land referred to in Table 4 see the applicable figure in Appendix 4.</p>	Location-Receiver Number	Days	Evenings	Nights		L _{Aeq} (15 min) _d	L _{Aeq} (15 min) _e	L _{Aeq} (15 min) _n	L _{A1} (1 min) _n	S1#	44#	44#	42#	52#	S2#	43#	43#	43#	53#	S3#	35#	35#	35#	60#	All other privately-owned land#	35#	35#	35#	45#		Not triggered at the time of the site inspections for this IEA.	Not triggered
Location-Receiver Number	Days		Evenings	Nights																													
	L _{Aeq} (15 min) _d	L _{Aeq} (15 min) _e	L _{Aeq} (15 min) _n	L _{A1} (1 min) _n																													
S1#	44#	44#	42#	52#																													
S2#	43#	43#	43#	53#																													
S3#	35#	35#	35#	60#																													
All other privately-owned land#	35#	35#	35#	45#																													
S4-3	<p>Operating Conditions</p> <p>The Applicant shall:</p> <p>(a) implement best management practice to minimise the construction, operational and road noise of the development;</p> <p>(b) minimise the noise impacts of the development during meteorological conditions under which the noise limits in this consent do not apply (see Appendix 5); and</p> <p>(c) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent,</p> <p>(d) regularly assess noise monitoring data and modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent,</p> <p>to the satisfaction of the Secretary</p>	<ul style="list-style-type: none"> Western Region Noise Management Plan (CC, 07/2016) Letter: Approval of Western Region Noise Management Plan (DPE:CC, 22/07/2016) Noise Management Surface Procedure SV-STD-2172 Springvale Environmental Induction (CC, undated-provided on 19/07/2016) EPL 3607 Monthly Environmental Monitoring Reports (CC, 07/2016), (CC, 06/2016), (CC, 05/2016), (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) Dust deposition gauge results (ALS, 03/2016) 2014 AEMR (CC, 2015) Letter: Notification and Report Noise Exceedance (CC; Landowner, 13/04/2016) Letter: Notification and Report Noise Exceedance (CC; DPE, 12/04/2016) Letter: Report Noise Exceedance Corrective Actions (CC: DPE, 31/05/2016) 	<p>CC prepared a Western Region Noise Management Plan (WRNMP) that was approved by the DPE in July 2016. The 2016 WRNMP requires quarterly attended noise monitoring. The 2016 WRNMP references the meteorological conditions when noise limits do not apply (Appendix E).</p> <p>Springvale Coal has a noise management procedure (SV-STD-2172) that includes potential noise sources, risk assessment and control measures.</p> <p>The Springvale Environmental Induction, which is reportedly undertaken by employees and contractors, includes references to noise and provides high level controls.</p> <p>Monthly environmental monitoring reports (CC website) were reviewed for the period September 2013 to July 2016. Quarterly noise monitoring results, and corresponding noise limits, were available in the April 2016 and July 2016 Springvale Environmental Monitoring Reports (available on the CC website).</p> <p>The 2014 AEMR and 2015 AR report quarterly monitoring results against noise goals established for the Environmental Assessment (refer Section 75W Modification to Development Consent DA 11/92 dated October 2013) and SSD-5594 CoA S4-1 respectively.</p> <p>Springvale Coal reported that the Pulse work order system triggers quarterly inspections of Springvale Mine pit top and stockpile area by the Mine Services Manager to identify best practice opportunities (housekeeping, maintenance of equipment, surface water management and sediment load, dust generating activities etc). At the time of undertaking the IEA site inspection, the June inspection was overdue.</p> <p>In July 2013, Springvale Coal received a noise complaint resulting from the beeper on the stockpile dozer. The 2014 AEMR reports that the following noise mitigation works were undertaken during 2014:</p> <ul style="list-style-type: none"> Installation of noise attenuating mufflers on the stockpile dozer. Installation of "quacker" reverse alarms on the stockpile dozer during the daytime and use of a flashing light warning signal during the night-time to replace the existing reverse beeper. Restricted (gear box limited) the stockpile dozer to second gear (low speed) while reversing to reduce track slap. Regular (weekly) inspection of conveyor idlers and prompt replacement of damaged or highly worn idlers during maintenance. Cladding on the southern wall of the ROM conveyor drive building was installed. 	<p>Compliant</p> <p>Refer SSD-5594 CoA S2-14</p> <p>SSD-5594 CoA S4-3 OFI: The 2015 AR</p>																													

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>The 2015 AR reports that there was one complaint recorded in 2015 relating to a vehicle entering the Castlereagh Highway on 28/09/2015.</p> <p>The EPA Annual Returns identify the following noise complaints relating to Springvale Coal:</p> <ul style="list-style-type: none"> • 2015 – no noise complaints; • 2014 – no noise complaints; and • 2013 – two noise complaints (beeper on dozer on the stockpile and upcast ventilation shaft). <p>The monthly Environmental Monitoring Report (07/2016) identifies that there were no noise complaints from June 2015 to July 2016.</p> <p>Springvale Coal reported that there were no outstanding requests for information from either the DPE or EPA regarding noise complaints or monitoring.</p>	
S4-4	<p>Noise Management Plan</p> <p>The Applicant shall prepare and implement a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA, and submitted to the Secretary for approval within three months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions of this consent;</p> <p>(c) describe the proposed noise management system in detail;</p> <p>(d) include an investigation into the generation and perception of low frequency noise by the project;</p> <p>(e) include a noise monitoring program that:</p> <ul style="list-style-type: none"> • evaluates and reports on: <ul style="list-style-type: none"> - the effectiveness of the on-site noise management system; - compliance against the noise criteria in this consent; and - compliance against the operating conditions in condition 3 above; • defines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents; and • outlines procedures to manage responses to any complaints or issues raised by the owners of affected residences 	<ul style="list-style-type: none"> • Letter: Noise Management Plan – no comment (EPA:CC, 26/02/2014) • Springvale Noise Management Plan (CC, 2014) • Letter: Noise Management Plan – approval of extension of time to submit (DPE:CC, 02/11/2015) • Letter: Approval of Regional Management Plans (DPE:CC, 19/11/2015) • Letter: Provision of Western Region Air and Noise Management Plans to the EPA (CC: EPA, 15/01/2016) • Letter: provision of WRNMP to DPE for approval (CC; DPE, 11/02/2016) • Letter: Approval of Western Region Noise Management Plan (DPE:CC, 22/07/2016) • WRNMP (CC, 07/2016) • EPL 3607 • Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) • 2014 AEMR (CC, 2015) • Letter: Notification and Report Noise Exceedance (CC; Landowner, 13/04/2016) • Letter: Notification and Report Noise Exceedance (CC; DPE, 12/04/2016) • Letter: Report Noise Exceedance Corrective Actions (CC: DPE, 31/05/2016) • Email: DPE Feedback Request: SMEP IEA (DPE: MCW, 22/07/2016) • Community Compliant procedure SV-TARP 1758 (CC, 2015) • Proposal for low frequency noise investigation for Clarence and Springvale Collieries (Advitech, 11/05/2016) • Letter: Annual Review 2015 (DPE: CC, 13/09/2016) 	<p>In 2014, Springvale Coal prepared and implemented a noise management plan that was approved by the DPE.</p> <p>CC received approval from the DPE for the preparation of a regional NMP and for an extension of time to submit the WRNMP to within five months of the consent date (i.e. by 21/02/2016).</p> <p>A draft WRNMP was provided to the EPA for comment (15/01/2016) and final draft provided to the DPE on 11/02/2016 which was within five months of the date that the development consent was granted.</p> <p>The WRNMP was approved by the DPE on 22/07/2016.</p> <p>The WRNMP includes:</p> <ul style="list-style-type: none"> • Measures to comply with noise criteria (Section 3 and Appendix E). • Noise management system (Sections 3, 4 and Appendix E). • Reference to low frequency noise investigations. The 2016 WRNMP (Appendix E) identifies that Springvale Coal is required to include an investigation into the generation and perception of low frequency noise by the project and references: <ul style="list-style-type: none"> • Section 4.1 of the 2014 AEMR provides a discussion around low frequency noise including “<i>There were two community complaints during the reporting period. Both these complaints were in relation to low frequency noise. A specialist was engaged by CC to investigate the source of the noise causing concern in addition to consultation with relevant community members, Lithgow City council and EPA. There is an overlap with this complaint with Clarence Colliery therefore the two operations have been working together on the investigation. The specialist report is currently being prepared to outline key findings.</i>” • <i>In 2015, a series of independent investigations into the potential source of low frequency noise from Springvale Mine was undertaken. These investigations into the source of the low frequency noise are continuing and are the subject of separate reports that do not form part of this Management Plan. This Management Plan will be reviewed and revised if necessary to take into consideration the outcomes of the investigations and any recommended management or mitigation measures.</i> <p>The 2015 AR (section 1.1.1) states that “<i>A specialist consultant has been engaged to undertake low frequency noise investigations</i>” and (Table 12) reports that the DPE requested specialists reports in relation to low frequency noise and the CC responded that “<i>A response on the 15th June 2015 was provided to the department on the listed items with relevant references to information and documents provided. There (were) no comments received from the department on the response provided</i>”.</p>	<p>Although SSD-5594 CoA S4 – 4 (a), (b), (c), (e) were Compliant, as (d) was assessed as Non-compliant, SSD-5594 CoA S4-4 was assessed as Non-compliant (administrative).</p> <p>SSD-5594 CoA S4 – 4 (d) Recommendation: Include the findings of the low frequency investigations that are currently being undertaken, referenced in Appendix E of the 2016 WRNMP, in future Annual Reviews and consider incorporation of relevant findings/actions from the investigation into the WRNMP.</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<ul style="list-style-type: none"> As the low frequency investigations were not included in the 2016 WRNMP, this condition has been assessed as non-compliant. In feedback received from the DPE prior to this IEA, the DPE requested that this IEA include an update on progress and outcomes of low frequency noise investigations. Springvale Coal reported that investigations had been undertaken. The auditors sighted a proposal from Advitech for low frequency noise investigations at Springvale and Clarence Collieries (05/2016); and a letter from the DPE advising that future Annual Reviews include results of low frequency noise investigations. A recommendation has been made to include the findings of the low frequency investigations, referenced in Appendix E of the 2016 WRNMP, in future Annual Reviews and that relevant findings/actions from the investigation be considered for incorporation into the WRNMP. Quarterly attended noise monitoring is undertaken. Monthly environmental monitoring reports (Centennial Coal website) were reviewed for the period September 2013 to June 2016. The 2014 AEMR and 2015 AR report quarterly monitoring results against noise goals established for the Environmental Assessment (refer Section 75W Modification to Development Consent DA 11/92 dated October 2013) and SSD-5594 CoA S4-1 respectively. Quarterly noise monitoring results were sighted in the April 2016 Springvale Environmental Monitoring Report which is available on the Centennial Coal website, and the June 2016 Springvale Environmental Monitoring Report states "Noise monitoring is undertaken quarterly and was completed in June 2016. Results to be provided in July Monitoring Report". The 2016 WRNMP (Table 5-1 TARP and section 6.1) identifies processes for managing incidents, complaints and noise limit exceedances, and for notifying the DPE and stakeholders. Following the noise exceedance (31/03/2016), this process was implemented and the DPE and landowner were notified in accordance with section 6.3. 	

S4-5 Air Quality and Greenhouse Gas – Air Quality Criteria

The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 5 at any residence on privately-owned land.

Table 5: Air quality criteria

Pollutant ^a	Averaging Period ^a	Criteria ^a
Particulate matter < 10 µm (PM ₁₀) ^a	Annual ^a	^{a,d} 30 µg/m ³
Particulate matter < 10 µm (PM ₁₀) ^a	24 hour ^a	^a 50 µg/m ³
Total suspended particulates (TSP) ^a	Annual ^a	^{a,d} 90 µg/m ³
^c Deposited dust ^a	Annual ^a	^b 2 g/m ² /month ^a ^{a,d} 4 g/m ² /month ^a

Notes to Table 5:

a Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).

b Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).

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

- WRAQHGMP (CC, 02/2016)
- EPL 3607
- Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013)
- 2013 AEMR (CC, 2014)
- 2014 AEMR (CC, 2015) 2015 AR (CC, 03/2016).
- 2013 Annual Return (CC, 2014)
- 2014 Annual Return (CC, 2015)
- 2015 Annual Return (CC, 2016)
- Monthly dust monitoring (ACIRL, 2016)
- Environment and Community Database

Springvale Coal has two dust deposition gauges (D1 and D2) and there is also one high volume air sampler (HVAS) measuring both PM₁₀ and Total Suspended Particulates at the D2 site. Monitoring data from the HVAS is manually downloaded on a monthly basis for data validation purposes.

EPL 3607 includes condition P1.1 for a dust monitoring network and condition O3.1 to minimise or prevent the emission of dust from the premises. Monitoring of the two dust depositional gauges (D1 and D2), applicable to Springvale Coal and triggered by EPL 3607, and complaints, are provided in monthly environmental reports which are available on the Centennial Coal website. Springvale Coal has submitted Annual Returns to the EPA for 2013, 2014 and 2015 which identify there was no exceedance of the Table 5 air quality criteria.

Refer EPL 3607 condition P1.1 OFI regarding nomenclature of dust deposition gauge locations.

Results of PM₁₀, TSP and deposited dust within the 2013 and 2014 AEMR and 2015 AR identify that the air quality criteria in Table 5 has not been exceeded.

There were no dust complaints registered on the Environment and Community Database for the period of the SSD-5594 IEA.

The Western Region Air Quality and Greenhouse Gas Management Plan (WRAQHGMP) includes mitigation measures for dust such as enclosed conveyors, speed limits, use of water carts, and HVAS and depositional gauge dust (short term and long term) monitoring.

The monthly deposited dust results reference the Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air-Determination of Particulate Matter-Deposited Matter-Gravimetric Method.

Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary.</i></p> <p><i>e "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in conditions 6 and 7 to develop and implement an air quality management system that ensures operational responses to the risks of exceedance of the criteria.</i></p>			
S4-6	<p>Air Quality and Greenhouse Gas – Operating Conditions</p> <p>The Applicant shall:</p> <p>(a) implement all reasonable and feasible measures to minimise the:</p> <ul style="list-style-type: none"> • odour, fume and dust emissions of the development; and • release of greenhouse gas emissions from the development; <p>(b) minimise any visible off-site air pollution generated by the development;</p> <p>(c) minimise the surface disturbance of the site generated by the development;</p> <p>(d) regularly assess the air quality monitoring data, and modify operations on site to ensure compliance with the relevant conditions of this consent;</p> <p>(e) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d to Table 5 above),</p> <p>to the satisfaction of the Secretary</p>	<ul style="list-style-type: none"> • SMEP EIS (CC, 20/04/2014) • WRAQGHGMP (CC, 02/2016) • Environment and Community Database • Excavation Permit (SV-PE-1571) • Springvale Coal Stature Risk Assessment • Air Quality Management – Surface procedure SV-STD-2169 (CC, 04/2016) 	<p>Refer SSD-5594 CoA S4-5.</p> <p>The EIS identifies that vegetation clearing for the SMEP development will be limited to 11.44 ha consisting of two additional dewatering facilities (Bores 9 and 10); access tracks and infrastructure corridors to Bores 9 and 10 sites, upgrade of the existing tracks and creation of new sections of tracks; mine services borehole area; and duplication of the water transfer pipeline. At the time of conducting this IEA, the development works had not commenced.</p> <p>Implementation of the measures listed in SSD-5594 CoA S4-6 for current Springvale Coal operations was verified by:</p> <ul style="list-style-type: none"> • Springvale Coal utilises the Excavation Permit system to minimise surface disturbance for changes and modifications. • The auditors observed rehabilitation of exploration borehole SPR 1403 which minimised the potential for dust. • There were no dust complaints registered on the Environment and Community Database for the period of the SSD-5594 IEA. • EPL 3607 includes condition P1.1 for a dust monitoring network and condition O3.1 to minimise or prevent the emission of dust from the premises. Monitoring of dust depositional gauges, triggered by EPL 3607, and complaints, are provided in monthly environmental reports which are available on the Centennial Coal website. Springvale Coal has submitted Annual Returns to the EPA for 2013, 2014 and 2015 which identify there was no exceedance of the Table 5 air quality criteria. • There was no observable dust during the site inspection undertaken for the IEA, however the inspections were undertaken in winter and following rain. The auditors identified that the equipment storage areas and access roads adjacent to the stockpile area were mainly unsealed and that water sprinklers for some areas of the coal stockpile had been decommissioned during works undertaken on roads to improve surface water management and reduce sediment load in the primary and secondary ponds. Consequently, there was potential for dust generation during dryer periods in the stockpile area, equipment storage areas and associated access roads. Although the Stature Risk Assessment identifies that water carts were more effective at dust suppression than water sprays, as the Air Quality Management – Surface procedure (SV-STD-2169) identifies that water sprays shall be used on the stockpile as required, and as water carts would be unable to access the coal stockpile, a recommendation to reinstate the water sprays on the stockpile has been identified. <p>Although there have been no exceedances of Table 5 air quality criteria recorded in the 2013, 2014 AEMR and 2015 AR and monthly EPL 3607 Environmental Monitoring Reports, there is opportunity to improve automatic notification when High Volume Air Sampler (HVAS) TSP and PM₁₀ levels approach the air quality criteria (as is currently undertaken at CC Mandalong Mine) and/or when meteorological conditions (such as wind speed) exceed trigger levels. At Mandalong Mine, the HVAS and weather station have a 'trigger level' that provides a warning alarm via SMS text. If the alarm is raised, the source of dust generation is identified and additional dust control measures implemented. The Springvale Coal Compliance Database (SSD 5594 CoA S4-6) includes an action to investigate the installation of meteorological condition TARP for the control room, which was due to be completed on 01/07/2016. No</p>	<p>Compliant</p> <p>SSD-5594 CoA S4-6 OFI: Reinstall water sprays onto the coal stockpile area that were decommissioned during roadworks undertaken to improve surface water management and reduce sediment load in the primary and secondary ponds.</p> <p>SSD-5594 CoA S4-6 OFI: Implement the action provided in the Compliance Database for SSD 5594 CoA S4-6 to investigate installation of a meteorological condition TARP for the control room and/or investigate the installation of automated alarms in the control room for wind speed and regional real time monitoring, to minimise air quality impacts that may result in off-site dust complaints and/or exceedance of SSD 5594 CoA S4-5 criteria.</p>

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			evidence that the investigation had been undertaken was provided.	
S4-7	<p>Air Quality and Greenhouse Gas – Air Quality and Greenhouse Gas Management Plan</p> <p>The Applicant shall prepare and implement an Air Quality Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and submitted to the Secretary within 3 months of the date of this consent, unless otherwise agree by the Secretary;</p> <p>(b) describe all reasonable and feasible measures which would be implemented to ensure compliance with the air quality criteria and operating conditions of this consent;</p> <p>(c) describe the air quality management system in detail;</p> <p>(d) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> uses monitors to evaluate the performance of the development against the air quality criteria in this consent; adequately supports the air quality management system; evaluates and reports on the: <ul style="list-style-type: none"> the effectiveness of the air quality management system; and compliance with the air quality criteria and operating conditions in condition 6 above; and defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents. 	<ul style="list-style-type: none"> Letter: Request for extension of time for submission of Air and Noise Management Plans (CC: DPE, 20/10/2015) Letter: Approving extension of time for WRAQGHGMP (CC: DPE, 02/11/2015) Letter: Preparation of Regional Management Plans – approval (DPE:CC, 19/11/2015) Letter: Provision of Western Region Air and Noise Management Plans to the EPA for comment (CC: EPA, 15/01/2016) Letter: Provision of final draft WRAQGHGMP to DPE (DPE: CC, 11/02/2016) Letter: Approval of AQGHGMP (DPE: CC, 22/02/2016) WRAQGHGMP (CC, 02/2016) Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016) 	<p>CC received approval from the DPE for the preparation of a regional AQGHGMP and for an extension of time to submit the WRAQGHGMP to within five months of the consent date (i.e. by 21/02/2016).</p> <p>The WRAQGHGMP was prepared and provided in draft to the EPA for comment in January 2016 and a final draft was submitted to the DPE on 11/02/2016, which was within five months of the date that the development consent was issued.</p> <p>The WRAQGHGMP includes:</p> <ul style="list-style-type: none"> Measures to meet air quality criteria in SSD-5594 CoA S4-5 Table 5 (section 3 and Appendix E). Air quality management system (section 3). Air quality monitoring program (sections 3 and 4.5) that evaluates the performance of the development against the air quality criteria in SSD-5594, supports the air quality management system, reports on the compliance with the air quality criteria in SSD-5594 CoA S4-6 Table 5, and defines what constitutes an air quality incident Protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents (Table 5-1 TARP and section 6). <p>The WRAQGHGMP does not include specific monitoring of the following operating conditions which are included in SSD-5594 CoA S4-6:</p> <ul style="list-style-type: none"> Minimising visible off-site air pollution generated by the development. Minimising the surface disturbance of the site generated by the development. Minimising the air quality impacts of the development during adverse meteorological conditions and extraordinary events. <p>Monthly Environmental Inspections are undertaken by the Environmental Coordinator and include assessment of dust and odour.</p>	<p>Compliant</p> <p>SSD-5594 CoA S4-7 OFI: In addition to the proposed monitoring of short term and long term air quality, include in the WRAQGHGMP monitoring and reporting against performance measures for:</p> <ul style="list-style-type: none"> Minimising visible off-site air pollution generated by the development. Minimising the surface disturbance of the site generated by the development. Minimising the air quality impacts of the development during adverse meteorological conditions and extraordinary events.
S4-8	<p>Air Quality and Greenhouse Gas – Meteorological Monitoring</p> <p>Within 6 months of the date of this consent and for the life of the development, the Applicant shall ensure that there is a meteorological station in the vicinity of the site that:</p> <p>(a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline and the NSW Industrial Noise Policy; and</p> <p>(b) is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the NSW Industrial Noise Policy</p>	<ul style="list-style-type: none"> Meteorological station Certificate of Compliance (ALS, 22/09/2015) 	<p>Springvale Coal has a meteorological station on site that has a certificate of compliance to meet the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline and the NSW Industrial Noise Policy; and that that the station is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the NSW Industrial Noise Policy.</p>	<p>Compliant</p>
S4-9	<p>Water – Water Supply</p> <p>The Applicant shall ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations on site to match its available water supply.</p> <p><i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i></p>	<ul style="list-style-type: none"> Draft Western Region Water Management Plan (CC, 03/2016) Draft Springvale Water Management Plan (CC, 03/2016) Letter: EPA comment on Draft Water Management Plan and Attachment from OEI (EPA, 04/04/2016) 	<p>Springvale Coal have prepared a draft Western Region Water Management Plan and draft Springvale Mine Water Management Plan and provided these plans to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEI for review. Feedback has been received from the EPA, OEI and WaterNSW identifying information gaps and request for more information. At the time of preparing the IEA, the draft Water Management Plans had not been finalised consequently this condition was assessed as not triggered.</p> <p>The draft Springvale Mine Water Management Plan (Table 3-4) includes a summary of water inputs and outputs of water management system for the existing conditions (2013) and for proposed conditions (2022). Table 3-4 identifies that Springvale Coal has sufficient water for both of these stages.</p>	<p>Not triggered</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S4-10	Water – Water Pollution Unless an EPL authorises otherwise, the Applicant shall comply with section 120 of the POEO Act.	<ul style="list-style-type: none"> EPL 3607 Monthly Environmental Monitoring Reports (CC, 06/2016), (CC, 05/2016), (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 03/2016). 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) Letter: Submission of conceptual Draft Stage 1 of the Upper Coxs River Action and Monitoring Plan (CC: DPE, 29/06/2016) Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016) 	<p>Refer EPL 3607 condition L1.1.</p> <p>EPL 3607 includes management, monitoring and reporting requirements for water pollution and siltation at the Springvale Mine pit top. Non-compliances with EPL 3607 conditions during the period of the IEA have been reported in the 2013, 2014 and 2015 Annual Returns, in monthly environmental monitoring reports (CC website) and are available on the EPA Public Register website. Monthly environmental monitoring reports were reviewed for the period September 2013 to June 2016.</p> <p>The EPA varied EPL 3607 once during the period of the IEA on 26/02/2016 and three times during the three years prior to June 2016. Pollution reduction studies have been completed for direct toxicity assessment (01/08/2014) and salinity reduction and toxicity elimination (10/02/2016) and the current EPL 3607 includes a PRP for salinity reduction and toxicity elimination by 30/06/2017.</p> <p>Springvale Coal has notified the EPA of the following non-compliances with EPL 3607 since 2013:</p> <ul style="list-style-type: none"> 30/05/2013 – Turbidity exceedance at LDP009 for up to four days, reported on 30/05/2013; 21/11/2013 - Arsenic limit exceedance at LDP 009, reported on 28/11/2013; 12/09/2014 - Protection of the SDWTS the Delta Water Transfer System (DWTS); 12/09/2014 - Coal fines in water discharged at LDP 001; 23/12/2014 – Turbidity limit exceedance and LDP 009, reported on 13/01/2015; and 23/12/2014 - Arsenic limit exceedance at LDP 009, reported on 30/12/2014. <p>Three of these non-compliances resulted in regulatory action from the EPA:</p> <ul style="list-style-type: none"> 30/05/2013 turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Coxs River. As a result of this incident, the EPA: <ul style="list-style-type: none"> Issued a Penalty Infringement Notice (PIN) (\$1500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days; Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately reporting an incident which threatened material harm to the environment; and Although POEO Act section 153F (implementing the PIRMP) was breached – no further action was taken. 12/09/2014 Coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2015 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the upper reaches of the Coxs River on 12/09/2014. 02/09/2014 and 12/09/2014 incident at SDWTS: Springvale Coal received a Formal Warning in 2014 when the EPA determined that the location of the Springvale Delta Water Transfer System (SDWTS) was vulnerable to damage by heavy vehicles and roadwork activities as evidenced by two incidents on 02/09/2014 and 12/09/2014 and three previous incidents in 2009, 2010 and 2014. For failing to provide adequate protection of the SDWTS, the EPA determined that CC had failed to undertake activities in a competent manner. <p>The following non-compliances with EPL 3607 water quality criteria that were the responsibility of Springvale Coal were reported in Annual Returns between 2013 and 2016:</p> <ul style="list-style-type: none"> 2013 Annual Return-EPL 3607 condition L2.4: 	Compliant (during the period of the IEA) Refer SSD-5594 CoA S2-14

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<ul style="list-style-type: none"> ○ Minor exceedances of pH, TSS, turbidity, total aluminium, filtered arsenic, filtered copper and zinc concentration limits at various discharge points. The EPA issued a Penalty Infringement Notice for the turbidity exceedance at LDP 009 on 30 May 2013. ● 2014 Annual Return-EPL 3607 condition L2.4: <ul style="list-style-type: none"> ○ Minor exceedance of licence discharge limit for arsenic, EC, copper and turbidity at LDP 009 on several occasions. ○ Minor exceedance of pH and TSS discharge limits at LDP 001. ● 2015 Annual Return-EPL 3607 condition L2.4: <ul style="list-style-type: none"> ○ Exceedance of the EC limit at LDP 009 on 15 occasions between 27/01/2015 and 29/12/2015); ○ Minor exceedance of the arsenic limit at LDP 009 (13/01/2015). ○ Exceedance of the copper limit at LDP 009 (25/02/2015) <p>Surface water quality results reported in the January 2016 to June 2016 monthly environmental compliance reports identify exceedance of the EC limit at LDP 009 in each month.</p> <p>The 2015 Annual Return reported that the LDP 009 non-compliances with EPL 3607 condition L2.4 were caused by the mobilisation of naturally occurring minerals as a result of goaf water storage and subsequent dewatering; and that a holistic review of Western Region water management is underway to meet the requirements of SSD-5594. As part of the holistic review, and to meet SSD-5594 CoA S4-13, the conceptual draft Stage 1 of the Upper Cocks River Action and Monitoring Plan was submitted to the DPE on 29/06/2016. The Stage 1 plan identified that completion of all stages of the Upper Cocks River Action and Monitoring Plan by 30 September 2016 will take into account catchment wide assessments and identify how a reduction in salinity will be achieved in the future.</p> <p>During the IEA, MCW environmental contacted the EPA to discuss the scope of the IEA. The EPA advised that EPL 3607 included a PRP for salinity reduction and toxicity elimination to address exceedances of EPL 3607 EC limits at LDP 009; and that the EPA had been included in discussions regarding proposed revisions to the Water Treatment Strategy for Springvale Coal.</p> <p>Although exceedances of EPL 3607 EC limits at LDP 009 have been reported since SSD-5594 was granted in September 2015, as Springvale Coal has completed previous studies to the satisfaction of the EPA on toxicity assessment and salinity reduction, and as EPL 3607 currently includes a pollution reduction program to reduce salinity and eliminate toxicity, it is evident that consideration has been given by the EPA to pollution of waters. As the EPA has required Springvale Coal to monitor and assess water quality and undertake further action and reporting to the EPA (PRP U1), this condition was assessed as Compliant.</p> <p>Springvale Coal reported that the Pulse work order system triggers quarterly inspections of Springvale Mine pit top and stockpile area by the Mine Services Manager to identify best practice opportunities (housekeeping, maintenance of equipment, surface water management and sediment load, dust generating activities etc). At the time of undertaking the IEA site inspection, the June 2016 inspection was overdue.</p> <p>Monthly Environmental Inspections are undertaken by the Environmental Coordinator and include assessment of dam water quality (visual), drains and bunds.</p>	
S4-11	<p>Water – Compensatory Water Supply</p> <p>The Proponent shall provide a compensatory water supply to any landowner of privately owned land whose water supply is adversely and directly impacted (other than an impact that is negligible) as a result of the project, in consultation with DPI-Water, and to the</p>	<ul style="list-style-type: none"> ● Compliance Database ● Environment and Community Database 	<p>Springvale Coal reported that a landowner of privately owned land has not advised that their water supply has been adversely impacted as a result of the project.</p> <p>There were no complaints regarding water supply on the Environment and Community database and the issue was not raised by regulatory agencies during discussions undertaken with MCW Environmental regarding the scope of</p>	Not triggered.

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
-----	-----------	-----------------	-------------------	------------------------------------

satisfaction of the Secretary.

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified.

If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Secretary.

the IEA.

S4-12 Water – Water Management Performance Measures

The Applicant shall comply with the performance measures in Table 6 to the satisfaction of the Secretary.

Table 6: Water Management Performance Measures

Feature	Performance Measures
Water Management – General	<ul style="list-style-type: none"> Minimise the use of clean water on site Minimise the use of water from external sources
Construction and operation of infrastructure	<ul style="list-style-type: none"> Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads Design, install and maintain the infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (DPI 2012)</i>, or its latest version Design, install and maintain creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions
Clean water diversion	<ul style="list-style-type: none"> Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site, except where clean water is captured for use on site
Sediment dams	<ul style="list-style-type: none"> Design, install and maintain the new dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E – Mines and Quarries</i>
Mine water storages	<ul style="list-style-type: none"> Design, install and maintain mine water storage infrastructure to ensure no unlicensed or uncontrolled discharge of mine water off-site Minimise discharges to surface waters as far as reasonable and practicable New storages (mine infrastructure dams, groundwater storage and treatment dams) are suitably treated to comply with a permeability standard of <math>1 \times 10^{-10}</math> m/s
Mine water discharges	<ul style="list-style-type: none"> Discharge all groundwater inflow mine water (except from the <i>Benouin</i> workings) through the Springvale Delta Water Transfer Scheme Meet limits for salinity of 700 (50th percentile), 900 (90th percentile) and 1,000 (100th percentile) $\mu\text{S/cm}$ EC by 30 June 2017 Meet a limit for salinity of 500 (90th percentile) $\mu\text{S/cm}$ EC by 30 June 2019 Eliminate acute and chronic toxicity from LDP09 discharges to aquatic species by 30 June 2017, with acute toxicity defined as >10% effect relative to the control group and chronic toxicity defined as >20% effect relative to the control group
Aquatic and riparian ecosystems	<ul style="list-style-type: none"> Maintain or improve baseline channel stability Develop site-specific water quality objectives in accordance with the ANZECC Guidelines and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW procedures</i> (DECC 2006), or its latest version
Chemical and petroleum storages	<ul style="list-style-type: none"> Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards

- Letter: Endorsement of Consultants for Water Management plan (DPE: CC, 02/11/2015)
- Draft Western Region Water Management Plan (CC, 03/2016)
- Draft Springvale Water Management Plan (CC, 03/2016)
- Letter: Provision of draft Western Region Water Management Plan and draft Springvale Water Management Plan (CC: EPA, 19/02/2016)
- Letter: Provision of draft Water Management Plans (CC: DRE, 19/02/2016)
- Letter: Provision of draft Water Management Plans (CC: DPE, 18/03/2016)
- Letter and attachment: EPA and OEH feedback on draft Water Management Plans (EPA:CC, 04/04/2016)
- Letter: WaterNSW feedback on draft Water Management Plans (WaterNSW 14/03/2016)
- Photographs of Ventilation Shaft No. 3 and Bore 8 compound site sediment controls (CC, 14/09/2016)

Springvale Coal have prepared a draft Western Region Water Management Plan and draft Springvale Mine Water Management Plan and provided these plans to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEH for review. Feedback has been received from the EPA, OEH and WaterNSW identifying information gaps. At the time of preparing the IEA, the draft Water Management Plans had not been finalised.

The draft Western Region Management Plan includes some of the performance measures from SSD-5594 CoA S4-12 Table 6, but not all. The Draft Western Region Water Management Plan and Draft Springvale Water Management Plan includes some management controls to enable some of the performance measures in Table 6 to be met.

As the Western Region Water Management Plan and Springvale Mine Water Management Plan were identified by MCW Environmental as key documents that demonstrate how the Table 6 performance measures will be met, and as these plans were not finalised, this condition has been assessed as not triggered. The Springvale Mine Water Management Plan included:

- Performance Criteria in Section 6.2; and
- Monitoring to be undertaken against performance criteria in Section 4.

A preliminary review of the draft Springvale Mine Water Management Plan identified that the relationship between the performance criteria and monitoring was not clearly provided.

The Western Region Water Management Plan detailed reporting against the performance criteria in Section 6.3.1 of the Western Region Water Management Plan.

During the site inspection on 27/06/2016 MCW Environmental observed that:

- Clean water is diverted around the coal stockpile and equipment storage area and recent improvements to sediment controls in this area will contribute to reduced sediment loads.
- The design of the sediment fence adjacent to the windrow on the Bore 8 compound site generated a high, downslope sediment load and there was a high sediment load behind some sediment fences at the Bore 8 compound. Opportunities for improvement in erosion control at the Ventilation Shaft 3 compound were also identified. To meet the Table 6 performance measure on 'Construction and Operation of Infrastructure' for the design, installation and maintenance of erosion and sediment controls to be generally in accordance with *Managing Urban Stormwater: Soils and Construction*; a recommendation has been made for the design and maintenance of sediment and erosion controls to be in accordance with the *Managing Urban Stormwater: Soils and Construction* e.g. at the Borehole 8 dewatering facility and Ventilation Shaft 3 compound.

Not triggered

SSD-5594 CoA S4-12 Recommendation: Revegetate disturbed areas outside of the operations zone and/or design and maintain sediment and erosion controls in accordance with the *Managing Urban Stormwater: Soils and Construction* e.g. the Borehole 8 dewatering facility and Ventilation Shaft 3 compound. The sediment and erosion controls are required so that operations do not to cause or aggravate soil erosion and to meet the requirements of s120 of the Protection of the Environment Operations Act 1997.

SSD-5594 CoA S4-12 OFI: Revise the existing Environment Coordinator site inspection checklist to include assessment of sediment and erosion controls at Springvale Mine and infrastructure on Newnes Plateau, against the *Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries*, or its latest version.

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			After the site inspection and during report preparation (17/10/2016) Springvale Coal provided photographs demonstrating that work had commenced on improved erosion and sediment control at the Ventilation Shaft No.3 site and Bore 8 compound.	
S4-13	<p>Water – Upper Cocks River Action Plan</p> <p>The Applicant shall prepare an Upper Cocks River Action & Monitoring Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with DPI-Water, WaterNSW, EPA and Energy Australia;</p> <p>(b) be submitted to the Secretary for approval by 30 June 2016, unless otherwise agreed by the Secretary;</p> <p>(c) identify all available water management measures designed to achieve the mine water discharge criteria and associated timeframes required by condition 12 above, including potential transfer of mine water to Mt Piper Power Station and consideration of all licensed discharge points within the Upper Cocks River catchment (including at Springvale Mine, Lidsdale Siding, Western Coal Services and Angus Place Colliery);</p> <p>(d) include a financial justification and timetable for achieving reductions in salinity in the Upper Cocks River to 500 (90th percentile) $\mu\text{S/cm}$ EC by June 2019 and identify enforceable mechanisms for the implementation of the proposed measures;</p> <p>(e) include a monitoring program which is based on:</p> <ul style="list-style-type: none"> water quality, macroinvertebrate and ecotoxicology monitoring across the Cocks River Catchment to measure performance against a long term water quality objective of 350 $\mu\text{S/cm}$ EC and the impacts of salinity and toxicity changes on the aquatic ecology and ecosystem health of the Cox River; water quality parameters to be monitored at all existing and proposed licensed discharge points (focusing on those parameters that have been identified as having potential to cause harm to the environment, the frequency of monitoring and concentration limits required by condition 12 above and any EPL that applies to the site); a TARP identifying actions to be implemented should any concentration limits be exceeded (focusing on the extent to which exceedances might affect aquatic ecology); and <p>(f) provide for status reports, to be submitted to the EPA and WaterNSW by 30 June 2017 and 30 September 2020, on the impact of the mine water discharges on the aquatic environment.</p>	<ul style="list-style-type: none"> Letter: Submission of conceptual Draft Stage 1 of the Upper Cocks River Action and Monitoring Plan (CC: DPE, 29/06/2016) Draft Upper Cox River Action and Monitoring Plan (CC, 06/2016) Letter: Request for extension of submission date for Upper Cocks River Action Plan (CC: DPE, 20/05/2015) Email: Approval of extension of submission of Upper Cocks River Action Plan to 30/09/2016 (DPE: CC, 21/06/2016) 	<p>A conceptual draft Stage 1 of the Upper Cocks River Action and Monitoring Plan was submitted to the DPE on 29/06/2016. The Stage 1 plan identified that completion of all stages of the Cocks River Action Plan will be undertaken by 30 September 2016 which will take into account catchment wide assessments and identify how a reduction in salinity will be achieved in the future.</p> <p>As the plan is not due until 30/09/2016, SSD-5594 CoA S4-13 was assessed as not triggered.</p>	Not triggered
S4-14	<p>Water – Water Management Plan</p> <p>The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with DPI-Water, WaterNSW, OEH and the EPA, by suitably qualified and experienced person/s whose appointment has been approved by the Secretary;</p> <p>(b) be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary;</p> <p>(c) include detailed performance criteria and describes measures</p>	<ul style="list-style-type: none"> EPL 3607 2013 Annual Return (CC, 2014) 2014 Annual Return (2015) 2015 Annual return (CC, 2016) EPA Public Register website 2013 AEMR 2014 AEMR 2015 AR Letter: Endorsement of Consultants for Water Management plan (DPE: CC, 02/11/2015) Draft Western Region Water Management Plan (CC, 03/2016) 	<p>EPL 3607 includes management, monitoring and reporting requirements for water pollution and siltation at the Springvale Mine pit top. Non-compliances with EPL 3607 conditions during the period of the IEA have been reported in the 2013, 2014 and 2015 Annual Returns and are available on the EPA Public Register website.</p> <p>The EPA varied EPL 3607 once during the period of the IEA on 26/02/2016 and three times during the period of assessment of environmental performance (i.e. three years prior to June 2016). Pollution reduction studies have been completed for direct toxicity assessment (01/08/2014) and salinity reduction and toxicity elimination (10/02/2016).</p> <p>Springvale Coal prepared a draft Western Region Water Management Plan and</p>	Not triggered

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>to ensure that the Applicant complies with the Water Management Performance Measures (see Table 6);</p> <p>(d) in addition to the standard requirements for management plans (see condition 2 of Schedule 6), this plan must include a:</p> <p>(i) Site Water Balance that:</p> <ul style="list-style-type: none"> • includes details of: <ul style="list-style-type: none"> - sources and security of water supply, including contingency planning for future reporting periods; - water use and management on site; - any off-site water discharges; and - reporting procedures, including the preparation of a site water balance for each calendar year; and • investigates and implements all reasonable and feasible measures to minimise water use on site; <p>(ii) Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> • detailed baseline data on water flows and quality in the waterbodies that could be affected by the development, including Wolgan River, Carne Creek, Marangaroo Creek and Paddys Creek, Coxs River, Lake Lyell, Lake Wallace, Lake Burragorang and associated tributaries; • a detailed description of the water management systems on site, including the: <ul style="list-style-type: none"> - clean water diversion systems; - erosion and sediment controls; and - mine water management systems; • detailed objectives and performance criteria, including trigger levels for investigating any potentially adverse impacts associated with the development for: <ul style="list-style-type: none"> - the water management system; - downstream surface water quality; - downstream flooding impacts; and - stream and riparian vegetation health for rivers and creeks and their tributaries potentially impacted by the development; - design and management for the emplacement of coal reject materials; - restoration of an appropriate drainage network on the rehabilitated areas of the site; and - control of any potential water pollution from the rehabilitated areas of the site; • a program to monitor and report on: <ul style="list-style-type: none"> - the performance measures listed in Table 6; - the effectiveness of the water management system; - surface water flows, quality and geomorphology of the watercourses potentially affected by the development within and immediately outside of the site; 	<ul style="list-style-type: none"> • Draft Springvale Water Management Plan (CC, 03/2016) • Letter: Provision of draft Western Region Water Management Plan and draft Springvale Water Management Plan (CC: EPA, 19/02/2016) • Letter: Provision of draft Water Management Plans (CC: DRE, 19/02/2016) • Letter: Provision of draft Water Management Plans (CC: DPE, 18/03/2016) • Letter and attachment: EPA and OEH feedback on draft Water Management Plans (EPA:CC, 04/04/2016) • Letter: WaterNSW feedback on draft Water Management Plans (WaterNSW:CC, 14/03/2016) 	<p>draft Springvale Mine Water Management Plan and provided these plans to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEH for review. Feedback has been received from the EPA, OEH and WaterNSW identifying information gaps. At the time of preparing the IEA, the draft Water Management Plans had not been finalised.</p> <p>As the final Water Management Plan was not available to be reviewed and assessed against the feedback provided from the DPE, EPA, OEH and WaterNSW and the requirements of SSD-5594 CoA S4-14 and S6-2; this CoA was assessed as not triggered.</p> <p>Refer also to SSD-5594 CoA S4-12.</p>	

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<ul style="list-style-type: none"> - the seepage/leachate from on-site water storages; and - downstream flooding impacts; • consideration of any EPA review of licensed discharge points for the development and any further advice from WaterNSW in relation to water discharges; • an updated Regional Water Quality Impact Assessment Model having regard for variations in Lake Burragorang (salinity and volume) and spillages from Lake Lyell; • reporting procedures for the results of the monitoring program; • a program to validate the Regional Water Quality Impact Assessment Model, including an independent review of the model every 3 years, and comparison of monitoring results with modelled predictions; and • a plan to respond to any exceedances of the performance measures, and repair, mitigate and/or offset any adverse surface water impacts of the development; and <p>(iii) Groundwater Management Plan, which is consistent with DPI-Water’s guideline entitled Groundwater Monitoring and Modelling Plans – Introduction for prospective mining and petroleum activities, and includes:</p> <ul style="list-style-type: none"> • detailed baseline data of groundwater levels, yield and quality in the region that could be affected by the development, including licensed privately-owned groundwater bores and a detailed survey/schedule of groundwater dependent ecosystems; • groundwater assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts <ul style="list-style-type: none"> - springs and their discharge quantity and quality; - groundwater inflows transferred to the surface water management system; - the seepage/leachate from water storages and emplacements; - impacts of the development on: <ul style="list-style-type: none"> o regional and local (including alluvial) aquifers; o groundwater supply of potentially affected landowners; and o groundwater dependent ecosystems (including rules for the management of groundwater level impacts to protect GDEs), and riparian vegetation; • a program to 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 • a plan to respond to any exceedances of the performance measures. 			
S4-15	<p>Biodiversity – Biodiversity Offset Strategy</p> <p>By the end of December 2016, the Applicant shall update the Western Projects Biodiversity Strategy (RPS Australia East Pty Ltd, 1 October 2014) to provide a suitable offset for:</p> <p>(a) the clearing of 4 hectares of native vegetation associated with the construction of Bore 8; and</p>	<ul style="list-style-type: none"> • Final November 2015 – October 2022 MOP (CC, 03/2016) • Letter: Springvale Rehabilitation Management Plan and Mining Operations Plan (OEH: CC Ref: DOC16/59556) • Letter: Revision of Rehabilitation Management Plan showing where recommended changes to the MOP were undertaken (CC: OEH, 18/03/2016) 	As the Biodiversity Offset Strategy is not required to be submitted until the end of December 2016, this condition was assessed as not triggered.	Not triggered

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	(b) the clearing of 8.94 hectares of native vegetation associated with surface infrastructure for the development; to the satisfaction of OEH and the Secretary. These offsets must be developed in accordance with the NSW Biodiversity Offset Policy for Major Projects, or its current version.			
S4-16	Biodiversity – Long Term Security Offset By the end of December 2016, unless the Secretary agrees otherwise, the Applicant shall make suitable arrangements to protect the biodiversity offset areas referred to in condition 15(a)&(b) above in perpetuity, to the satisfaction of the Secretary		Not triggered	Not triggered
S4-17	Biodiversity – Stygofauna Assessment The Applicant shall prepare and implement a Regional Stygofauna Monitoring and Assessment Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, and be submitted to the Secretary for approval within 6 months of the date of this consent, unless otherwise agreed by the Secretary; (b) provide for ongoing monitoring for stygofauna in at least one borehole in each aquifer where stygofauna are known to occur; (c) monitor for the presence of stygofauna in the deep aquifer system (AQ1 to AQ3); (d) collate existing available information on groundwater bores, water quality and characteristics in Centennial Coal's mines throughout the Western Coalfield; (e) use this information to form a prioritisation list of likely areas for GDEs to occur; (f) use the prioritisation protocol to identify bores that can be sampled to provide data on the presence and significance of fauna both within and outside mine areas; (g) identify any stygofauna found to a minimum of Family level; (h) advise on the significance of the findings; and (i) examine relationship between bore characteristics and presence of stygofauna	<ul style="list-style-type: none"> Letter: provision of Western Region Stygofauna Monitoring and Assessment Plan (CC; OEH, 19/02/2016) Western Region Stygofauna Monitoring and Assessment Plan (CC, 03/2016) Email: Western Region Management Plans (DPE: CC, 29/04/2016) Letter: Western Region Stygofauna Monitoring and Assessment Plan (DPE:CC, 30/09/2016) 	The Western Region Stygofauna Monitoring and Assessment Plan was submitted to the DPE in March 2016. The DPE provided a response by email on 28/04/2016 which referenced comments from the OEH on the adequacy of the proposed monitoring program, monitoring frequency and boreholes selected for monitoring, and recommendation for BACI design and TARP. Springvale Coal advised that a response to the comments provided by OEH was being developed. As approval from the DPE for a final Western Region Stygofauna Monitoring and Assessment Plan had not been received at the time of preparing this IEA report, this condition was assessed as not verified. After the site inspection and during the IEA report preparation period, Springvale Coal provided a letter from the DPE advising that the DPE had carefully reviewed the Stygofauna Monitoring and Assessment Plan and approved the plan. No recommendations were provided by the auditors.	Not verified
S4-18	Biodiversity – Biodiversity Management Plan The Applicant shall prepare and implement a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, Forestry Corporation of NSW and DoE and be submitted to the Secretary for approval by the end of December 2016, unless otherwise agreed by the Secretary; (b) establish baseline data for existing remnant vegetation and habitat on site; (c) describe the short, medium, and long-term measures to be implemented to manage remnant vegetation and habitat on the site, including upland swamps; (d) describe an ongoing monitoring program and TARP for upland swamps and EECs with a particular focus on subsidence-related		Not triggered. The Compliance database identified that a specialist ecologist had been commissioned to commence preparation of the Biodiversity Management Plan.	Not triggered.

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																														
	<p>changes to surface and ground water drainage;</p> <p>(e) include a detailed description of the measures that would be implemented to:</p> <ul style="list-style-type: none"> minimise impacts to fauna on site, including undertaking pre-clearance surveys; control weeds and feral pests (including goats, rabbits, foxes, cats and pigs); control erosion; <p>control access; and</p> <p>manage bushfire risk;</p> <p>(f) include a program to monitor and report on the effectiveness of these measures and progress against detailed performance and completion criteria; and</p> <p>(g) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p>																																	
S4-19	<p>Transport – Monitoring of Coal Transport</p> <p>The Applicant shall monitor and report on:</p> <p>(a) the amount of coal transported from the site by conveyor, private haul roads and, if used, public roads (on a daily basis);</p> <p>(b) make these records publicly available on its website at the end of each calendar quarter, to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> Published coal transport records: http://data.centennialcoal.com.au/domino/centennialcoal/cc205.nsf/Published.xsp?site=Springvale&type=Environmental%20Management%20Report&date=All Coal Transport Records (CC, 12/2015) Coal Transport Records (CC, 03/2016) Work Order OM53797 	<p>Coal transport records for December 2015 and March 2015 were available on the CC website. The records report the amount of coal transported by conveyor, private haul roads and public roads.</p> <p>In the six months to 29/02/2016, all ROM coal was transported by conveyor with records identifying that there was only one day when coal waste from underground and road maintenance works was transported on a public road on 26/11/2015.</p> <p>A Pulse Work Order is issued every six months for the Commercial Manager to notify the Mine Manager of the percentage of coal transported off site by road transport. As there is a requirement that records are made available on the public website at the end of each quarter, an OFI was identified to include an action on the Compliance Database to monitor compliance with both SSD-5594 S2-8 (limiting tonnes of coal transported by road to < 50,000 tonnes) and CoA S4-19 (quarterly reporting on the CC website).</p>	<p>Compliant</p> <p>SSD-5594 CoA S4-19 OFI: Include an action on the Compliance Database for monitoring compliance with both SSD-5594 S2-8 (limiting tonnes of coal transported by road to < 50,000 tonnes) and CoA S4-19 (quarterly reporting of coal transport records on the CC website).</p>																														
S4-20	<p>Transport – Road Transport Restrictions</p> <p>The Applicant shall ensure that any truck leaving the site:</p> <p>(a) does not carry dirt or mud onto public roads; and</p> <p>(b) is free of material that may fall on the road and create a road safety hazard or public nuisance, to the satisfaction of the Secretary</p>	<ul style="list-style-type: none"> Chain of Responsibility Permit SV-TA-1650 for transport of material and equipment (Heavy vehicle loads) Environment and Community Database 	<p>Springvale Coal reported that the safe work procedure for removal of items off site (SV-TA-1650) is implemented for heavy vehicle loads. The procedure outlines the steps to be taken for items of plant and materials transported off site by road and includes the following checklist:</p> <table border="1"> <thead> <tr> <th></th> <th>TRANSPORT-FROM-SITE-CHECKLIST</th> <th>COMPLETE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>All guards & covers secured?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>2</td> <td>All doors & compartments are closed & secured?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>3</td> <td>All chains, hazard droppers etc secure or removed?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>4</td> <td>All loose bolts, pins, "D" shackles removed?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>5</td> <td>All cables & plugs (Lights also where applicable) contained & secured?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>5</td> <td>All hoses, connectors & valves contain & secured?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>6</td> <td>Ensure where practical all mud and debris is removed?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>7</td> <td>Ensure all loose items are removed including wheel chocks, mine plans etc?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>8</td> <td>Conduct an inspection to ensure that there are no items at risk of coming free?</td> <td><input checked="" type="checkbox"/></td> </tr> </tbody> </table> <p>There were no records of complaints on the Environment and Community database relating to trucks from the Springvale Mine carrying dirt or mud onto public roads and/or resulting in material falling on the road to create a safety hazard or public nuisance.</p>		TRANSPORT-FROM-SITE-CHECKLIST	COMPLETE	1	All guards & covers secured?	<input checked="" type="checkbox"/>	2	All doors & compartments are closed & secured?	<input checked="" type="checkbox"/>	3	All chains, hazard droppers etc secure or removed?	<input checked="" type="checkbox"/>	4	All loose bolts, pins, "D" shackles removed?	<input checked="" type="checkbox"/>	5	All cables & plugs (Lights also where applicable) contained & secured?	<input checked="" type="checkbox"/>	5	All hoses, connectors & valves contain & secured?	<input checked="" type="checkbox"/>	6	Ensure where practical all mud and debris is removed?	<input checked="" type="checkbox"/>	7	Ensure all loose items are removed including wheel chocks, mine plans etc?	<input checked="" type="checkbox"/>	8	Conduct an inspection to ensure that there are no items at risk of coming free?	<input checked="" type="checkbox"/>	<p>Compliant</p>
	TRANSPORT-FROM-SITE-CHECKLIST	COMPLETE																																
1	All guards & covers secured?	<input checked="" type="checkbox"/>																																
2	All doors & compartments are closed & secured?	<input checked="" type="checkbox"/>																																
3	All chains, hazard droppers etc secure or removed?	<input checked="" type="checkbox"/>																																
4	All loose bolts, pins, "D" shackles removed?	<input checked="" type="checkbox"/>																																
5	All cables & plugs (Lights also where applicable) contained & secured?	<input checked="" type="checkbox"/>																																
5	All hoses, connectors & valves contain & secured?	<input checked="" type="checkbox"/>																																
6	Ensure where practical all mud and debris is removed?	<input checked="" type="checkbox"/>																																
7	Ensure all loose items are removed including wheel chocks, mine plans etc?	<input checked="" type="checkbox"/>																																
8	Conduct an inspection to ensure that there are no items at risk of coming free?	<input checked="" type="checkbox"/>																																
S4-21	<p>Transport – Mine Access Road Intersection Upgrade</p> <p>Unless the Secretary agrees otherwise, when peak two-way traffic volume on the Castlereagh Highway at its intersection with the Mine Access Road exceeds 400 vehicles per hour, the Applicant shall</p>	<ul style="list-style-type: none"> Compliance Database Castlereagh Highway & Springvale Mine Access Road Traffic Flow & Warrants Review DRAFT 1 (ARC Traffic and Transport, 30/10/2015) 	<p>A draft report by consultants ARC, states that traffic was counted on the Castlereagh Highway at the Mine Access Road to inform whether an upgrade of the intersection of Castlereagh Highway & the Springvale Mine Access Road (Mine Access Road) to a Channelised Right Turn (CHR) was required. The</p>	<p>Compliant</p> <p>SSD-5594 CoA S4-24 OFI: Finalise the report 'Castlereagh Highway & Springvale Mine</p>																														

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>upgrade that intersection to include a Channelised Right Turn in accordance with Austroads standards, to the satisfaction of RMS.</p> <p><i>Note: Circumstances in which the Secretary may agree to vary the requirement to upgrade the intersection include limited remaining life for mining operations under this consent.</i></p>		<p>draft report identified that:</p> <ul style="list-style-type: none"> Traffic flows at the intersection of Castlereagh Highway & Mine Access Road were well below the conditioned upgrade threshold two-way flow of 400 vehicles per hour in the Castlereagh Highway at the Mine Access Road. Given the potential for traffic growth, ATC surveys were recommended to be conducted every 6 months, supplemented with an additional intersection survey (i.e. all movements at the intersection of Castlereagh Highway & Mine Access Road) every 12 months (i.e. every second ATC survey) to ensure that the critical right turn flow Castlereagh Highway to Mine Access Road has not itself increased. 	<p>Access Road Traffic Flow & Warrants Review DRAFT 1 (ARC Traffic and Transport, 30/10/2015) and save on the Compliance Database for SSD-5594 CoA S4-21</p> <p>SSD-5594 CoA S4-24 OFI: Include actions on the Compliance Database for SSD-5594 CoA S4-21 to conduct ATC surveys every 6 months, supplemented with an additional intersection survey (i.e. all movements at the intersection of Castlereagh Highway & Mine Access Road) every 12 months (i.e. every second ATC survey) to ensure that the critical right turn flow Castlereagh Highway to Mine Access Road has not itself increased.</p>
S4-22	<p>Transport – Forestry Roads</p> <p>The Applicant shall maintain forestry access roads when being used for construction and/or exploration activities, to the satisfaction of the Forestry Corporation of NSW.</p>		<p>During the IEA, MCW Environmental contacted FCNSW to discuss the scope of the IEA (20/07/2016). FCNSW reported that they had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as June 2016) and that there were currently no outstanding issues.</p>	Compliant
S4-23	<p>Heritage – Protection of Aboriginal Heritage Items</p> <p>Unless otherwise authorised under the National Parks and Wildlife Act 1974, the Applicant shall ensure that the development does not cause any direct or indirect impact on identified Aboriginal heritage items located outside approved disturbance areas on the site.</p> <p><i>Note: Identified Aboriginal heritage items are shown on the figure in Appendix 6.</i></p>	<ul style="list-style-type: none"> Letter: Provision of draft Western Region Aboriginal Cultural Heritage Management Plan to OEH (CC: OEH, 01/12/2015) Letter: Provision of draft Western Region Aboriginal Cultural Heritage Management Plan to LCC (CC: LCC, 01/12/2016) Letter: Provision of Western Region ACHMP to RAPS (CC: BLAAC, BWACEG, WCE, Wiray-dyurra Maying-guwill, Wiray-dyurra Ngyumbaa-dyil, WNTC, WVWC, WWPNTC, 01/12/20115) Letter: Approval of Western Region Aboriginal Cultural Heritage Management Plan (DPE: CC, 22/07/2016) Western Region ABCHMP (CC: 07/2016) 	<p>The 2015 Aboriginal Cultural Heritage Management Plan (ACHMP) was revised and provided as the Western Region ACHMP to RAPS, OEH and LCC for comment. The Western Region ACHMP was approved by the DPE in July 2016.</p> <p>The ACHMP (figure 4 and Attachment 5) identifies that the ACHMP is required to be followed for SSD-5594 and includes the requirements of SSD-5594 CoA S4-23.</p>	Compliant
S4-24	<p>Heritage – Heritage Management Plan</p> <p>The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Secretary. This Plan must:</p> <p>(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with OEH, Council and local Aboriginal stakeholders (in relation to management of Aboriginal heritage values);</p> <p>(c) be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise;</p> <p>(d) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> managing the discovery of human remains or previously 	<ul style="list-style-type: none"> Western Region Historic Heritage Management Plan (CC, 07/2016) Letter: Request for endorsement of author of ACHMP (CC: DPE, 02/11/2015) Letter: Request for comment on Western Region Historic Heritage Management Plan (CC: OEH, 19/02/2016) Letter: Request for comment on Western Region Historic Heritage Management Plan (CC: LCC, 19/02/2016) Letter: Provision of Western Region Historic Heritage Management Plan to DPE (CC: DPE, 18/03/2016) 	<p>The Western Region Historic Heritage Management Plan includes references to:</p> <ul style="list-style-type: none"> Approval by the DPE on 22/07/2016 Provision to OEH and LCC in February 2016 for comment; LCC reported on 03/03/2016 that they were satisfied with the contents of the Western Region Historic Heritage Management Plan; OEH provided comments in March 2016 which were subsequently incorporated into the Western Region Historic Heritage Management Plan; Consultation with Aboriginal stakeholders (RAPS) was undertaken in the Western Region ACHMP (refer SSD-5594 CoA S4-23); and Provision to DPE on 18/03/2016 (i.e. within six months of the date of consent for SSD-5594 (ie by 21/03/2016); <p>The Western Region Historic Heritage Management Plan includes descriptions of measures that would be implemented for:</p> <ul style="list-style-type: none"> Managing the discovery of human remains or previously unidentified heritage items, including historic heritage items, on site (section 7.2); and 	Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>unidentified heritage items, including historic heritage items, on site;</p> <ul style="list-style-type: none"> ensuring any workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions; <p>(e) include the following for the management of Aboriginal heritage:</p> <ul style="list-style-type: none"> a description of the measures that would be implemented for: <ul style="list-style-type: none"> protecting, monitoring and/or managing the heritage items identified in Table 1 (including any proposed archaeological investigations and/or salvage measures); managing the discovery of previously unidentified Aboriginal items on site; conserving the sites outside approved disturbance areas (see Appendix 6), including measures that would be implemented to secure, analyse and record any sites at risk of subsidence impacts; maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site; ongoing consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; and <p>(f) include the following for the management of non-Aboriginal heritage items:</p> <ul style="list-style-type: none"> a description of the measures that would be implemented for: <ul style="list-style-type: none"> protecting, monitoring and managing the heritage items identified in Appendix 6; and managing the discovery of previously unidentified cultural heritage items on site. <p><i>Note: This plan can be incorporated with any Aboriginal Cultural Heritage Management Plan for Centennial Coal's other mines and mine infrastructure in the Lithgow Local Government Area.</i></p>		<ul style="list-style-type: none"> Ensuring any workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions (section 8.2). As there were no historic heritage items identified on CC land; and the four historic heritage items within the SMEP boundary on land not owned by Centennial were assessed in the SMEP EIS as the SMEP does not identify a risk of impact to these sites, no protecting, managing and monitoring was proposed in the Western Region Historic Heritage Management Plan (attachment 1, Table 2). The plan identifies that if surface works or additional impacts are identified to these items then a heritage impact statement should be prepared (section 4, 6 and 7). Managing the discovery of previously unidentified cultural heritage items on site (sections 6 and 7). <p>The Western Region ACHMP (refer SSD-5594 CoA S4-23) includes descriptions of measures that would be implemented for:</p> <ul style="list-style-type: none"> Protecting, monitoring and/or managing the heritage items identified in Table 1 of the Western Region ACHMP (including proposed archaeological investigations and/or salvage measures) (section 6); Managing the discovery of previously unidentified Aboriginal items on site (section 6.7); Conserving the sites outside approved disturbance areas (see Appendix 6), including measures that would be implemented to secure, analyse and record any sites at risk of subsidence impacts (section 6); Maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site (section 7); and Ongoing consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site (section 5.3). <p>Although activities associated with the SMEP project had not commenced at the time of preparing this IEA and implementation of the Western Region ACHMP was not assessed, as the preparation of the Western Region ACHMP had been undertaken to meet SSD-5594 CoA S4-24 this condition was assessed as Compliant.</p>	
S4-25	<p>Visual – Visual and Lighting</p> <p>The Applicant shall:</p> <p>(a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development;</p> <p>(b) ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version;</p> <p>(c) ensure that the visual appearance of all buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape,</p> <p>to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> SV-STD-2171 Light Installation Surface Standard (CC, 04/2016) Environment and Community Database Compliance Database 	<p>The Environment and Community Database did not include records of complaints regarding lighting impacts.</p> <p>Springvale Coal has developed a procedure for preventing light pollution and to comply with Australian Standard AS 4282 Control of the Obtrusive Effects of Outdoor Lighting. There was no information on the procedure regarding who was responsible for implementing the procedure and reporting.</p> <p>The Compliance Database included an action to undertake an audit against AS 4282 by December 2016 (which had not been triggered yet).</p>	<p>Compliant</p> <p>SSD-5594 CoA S4-25 OFI: Include on the procedure SV-STD-2171 Light Installation Surface Standard and/or the Compliance Database, a responsible role for implementation of the procedure, the frequency of undertaking the procedure and reporting requirements.</p>
S4-26	<p>Bushfire Management</p> <p>The Applicant shall:</p> <p>(a) ensure that the development is suitably equipped to respond to any fires on site; and</p>	<ul style="list-style-type: none"> Compliance Database Draft Springvale Mine Water Management Plan (CC, 03/2016) EIS (CC, 04/2014) Bushfire Management Plan SV-MS-029 (CC, 2013) 	<p>The Draft Springvale Mine Water Management Plan identifies that the Fire Dam has a capacity of 9.2 ML stores mine water inflows and water stored in the Fire Dam is transferred to the crusher to adjust moisture content (as required), for use in water carts for dust suppression (as required) and/or in the Fire Services Pipeline to underground.</p>	<p>Not verified.</p> <p>SSD-5594 CoA S4-26 Recommendation: Undertake an independent Bushfire Hazard Assessment to assess</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the surrounding area.</p>	<ul style="list-style-type: none"> Bushfire Management Procedure SV-MS-029-WP-568 (CC, 2011) Monthly Environment Inspection Checklist (CC, 01/2016, (CC, 02/2016), (CC, 03/2016) 	<p>The EIS identifies that the emergency holding dam, located at the Ventilation Shaft 3 Facility on the Newnes Plateau, has 3.4 ML capacity for the storage of mine water for use by bushfire fighting helicopters.</p> <p>The Springvale Bushfire Management Plan (SV-MS-029) and the associated Bushfire Management Procedure (SV-MS-029-WP-568) were reportedly developed in consultation with the NSW Rural Fire Service. The Compliance Database (SSD-5594 CoA S4-20) includes an action to revise the Newnes Bushfire Management Plan by 31/08/2016. As the Bushfire Management Plan and Bushfire Management Procedure had not been revised since 2013, and as the MSEP works had not commenced on site, an assessment that the development is suitably equipped to respond to any fire on site was unable to be made and consequently SSD-5594 CoA S4-26 was assessed as not verified.</p> <p>The EIS states that during the design phase, required APZs for the Mine Services Borehole Compound and the Bore 9 and Bore 10 Dewatering Facilities were incorporated; and new electrical power cables forming part of the infrastructure corridors to the dewatering bore sites and the Mine Services Borehole Compound will be trenched which avoids the potential for overhead lines to trigger bushfires or be destroyed by bushfires. The EIS (section 10.14.4) identifies control measures that will be implemented for work areas on the Newnes Plateau; however, as SMEP works had not commenced at the time of this IEA, implementation of these controls was not able to be assessed.</p> <p>The following mitigation measures were observed during the site inspection:</p> <ul style="list-style-type: none"> Evidence of hot work procedure which identifies during planning for works the potential for ignition sources and corresponding corrective actions; Maintenance of access tracks to the pit top and the infrastructure area on Newnes Plateau (to allow access by emergency vehicles); Asset Protection Zones around Bore 8 dewatering facilities, Substation 4, Ventilation Shaft 3 Facility and overhead powerlines; Fire Dam at the pit top and emergency holding dam at the Ventilation Shaft 3 Facility were maintained; Fire hydrants and hoses at a number of locations around the pit top; and The condition of the Fire dam is assessed during monthly inspections undertaken by the Environment Coordinator. <p>Springvale Coal reported that the mine operates in accordance with the Bushfire Management Plan, that bushfire management is undertaken in consultation with the Rural Fire Service (RFS) and FCNSW and that the plan was developed to comply with the provisions stated in Planning for Bush Fire Protection (RFS, 2006a).</p> <p>As the EIS states that the SMEP project application area has a defined bushfire attack category of extreme (RFS, 2006b), and as the Bushfire Management Plan has not been revised since 2013, the auditors were unable to assess if the <i>'development is suitably equipped to respond to any fires on site'</i>, consequently a recommendation is included for an independent Bushfire Hazard Assessment to assess the adequacy of fire response equipment and procedures is undertaken:</p> <ul style="list-style-type: none"> In accordance with the requirements of the Rural Fires Act 1997, the Rural Fires Regulation 2008, the RFS document 'Planning for Bushfire Protection 2006' for the purposes of bushfire hazard and impact determination and Australian Standard AS 3959 – 2009 titled 'Construction of buildings in bushfire-prone zone areas as amended for building/structural provisions; In consultation with the RFS and FCNSW; and the ISSC 3 Guideline for Managing Vegetation Near Power Lines – December 2005. <p>It is noted that MCW Environmental Auditors are not experts in bushfire management and an assessment of adequacy of bushfire mitigation measures has not been undertaken.</p>	<p>the adequacy of fire response equipment and procedures at the Pit Top and for the SMEP development:</p> <ul style="list-style-type: none"> In accordance with the requirements of the Rural Fires Act 1997, the Rural Fires Regulation 2008, the RFS document 'Planning for Bushfire Protection 2006' for the purposes of bushfire hazard and impact determination and Australian Standard AS 3959 – 2009 titled 'Construction of buildings in bushfire-prone zone areas as amended for building/structural provisions; In consultation with the RFS and FCNSW; and the Taking into account ISSC 3 Guideline for Managing Vegetation Near Power Lines – December 2005. <p>Following completion of the assessment, revise the Bushfire Management Plan as required.</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S4-27	<p>Waste</p> <p>The Applicant shall:</p> <p>(a) implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the development;</p> <p>(b) ensure that the waste generated by the development is appropriately stored, handled and disposed of; and</p> <p>(c) monitor and report on effectiveness of the waste minimisation and management measures in the Annual Review, to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> Waste Management Procedure SV-STD-218 (CC, 05/2016) Crew Talk: Correct Use of Waste and Recycle Bins (CC, 25/02/2016) Mine Site Waste Review (JRR, 03/03/2016) Mine Site Waste Review (JRR, 30/03/2016) Springvale Environmental Induction (CC, undated) Underground Contractor Induction Pulse Code: 4023 (CC, undated) Monthly Environment Inspection Checklist (CC, 01/2016, (CC, 02/2016), (CC, 03/2016) Surface Inspection work order (W/O OMI 17724 (CC, 22/04/2016) Surface Inspection work order (W/O OLI 3781 WO (CC, 06/11/2015) 	<p>Springvale Coal have a procedure for waste management (SV-STD-218) that aims to minimize waste (maximizing recycling) at the site and includes identification of Pit Top waste streams and waste receptacles. Coal produced underground is transported off-site by conveyor consequently, coal reject is minimised.</p> <p>The monthly Environment Inspection Checklist includes assessment of housekeeping at the Pit Top and LDP 009 (including the stockpile area, ponds, dams, irrigation area and support storage areas). Work orders for the Surface and CHP Coordinator to inspect the stockpile perimeter, pollution traps, oil separator, fire dam water quality, housekeeping and dust were also sighted.</p> <p>Springvale Coal employ JRR to undertake regular waste reviews assessing storage and handling of waste at the pit top (including warehouses, dangerous goods, wash bay and bunds). The reviews identify the presence/absence of spills, status of waste receptacles and also spill response equipment. Reports are provided to the Environment Coordinator. Two reports of the JRR waste review (03/03/2016 and 30/03/2016) were sighted and identified that the wash bay (at entrance to site) was highly contaminated with oil/hydrocarbons and large amounts of sediment visible; and the wash bay near the workshop required cleaning out.</p> <p>Springvale Coal provided evidence of off-site disposal records for sediment (mainly coal) that was collected from the ponds at LDP 009. The 2015 AR identified that there was no reject coal produced at Springvale Mine in the reporting period.</p> <p>The effectiveness of waste minimisation and management is reported in the AR, e.g. the 2015 AR reported that the recycling rate in 2015 (39.78% for the total offsite waste tonnes/recycled waste) represented an improvement from the recycling rate of 2014.</p> <p>Waste was observed to be stored appropriately in large recycling skips located near the store (cardboard, metal, recycled plastic/cans). During the site inspection (27/06/2016) the following waste management practices required improvement:</p> <ul style="list-style-type: none"> At the equipment storage area adjacent to the coal stockpile, waste was not segregated in skips (eg metal, timber, general waste in one skip). The capacity of the wash bay near the workshop was reduced due to amount of sediment and required cleaning out. The contractor's compound located to the southeast of the wash bay near the workshop had unbanded 20L oil drums and general waste scattered across the area. 1,000 L IBC labelled as 'contaminated' was unbanded on the hardstand area to the south east of the wash bay near the workshop. <p>As Springvale Coal was assessed as generally meeting the requirements of SSD-5594 CoA S4-27, the condition was assessed as compliant, however opportunities for improvement were identified.</p>	<p>Compliant</p> <p>SSD-5594 CoA S4-27 OFI: Store and handle waste appropriately across the Springvale Coal sites e.g. segregate waste in the equipment storage area adjacent to the coal stockpile, store liquid waste and 20L drums in banded areas, reduce sediment loads in wash bays, and improve general housekeeping.</p> <p>SSD-5594 CoA S4-27 OFI: Revise the SV-STD-218 Waste Management Procedure to:</p> <ul style="list-style-type: none"> Include responsibilities for implementing SV-STD-218; and Describe how the effectiveness of implementing the procedure is monitored and reported. <p>Refer SSD-5594 CoA S2-14.</p>
S4-28	<p>Exploration Activities and Surface Infrastructure- Exploration Activities and Minor Surface Infrastructure Management Plan</p> <p>The Applicant shall prepare and implement an Exploration Activities and Minor Surface Infrastructure Management Plan for the development to the satisfaction of the Secretary. This Plan must:</p> <p>(a) be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with DRE and the Forestry Commission of NSW;</p> <p>(c) be submitted to the Secretary for approval within 6 months of</p>	<ul style="list-style-type: none"> Draft Exploration Activities and Minor Surface Infrastructure Management Plan (CC, 22/01/2016) Letter: Submission of the Springvale Exploration Activities and Minor Surface Infrastructure Management Plan (CC: DPE, 16/05/2016) 	<p>Springvale Coal provided an early version of the Draft Exploration Activities and Minor Surface Infrastructure Management Plan (01/2016) and reported that a revised version was submitted to the DPE in May 2016. The draft plan identified that SLR was endorsed by the DPE to prepare the Plan.</p> <p>Although SMEP exploration and/or construction of minor surface infrastructure had not been undertaken at the time of conducting this IEA, the Exploration Activities and Minor Surface Infrastructure Management Plan was required to be submitted by 21 March 2016. A letter was sighted from Springvale Mine to the DPE referencing submission of the Exploration Activities and Minor Surface Infrastructure Management Plan on 16/03/2016.</p>	<p>Compliant</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>the date of this consent or prior to carrying out exploration activities causing surface disturbance or constructing surface infrastructure (whichever is the earlier), unless the Secretary agrees otherwise;</p> <p>(d) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> managing exploration activities; managing construction and operation of minor surface infrastructure (including minewater drainage bores, service boreholes and infrastructure corridors) and associated access tracks; consulting with and compensating affected landowners; avoiding threatened species, populations or their habitats and EECs; minimising clearance and disturbance of native vegetation; minimising erosion and sedimentation; achieving applicable standards and goals; and rehabilitating disturbed areas <p><i>Note: This condition does not apply to the construction of approved surface infrastructure in the Springvale Pit Top area.</i></p>			

S4-29 No condition 29

S4-30 Rehabilitation – Rehabilitation Objectives

The Applicant shall rehabilitate the site to the satisfaction of DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EIS, and comply with the objectives in Table 7.

Table 7: Rehabilitation Objectives

Feature	Objective
Mine-site (as a whole)	• Safe, stable & non-polluting
Rehabilitation materials	• Materials from areas disturbed under this consent (including topsoils, substrates and seeds) are to be recovered, managed and used as rehabilitation resources
Surface infrastructure	• To be decommissioned and removed unless DRE agrees otherwise • All surface infrastructure sites are to be revegetated with suitable local native plant species to a landform consistent with the surrounding environment
Portals and vent shafts	• To be decommissioned and made safe and stable • Retain habitat for threatened species (eg bats) where practicable
Revegetated final landforms	• Stable and sustain the intended land use • Consistent with surrounding topography to minimise visual impacts • Incorporate relief patterns and design principles consistent with natural drainage
Native flora and fauna	• Flora species used in rehabilitation selected to re-establish and complement local and regional biodiversity • Rehabilitated areas contribute to achieving self-sustaining biodiversity habitats
All watercourses subject to mine-water discharges and/or subsidence impacts	• Hydraulically and geomorphologically stable, with aquatic ecology and riparian vegetation that is the same, or better than prior to grant of this consent
Cliffs, minor cliffs and steep slopes	• No additional risk to public safety compared to prior to mining
Other land affected by the development	• Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of local native plant species (unless DRE agrees otherwise)
Built features damaged by mining operations	• Repair to pre-mining condition or equivalent unless the owner agrees otherwise, or → damage is fully restored, repaired or compensated for under the Mine Subsidence Compensation Act 1961
Community	• Ensure public safety • Minimise the adverse socio-economic effects associated with mine-closure

Notes:

- These rehabilitation objectives apply to all subsidence impacts and environmental consequences caused by mining taking place after the date of this consent; and to all surface infrastructure parts of the development, whether constructed prior to or following the date of

- 2013 AEMR (CC, 2014)
- 2014 AEMR (CC, 2015)
- 2015 AR (CC, 2016)
- Final November 2015 – October 2022 MOP (CC, 03/2016)

No rehabilitation was undertaken during 2013 -2016. The status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR. Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.

The 2015 AR reported that there were no exploration or construction activities undertaken during 2015.

The November 2015 – October 2022 MOP includes the rehabilitation objectives listed in SSD-5594 CoA S4-30 Table 7 (MOP Tables 3 and 14).

The MOP also identifies performance indicators and completion criteria for rehabilitation phases in Tables 18 – 22.

As rehabilitation activities have not been undertaken since SSD-5594 was granted on 21/09/2016, an assessment of rehabilitation against the rehabilitation objectives in SSD-5594 CoA S4-30 Table 7 was not undertaken and consequently this condition was assessed as not triggered.

Not triggered

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<i>this consent.</i>			
S4-31	<p>Rehabilitation – Progressive Rehabilitation</p> <p>The Applicant shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time.</p>	<ul style="list-style-type: none"> 2015 AR (CC, 03/2016) Final November 2015 – October 2022 MOP (CC, 03/2016) SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls (CC, 11/2015) 	<p>A standard has been developed which defines the minimum environmental standards for any works carried out in the State Forest by or for Springvale Coal (SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls). The standard includes:</p> <ul style="list-style-type: none"> Prior to the removal of native vegetation, a due diligence flora survey is to be conducted and provided to FCNSW. FCNSW is to be notified by Springvale Coal and an Occupation Permit granted prior to any earth works commencing. FCNSW will be invited to inspect the area where works were undertaken. All earth works (including vegetation removal/excavation) within 40 metres of a river (river being defined as any blue line on a topographic map) will require a 3A permit under the Rivers and Foreshore Act. This approval is issued by the Department of Land and Water Conservation. Clearing, erosion control, sediment control and rehabilitation requirements. Specific rehabilitation requirements for exploration drilling sites including a Review of Environmental Factors for ground clearance, drilling water management, sediment control and rehabilitation. <p>The November 2015 to October 2022 MOP (CC, 2016) identifies that no major rehabilitation of the pit top and Newnes Plateau infrastructure is anticipated until site closure and that Springvale Coal has adopted a progressive approach to rehabilitation to reduce and mitigate potential environmental impacts.</p> <p>Exploration sites visited during the site inspection were observed to be rehabilitated and the footprint of the Borehole 8 dewatering compound had been reduced by rehabilitation. Consultation with FCNSW undertaken as part of this IEA identified that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016) and that there were currently no outstanding issues.</p> <p>The 2015 AR reports that during the 2015 AR reporting period, there was no rehabilitation or disturbance undertaken and that 6.8 ha of land was being prepared for rehabilitation in the 2016 AR reporting period.</p>	Compliant
S4-32	<p>Rehabilitation – Rehabilitation Management Plan</p> <p>The Applicant shall prepare and implement a Rehabilitation Management Plan to the satisfaction of DRE. This plan must:</p> <p>(a) be prepared in consultation with the Department, DPI-Water, OEH, Council, WaterNSW and the CCC;</p> <p>(b) be submitted to DRE for approval within 6 months of the date of this consent, unless DRE agrees otherwise;</p> <p>(c) be prepared in accordance with any relevant DRE guideline;</p> <p>(d) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);</p> <p>(e) describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform and final land use;</p> <p>(f) include interim rehabilitation where necessary to minimise the area exposed for dust generation;</p> <p>(g) include a program to monitor and report on the effectiveness of</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) Letter: Submission of the MOP to DRE (CC: DRE, 11/2015) Letter: provision of MOP to OEH (CC: OEH) Letter: Satisfied with rehabilitation measures in the MOP (DPI-Water: CC, 19/02/2016) Letter: Approval of the MOP (DRE: CC, 25/02/2016) Letter: Revision of Springvale Rehabilitation Management Plan including evidence of consultation (CC: DRE, 18/03/2016) 	<p>No rehabilitation, or monitoring of rehabilitation, was reported in the 2015 AR.</p> <p>The 2015-2022 MOP was prepared to address both the MOP requirements within Mining Leases and to meet the SSD-5594 CoA S4-32 for a Rehabilitation Management Plan.</p> <p>The 2015 -2022 MOP met the requirements of SSD-5594 CoA S4-32 as follows:</p> <p>(a) Following approval of the MOP by DRE, the MOP was submitted to DPE, DPI-Water, OEH, LCC and the CCC on 18/01/2016.</p> <p>(b) The MOP had been submitted to the DRE for approval before 21/03/2016;</p> <p>(c) The MOP referenced the ESG3: Mining Operations Plan (MOP) Guidelines (DRE 2013);</p> <p>(d) The MOP included detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary) (Tables 18-22);</p> <p>(e) The MOP described the measures to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including mine closure, final landform and final land use (sections, 4, 6 and 7);</p> <p>(f) The MOP included interim rehabilitation where necessary to minimise the area exposed for dust generation (section 2.2.8);</p> <p>(g) The MOP includes the rehabilitation objectives listed in SSD-5594 CoA S4-</p>	<p>Compliant</p> <p>SSD-5594 S4-32 OFI: Develop and implement the monitoring system referenced in the MOP (section 8.1) to assess the effectiveness of the rehabilitation measures and progress against the detailed performance and completion criteria.</p> <p>SSD-5594 S4-32 OFI: Include in the MOP how the rehabilitation management requirements in the MOP build to the maximum extent practicable on the other management plans required under the SSD-5594 consent. This is particularly relevant for integration of the MOP and the Biodiversity Management plan which was under development</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>the rehabilitation measures and progress against the detailed performance and completion criteria; and</p> <p>(h) build to the maximum extent practicable on the other management plans required under this consent.</p> <p><i>Note: The Biodiversity Management Plan and Rehabilitation Management Plan require substantial integration to achieve biodiversity objectives for the rehabilitated mine site.</i></p>		<p>30 Table 7 (MP Tables 3 and 14). The MOP also identified performance indicators and completion criteria for rehabilitation phases in Tables 18 – 22.</p> <p>The MOP (section 8.1) states that “A dedicated monitoring system will be established in spring 2015 to assess effectiveness of implementation of the rehabilitation measures as well as to identify the need for corrective action as soon as required” and that monitoring results will be reported in the AR. The monitoring system was not sighted by the auditors, consequently the adequacy of the program to monitor and report on the effectiveness of the rehabilitation measures and progress against the detailed performance and completion criteria was not able to be assessed; and</p> <p>(h) Although section 3 of the MOP identifies the management plans that are required for the SMEP, the MOP does not identify how the rehabilitation management requirements build to the maximum extent practicable on the other management plans required under this consent. This is particularly relevant for integration of the MOP and the Biodiversity Management Plan which was under development at the time of the IEA.</p> <p>The MOP (section 10) states that the following will be reported in the AR:</p> <ul style="list-style-type: none"> • Results of rehabilitation monitoring against key performance measures/indicators; • Comparison of rehabilitation results against predictions presented in the MOP; • Key trends in monitoring results and progression towards performance indicators; • Achievement of rehabilitation objectives; • Reporting on discrepancies between the predicted and actual results; • Reporting of where a TARP has been implemented to counter poor/unpredicted rehabilitation results or environmental impacts; • Results of trials; • Non-compliances; • Incidents/near misses; and • Any other requirements from the DRE <p>The November 2015 – October 2022 MOP includes a requirement for an annual independent monitoring program (Section 8.1) and that rehabilitation monitoring results, maintenance activities and refinements will be reported in the AR. As at the date of the IEA, rehabilitation and rehabilitation monitoring has not been undertaken under the recently approved 2015 -2022, consequently implementation of the rehabilitation monitoring in the MOP could be verified.</p> <p>The 2015 – 2022 MOP was not available on the CC website (18/08/2016).</p> <p>Commitments made in the MOP have not yet been included on the Compliance Database.</p> <p>As the MOP (Rehabilitation Management Plan) has been approved by the DPE, and as the preparation of the MOP generally meets the requirements of SSD-5594 CoA S4-32, this condition has been assessed as Compliant. Assessment of the implementation of the MOP will be the subject of future IEAs.</p>	<p>at the time of the IEA.</p> <p>SSD-5594 S4-32 OFI: Include a copy of the DPE approved 2015-2022 MOP on the Centennial Coal website.</p> <p>SSD-5594 CoA S4-32 OFI: Include rehabilitation commitments made in the MOP in the Compliance Database.</p>
S5-1	<p>Additional Procedures – Notification of Landowners</p> <p>As soon as practicable after obtaining monitoring results showing:</p> <p>(a) an exceedance of any relevant criteria in Schedule 4, the Applicant shall notify the affected landowners in writing of the exceedance, and provide regular monitoring results to these landowners until the development is again complying with the relevant criteria; and</p> <p>(b) an exceedance of any relevant air quality criteria in Schedule 4,</p>	<ul style="list-style-type: none"> • Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/ 2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) • Quarterly Noise Monitoring (SLR, 12/04/2016) • Letter: Notification and Report Noise Exceedance (CC; Landowner, 13/04/2016) • Letter: Notification and Report Noise Exceedance (CC; DPE, 	<p>The quarterly attended noise monitoring results for 31/03/2016 were provided to Springvale Coal on 12/04/2016. The results identified that the attended noise monitoring undertaken on 31/03/2016 by SLR, recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2.</p> <p>Following the exceedance, notification letters were provided to the landowner at Receptor S2 and the DPE (13/04/2015 and 2/04/2016 respectively), and a follow up letter provided to the DPE on 31/05/2016 identifying the cause of the noise exceedance was track chains on the stockpile dozer and identified that the following corrective actions had been undertaken:</p>	Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>the Applicant shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land)</p>	<p>12/04/2016)</p> <ul style="list-style-type: none"> Letter: Report Noise Exceedance Corrective Actions (CC: DPE, 31/05/2016) Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016) Environment and Community Database 	<ul style="list-style-type: none"> Dozer sent to Westrac Bathurst Services for new tracks; CHP operators informed to: <ul style="list-style-type: none"> Report abnormal noise emanating from the dozer; Drivers to use second gear whilst reversing to reduce tack slap; and Westrac fitters to inspect tracks at regular maintenance intervals and increased frequency of custom track services by CAT product support. <p>Springvale Coal had reported to the DPE that the tracks on the dozer had been replaced, and administrative controls implemented (i.e. training and maintenance scheduling) to meet the noise criteria provided in SSD-5594 CoA S4 – 1.</p> <p>There was no exceedance of the air quality criteria provided in SSD-5594 CoA S4 – 5.</p> <p>There were no complaints from landowners regarding noise, dust, odour, water supply, water quality, rehabilitation and lighting in the environment and community database.</p>	
S5-2	<p>Additional Procedures Independent Review</p> <p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 4, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> consult with the landowner to determine his/her concerns; conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 4; if the development is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review.</p>		<p>As a request for review of the impact of the SMEP had not been received, SSD-5594 CoA S5-2 was assessed as not triggered.</p>	Not triggered.
S6-1	<p>Environmental Management – Environmental Management Strategy</p> <p>The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval within 6 months of the date of this consent, unless the Secretary agrees otherwise;</p> <p>(b) provide the strategic framework for the environmental management of the development;</p> <p>(c) identify the statutory approvals that apply to the development;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(e) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> keep the local community and relevant agencies informed 	<ul style="list-style-type: none"> EMS (CC, 18/03/2016) Letter: Provision of draft EMS to DPE (CC; DPE, 18/03/2016) Complaint 4/2015/ccapp1000259 (Vehicle entering highway from mine site) (CC, 28/09/2015) 	<p>(a) Springvale Coal submitted a draft of the Environment Management Strategy to the DPE on 18/03/2016 which is within six months of SSD-5594 being granted (i.e. by 21/03/2016).</p> <p>The EMS included:</p> <p>(b) The strategic framework for the environmental management of the development (section 1.4);</p> <p>(c) Statutory approvals that apply to the development (section 1.6);</p> <p>(d) The role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development (section 4.1);</p> <p>(e) The procedures that would be implemented to:</p> <ul style="list-style-type: none"> Keep the local community and relevant agencies informed about the operation and environmental performance of the development (section 4.2); Receive, handle, respond to, and record complaints (section 2.6). Evidence of implementation of the complaint procedure was demonstrated for complaint 4/2015/ccapp1000259 (Vehicle entering highway from mine site); 	<p>Non-compliant (administrative)</p> <p>SSD-5594 CoA S6-1: Recommendation: Update the draft EMS to include:</p> <ul style="list-style-type: none"> References and/or links to a register identifying the status of strategies, plans and programs approved under SSD-5594 (e.g. not commenced, draft, approved, final etc); and A clear plan in the EMS depicting all of the monitoring required to be carried out under SSD-5594. <p>Refer also SSD-5594 CoA S6-</p>

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>about the operation and environmental performance of the development;</p> <ul style="list-style-type: none"> receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the development; respond to any non-compliance; respond to emergencies; and <p>(f) include:</p> <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this consent; and a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. 		<ul style="list-style-type: none"> Resolve any disputes that may arise during the course of the development (section 2.6); Respond to any non-compliance (sections 5.2 and 3.1.2); Respond to emergencies (section 3.2); and <p>(f)</p> <ul style="list-style-type: none"> Although the EMS listed some environmental management plans that supported the EMS (section 1.4.2), and a brief description of issue specific management plans was included in section 2.4, the list was not comprehensive and did not provide the status of the plan; and A clear plan depicting all the monitoring required to be carried out under the conditions of this consent was partially provided in section 3.1. Section 3 of the EMS provides a high level overview of monitoring triggered by the SSD-5594 consent and states that “Springvale has developed an ECD which is used as the primary tool for tracking compliance with Development Consent SSD-5594, EPBC Approvals, mining tenements, licences and related mining approvals”. At the time of the IEA, although SSD-5594 conditions were available on the ECD, the system had not been comprehensively and consistently adopted for tracking compliance across EPBC Approvals, mining tenements, licences and related mining approvals. Also refer SSD-5594 CoA S2-1 regarding the Compliance Database. <p>The EMS was in draft and approval of the draft EMS was not available at the time of the site inspection and interviews for the IEA.</p>	15.
S6 – 2	<p>Environmental Management – Environmental Management Plan Requirements</p> <p>The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant approval, licence or lease conditions); any relevant limits or performance measures/criteria; the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; effectiveness of any management measures (see c above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and 	<ul style="list-style-type: none"> WRNMP (CC, 07/2016) WRAQGHGMP (CC, 02/2016) Western Region Aboriginal Cultural Heritage Management Plan (CC: 07/2016) Western Region Historic Heritage Management Plan (CC, 07/2016) Draft Exploration Activities and Minor Surface Infrastructure Management Plan (CC, 22/01/2016) Draft Western Region Water Management Plan (CC, 03/2016) Draft Springvale Water Management Plan (CC, 03/2016) Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>The following management plans were assessed as being prepared in accordance with the requirements of SSD-5594 CoA S6-2:</p> <ul style="list-style-type: none"> WR ACHMP Western Region Historic Heritage Management Plan; WRAQGHGMP; WRNMP; and MOP (Rehabilitation Management Plan) <p>At the time pf preparing this IEA the following Springvale Coal management plans were in Draft and had not been assessed against the requirements of SSD-5594 CoA S6-2:</p> <ul style="list-style-type: none"> Draft Springvale Water Management Plan Exploration Activities and Minor Surface Infrastructure Management Plan <p>The following regional management plans were in Draft and had not been assessed against the requirements of SSD-5594 CoA S6-2:</p> <ul style="list-style-type: none"> Draft Western Region Water Management Plan (CC, 03/2016) Regional Biodiversity Management Plan (CC, 05/2016) 	Compliant

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<ul style="list-style-type: none"> exceedances of the impact assessment criteria and/or performance measures; and (h) a protocol for periodic review of the plan. <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>			
S6 – 3	<p>Environmental Management – Application of Environmental Management Plans</p> <p>Prior to the approval of management plans under this consent, the Applicant shall manage development undertaken pursuant to this consent in accordance with any equivalent or similar management plan/s required under consent DA 11/92.</p>		Refer to the compliance assessment of management plans triggered under consent DA 11/92 included in Appendix A2 of this IEA.	Noted
S6 – 4	<p>Environmental Management – Relationships between Management Plans</p> <p>The Upper Coxs River Action & Monitoring, Water, Biodiversity and Heritage Management Plans required by conditions 13, 14, 18 and 24 of Schedule 4, respectively, are to be prepared in respect of all parts of the development that are not covered by an Extraction Plan approved under condition 10 of Schedule 3. In particular, those management plans should address all areas subject to existing or proposed surface disturbance associated with the development</p>		As the Upper Coxs River Action and Monitoring Plan and Biodiversity Management Plan were in draft, this condition was unable to be verified.	Not verified (pending finalisation of the Upper Coxs River Action and Monitoring Plan).
S6-5	<p>Environmental Management – Consolidation of Strategies, Plans or Programs</p> <p>With the approval of the Secretary, the Applicant may incorporate any strategies, plans or programs required by this consent (except those required under condition 10 of Schedule 3) with the strategies, plans and programs required for Centennial Coal's mining operations in the Lithgow Local Government Area</p>	<ul style="list-style-type: none"> Letter: Approval of Regional Management Plans (DPE:CC, 19/11/2015) 	Following receipt of approval from DPE for the preparation of regional management plans, Springvale Mine has incorporated management plans for mining operations in the LCC area for noise, air, water, aboriginal cultural heritage and historic heritage.	Noted
S6-6	<p>Environmental Management – Revision of Strategies, Plans and Programs</p> <p>Within 3 months of:</p> <p>(a) the submission of an incident report under condition 10 below;</p> <p>(b) the submission of an annual review under condition 12 below;</p> <p>(c) the submission of an audit under condition 13 below; or</p> <p>(d) any modification to the conditions of this consent (unless the conditions require otherwise),</p> <p>the Applicant shall review the strategies, plans, and programs required under this consent, to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<ul style="list-style-type: none"> Statement of Environmental Effects SMEP Modification 1 (CC, 07/2016) 	<p>The consent for SSD-5594 was granted on 21/09/2015, and at the time of the IEA many of the strategies, plans and programs developed to meet requirements under the consent were in draft or recently implemented consequently, they had not been updated.</p> <p>One incident had been reported to the DPE in accordance with SSD-5594 CoA S6-10 where 45dBA was recorded representing a 2 dBA exceedance of the noise criteria (43 dBA) at receptor S2. No other incidents were recorded on the Environment and Community Database that would trigger CoA S6-10.</p> <p>The 2015 AR had been submitted in March 2016 in accordance with SSD-5594 CoA S6-12.</p> <p>The EMS (section 5.3) states that the EMS and associated environmental management plans under SSD-5594 will be reviewed in accordance with SSD-5594 CoA S6-6.</p> <p>No previous IEAs had been undertaken at Springvale Coal.</p> <p>The 2015 AR identifies a non-compliance with SSD-5594 manning levels and states that a modification to SSD 5594 'is currently being prepared for Springvale to align manning with current and future site demands'. A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 fte personnel, including contractors, to 450 fte personnel.</p>	Compliant
S6 – 7	Environmental Management – Updating and Staging Strategies,		The consent for SSD-5594 was granted on 21/09/2015, and at the time of the IEA many of the strategies, plans and programs developed to meet	Not triggered.

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Plans or Programs</p> <p>To ensure that strategies, plans and programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>With the agreement of the Secretary, the Applicant may prepare a revision of or a stage of a strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program. 		<p>requirements under the consent were in draft or recently prepared and implemented consequently, they had not been updated. The auditors assessed that implementation, and monitoring of the performance of, strategies, plans and programs triggered by SSD-5594 was not mature enough to warrant update and consequently, this condition was assessed as not triggered.</p>	
S6- 8	<p>Environmental Management – Adaptive Management</p> <p>The Applicant shall assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedules 3 and 4. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p> <p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016) 2015 AR (CC, 03/2016) Quarterly Noise Monitoring (SLR, 12/04/2016) Letter: Notification and Report Noise Exceedance (CC; Landowner, 13/04/2016) Letter: Notification and Report Noise Exceedance (CC; DPE, 12/04/2016) Letter: Report Noise Exceedance Corrective Actions (CC; DPE, 31/05/2016) Environment and Community Database 	<p>The 2015 AR reported incidents and non-compliances that had occurred during the 2015 AR. Although there was one non-compliance with manning levels in the SSD-5594 consent, and exceedances of EPL 3607 concentration limits for EC, arsenic and copper, there were no reported exceedances of the criteria and/or performance measures listed in SSD-5594 Schedules 3 and 4.</p> <p>One exceedance of the SSD-5594 CoA S4-1 noise criteria was reported to the DPE in April 2016 (within the 2016 AR reporting period). Attended noise monitoring undertaken in March 2016 recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2. The exceedance was recorded on the Environment and Community Database Ref No. 4/2016/ccapp1000311. Following the exceedance, notification letters were provided to the landowner at Receptor S2 and the DPE (13/04/2015 and 2/04/2016 respectively), and a follow up letter provided to the DPE on 31/05/2016 identifying the cause of the noise exceedance was track chains on the stockpile dozer and identified that corrective actions had been undertaken to ensure that the exceedance had ceased and does not recur.</p> <p>Although there had been no exceedance of suspended solids during the period of the IEA at EPL 3607 LDP 001, evidence of adaptive management was demonstrated. Improvements in the surface water system at the coal stockpile area to reduce sediment load on the primary and secondary ponds, was observed during the site inspection including new sediment collection bays, road alignment and additional aggregate/rock on roads.</p>	Compliant
S6- 9	<p>Environmental Management – Community Consultative Committee</p> <p>The Applicant shall operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. This CCC must be operated in accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Developments (Department of Planning, 2007), or its latest version or replacement.</p>	<ul style="list-style-type: none"> Minutes: CCC (CC, 04/2015), (CC, 10/2015) and (CC, 04/2016) 	<p>The CCC covers Angus Place, Springvale Coal and Springvale Coal Services. Minutes from the CCC meetings are available on the CC website.</p> <p>During consultation with the CCC undertaken by MCW Environmental for the IEA, the Chair advised that SMEP and that there were no outstanding requests for information.</p> <p>The approval status of the SMEP was included in minutes from the April 2014, October 2015 and April 2016 CCC meetings.</p>	Compliant

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
<p><i>Notes:</i></p> <ul style="list-style-type: none"> <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent;</i> <i>In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community;</i> <i>The requirement for this CCC may be fulfilled by the operation of a regional CCC for Centennial Coal's mines and mine infrastructure in the Lithgow Local Government Area, and</i> <i>The Department will accept the continued representation from existing CCC members</i> 				
S6-10	<p>Reporting – Incident Reporting</p> <p>The Applicant shall immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	<ul style="list-style-type: none"> Letter: Notification and Report Noise Exceedance (CC; DPE, 12/04/2016) Letter: Notification and Report Noise Exceedance (CC; EPA, 12/04/2016) Letter: Report Noise Exceedance Corrective Actions (CC: DPE, 31/05/2016) Environment and Community Database 	<p>Attended monitoring undertaken on 31/03/2016 by consultants recorded an exceedance of the SSD-5594 CoA S4-1 noise criteria. The exceedance was not reported to Springvale Coal until a written report was provided on 12/04/2016. Following receipt of the report, the exceedance and description of the incident, was immediately reported by Springvale Coal to the relevant agencies (both DPE and EPA) on 12/04/2016. Although this reporting is within seven days of Springvale Coal being informed of the incidence it is not within seven days of the date of the incident.</p> <p>The details identified that attended noise monitoring undertaken on 31/03/2016 recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2 (EPA Identification point 12). No complaints had been received by Springvale Coal regarding the incident. Notification letters were provided to the landowner at Receptor S2 on 13/04/2016 and to both the DPE and EPA on 12/04/2016; and a follow up letter was provided to the DPE on 31/05/2016 identifying that the cause of the noise exceedance was track chains on the stockpile dozer and identified that corrective actions had been undertaken to ensure that the exceedance had ceased and does not recur.</p> <p>SSD-5594 CoA S4-4 includes a recommendation for Springvale Coal to implement a process for consultants undertaking attended noise monitoring to immediately report noise limit exceedances to the Springvale Coal Environment Coordinator; and for Springvale Coal to assess if processes are in place for immediate reporting of exceedances for other monitoring required under SSD-5594 that is undertaken by consultants.</p> <p>No other incidents were recorded on the Environment and Community Database that triggered the SSD-5594 CoA S6-10 reporting.</p>	<p>Compliant</p> <p>Refer SSD-5594 CoA S4-4 Recommendation and EPL 3607 condition R2.2 OFI: EPL 3607 condition R2.2 OFI:</p>
S6 – 11	<p>Reporting – Regular Reporting</p> <p>The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent, and to the satisfaction of the Secretary.</p>	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 03/2016) Coal transport records (CC, 03/2016) (CC,12/2015) 	<p>The 2015 AR includes reporting on environmental performance. Subsidence management status reports (SMSR) presents results of monitoring triggered by SMP LW 411- 418.</p> <p>Copies of 2013 and 2014 AEMR, 2-015 AR and SMSRs were available on the CC website.</p>	<p>Compliant</p>
S6-12	<p>Annual Review</p> <p>By the end of March each year, unless the Secretary agrees otherwise, the Applicant shall review the environmental</p>	<ul style="list-style-type: none"> Letter: Feedback on Springvale 2015 AR (DPE:CC, 18/04/2016) 	<p>The 2015 AR was submitted to the DPE on 24/03/2016. The 2015 AR included a summary of self-assessed non-compliances with the CoAs that have been identified during internal inspections, incidents and monitoring.</p>	<p>Not verified</p>

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>performance of the development to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the past calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> the relevant statutory requirements, limits or performance measures/criteria; the monitoring results of previous years; and the relevant predictions in the EIS; <p>(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p>		<p>The DPE provided feedback on the Springvale 2015 AR (18/04/2016) advising that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The information required included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of the feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016, and consequently this condition was assessed as not verified.</p>	
S6-13	<p>Independent Environmental Audit</p> <p>Prior to 30 June 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any other relevant approval, relevant EPL/s or Mining Lease/s (including any assessment, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i></p>	<ul style="list-style-type: none"> Letter: Endorsement of IEA auditors (DPE: CC, 15/06/2016) 	<p>This IEA is the first IEA triggered by SSD-5594 CoA S6-13. The IEA was prepared by auditors that were endorsed by the DPE and included:</p> <p>(b) Consultation with the relevant agencies (section 3 of the IEA);</p> <p>(c) Assessment of environmental performance (sections 5 and 7);</p> <p>(d) Review of the adequacy of strategies, plans or programs (Appendices A to F of the IEA)</p> <p>(e) Recommended actions to improve the environmental performance of the development, and/or any strategy, plan or program (section 7 of the IEA)</p>	Compliant
S6-14	<p>Independent Environmental Audit</p> <p>Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.</p>		Not triggered	Not triggered

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S6-15	<p>Access to Information</p> <p>Within 3 months from the date of this consent, the Applicant shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> the EIS; all current statutory approvals for the development; approved strategies, plans and programs required under the conditions of this consent; a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; a complaints register, which is to be updated on a monthly basis; minutes of CCC meetings; the last five annual reviews; information provided to and recommendations made by the Independent Monitoring Panel; any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit; any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary</p>	<ul style="list-style-type: none"> EPL 3607 Final November 2015 – October 2022 MOP (CC, 03/2016) EIS (CC, 04/2014) 	<p>The description on the CC website under 'Springvale / Development and Environment Approvals' does not reference DA 11/92 Modifications 3 (Bore 8) and 4 (section 75W modification) and SSD-5594 (SMEP).</p> <p>The following documents were sighted on the CC website for Springvale Mine on 19/08/2016:</p> <ul style="list-style-type: none"> SMEP EIS Approvals: <ul style="list-style-type: none"> SSD-5594 DA 11/92 Mod 4 MLs: 1303,1326,1537, 1588,1620 CCL 377 MPL 314 EL 6974 WAL 36446, 36383, 36443 EPL 3607 EPBC Approval Approved Management Plans: <ul style="list-style-type: none"> WR ACHMP Western Region Historic Heritage Management Plan; WRAQGHGMP; WRNMP Temperate Highland Peat Swamps on Sandstone Monitoring and Managements Plan for LW's 415-417 Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan for LW 418 Monitoring: <ul style="list-style-type: none"> EPL 3607 monthly monitoring reports (including complaints) CCC minutes Annual Reviews: <ul style="list-style-type: none"> 2015 AR 2011, 2012, 2013 and 2014 AEMRs <p>A high level review by MCW Environmental identified that the following information was not available on the CC website (although this list is not considered comprehensive):</p> <ul style="list-style-type: none"> DA 461/02 (Ventilation Shaft No.3) Statement of environmental effects and the letter supplied by Umwelt Environmental Consultants (15/01/2003) for DA 461/02 ML 1352 ML 1727 2016 Environment Management Strategy MOP (2015 -2022) Information provided to and recommendations made by the Independent Monitoring Panel 	<p>Non-compliant (administrative)</p> <p>SSD-5594 CoA S6-15 Recommendation: Develop a register of mining tenements, approvals, licences and management plans, strategies and programs that is document controlled and consistent across:</p> <ul style="list-style-type: none"> MOP Table 4; EPL 3607 condition A2.1; Environmental Assessments; Annual Reviews; Management Plans; and CC (Springvale Coal) website. <p>When the register is complete, update information on the CC web site in accordance with SSD-5594 CoA S6-15 including the general description of the project 'Development and Environment Approvals'.</p> <p>Refer also SSD-5594 CoA S6-1.</p>
App. 3 SoC 1	<p>General</p> <p>All operations are undertaken in a manner that will minimise the environmental impacts associated with the Project.</p>	<p>Operations will be undertaken in accordance with the description provided in this EIS.</p> <p>As the required exploration drill holes are determined, Springvale Coal will undertake a series of due diligence assessments to consider key impacts as relevant. The general approach of the due diligence assessments will be to conduct site investigations to ensure that significant impacts</p>	<p>Refer to SSD-5594 CoA S2-2.</p> <p>Although the 2015 AR had been submitted on time, the DPE subsequently advised that additional information was required such as the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. This information was not available at the time of preparing the IEA report, consequently SSD-5594 SoC A-1 requirement for operations to be undertaken in accordance with the EIS was assessed as not verified.</p> <p>No exploration activities were undertaken within the period of the IEA.</p>	<p>Not verified</p>

Development Consent SSD-5594					
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation	
		are avoided. Springvale Coal will develop Trigger Action Response Plans as part of the development of the certain management plans which will detail the response to be taken if mining induced impacts occur.	TARPs were available in management plans.		
A3-2	Development Phase All construction operations are appropriately undertaken to minimise potential impacts to the environment.	Prior to construction of surface facilities on the Newnes Plateau, a Construction Environmental Management Plan will be developed in consultation with the Forestry Corporation of NSW. This plan will include noise management in accordance with the Project Specific Noise Criteria detailed in Section 10.6.3 of the EIS. A copy of the Construction Environmental Management Plan will be provided to Lithgow City Council for their consideration.	Not triggered	Not triggered	
A3-3	Exploration All exploration activities are appropriately undertaken to minimise potential impacts to the environment.	Proposed exploration activities will be notified to DRE and where applicable to the Forestry Corporation of NSW. All required approvals will be obtained prior to the commencement of any exploration activities. Copies of any due diligence assessments will also be provided to DRE and Forestry Corporation (where applicable).	No exploration activities were undertaken within the period of the IEA.	Not triggered	
A3-4	Hours of Operation All operations are undertaken within the approved operating hours.	Operations will be undertaken 24 hours a day 7 days a week, 52 weeks per year.	Operations were reportedly undertaken 24 hours a day 7 days a week, 52 weeks per year.	Compliant	
A3-5	Surface Water, Groundwater, Geomorphology and Aquatic All surface water groundwater and aquatic impacts are minimised to the greatest extent possible.	Within six (6) months of development consent, a Water Management Plan will be developed that includes the monitoring requirements identified in Section 10.2.5 of the EIS. The Water Management Plan will be developed in consultation with the NSW Office of Water. Groundwater models will be updated every 6 months and a review will be included in the Annual Review. Copies of the	<ul style="list-style-type: none"> Draft Western Region Water Management Plan (CC, 03/2016) Draft Springvale Water Management Plan (CC, 03/2016) Letter and attachment: EPA and OEH feedback on draft Water Management Plans (EPA:CC, 04/04/2016) 	Springvale Coal prepared a draft Western Region Water Management Plan and draft Springvale Mine Water Management Plan and provided these plans to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEH for review. Feedback has been received from the EPA, OEH and WaterNSW identifying information gaps. At the time of preparing the IEA, the draft Water Management Plans had not been finalised. As the final Water Management Plan was not available to be reviewed and assessed against the feedback provided from the DPE, EPA, OEH and WaterNSW; this CoA was assessed as not triggered.	Not triggered

Development Consent SSD-5594

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Annual Review will continue to be provided to NOW.</p> <p>Throughout the life of the Project, stygofauna will be monitored using standing water levels within one borehole in each aquifer where stygofauna are known to occur (AQ4 to AQ6). Where available, monitoring of the deep aquifer system, AQ 1 to AQ3 will be undertaken to establish presence of stygofauna.</p> <p>Centennial Coal will undertake a regional stygofauna assessment which will:</p> <ul style="list-style-type: none"> • Collate existing available information on groundwater bores, water quality and characteristics in Centennial Coal's area of operations throughout the Western Coalfield. • Use this information to form a prioritisation list of likely areas for GDE to occur. • Use the prioritisation protocol to identify bores that can be sampled to provide data on the presence and significance of fauna both within and outside mine areas. • Identify any stygofauna found to a minimum of Family level. • Advise on the significance of the findings. • Examine relationship between bore characteristics and presence of stygofauna. <p>Springvale Coal have commenced the process to secure the required surface water licences for the Project.</p> <p>Springvale Coal will commit to notify NSW Fisheries if any monitoring detects significant impacts to third order drainage lines as a result of subsidence.</p> <p>Springvale Coal will undertake further investigations into the toxicity of LDP009 water discharge to identify the cause of the toxicity.</p>			

Development Consent SSD-5594					
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation	
		<p>Springvale Coal will develop and implement a management program that includes:</p> <p>a) Water quality, macroinvertebrate and ecotoxicology monitoring across the Coxs River Catchment to measure the performance against the long term water quality objective and the impacts of change on the aquatic ecology and ecosystem health of the Coxs River.</p> <p>b) The water quality parameters to be monitored at all proposed Licenced Discharge Points, the frequency of monitoring and concentration limits focussed on those that have been identified as having potential to cause harm to the environment.</p> <p>c) A Trigger Action Response Plan should concentration limits be exceeded that focusses on the extent to which an exceedance of quality limits might affect aquatic ecology of the Coxs River catchment.</p>			
A3-6	Terrestrial and Aquatic Ecology	<p>Within two (2) years of development consent, a Biodiversity Management Plan will be developed and implemented. The Plan will be developed in consultation with DPE, OEH, DoE, Forestry Corporation of NSW, NPWS and will include the outcomes of the Research Strategy.</p>	Not triggered	Not triggered	
A3-7	<p>Aboriginal Heritage Management</p> <p>Ensure that identified and unidentified Aboriginal Sites are appropriately managed.</p>	<p>Aboriginal Heritage will be monitored and managed in accordance with Table 8.2 of this EIS.</p> <p>Within 6 months of the date of approval, the Cultural Heritage Management Plan will be updated.</p>	<ul style="list-style-type: none"> Letter: Provision of draft Western Region Aboriginal Cultural Heritage Management Plan to OEH (CC: OEH, 01/12/2015) Letter: Provision of draft Western Region Aboriginal Cultural Heritage Management Plan to LCC (CC: LCC, 01/12/2016) Letter: Provision of Western Region ACHMP to RAPS (CC: BLAAC, BWACEG, WCE, Wiray-dyurra Maying-guwill, Wiray-dyurra Ngyumbaa-dyil, WNTC, WVWC, WWPNTC, 01/12/20115) Letter: Approval of Western Region Aboriginal Cultural Heritage Management Plan (DPE: CC, 22/07/2016) Western Region ABCHMP (CC: 07/2016) 	<p>A reference to Table 8-2 regarding aboriginal cultural heritage management was not located.</p> <p>The 2015 Aboriginal Cultural Heritage Management Plan (ACHMP) was revised and provided as the Western Region ACHMP to RAPS, OEH and LCC for comment in January 2016 (ie within six months of the date of the approval). The Western Region ACHMP was approved by the DPE in July 2016.</p>	Compliant
A3-8	Traffic and Transport	<p>Prior to the commencement of construction activities, a Construction Traffic Management Plan will be</p>	Not triggered	Not triggered	

Development Consent SSD-5594					
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation	
		developed and implemented. The Plan will be developed in consultation with Lithgow City Council and Forestry Corporation of NSW.			
A3-10	Air Quality and Greenhouse Gas All air quality impacts are minimised to the greatest extent possible	<p>Within six (6) months of development consent, the Air Quality Management Plan will be updated to include the mitigation measures identified in Section 10.7 of the EIS.</p> <p>An additional TEOM will be installed as part of a regional air quality monitoring programme that is currently being developed by Centennial Coal.</p>	<ul style="list-style-type: none"> EIS (CC, 2014) 	<p>The site inspection of the equipment storage area adjacent to the coal stockpile was undertaken after rain (27/06/2016). The storage area and associated roadways were not sealed and had potential to generate dust in dryer conditions. The SSD-5594 EIS identified that impacts on air quality will be mitigated through the continued implementation of existing management measures such as water spraying, minimisation of exposed areas and ceasing work during adverse weather conditions. Refer SSD-5594 CoA S4-6 Recommendation and OFI.</p> <p>The AQGHGMP includes the mitigation measures identified in 10.7 of the EIS.</p> <p>The AQGHGMP states:</p> <ul style="list-style-type: none"> The short term monitoring program will remain unchanged from what is currently undertaken. Two dust deposition gauges will be used, one located at the nearest neighbour (S1) and one located near the pit top. High Volume Air Sampling (HVAS) equipment, used to measure PM10 and TSP, was installed in 2010 at one location to the southwest of the pit top, in the vicinity of the nearest neighbour (S1). The HVAS monitoring equipment operates on a one in six-day cycle to record ambient concentrations of PM10 and TSP. A real-time dust monitor is also in operation, in line with the trend to better utilise real-time monitoring data to enable immediate response and dust mitigation should elevated dust levels be detected. The real-time monitoring location has been selected to assist in the assessment and management of regional-scale dust impacts. The long term dust monitoring network will therefore consist of two dust deposition gauges (DG1 and DG2) and one real-time PM10 monitoring station. <p>The auditors did not confirm if an additional TEOM will be installed as part of a regional air quality monitoring programme.</p>	<p>Compliant</p> <p>SSD-5594 CoA SOC A3-10 OFI: Assess if the additional TEOM, referenced in SSD-5594 CoA SOC A3-10, will be installed as part of a regional air quality monitoring programme that is currently being developed by CC. If not, undertake corrective actions to avoid future non-compliances with this commitment.</p>
A3-11	Soils and Land Capability All soil and land impacts are minimised to the greatest extent possible	<p>Soil stripping will be undertaken in accordance with the soil stripping depths in the Soils and Land Capability Report appended to this EIS.</p> <p>The following topsoil management measures will be applied:</p> <ul style="list-style-type: none"> topsoil will be stripped to depths in Table 10.44 of the EIS only when moist and stockpiled a maximum of 3 m high; topsoil stripping will immediately precede construction to minimise the time that bare subsoils are exposed; ameliorants for each soil type will be applied as per the Soils and Land Capability Report; topsoil that is to be 	<ul style="list-style-type: none"> SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls (CC, 11/2015) 	<p>No land disturbance was undertaken during the period of the IEA.</p> <p>A standard has been developed which defines the minimum environmental standards for any works carried out in the State Forest by or for Springvale Coal (SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls). The standard includes:</p> <ul style="list-style-type: none"> Prior to the removal of native vegetation, a due diligence flora survey is to be conducted and provided to FCNSW. FCNSW is to be notified by Springvale Coal and an Occupation Permit granted prior to any earth works commencing. FCNSW will be invited to inspect the area where works were undertaken. All earth works (including vegetation removal/excavation) within 40 metres of a river (river being defined as any blue line on a topographic map) will require a 3A permit under the Rivers and Foreshore Act. This approval is issued by the Department of Land and Water Conservation. Clearing, erosion control, sediment control and rehabilitation requirements. Specific requirements for exploration drilling sites including a Review of Environmental Factors for ground clearance, drilling water management, sediment control and rehabilitation. 	Not triggered

Development Consent SSD-5594					
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation	
		stockpiled for longer than 3 months with be stabilised with an annual cover crop; and <ul style="list-style-type: none"> prior to re-spreading stockpiled topsoil, weeds will be removed. 			
A3-12	Life of Mine and Rehabilitation Rehabilitation of the Springvale Coal Services Site is conducted in accordance with Industry Standards	Progressive rehabilitation will be undertaken in accordance with the Rehabilitation Strategy appended to this EIS. Within 6 months of approval, the Mining Operations Plan will be updated to include the rehabilitation requirements outlined in the Rehabilitation Strategy of this EIS	<ul style="list-style-type: none"> Letter: Approval of the MOP (DRE: CC, 25/02/2016) Letter: Revision of Springvale Rehabilitation Management Plan including evidence of consultation (CC: DRE, 18/03/2016) Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>The 2015-2022 MOP was prepared to address both the MOP requirements within Mining Leases and to meet the SSD-5594 CoA S4-32 for a Rehabilitation Management Plan. The MOP was finalised on 18/03/2016 i.e. within six months of SSD-5594 consent.</p> <p>The 2015 – 2022 MOP includes the rehabilitation objectives listed in SSD-5594 CoA S4-30 Table 7 (MOP Tables 3 and 14).</p> <p>The 2015 – 2022 MOP also identifies performance indicators and completion criteria for rehabilitation phases in Tables 18 – 22.</p> <p>As rehabilitation activities have not been undertaken since SSD-5594 was granted on 21/09/2016, an assessment of rehabilitation against the rehabilitation objectives in SSD-5594 CoA S4-30 Table 7 was unable to be undertaken.</p>	Compliant
A3-13	Hazards Safety of the underground personnel from the underground strata will be maintained	The existing Hazard Plan, being part of the Strata Failure Management System, will be maintained and updated on an ongoing basis as required, in accordance with the Clause 28b (ii) of the Coal Mine Health and Safety Regulation 2006.	<ul style="list-style-type: none"> LW 419 Hazard Plan (CC, 14/10/2016) 17CT-420 Panel Hazard Plan (CC, 23/09/2016) SV-SWMP 1733 - Checklist for the Development of Hazard Plans Email: Transition to WHS (CC: MCW, 17/10/2016) 	<p>The auditors for the IEA are not qualified to assess the adequacy of the hazard plan.</p> <p>Hazard Plans were provided for LW 419 and 420 Panel.</p> <p>Springvale Coal advised (email dated 17/10/2016) that CC is currently transitioning from Coal Mine Health and Safety Regulation 2006 to the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014. The transition requirement is due for finalisation by Feb 2017. The Springvale Coal Strata Failure Management System SV-MS-005 is under review and will be re-titled Ground or Strata Failure Management Plan SV-MS-005 to meet the requirements of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.</p>	Compliant
A3-14	Community Contributions Meet Centennial's corporate social responsibility objectives	Centennial Coal will contribute three cents per saleable tonne of coal (exclusive of GST) produced from the Springvale, Angus Place and Airly Mines, as a 'Community Contribution' to Lithgow City Council. This Community Contribution will be capped at \$200,000 annually and the funds allocated to long-term community activities and projects agreed by both parties and reported publicly. Commencement of the 'Community Contribution' will be from the date the first of the above three mines is granted consent.	<ul style="list-style-type: none"> Letter: 2015 Springvale Mine Contribution (CC: LCC, 23/02/2016) 	<p>The Compliance Database includes an action for payment of this contribution by the Commercial Manager by 31 March each year.</p> <p>In 2016, a contribution for 2015 was made to LCC based on \$0.03/tonne.</p>	Compliant
App 5 1	Applicable Meteorological Conditions The noise criteria in Tables 3 and 4 in Schedule 4 are to apply to a receiver under all meteorological conditions except under: (a) wind speeds greater than 3 m/s at 10 m above ground level; or	<ul style="list-style-type: none"> WRNMP (CC, 07/2016) Quarterly Noise Monitoring (SLR, 12/04/2016) 	<p>The WRNMP, which has been approved by the DPE, identifies that attended noise monitoring will be conducted in accordance with NSW Industrial Noise Policy guidelines and AS 1055.1-1997: Acoustics – Description and measurement of environmental noise – General procedures.</p> <p>Refer SSD-5594 CoA S4-1 OFI 2 to confirm that attended noise monitoring measurement is taken in accordance with the Industrial Noise Policy and</p>	Compliant	

Development Consent SSD-5594				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	(b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or (c) stability category G temperature inversion conditions.		reference the methodology in the attended noise monitoring reports.	
A5-2	Determination of Meteorological Conditions Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station required under condition 8 of Schedule 4.	Meteorological station Certificate of Compliance (ALS, 22/09/2015)	Springvale Coal has a meteorological station on site that has a certificate of compliance to meet the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline and the NSW Industrial Noise Policy; and that that the station is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the NSW Industrial Noise Policy.	Compliant
A5-3	Compliance Monitoring Attended monitoring is to be used to evaluate compliance with the relevant conditions of this consent.	<ul style="list-style-type: none"> WRNMP (CC, 07/2016) Quarterly Noise Monitoring (SLR, 12/04/2016) 	The WRNMP, which has been approved by the DPE, identifies that attended noise monitoring will be conducted in accordance with NSW Industrial Noise Policy guidelines and AS 1055.1-1997: Acoustics – Description and measurement of environmental noise – General procedures.	Compliant
A5 – 4	Compliance Monitoring This monitoring must be carried out at least 4 times in each calendar year (ie at least once in every quarter), unless the Secretary directs otherwise.	<ul style="list-style-type: none"> 2015 AR (CC, 03/2016) 	The 2015 AR reports that noise monitoring during the period of the AR were within the criteria. Monthly environmental monitoring reports (CC website) were reviewed for the period September 2013 to June 2016. Quarterly noise monitoring results from attended monitoring were available in the April 2016 and July 2016 Springvale Environmental Monitoring Reports (available on the CC website).	Compliant
A5-5	Compliance Monitoring Unless the Secretary agrees otherwise, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the NSW Industrial Noise Policy (as amended from time to time), in particular the requirements relating to: (a) monitoring locations for the collection of representative noise data; (b) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; (c) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration; and (d) the use of an appropriate modifying factor for low frequency noise to be applied during compliance testing at any individual residence if low frequency noise is present (in accordance with the INP) and before comparison with the specified noise levels in the consent	<ul style="list-style-type: none"> WRNMP (CC, 07/2016) Quarterly Noise Monitoring (SLR, 12/04/2016) 	The WRNMP, which has been approved by the DPE, identifies that attended noise monitoring will be conducted in accordance with NSW Industrial Noise Policy guidelines and AS 1055.1-1997: Acoustics – Description and measurement of environmental noise – General procedures. Refer SSD-5594 CoA S4-1 OFI 2 to confirm that attended noise monitoring measurement is taken in accordance with the Industrial Noise Policy and reference the methodology in the attended noise monitoring reports.	Compliant

Table A-2: DA 11/92 Consolidated Consent Mod 4

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S2-1	<p>General</p> <p>The Applicant shall carry out the development generally in accordance with:</p> <p>a) the Environmental Impact Statement (EIS) prepared by Sinclair Knight & Partners Pty Limited, dated February 1992, and supplementary information submitted by the Applicant, dated April 1992;</p> <p>b) pit top modifications shown in drawing SK5300/G/91 dated 29/10/92; shaft site as modified shown in drawing No. CL-S100-G-03 dated 10/11/92 and modified mine layout as shown in drawing SP18, dated 1/12/92;</p> <p>c) modification application determined on 11 April 1994;</p> <p>d) the Environmental Assessment titled Bore 8 Dewatering Facility Springvale Colliery Section 75W Modification, dated September 2012; the associated Response to Submissions, dated December 2012 and the incorporated Statement of Commitments;</p> <p>e) the Environmental Assessment titled Section 75W Modification to Development Consent DA 11/92, dated October 2013; and</p> <p>f) conditions of this consent.</p>	<ul style="list-style-type: none"> DC92/11 Compliance Database (sighted on 4-5/7/2016) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) Draft EMS (CC, 18/03/2016) Letter: Feedback on Springvale 2015 AR (DPE:CC, 18/04/2016) 	<p>The commitments made in the environmental assessments were generally incorporated into the Environmental Management Strategy (EMS) and management plans. At the time of the IEA, the EMS was in draft and management plans referenced in SSD-5594 were at varying stages of preparation in accordance with SSD-5594 requirements e.g. approved by the DRE, draft, submitted for comment and/or not commenced/in draft.</p> <p>Springvale Coal has commenced implementation of the Compliance Database which is reportedly being developed as the primary tool for tracking compliance with Conditions of Approval (CoA), Licences and Leases. At the time of undertaking the IEA, the statement of commitments within environmental assessments have not been included within the Compliance Database.</p> <p>Springvale Coal has prepared Annual Environmental Management Reports (AEMR) for 2013 (CC, 2014) and 2014 (CC, 2015) and an Annual Review (AR) for 2015 (CC, 2016). The 2015 AR includes self-assessed non-compliances with the CoAs that have been identified during internal inspections, incidents and monitoring. The DPE provided feedback on the Springvale 2015 AR (18/04/2016) advising that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of the feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016; consequently, this condition was assessed as Not verified.</p> <p>There have been no previous IEAs undertaken at the Springvale Mine.</p> <p>MCW Environmental has not completed a full and detailed assessment of the Springvale Mine against the environmental assessments, modifications and approval instruments.</p> <p>Based on the assessment of compliance against the Conditions of Development Consent for DA 11/92, MCW Environmental has assessed that Springvale Coal has carried out the development generally in accordance with the environmental assessments.</p> <p>Other than where issues have been identified, in general the site appeared to be compliant with most of the Conditions of Approval (CoA), Environment Protection Licence (EPL) conditions and Mining Lease (ML) conditions.</p> <p>By 21/09/2016, DA 11/92 will be surrendered. Prior to the surrender, the conditions of SSD-5594 will prevail if there is an inconsistency between DA 11/92 and SSD-5594.</p>	<p>Not verified (pending submission of the revised 2015 Annual Review with comprehensive review of monitoring results and complaint, comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS and identification of trends and gaps for at least three years.)</p> <p>Refer SSD-5594 CoA S2-2 OFI.</p>
S2-1A	<p>General</p> <p>If there is any inconsistency between the documents identified in condition 1, the more recent documents shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.</p>			Noted
S2-2	<p>Duration</p> <p>The Applicant may carry out mining operations until 30 September 2015.</p> <p><i>Note: Under this consent, the Applicant is required to rehabilitate</i></p>	<ul style="list-style-type: none"> SSD-5594 (DPE, 21/09/2015) 	<p>SSD 5594 was approved by the DPE on 21/09/2015. The approval of SSD-5594 allows Springvale Coal to continue underground coal mining operations within the Lithgow Seam at rates up to 4.5 Mtpa until 31 December 2028, with subsequent rehabilitation and closure works.</p>	Compliant

Development Consent DA 11/92

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation								
	<i>the site and perform additional undertakings to the satisfaction of both the Director-General and the Executive Director Mineral Resources. Consequently, this consent will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.</i>		Table A1-1: Coal Production <table border="1"> <thead> <tr> <th></th> <th>2013 (Mt)</th> <th>2014 (Mt)</th> <th>2015 (Mt)</th> </tr> </thead> <tbody> <tr> <td>ROM Coal</td> <td>2,753,678 t</td> <td>3,487,621</td> <td>3,531,844</td> </tr> </tbody> </table>		2013 (Mt)	2014 (Mt)	2015 (Mt)	ROM Coal	2,753,678 t	3,487,621	3,531,844	
	2013 (Mt)	2014 (Mt)	2015 (Mt)									
ROM Coal	2,753,678 t	3,487,621	3,531,844									
S2-3	Environment Protection Authority Prior to the commencement of construction of the processed development the Applicant shall obtain from the Environment Protection Authority ("EPA") all statutory approvals and licences as may be required under the Clean Air Act 1961, the Clean Waters Act 1970, and the Noise Control Act 1975, together with such other approvals or licences as may be required under future legislation or regulations for the conduct of the proposed development. The Applicant shall conduct the development in accordance with the terms of such approvals and licences.		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed								
S2-4	Department of Water Resources a) The Applicant shall contribute data to a regional groundwater resource assessment of the Colliery holding made by the Department of Water Resources. Such assessment shall include proposals for monitoring the condition of the relevant aquifers by the Applicant. b) The Applicant shall consult with the Department of Mineral Resources and monitor the effects of underground mine development, hydrology and hydrogeology of the colliery holding to the satisfaction of the Department of Water Resources.	<ul style="list-style-type: none"> WAL 36383, WAL 36446 and WAL 36443 Annual Compliance Report (CC, 2014), (CC, 2015) and (CC, 2016) 2013 AEMR 2014 AEMR 2015 AR Letter: Endorsement of Consultants for Water Management plan (DPE: CC, 02/11/2015) Draft Western Region Water Management Plan (CC, 03/2016) Draft Springvale Water Management Plan (CC, 03/2016) Letter: Provision of draft Western Region Water Management Plan and draft Springvale Water Management Plan (CC: EPA, 19/02/2016) Letter: Provision of draft Water Management Plans (CC: DRE, 19/02/2016) Letter: Provision of draft Water Management Plans (CC: DPE, 18/03/2016) Letter and attachment: EPA and OEH feedback on draft Water Management Plans (EPA:CC, 04/04/2016) Letter: WaterNSW feedback on draft Water Management Plans (WaterNSW 14/03/2016) 	<p>Water Access Licences have been issued by DPI-Water for entitlement from bores at Bore 8 (WAL 36383), Vent Shaft 3 (WAL 36446) and the Pit Top (WAL 36443). An Annual Compliance assessment has been conducted for the WAL and submitted to DPI-Water. During consultation undertaken with DPI-Water as part of the IEA, no outstanding issues were identified.</p> <p>Springvale Coal prepared a draft Western Region Water Management Plan and draft Springvale Mine Water Management Plan. The draft plans include the proposed management, monitoring and reporting requirements for groundwater. The draft plans were provided to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEH for review. Feedback has been received from the EPA, OEH and WaterNSW identifying information gaps. At the time of preparing the IEA, the draft Water Management Plans have not been finalised.</p> <p>The 2013 and 2014 AEMR and 2015 AR provide high level summaries of subsidence, flora, fauna and groundwater monitoring results and assessment against predictions. These reports are provided to the DRE.</p> <p>Springvale Coal has submitted SMP Applications and variations for LW 411-418. The SMP Application and variations have been approved by the DRE and include measures for the management, monitoring and reporting of subsidence. The inaugural Exploration Activities and Minor Surface Infrastructure Management Plan prepared to meet requirements of SSD-5594 is currently under development prior to approval by the DRE.</p> <p>End of Panel Reports, including results of fauna, flora, groundwater, soil moisture, surface water and swamp monitoring, have been provided to the DRE.</p>	Compliant								
S2-5	National Parks and Wildlife Services a) The Applicant shall undertake an evaluation of the habitat value of the shrub swamps in the colliery holding and the potential effects of subsidence on hydrology and habitat, to the satisfaction of the National Parks and Wildlife Service. b) The Applicant shall undertake further flora surveys over the colliery holding as may be required from time to time in conjunction with the monitoring program. c) The Applicant shall undertake further archaeological investigation of: i. Carne Creek and its clifflines,	<ul style="list-style-type: none"> 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) LW 411-418 Environmental Management Plan (CC, 2015) LW411-418 Environmental Monitoring Program (CC, 06/2015) Temperate Highland Peat Swamps on Sandstone Monitoring and Managements Plan for LW's 415-417 (CC, 2013) Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan (THPSS MMP) for LW 418 (CC, 08/2015) EIS SMEP (CC, 07/04/2014) 	<p>During the periods of the IEA and assessment of environmental performance the following documents were revised to manage and monitor habitat value of the shrub swamps, flora monitoring, fauna monitoring and archaeological studies:</p> <ul style="list-style-type: none"> LW 411- 418 Environmental Management Plan. The plan was updated to manage the impacts of mining longwalls 416 and 418 and addresses the Subsidence Management Plan Longwall 411 to 418 variation approval requirements dated 8 August 2013. The plan has been updated to manage the impacts of mining longwalls 416 and 418. Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan (THPSS MMP) for LW 415-417. THPSS MMP for LW's 415-417 was in accordance with condition 7 of approval 2013/6881 issued to Springvale by the Department of the 	Compliant								

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	ii. Site 2 detailed recording of artefacts, iii. Site 7 excavation, and, provide a report on consultation with the local Aboriginal Land Council on site management. d) The Applicant shall undertake further fauna surveys over the colliery holding prior to longwall mining of areas where sensitive habitats are present, as required by the National Parks and Wildlife Service, in consultation with the Department of Mineral Resources.		<p>Environment (DE) under approval EPBC2011/5949. The THPSS MMP covers Longwall 418 only as this longwall mines directly below the Newnes Plateau which contains examples of Temperate Highland Peat Swamps on Sandstone (THPSS) which are listed as Endangered Ecological Communities (EEC) under the EPBC Act.</p> <ul style="list-style-type: none"> Environmental Monitoring Program, informed by the revised SMP Environmental Management Plan, describing the monitoring of the following features relevant to the SMP Area: <ul style="list-style-type: none"> Newnes Plateau Shrub Swamps; Newnes Plateau Rush – Sedge Snow Gum Hollow Wooded Heath; Flora and fauna; Groundwater; Surface water flows and quality; Mine infrastructure including roads and fire trails, and Rainfall and temperature on the Newnes Plateau. EIS undertakes an assessment of archaeological impacts for the proposed SMEP. <p>Impacts of mining on shrub swamps and potential effects of subsidence on hydrology and habitat have been summarised and reported in the 2013 and 2014 AEMRs and the 2015 AR. The 2013 and 2014 AEMRs reported that <i>“none of the measured subsidence effects have caused any surface cracking or erosion impacts to surface features on the Newnes Plateau including shrub swamps, fire trails and powerlines”</i> and <i>“Subsidence monitoring results for LW415 are within predictions detailed in the EIS”</i>. The 2015 AR identified that subsidence monitoring demonstrates compliance with the performance criteria and condition of SMP Approval (LW 411 – 418) and that results were not considered significantly different from previous years. The DPE provided feedback on the 2015 AR (18/04/2016) advising CC that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016.</p> <p>Future impacts will be monitored and managed in accordance with SSD-5594 (particularly CoA S3-10 Extraction Plan (including Biodiversity Management Plan and Swamp Monitoring Program), CoA S4-18 Biodiversity Management Plan and CoA S4-28 Exploration Activities and Minor Surface Infrastructure Management Plan). The Extraction Plan Biodiversity Management Plan and Swamp Monitoring Program must be prepared in consultation with OEH and the IMP and will be approved by the DRE.</p> <p>End of Panel Reports, including results of fauna, flora, groundwater, soil moisture, surface water and swamp monitoring, have been provided to the DRE.</p>	
S2-6	Construction Stage a) The Applicant shall not carry out construction activities on proclaimed public holidays. b) The Applicant shall limit construction stage disturbance to the minimum area and install temporary fences, as required by the Council. c) The Applicant shall implement dust suppression and erosion control measures to the satisfaction of the Greater Lithgow City Council (“the Council”).		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S2-7	Coal Transportation a) The Applicant shall transport all coal to Mt Piper Power Station by overland conveyor after 1 January 1994; b) The Applicant may transport up to 50,000 tpa of coal to local domestic market customers by road haulage; c) Notwithstanding a) and b), the Applicant may haul 300,000 tonnes of pre-contract coal to Mt Piper Power Station via public roads. Such haulage may be made between 7am and 7pm, Monday to Friday, for period ending 31 December, 1993; d) The Applicant shall not transport coal by road under emergency conditions without the prior consent of the Council; e) The Applicant shall transport all export coal by rail from Lidsdale Siding	a) Compliance Database b) Quarterly Coal Transport Records (CC, 12/2015)	a) Coal has been transported to the Mt Piper Power Station by overland conveyor. b) Since SSD-5594 was granted in September 2015, quarterly coal transportation records are provided. Less than 50,000 tpa of coal has been transported to the local domestic market customers by road haulage; c) This condition was assessed as outside the periods of the IEA and assessment of environmental performance; d) Coal was not transported by road under emergency conditions; e) Coal was transported by rail from Lidsdale Siding The Compliance Database includes an action for the Commercial Manager to track quantities of coal transported by road on 30/06 and 04/11 each year. Records reviewed identified that movement of sediment from the 'silt bag' located at LDP 009 were included within road transportation records.	Compliant
S2-8	Overland Conveyor a) The portion of the conveyor along Duncan Street opposite the existing residences shall be constructed partly below ground level in a fully enclosed steel tube. The remainder of the conveyor shall be constructed at ground level or elevated to suit various crossing requirements for waterways and rail; b) The Applicant shall submit designs and specifications for the conveyor crossing of the Mudgee Road to the Roads and Traffic Authority for its approval; c) The Applicant shall provide to the Council details of the landscaping treatment of the overland conveyor; d) The Applicant shall provide to the Department of Conservation and Land Management in relation to the construction and maintenance of the conveyor details of measures to minimise soil erosion and sedimentation effects, for its advice; e) The Applicant shall consult with all affected landowners regarding the location and provision of stock and vehicular crossings over the overland conveyor. The Applicant shall provide such works at his own cost.		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed
S2-9	Roads a) The Applicant shall construct the intersection with the Mudgee Road and pit-top access road to the satisfaction of the Roads and Traffic Authority; b) The access road shall be sealed to a two lane standard prior to 1 January 1994; c) The Applicant shall construct the intersection and access road from the Mudgee Road to the Coal Washery site in accordance with the RTA Interim Design Guide Type 'A'; d) The Applicant shall seal the coal washery access road for a distance of at least 20m beyond the nearest affected residence; e) The remaining section of the coal washery access road shall be constructed to the standard of an all-weather gravel road, to the Council's requirements; f) The Applicant shall submit detailed plans and specifications for road works to the Council for approval prior to the commencement of works		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S2-10	<p>Coal Washery Reject Disposal</p> <p>a) The Applicant shall meet the requirements of the Department of Mineral Resources and provide to the Council the results of a geotechnical investigation and an engineering specification for each emplacement area;</p> <p>b) The Applicant shall within six months of this consent investigate the possibility of combining all rejects in one emplacement and report to the Department of Mineral Resources and to advise the Council.</p>		<p>Springvale Coal reported that only ROM coal is stored on site i.e. there is no reject coal stored on site, consequently this condition was assessed as 'Not triggered'.</p>	Not triggered
S2-11	<p>Mining Subsidence</p> <p>The Applicant shall meet the requirements of the Department of Mineral Resources and adopt such reasonable practices and techniques as will minimise disturbance to any surface features within the identified protection zones.</p>	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) 	<p>Refer to Appendix D SMP Approval LW 411- 418 and SSD-5594 CoA S3-1 to S3-11.</p> <p>The 2013 and 2014 AEMRs reported that "<i>none of the measured subsidence effects have caused any surface cracking or erosion impacts to surface features on the Newnes Plateau including shrub swamps, fire trails and powerlines</i>" and "<i>Subsidence monitoring results for LW415 are within predictions detailed in the EIS</i>". The 2015 AR identified that subsidence monitoring demonstrates compliance with the performance criteria and condition of SMP Approval (LW 411 – 418) and that results were not considered significantly different from previous years. The DPE provided feedback on the 2015 AR (18/04/2016) advising CC that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016.</p> <p>MCW Environmental discussed the scope of the IEA with the DRE during the IEA and the DRE advised that, during the period of the IEA, the DRE had undertaken an inspection of the Newnes Plateau swamp area, an audit of mining leases and review of technical reports as provided by the site (e.g. Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan Action Plan, four-monthly Subsidence Management Status Reports and an End of Panel Report). The DRE advised that technical reports provided by Springvale Coal were comprehensive and responses to triggered investigations were being progressed in consultation with other relevant agencies.</p> <p>Based on the assessment of compliance against the DA 11/92, SMP Approval LW 411 -418 (Appendix D) and Mining Leases (Appendix C), MCW Environmental has assessed that Springvale Coal has generally met the requirements of the DRE. As many of the plans, strategies and monitoring programs that are being prepared to meet SSD-5594 were in draft and/or only recently implemented, and as the 2015 AR was under review at the time of the IEA, this condition was assessed as 'not verified'.</p>	Not verified (pending review of the revised 2015 AR and comparison of monitoring results against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS or the identification of trends and gaps for at least three years).
S2-12	<p>Water Management</p> <p>The Applicant shall submit to the EPA, prior to commencement of construction a water management plan for each site of the development showing all proposed drainage diversion channels, collection pits and sedimentation dams to be constructed. Such plan shall incorporate the principles of Total Catchment Management</p>		<p>This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.</p>	Not assessed
S2-13	<p>Effluent Disposal</p> <p>a) The Applicant shall provide to the EPA upon its request</p>	<ul style="list-style-type: none"> • Draft Springvale Mine Water Management Plan (CC, 03/2016) • EPL 3607 	<p>Springvale Pit Top</p> <p>Dirty surface water from the coal stockpile and facilities laydown pad is directed</p>	<p>Compliant</p> <p>DA 11/92 CoA S2-13 OFI: If</p>

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>details of the design and capacity of the method of effluent treatment and disposal including data on quality of effluent for disposal;</p> <p>b) The Applicant shall obtain the approval of the EPA, the Council and the Department of Health for the effluent disposal method selected for both pit top and coal washery.</p>	<ul style="list-style-type: none"> 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) 	<p>to the Primary Pond which discharges to the Secondary Pond.</p> <p>Wastewater from the machinery wash-down bay, hardstand areas, oil storage areas, and workshop is collected in a common wastewater collection drain, which gravity feeds to a grit trap and oil/water separator unit. Water from the oil/water separator is transferred to the Secondary Pond.</p> <p>Discharge from the secondary pond is primarily pumped underground into the Renown workings and to avoid overflow, water from the secondary pond is discharged to Springvale Creek via EPL 3607 LDP 001. EPL 3607 includes monitoring requirements and operating conditions for LDP 001.</p> <p>Grey water and sewage from the administration and bathhouse buildings is directed to the on-site sewage effluent ponds and is spray irrigated to a designated utilisation area via EPL 3607 LDP 002. EPL 3607 includes operating conditions for effluent application to land such as:</p> <ul style="list-style-type: none"> No surface runoff; No spray drift beyond the boundary of the site; and No livestock access to irrigated areas; The quantity of effluent applied to the utilisation area must not exceed the capacity of the area. <p>There were no reported requests from the EPA to provide details of grey water and sewage effluent treatment and disposal. However, there was no evidence provided that an assessment of the capacity of the utilisation area had been undertaken. At the time of the IEA site inspection, Springvale Coal were in the process of commissioning a project to divert wastewater from the irrigated utilisation area to the Lithgow sewage system.</p>	<p>water from the on-site sewage effluent treatment ponds continues to be applied to the utilisation area, assess irrigation practices for the effluent irrigation area against the EPA guidelines 'Use of Effluent for Irrigation' and implement corrective actions as required.</p>
S2-14	<p>Potable Water</p> <p>The Applicant shall provide a supply of potable water to the pit top site and washery site, at its own expense, to the satisfaction of Council</p>	<ul style="list-style-type: none"> Springvale MOP November 2009 – November 2016 (CC, 2010) 	<p>Portable water is supplied to the site from the LCC potable water mains supply. The water is supplied via pipeline from the Lithgow Council reticulated supply and is metered for usage.</p>	Compliant
S2-15	No condition			
S2-16	<p>Flooding</p> <p>a) The Applicant shall obtain the consent of the Department of Conservation and Land Management prior to the destruction of any trees (including sapling, shrubs or scrub) along the bank or within 20m of the bank of the Coxs River;</p> <p>b) The Applicant shall undertake an appraisal of the impact of the overland conveyor on the incidence and severity of flooding in the vicinity of Duncan Street, Lidsdale. The results of such an assessment are to be submitted to the Council and the Department of Water Resources, prior to the commencement of construction or such other period as the Council may determine.</p>		<p>a) Springvale Coal reported that this condition was applicable to construction activities related to Western Coal Services and that consent was not required from the OEH (previously Conservation and Land Management) as Springvale Mine construction activities were not proposed to result in destruction of any trees (including saplings, shrubs or scrub along the banks of the Coxs River during the periods of both the IEA and the assessment of environmental performance.</p> <p>b) This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.</p>	<p>a) Not triggered</p> <p>b) Not assessed</p>
S2-17	<p>Landscaping</p> <p>The Applicant shall submit for the Council's approval at least six months prior to commencement of construction or within such further period as the Council may permit:</p> <p>a) A detailed landscaping plan illustrating the establishment of trees and shrubs both prior to and during the construction stage, showing existing stands of vegetation and the location of plantings around the surface facilities and the rejects emplacement area;</p> <p>This plan shall incorporate appropriate erosion control and sedimentation control practices for any earthworks associated with</p>		<p>This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.</p>	Not assessed

Development Consent DA 11/92

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>the development;</p> <p>b) Proposals for the visual appearance of the structural components of the development including paint colours and specifications. Buildings and structures shall be designed so as to present a neat and orderly appearance and to blend as far as possible within the surrounding landscape;</p> <p>c) A comprehensive plan of landscape management, which shall include detailed plans, programs to be undertaken, maintenance of all landscape works and plantings and maintenance of building materials and cladding.</p>			
S2-18	<p>Parking Facilities</p> <p>The Applicant shall meet the requirements of the Council to ensure the adequate provision of unloading, loading, manoeuvring and parking of vehicles within the development.</p>	<ul style="list-style-type: none"> Environment and Community Complaint database 	<p>The Environment and Community Complaint database did not include records of complaints from LCC regarding adequacy of unloading, loading, manoeuvring and parking.</p> <p>Consultation with LCC undertaken during the IEA by MCW Environmental identified that there were no outstanding issues relating to environmental performance.</p>	Compliant
S2-19	<p>Site Rehabilitation</p> <p>a) The Applicant shall prepare, within six months of this consent, a comprehensive plan for the staged rehabilitation of all lands disturbed by the development within the colliery holding and the coal washery and reject emplacement. The plan shall be submitted to the Council for its information and to the Department of Mineral Resources for its approval. The plan shall specify contour earthworks, tree screen plantings, grassed areas, means to control leachate from reject emplacements, soil erosion controls, final contours and proposals for maintenance of rehabilitation areas and management of waste disposal, including long term drainage both during and after the cessation of disposal operations, until such time as considered necessary by the Department of Mineral Resources.</p> <p>b) The Applicant shall consult and comply with the requirements of the Department of Conservation and Land Management in respect of the preparation and implementation of rehabilitation plans, revegetation programs, soil erosion controls and associated works.</p> <p>c) The Applicant shall consult with NSW Agriculture and the Department of Conservation and Land Management concerning selection of appropriate vegetation species, seedling establishment techniques, soil testing and fertilizer selection and application.</p>	<ul style="list-style-type: none"> November 2009 – November 2016 MOP (CC, 2010) Letter: Approval of 2009 MOP (DRE:CC, 24/05/2010) Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>a) This condition was assessed as outside the periods of the IEA and assessment of environmental performance.</p> <p>b) The OEH (previously Department of Conservation and Land Management)'s requirements for preparation and implementation of rehabilitation plans, revegetation programs, soil erosion controls and associated works have been addressed by Springvale Coal within the MOPs (CC, 2016 and CC, 2010), FCNSW Occupation Permits and <i>Springvale Mine Extension Project Decommissioning and Rehabilitation Strategy (SLR 2014)</i>. The documents have been prepared in accordance with ESG3: Mining Operations Plan Guidelines (DRE, 09/2013) and approved by the DRE.</p> <p>c) The OEH requirements for selection of appropriate vegetation species, seedling establishment techniques, soil testing and fertilizer selection and application are addressed by Springvale Coal within the MOP (CC, 2016 and CC, 2010), FCNSW Occupation Permit and Springvale Mine Extension Project Decommissioning and Rehabilitation Strategy (SLR 2014). The documents have been provided to the OEH. The 2015-20122 MOP has been prepared in accordance with ESG3: Mining Operations Plan Guidelines (DRE, 09/2013). In addition, FCNSW undertake inspections of rehabilitation following activities undertaken by Springvale Coal within the Newnes State Forest (e.g. exploration). During consultation undertaken as part of this IEA, FCNSW reported that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016). FCNSW advised that there were no outstanding responses to requests for information.</p> <p>Refer to Appendix A Table A1 SSD-5594 CoA S4 – 30 to 32 for additional information on rehabilitation.</p>	Compliant
S2 – 19A	<p>Bore 8 – Erosion and Sediment Control Plan</p> <p>The Applicant shall prepare and implement an Erosion and Sediment Control Plan for Bore 8 to the satisfaction of the Director-General. This Plan must:</p> <p>a) be prepared by a suitably qualified and experienced person/s;</p> <p>b) be approved by the Director-General prior to the commencement of vegetation clearance or ground disturbance activities caused by construction of Bore 8 or the associated widening of access tracks;</p>	<ul style="list-style-type: none"> Bore 8 Erosion and Sediment Control Plan (CC, 03/2013) Letter: Approval of Bore 8 Dewatering Facility Erosion and Sediment Control Plan (DPE:CC, 15/03/2013) 	<p>a) Although no evidence was provided that Bore 8 Erosion and Sediment Control Plan was prepared by a suitably qualified and experienced person, the Bore 8 Erosion and Sediment Control Plan was approved by the DPE.</p> <p>b) The Bore 8 Erosion and Sediment Control Plan was approved by the DPE.</p> <p>c) The Bore 8 Erosion and Sediment Control Plan identifies the potential for erosion and sedimentation from soil types, rainfall intensity and the slope gradient (Section 2).</p> <p>d) The Bore 8 Erosion and Sediment Control Plan describes measures to minimise soil erosion and the potential transport of sediment off-site (Section 3)</p>	<p>Compliant</p> <p>Refer to SSD-5594 CoA S4-12 which includes a recommendation to address the shallow surface water channels and maintenance of sediment and erosion controls at the Borehole 8 compound.</p>

Development Consent DA 11/92

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>c) identify activities that could cause soil erosion and generate sediment;</p> <p>d) describe measures to minimise soil erosion and the potential transport of sediment off- site;</p> <p>e) describe the location, function and capacity of erosion and sediment control structures; and</p> <p>f) describe what measures would be implemented to maintain these structures over time.</p>		<p>e) The Bore 8 Erosion and Sediment Control Plan describes the location and function of erosion and sediment control structures (Section 3). The capacity of the control measures is not identified.</p> <p>f) Although the Bore 8 Erosion and Sediment Control Plan documents the inspection requirements, the plan does not describe what measures would be implemented to maintain control structures over time.</p> <p>During the site inspection on 27/06/2016, MCW Environmental observed the following evidence of the implementation of the Bore 8 Erosion and Sediment Control Plan:</p> <ul style="list-style-type: none"> • Surplus construction plant and waste had been removed from the compound. • Topsoil and forest litter material had been removed from the compound area and windrowed to form a (diversion) bank along the side of the site. There was a single, straight, downslope length (> 30 m) of sediment fence adjacent to this bank and a high sediment load on the sediment fence at the bottom of the slope (Refer Photo 11). • The compound area was covered with ballast. • Sediment fences were present. • Shallow surface water channels in the compound surface were present from Borehole 8 to the downslope fence. • The footprint of the original compound area had been reduced with the compound fence moved to surround the surface infrastructure. • Progressive rehabilitation at the compound site was evident with contouring of the land and forest litter material and logs had been spread over the rehabilitated area. <p>During the site inspection on 27/06/2016 MCW Environmental observed that the design of the sediment fence adjacent to the windrow on the Bore 8 compound site generated a high, downslope sediment load and there was a high sediment load behind some sediment fences at the Bore 8 compound. As DA 11/92 CoA 19A will be superseded by SSD 5594 CoA S4-12 in September 2016, and as SSD-5594 CoA S4-12 includes a water performance measure for the design, installation and maintenance of erosion and sediment controls to be generally in accordance with Managing Urban Stormwater: Soils and Construction Plan; a recommendation for the design and maintenance of sediment and erosion measures at the Borehole 8 dewatering facility is included within Appendix A Table A1 SSD 5594 CoA S4-12.</p>	
<p>S2 – 19B</p>	<p>Bore 8 – Rehabilitation</p> <p>The Applicant shall prepare and implement a Rehabilitation Management Plan to rehabilitate areas of disturbance caused by construction of Bore 8 or the associated widening of access tracks to the satisfaction of Division of Resources and Energy. This Plan must:</p> <p>a) be prepared in consultation with the Department, Office of Environment and Heritage (OEH) and Forests NSW;</p> <p>b) be submitted to the Director-General Mineral Resources for approval, prior to 1 August 2013;</p> <p>c) describe how the performance of the rehabilitation would be monitored and assessed;</p> <p>d) describe measures for soil erosion and sediment control;</p> <p>e) provide for progressive rehabilitation of temporarily disturbed areas and final rehabilitation following decommissioning of the Bore 8 facilities; and</p> <p>f) include a timetable for the implementation of the components</p>	<ul style="list-style-type: none"> • Rehabilitation Plan Bore 8 Dewatering Facility (RPS, 03/2013) • Letter: Approved Bore 8 Dewatering Facility Rehabilitation Plan (DRE:CC, 20/08/2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) • Bore 8 Erosion and Sediment Control Plan (CC, 03/2013) 	<p>a) Although no evidence was provided that the Bore 8 Dewatering Facility Rehabilitation Management Plan was developed in consultation with OEH and FCNSW, an Occupation Permit was granted by FCNSW and the Plan was approved by the DRE.</p> <p>b) The Bore 8 Dewatering Facility Rehabilitation Management Plan was received by the DRE in April 2013. The DRE approved the plan on 20/08/2014. As the plan was submitted to the DRE prior to 1 August, this condition has been assessed as compliant.</p> <p>c) The Bore 8 Dewatering Facility Rehabilitation Management Plan describes monitoring requirements and includes that, as rehabilitation is considered to be progressing, annual monitoring for the assessment of successful revegetation is required (Section 4.1). The 2014 AEMR references a July 2014 rehabilitation survey and reports that a high diversity of plant species have emerged a relatively short time after completion of construction.</p> <p>d) The Bore 8 Dewatering Facility Rehabilitation Management Plan identifies erosion control measures for the pipeline corridor and references Bore 8 Erosion and Sediment Control Plan for details of control measures. The 2014 AEMR reports that the services corridor for the Bore 8 dewatering facility and drill sites disturbed during 2013 were rehabilitated to allow natural regeneration to occur and that flora surveys were conducted along the Bore 8 pipeline during</p>	<p>Compliant during the period of the IEA.</p> <p>Non-compliant during the period of assessment of environmental performance.</p> <p>Refer to Appendix A SSD-5594 CoA S4 – 32 OFI.</p>

Development Consent DA 11/92

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>of the Plan.</p>		<p>2014.</p> <p>e) The Bore 8 Dewatering Facility Rehabilitation Management Plan includes progressive rehabilitation of disturbed areas and final rehabilitation following decommissioning of the Bore 8 facilities (Sections 1, 2.2 and 3.1).</p> <p>f) The Bore 8 Dewatering Facility Rehabilitation Management Plan includes a timetable for the implementation of the control measures identified in the Plan (Sections 2.2 and 5).</p> <p>During the site inspection on 27 June 2016, MCW environmental observed the following evidence of the implementation of the Bore 8 Dewatering Facility Rehabilitation Management Plan:</p> <ul style="list-style-type: none"> No significant weed infestations within the rehabilitated areas at the Bore 8 compound and the pipeline corridor areas visited. The footprint of the original compound area had been reduced with the compound fence moved to surround the surface infrastructure (with the exception of one container). Progressive rehabilitation at the compound site was evident with contouring and forest litter material and logs spread over the rehabilitated area. <p>The DRE conducted a site inspection on 22 July 2014 and identified that rehabilitation of the external perimeter of the Bore 8 compound had not been completed within the schedule described in Table 2 of the Rehabilitation Plan i.e. within three months of project commencement. As DA 11/92 CoA 19B requires that the Bore 8 Dewatering Facility Management Plan is prepared and implemented, the delayed rehabilitation issue has been assessed under the period of assessment of environmental performance as non-compliant.</p> <p>As DA 11/92 CoA 19B will be superseded by SSD 5594 CoA S4-32 in September 2016, and as SSD-5594 CoA S4-32 includes development of a rehabilitation management plan and monitoring the effectiveness of rehabilitation performance measures; and as there was evidence of progressive rehabilitation at the Bore 8 compound during the site inspection, an OFI focussed on updating the Compliance Database with the rehabilitation commitments made in the MOP has been included in Appendix A Table A1 SSD-5594 CoA S4 – 32.</p>	
<p>S2 – 19C</p>	<p><i>Persoonia hindii</i> Management and Research Program</p> <p>The Applicant shall prepare and implement a <i>Persoonia hindii</i> Management and Research Program. This Program must:</p> <p>a) be prepared in consultation with OEH and Forests NSW by suitably qualified and experienced persons whose appointment has been approved by the Director-General;</p> <p>b) be submitted for approval to the Director-General prior to the commencement of construction activities for Bore 8 or widening of the access tracks to Bore 8 that involve clearing of <i>Persoonia hindii</i> stems (ramets);</p> <p>c) include a timetable to undertake surveys and mapping of <i>Persoonia hindii</i> to establish its distribution and population across the Newnes Plateau;</p> <p>d) include measures for the translocation of all stems (ramets) of <i>Persoonia Hindii</i> found in the area of disturbance associated with the widening of access tracks for Bore 8, to nearby areas with similar physical and biological habitat features;</p> <p>e) include trials to assess whether such translocated <i>Persoonia hindii</i> stems can be successfully returned to their original locations as a component of the rehabilitation of these areas;</p> <p>f) include a study of the rhizomatous habit of <i>Persoonia hindii</i> and</p>	<ul style="list-style-type: none"> <i>Persoonia hindii</i>: Species, Distribution and Security on the Newnes Plateau (Centre for Mined Land Rehabilitation [The University of Queensland],05/2013) Letter: Approval <i>Persoonia hindii</i> Management and Research Program (DPE:CC, 16/05/2013) Letter: Approval of discontinuation of <i>Persoonia Hindii</i> Research Program (DPE:CC, 16/11/2015) Letter: Cessation of <i>Persoonia Hindii</i> Research Program (CC: DPE, 2015) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 	<p>The <i>Persoonia hindii</i> Management and Research Program was prepared to meet DA 11/92 CoA 19C and approved by the DPE in 2013. Springvale Coal sought approval from the DPE to discontinue the research in October 2015 and, as the impacts of mining on <i>Persoonia Hindii</i> will be monitored and managed under SSD-5594 (particularly the Biodiversity Management Plan and Exploration Activities and Minor Surface Infrastructure Management Plan), the DPE approved the discontinuation of the research program.</p>	<p>Compliant</p>

Development Consent DA 11/92

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>how this may affect the success of the species in translocation and/or re-colonising disturbed areas;</p> <p>g) include a monitoring program to study the <i>Persoonia hindii</i> stems before and after translocation;</p> <p>h) include a monitoring program to measure the ability of the residual <i>Persoonia hindii</i> population along the disturbed areas of the Bore 8 access track and construction site to regenerate;</p> <p>i) include short and long-term goals to measure the effectiveness of the Program; and</p> <p>j) provide for the transfer of information obtained as a result of implementing the Program to OEH, Forests NSW and the Department</p>			
S2 – 19D	<p>Bore 8 Vegetation Offsets</p> <p>By the end of December 2016, the Applicant shall do the following to the satisfaction of the Director-General:</p> <p>(a) provide an area that is suitable in its vegetation types and extent to satisfactorily offset the residual impacts of clearing 4 ha of native vegetation associated with the construction and use of Bore 8, including the residual impacts on <i>Persoonia hindii</i>; and</p> <p>(b) make suitable arrangements to manage, protect and provide long-term security for this area.</p> <p>In determining a suitable residual offset, the Director-General will have regard to the outcomes of the <i>Persoonia hindii</i> Management and Research Program, particularly the success of translocation and/or regeneration, and the Applicant's success in implementing the Rehabilitation Management Plan.</p>		As the requirement for Bore 8 Vegetation Offsets has not been triggered and the Offset requirements will be monitored and managed under SSD-5594 CoA S4-15 Biodiversity Offset Strategy, this condition was assessed as Not triggered.	Not triggered
S2 – 20	<p>Lidsdale Road Siding</p> <p>The Applicant shall undertake a noise impact assessment of the Lidsdale rail siding, according to the requirements of the EPA and implement necessary measures for attenuation of noise.</p>		<p>Compliance with this condition is the responsibility of Ivanhoe Coal Pty Ltd, the operator of Lidsdale Siding, a wholly owned subsidiary of Centennial Coal. This condition has been superseded by Project Approval 08-0223 for the upgrade to Lidsdale Siding and noise emissions from the Lidsdale rail siding are managed by the following:</p> <ul style="list-style-type: none"> Environment Protection Licence 5129 PA 08_0223, Schedule 3 – Conditions 2, 3, 4, 5, 6, 7 Lidsdale Siding Noise Management Plan (SLR, 12 November 2013) 	Not triggered
S2 – 21	<p>Fire Protection</p> <p>The Applicant shall:</p> <p>a) consult and comply with the reasonable requirements of the Council concerning means to prevent and fight bushfires, including the provision of adequate fire tracks within the colliery holding and the provision of appropriate firefighting facilities and staff;</p> <p>b) formulate a program of hazard reduction measures and a detailed contingency plan for coping with bushfires each year, in liaison with the Forestry Commission, the Department of Bush Fire Services, the National Parks and Wildlife Service and the Council.</p>	<ul style="list-style-type: none"> 2013 AEMR (CC, 2014) Bushfire Management Plan (CC, 2013) 	<p>Current bushfire controls include the Water Transfer Scheme (up to 30 ML/day) and installation of fire hydrant points along the length of the Water Transfer Scheme pipeline.</p> <p>A Bushfire Management Plan was prepared in 2013 referencing:</p> <ul style="list-style-type: none"> SV-EV-RA-2 Bush Fire Assessment SVMS-002-WP-008 Fire Control Procedures SV-MS-002 Emergency Management System SVMS-002-WP-008 Fire Control Procedure <p>This condition has been superseded by SSD-5594. Refer to Appendix A Table A1 SSD-5594 CoA 36 Bushfire Management.</p>	Compliant
S2 – 22	<p>Environmental Monitoring</p> <p>The applicant shall ensure that the following requirements are met to the satisfaction of the EPA, the Department of Water Resources,</p>	<ul style="list-style-type: none"> Springvale MOP November 2009 – November 2016 (CC, 2010) Final November 2015 – October 2022 MOP (CC, 03/2016) Monthly Environmental Monitoring Reports (CC, 04/2016), 	<p>The Springvale Coal EPL 3607 includes conditions for the management, monitoring and reporting of air quality, noise levels and surface water quality.</p> <p>Monitoring results for air, noise and water monitoring triggered by EPL 3607 are</p>	Compliant

Development Consent DA 11/92

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Department of Mineral Resources, and the Director of Planning ("the Director"):</p> <ul style="list-style-type: none"> a) Monitoring of air quality (particulate dust and dust concentration), water quality (effluent discharged off-site), noise levels (night-time noise emissions at nearest residences), at points to be selected at the mine site and at the coal washery site and agreed upon by the Applicant and the EPA b) Monitoring of water quality and reporting to the reasonable requirements of the EPA, and the Department of Water Resources; c) Monitoring of subsidence induced by longwall mining to the requirements of the Department of Mineral Resources and including monitoring of flora of drainage sensitive ecosystems and hydrology. 	<p>(CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015)</p> <ul style="list-style-type: none"> • EPL 3607 • 2013 Annual Return (CC, 2014) • 2014 Annual Return (CC, 2015) • 2015 Annual Return (CC, 2016) • End of Panel Report LW 416 (CC, 12/2014) 	<p>provided in monthly environmental reports which are available on the Centennial Coal website.</p> <p>Springvale Coal has submitted Annual Returns to the EPA for 2013, 2014 and 2015 which include the results of monitoring that has been undertaken and non-compliances with EPL 3607 conditions (Refer Appendix B of this IEA).</p> <p>The 2013 and 2014 AEMR and 2015 AR includes air quality, water quality and noise monitoring results and assessment against EPL 3607 criteria.</p> <p>Springvale Coal has submitted SMP Applications and variations for LW 411-418. The SMP Application and variations have been approved and include measures for the management, monitoring and reporting of subsidence.</p> <p>End of Panel Reports, including results of fauna, flora, groundwater, soil moisture, surface water and swamp monitoring, have been provided to the DRE.</p>	
S2 – 22A	<p>Noise Management Plan</p> <p>The Applicant shall prepare and implement a Noise Management Plan for the development to the satisfaction of the Director-General. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with the EPA, and submitted to the Director-General for approval by 28 February 2014, unless otherwise agreed by the Director-General; (b) describe the proposed noise management system in detail; (c) include a monitoring program that uses quarterly attended monitoring to evaluate the acoustic performance of the development; and (d) include a program of noise mitigation actions and/or works to reduce noise emissions from the Springvale Pit Top facilities that includes: <ul style="list-style-type: none"> • installation of improved mufflers and reversing alarm on the stockpile dozer; • use of flashing reversing warning signals for use during the night for the stockpile dozer; • restriction of the stockpile dozer to the use of second gear while reversing; • improved inspection conveyor idlers, and consequent prompt replacement of defective idlers identified by these inspections; • installation, prior to the end of December 2014, of effective noise attenuation measures for the Run of Mine conveyor drive building, <p>to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> • Springvale Noise Management Plan (CC, 2014) • Letter: Noise Management Plan-approval (DPE:CC, 13/05/2014) • Letter: Noise Management Plan – no comment (EPA:CC, 26/02/2014) • Letter: Preparation of Regional Management Plans – approval (DPE:CC, 19/11/2015) • Letter: Noise Management Plan – approval of extension of time to submit (DPE:CC, 02/11/2015) • Western Region Noise Management Plan (CC, 07/2016) • Letter: Approval of Western Region Noise Management Plan (DPE:CC, 22/07/2016) • EPL 3607 • Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013), (CC, 07/2013) • 2013 Annual Return (EPA, 2014) • 2014 AEMR (CC, 2015) • Letter: Notification and Report Noise Exceedance (CC; Landowner, 13/04/2016) • Letter: Notification and Report Noise Exceedance (CC; DPE, 12/04/2016) • Letter: Report Noise Exceedance Corrective Actions (CC: DPE, 31/05/2016) 	<p>DA 11/92 was modified in December 2013 to include DA 11/92 CoA 22A. In 2014, Springvale Coal prepared and implemented a Noise Management Plan (NMP) that was approved by the DPE. In 2015, Springvale Coal requested approval for a regional approach to noise management plans, which was approved by the DPE in November 2015. A draft Western Region NMP was provided to the DPE in February 2016 and the final plan was approved in July 2016.</p> <p>(a) Springvale Coal provided a draft of the 2014 NMP to the EPA for comment. The EPA advised that the EPA would not review the plan.</p> <p>(b) The proposed noise management system is described in the 2014 NMP (Sections 6 and 7) and the 2016 NMP (Sections 3, 4 and Appendix E).</p> <p>(c) The 2014 NMP and 2016 NMP require quarterly attended noise monitoring. Monthly environmental monitoring reports (Centennial Coal website) were reviewed for the period September 2013 to June 2016. The 2014 AEMR and 2015 AR report quarterly monitoring results against noise goals established for the Environmental Assessment (refer Section 75W Modification to Development Consent DA 11/92 dated October 2013) and SSD-5594 CoA S4-1 respectively. Quarterly noise monitoring results were sighted in the April 2016 Springvale Environmental Monitoring Report which is available on the Centennial Coal website. The June 2016 Springvale Environmental Monitoring Report states "Noise monitoring is undertaken quarterly and was completed in June 2016. Results to be provided in July Monitoring Report".</p> <p>(d) The July 2013 Environmental Monitoring Report and the 2013 Annual Return identifies one noise complaint from a nearby resident on 17 July 2013; due to a constant beeping noise coming from a dozer working on the ROM stockpile. The complaint was investigated, and the source of the noise identified as the dozer beeper which was set to the highest setting. The alarm beeper was turned down to its lowest setting. The 2014 AEMR reports that the following noise mitigation works were undertaken during 2014:</p> <ul style="list-style-type: none"> • Installation of noise attenuating mufflers on the stockpile dozer. • Installation of "quacker" reverse alarms on the stockpile dozer during the daytime and use of a flashing light warning signal during the night-time to replace the existing reverse beeper. • Restricted (gear box limited) the stockpile dozer to second gear (low speed) while reversing to reduce track slap. • Regular (weekly) inspection of conveyor idlers and prompt replacement of damaged or highly worn idlers during maintenance. • Cladding on the southern wall of the ROM conveyor drive building was installed. 	Compliant
S2-23	<p>The Applicant shall bear the costs associated with the establishment and operation of all monitoring programs referred to</p>		<p>Springvale Mine reported that costs associated with the establishment and operation of monitoring programs referred to DA 11/92, the analysis of data,</p>	Compliant

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	in these conditions, the analysis of data, recording results, and providing information required to all relevant agencies.		recording results, and provision of information to relevant agencies had been paid for by Springvale Mine. Issues relating to costs of monitoring were not raised by regulatory agencies during consultation undertaken by MCW Environmental for the IEA.	
S2-24	<p>Annual Report</p> <p>a) Within six (6) months of the commencement of the construction of the proposed development, the Applicant shall ascertain the requirements of the Director in relation to an annual report to be submitted to the Director, the EPA, the Council and the Department of Mineral Resources in respect of the performance of the development. Each report shall be in respect of the calendar year ending 31st December and each report shall be submitted by 31st March of the following year. The first report is to be submitted in 1995. The Applicant shall agree to the Council making the reports publicly available.</p> <p>b) The annual report shall provide the following information:</p> <p>i. the performance of the development in relation to the EIS, the statutory requirements of public authorities, in particular the EPA, and in relation to the conditions of development consent;</p> <p>ii. the implementation and effectiveness of the environmental controls and conditions relating to the development;</p> <p>iii. results of environmental monitoring in respects of air, water and noise pollution, groundwater variations in the colliery holding, how these results compare with the predictions in the EIS and whether the results indicate compliance with the conditions of consent and information related to discharges of water (other than uncontaminated stormwater) from the mine site;</p> <p>iv. mining operations undertaken during the preceding 12 months;</p> <p>v. workforce characteristics of the development;</p> <p>vi. modifications to mining operations, if any, to mitigate any adverse environmental impacts;</p> <p>vii. socio-economic impact of the development other than covered in (v) above;</p> <p>viii. results of subsidence monitoring and subsidence impacts upon the natural environment, and measures implemented to rectify any damage caused.</p>	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • Letters: Provision of 2013 AEMR to DPE, LCC, FCNSW, DPI-Water, EPA, DRE, SCA (CC, 04/03/2014) • Letter: 2013 AEMR acceptance (DPE: CC, 14/05/2014) • 2014 AEMR (CC, 2015) • Letters: Provision of 2014 AEMR to DPE, LCC, FCNSW, DPI-Water, EPA, DRE (CC, 26/02/2015) • Letter: 2014 AEMR acceptance with recommended improvements (DPE: CC, 05/11/ 2015) • 2015 AR (CC, 2016) • Letters: Provision of 2015 AR to DPE, LCC, FCNSW, DPI-Water, EPA, DRE, SCA (CC, 24/03/2016) 	<p>a) During the periods of the IEA and assessment of environmental performance, Springvale Coal has prepared Annual Environmental Management Reports (AEMR) for 2013 (CC, 2014) and 2014 (CC, 2015) and an Annual Review (AR) for 2015 (CC, 2016). These reports were accepted by the DRE.</p> <p>b) The 2013 AEMR, 2014 AEMR and 2015 AR included:</p> <ul style="list-style-type: none"> • EPL 3607 LDP monitoring results assessed against limits in graphical format. • The 2013 AEMR and 2014 AEMR state that non-compliances with EPL 3607 are reported to the EPA in the Annual Return, and the 2015 AR includes a summary of EPL 3607 non-compliances. • Assessment of air, water and noise pollution, groundwater monitoring results against EIS (1992) predictions and includes recommendations (e.g. dust control measures in the 2013 and 2014 AEMR). • Description of mining operations undertaken during the preceding 12 months. • DA 11/92 Mod 4 was approved allowing for an increase in workforce to 310 full time employees. Manning levels were not reported in 2013 AEMR and 2014 AEMR. The 2015 AR reported that employment exceeds a full time workforce of 310 due to increased production as a result of Angus Place Mine being on care and maintenance. A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 fte personnel, including contractors, to 450 fte personnel. • High level summaries of subsidence, flora, fauna and groundwater monitoring results and assessment against predictions. <p>Following submission of the 2013 AEMR in March 2014, the DRE requested additional hydrocarbon (Phase 2) studies, re-format of waste production and waste summaries and inclusion of maintenance activities.</p> <p>The 2014 AEMR was reportedly prepared in accordance with the industry guideline prepared in accordance with the Mining, Rehabilitation and Environmental Management Process Guideline Version 3 (DRE, 2006). Following submission of the 2014 AEMR in February 2015, the DPE requested additional information on production data, trials on the removal of arsenic in discharge waters and specialist reports in relation to low frequency noise; and the DRE requested improvements in accordance with Annual Review Guideline (NSW Government, 2015). Following provision of revised information to the DPE and DRE in June 2015, there has been no further response.</p> <p>The 2015 AR was prepared in accordance with the Annual Review Guideline (NSW Government, 2015) and included a summary of self- assessed non-compliances with the CoAs identified during internal inspections, incidents and monitoring. The DPE provided feedback on the Springvale 2015 AR (18/04/2016) advising that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016.</p>	Compliant

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
S2-25	<p>Environmental Officer</p> <p>The Applicant shall employ or contract the services of an Environmental Officer whose qualifications are acceptable to the Department of Mineral Resources for the proposed development to be responsible for ensuring that all environmental safeguards proposed for the development and as required by this consent and other statutory approvals are enforced and monitored from the commencement of construction.</p>	<ul style="list-style-type: none"> Draft EMS (CC, 18/03/2016) PIRMP (CC, 2015) 	<p>Springvale Coal employed a suitably qualified Environment and Community Coordinator (ECC) during the periods of the IEA and assessment of environmental performance. At the time of the IEA site inspection the ECC, Natalie Gardiner, was on maternity leave, and a replacement ECC had recently commenced (June 2016). The Western Region Environment Superintendent was also supporting the ECC role during the transition.</p> <p>The responsibilities of the Environmental Coordinator were documented in the draft EMS and PIRMP and included:</p> <ul style="list-style-type: none"> Compliance with the Centennial Coal Environment and Community Policy. Reporting of environmental incidents as required to external stakeholders. Development and implementation of environmental strategies, plans, and procedures. Regulatory and community consultation. Registration of community complaints and regulatory liaison in the ECD. Development and implementation of environmental work procedures. Development and implementation of environmental training and inductions. Auditing the effectiveness of the EMS. Compliance with all licences and approvals for environmental management of the site. Manage subsidence impacts in accordance with the EMS, SMPs/Extraction Plans and Procedures. Maintain the ECD. 	Compliant
S2-26	<p>Infrastructure Contribution</p> <p>The Applicant shall negotiate and pay to the Council a contribution, pursuant to Section 94 of the Environmental Planning and Assessment Act, for Community Services/Facilities for Council to utilise in the upgrading of facilities provided and to be provided in the City of Greater Lithgow, as a result of the development.</p> <p>The first payment is due in 1995 on the anniversary of this consent and the remaining three other payments on the successive anniversaries of the Consent.</p> <p>The basis of the contribution shall be a contribution per employee based on the number of employees on the Company payroll at the anniversary of this consent in 1995.</p> <p>The amount of the contribution shall be finalised by 30 September 1992. Condition 29 shall apply for dispute resolution should the parties fail to reach agreement.</p>		<p>This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.</p>	Not assessed
S2-27	<p>Rental Housing</p> <p>The Applicant shall liaise with the Council to monitor local housing demand during the construction stage of the project and in the event of a shortage of rental accommodation liaise with the Council, with a view to providing additional temporary accommodation facilities for use by its construction workforce.</p>		<p>This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.</p>	Not assessed
S2-28	<p>Approvals to Council</p> <p>The Applicant shall forward to the Council copies of all environmental and planning approvals of authorities related to the development</p>	<ul style="list-style-type: none"> Minutes: CCC (CC, 04/2015), (CC, 10/2015) and (CC, 04/2016) 	<p>During consultation with the LCC undertaken by MCW Environmental for the IEA, LCC reported that environmental approvals and management plans had been provided by Springvale Coal.</p> <p>In addition, LCC has a community representative on the CCC. The approval status of the SMEP was minuted at the April 2014, October 2015 and April 2016 CCC meetings.</p>	Compliant
S2-29	<p>Dispute Resolution</p>		<p>Springvale Coal reported that resolution of a dispute about conditions had not</p>	Not triggered

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Any dispute arising between any of the parties in respect of the above conditions shall be referred to the Minister for Planning for resolution		been required.	
S2-30	<p>Western Main Colliery</p> <p>a) The Applicant shall undertake all necessary water pollution control measures, to the satisfaction of the EPA, to minimise contaminated water discharge from the site in wet weather conditions.</p> <p>b) The Applicant shall carry out all practical measures to minimise water pollution and siltation from the Western Main Colliery Site used for the relocated overland conveyor route, according to the requirements of the Department of Conservation and Land Management and the EPA.</p>	<ul style="list-style-type: none"> IEA Western Coal Services (MCW, 04/2016) 	EPL 3607 requirements for LDP 006 and LDP 007 include management, monitoring and reporting requirements for water pollution and siltation from Western Coal Services (now Springvale Coal Services). Western Coal Services has responsibility for management, monitoring and reporting against the EPL 3607 requirements for LDP 006 and LDP 007 and were assessed in the IEA undertaken at Western Coal Services in April 2016.	Not assessed
S2 – 31	<p>Shafts Site</p> <p>The Applicant shall meet the requirements of Pacific Power in respect of the use of its Ash Dam Access Road for the period of construction and for maintenance of the proposed ventilation shafts.</p>		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed
S2 – 32	<p>Revised Pit Top</p> <p>The Applicant shall carry out water pollution and siltation control measures according to the revised pit top arrangements, to the satisfaction of the EPA and the Department of Conservation and Land Management.</p>	<ul style="list-style-type: none"> EPL 3607 2013 Annual Return (CC, 2014) 2014 Annual Return (2015) 2015 Annual return (CC, 2016) EPA Public Register website 2013 AEMR 2014 AEMR 2015 AR Letter: Endorsement of Consultants for Water Management plan (DPE: CC, 02/11/2015) Draft Western Region Water Management Plan (CC, 03/2016) Draft Springvale Water Management Plan (CC, 03/2016) Letter: Provision of draft Western Region Water Management Plan and draft Springvale Water Management Plan (CC: EPA, 19/02/2016) Letter: Provision of draft Water Management Plans (CC: DRE, 19/02/2016) Letter: Provision of draft Water Management Plans (CC: DPE, 18/03/2016) Letter and attachment: EPA and OEH feedback on draft Water Management Plans (EPA:CC, 04/04/2016) Letter: WaterNSW feedback on draft Water Management Plans (WaterNSW 14/03/2016) 	<p>EPL 3607 includes management, monitoring and reporting requirements for water pollution and siltation at the Springvale Mine pit top. Non-compliances with EPL 3607 conditions during the period of the IEA have been reported in the 2013, 2014 and 2015 Annual Returns and are available on the EPA Public Register website.</p> <p>The EPA varied EPL 3607 once during the period of the IEA on 26/02/2016 and three times during the period of assessment of environmental performance (i.e. three years prior to June 2016). Pollution reduction studies for direct toxicity assessment (01/08/2014) and salinity reduction and toxicity elimination (10/02/2016).</p> <p>Springvale Coal have prepared a draft Western Region Water Management Plan and draft Springvale Mine Water Management Plan and provided these plans to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEH for review. Feedback has been received from the EPA, OEH and WaterNSW identifying information gaps. At the time of preparing the IEA, the draft Water Management Plans had not been finalised.</p>	Compliant
S2 – 33	<p>Fish River Water Supply</p> <p>The Applicant shall forward copies of plans of the overland conveyor for review in respect of the Fish River Pipeline and concurrence if required by the Fish River Water Supply Operations Manager, prior to commencement of construction.</p>		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed
S2 – 34	<p>Erosion and Sediment Control Plan</p> <p>The Applicant shall submit an erosion and sediment control plan (using temporary, operational phase and permanent works) for each phase of the operation prior to commencement of any earthworks to the Department of Conservation and Land</p>	<ul style="list-style-type: none"> Bore 8 Erosion and Sediment Control Plan (CC, 03/2013) Letter: Approval of Bore 8 Dewatering Facility Erosion and Sediment Control Plan (DPE:CC, 15/03/2013) 	Springvale Coal reported that the only construction undertaken during the periods of the IEA and assessment of environmental performance was Bore 8 pipeline and compound. A project specific erosion and sediment control plan was developed for Bore 8. Refer DA 11/92 CoA S2-19A.	Compliant

Development Consent DA 11/92				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Management for concurrence.			
S2-35	<p>Additional Archaeological Survey</p> <p>The Applicant shall undertake an archaeological survey of the modified conveyor route and the ventilation shaft site, prior to commencement of construction and report results of surveys to the National Parks and Wildlife Service.</p>		This condition was not assessed as the condition was required to be met prior to the periods of both the IEA and the assessment of environmental performance.	Not assessed
	<p>NOTE: This approval does not relieve the Applicant of the obligation to obtain any other approval under the Local Government Act, 1919, as amended, the ordinances made thereunder (including approval of building plans), or any other Act.</p>			Noted

Table A-3: DA 461/02 (Modified Ventilation Shaft No. 3)

Development Consent DA 461/02 (Modified Ventilation Shaft No.3)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	That the development is to be carried out in accordance with the application, accompanying statement of environmental effects and the letter supplied by Umwelt Environmental Consultants dated 15th January 2003 or otherwise amended by the following conditions.	<ul style="list-style-type: none"> Compliance Database (sighted on 4-5/7/2016) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) EMS (CC, 18/03/2016) Letter: Feedback on Springvale 2015 AR (DPE:CC, 18/04/2016) 	<p>Environmental management of the Ventilation Shaft No. 3 operations was incorporated into the Environmental Management Strategy (EMS) and management plans. At the time of the IEA, management plans referenced in SSD-5594 were at varying stages of preparation in accordance with SSD-5594 requirements. An assessment of the implementation of the EMS and the management plan triggered by DA 462/02 is presented in the relevant section of this compliance table.</p> <p>Springvale Coal has commenced implementation of the Compliance Database which is reportedly being developed as the primary tool for tracking compliance with CoAs, Licences and Leases. At the time of undertaking the IEA, the statement of commitments within environmental assessments (including statement of environmental effects) have not been included within the Compliance Database.</p> <p>Springvale Coal has prepared Annual Environmental Management Reports (AEMR) for 2013 (CC, 2014) and 2014 (CC, 2015) and an Annual Review (AR) for 2015 (CC, 2016).</p> <p>MCW Environmental has not completed an assessment of the construction and operation of the Ventilation Shaft No.3 against the statement of environmental effects and the letter supplied by Umwelt (15/03/2003).</p> <p>Other than where issues have been identified, in general the site appeared to be compliant with DA 461/02, EPL 3607 and ML 1537 conditions.</p> <p>By 21/09/2016, DA 461/02 will be surrendered. Prior to the surrender, the conditions of SSD-5594 will prevail if there is an inconsistency between DA 461/02 and SSD-5594.</p>	Compliant Refer DA 11/92 CoA S2-1.
2	The applicant shall properly implement and comply with the environmental safeguards and procedures specified in the SEE.	<ul style="list-style-type: none"> Environment and Community Database 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (C, 2016) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 	<p>There were no non-compliances reported in Annual Returns or the 2013 and 2014 AEMRs and 2015 AR relating to operations at the Ventilation Shaft No. 3 site.</p> <p>There were no incidents recorded in the Environment and Community Database relating to the operations at the Ventilation Shaft No. 3 site for 2013 - 2016.</p>	Compliant
3	The approval shall be limited to the ventilation shaft and a series of boreholes, the access road, powerlines and the substation. The construction and operation of the dewatering bore and associated facilities will not be considered until the Environment Protection Licence Pollution Reduction Program Options Study is completed. The EPA, Lithgow City Council, DLWC and the Sydney Catchment Authority must be consulted as part of that assessment and approval process for any dewatering bores.	<ul style="list-style-type: none"> DA11/92 MOD 3 (08/03/2013) - Construction and operation of an additional dewatering facility as described in the Environmental Assessment Bore 8 Dewatering Facility Springvale Colliery Section 75 W Modification, dated September 2012 	Borehole 8 development was managed as a modification to DA 11/092 which included consultation with regulators and resulted in additional development consent conditions.	Compliant
4	As specified in the EPA's general terms of approval, the applicant shall prepare and implement a soil and water management plan to address the area affected by the proposed construction (including the ventilation shaft, the access road, the powerlines and the substation). The plan is to be developed in consultation with and approved by the Sydney Catchment Authority, the Department of Land and Water Conservation, State Forests and the EPA.			Not assessed (outside the period of the IEA)
5	The subject site is managed under the Forestry Act 2916, and under Section 21 of the Act, the applicant will need to negotiate the exact location of facilities, and appropriate conditions with State Forests of NSW.			Not assessed (outside the period of the IEA)

Development Consent DA 461/02 (Modified Ventilation Shaft No.3)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
6	Hay bales are not to be utilised in erosion and sedimentation control measures. Only geotextile mesh materials will be permitted.			Not assessed (outside the period of the IEA)
7	Notification of any spill or pollution incident is required to the Sydney Catchment Authority's 24-hour Incident Manager Number - 9751 1988.			Not assessed (outside the period of the IEA)
8	The construction and maintenance of any road accesses associated with the development in Newnes State Forest shall be undertaken in consultation with State Forests of NSW.			Not assessed (outside the period of the IEA)
9	The applicant shall provide details to Council on the proposed location of all extracted materials from proposed shaft and bore holes. Note: Council will accept clean soil at Lithgow Solid Waste Landfill, Geordie Street, Lithgow. The soil after inspection by site staff will be accepted at no charge.			Not assessed (outside the period of the IEA)
10	All drainage works associated with this access shall be suitably constructed by forming earthen mitre drains to rid stormwater from the road.			Not assessed (outside the period of the IEA)
11	Only those areas involved in the construction of the civil works to be disturbed, with all other areas of the site to be maintained with existing vegetation cover. Any disturbed areas outside of construction zone shall be revegetated immediately upon completion of all work.		Within the Ventilation Shaft No. 3 site there was no evidence of revegetation. The auditors were unable to verify if disturbed areas outside of the construction zone had been revegetated immediately upon completion of work. Refer to Appendix A1 SSD-5594 CoA S4-12 for recommendations to improve sediment and erosion control at the Ventilation Shaft No. 3 site.	Not verified
12	Progress in planning for and excavating the shaft and its operation must be fully documented in Annual Environmental Management Plan (AEMR).	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) 		Not assessed (outside the period of the IEA)
13	Prior to the construction of the development, the applicant shall identify all hollow bearing trees and where possible, retain them for fauna habitat.			Not assessed (outside the period of the IEA)
14	Site disturbance as a result of vehicle and machinery movements and stockpile areas shall be confined to previously disturbed areas where possible.			Not assessed (outside the period of the IEA)
15	The restoration of all disturbed areas post-construction shall be undertaken with plant species that are endemic to the area.			Not assessed (outside the period of the IEA)
16	That a male member of the Gundungurra Tribal Council Aboriginal Corporation be present when post holes for the power poles are drilled near Site Springvale 1. A male member of the Bathurst Local Aboriginal Land Council shall also be afforded the opportunity to be present. Also, a member of the Gundungurra Tribal Council Aboriginal Corporation and/or Bathurst Local Aboriginal Land Council member be invited to attend any further surface soil stripping associated with the ventilation shaft, power substation and ancillary works.			Not assessed (outside the period of the IEA)
17	That a male archaeologist only do any further works near Site Springvale 1 as this is a male ceremonial site.			Not assessed (outside the period of the IEA)
18	Identified aboriginal archaeologist artefacts are to be reviewed annually, with investigations reported in the Springvale Colliery		An update on Aboriginal heritage has been included in the 2013 and 2014 AEMRs and the 2015 AR. The SSD-5594 includes provisions for the protection	Compliant

Development Consent DA 461/02 (Modified Ventilation Shaft No.3)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Annual Environmental Management Report.		of Aboriginal heritage items (SSD-5594 CoA S4-23).	
19	That the applicant comply with the Environmental Protection Authority general Terms Approval.		Refer to Appendix B EPL 3607 for an assessment of compliance with EPL 3607 conditions. There were no identified non-compliances with EPL 3607 relating to operations at the Ventilation No. 3 site. Refer to Appendix A1 SSD-5594 CoA S4-12 for recommendations to improve sediment and erosion control at the Ventilation Shaft No. 3 site.	Compliant
20	During construction all practicable measures are to be taken to mitigate dust ie water carts to be used.			Not assessed (outside the period of the IEA)
21	Diesel Tanks are to be operated and maintained in accordance with: <ul style="list-style-type: none"> NSW WorkCover Code of Practice: control of workplace hazardous substances 2005 NSW WorkCover Code of practice: storage and handling of dangerous goods 2005 		Diesel tanks were not sighted during the site inspection.	Not verified.
22	The use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to the health of users of the Newnes State Forest	<ul style="list-style-type: none"> Environment and Community Database. 	There were no incidents or complaints recorded in the Environment and Community Database relating to the operations at the Ventilation Shaft No. 3 site for 2013 - 2016. MCW Environmental discussed the IEA scope with the Stewardship and Fire Supervisor (FCNSW) on 1 July 2016. FCNSW advised that there were no outstanding responses to requests for information	Compliant
23	Fans and diesel generators are to be insulated in line with the manufacturer's specifications for maximum noise mitigation so that additional noise produced does not exceed acceptable levels, as defined in NSW Industrial Noise Policy	<ul style="list-style-type: none"> Environment and Community Database 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2-15 AR (CC, 2016) 	There was one noise complaint reported in the 2013 AEMR related to noise from the upcast ventilation shaft located on the Newnes Plateau. Monitoring at the complainant's property failed to detect any signature from the ventilation fan. MCW Environmental did not verify if fans and diesel generators had been insulated in line with the manufacturer's specifications.	Not verified
24	The modified works and layout shall be implemented in accordance with the Statement of Environmental Effects prepared by Hansen Bailey (dated 31 January 2012). Any further changes to the development shall be agreed to by the Sydney Catchment Authority.	<ul style="list-style-type: none"> 		Not assessed (outside the period of the IEA)
25	All diesel for the diesel powered backup ventilation system shall be stored in a self bunded diesel tank as specified in the Statement of Environmental Effects prepared by Hansen Bailey (dated January 2012) to ensure all spills or leakages are contained within the bund.	<ul style="list-style-type: none"> 	Diesel tanks were not sighted during the site inspection.	Not verified.
26	An Erosion & Sediment Control Plan shall be prepared for all works proposed or required for the development by a person with knowledge and experience in the preparation of such plans. The Plan shall be prepared prior to any construction commencing and shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual the "Blue Book", and be to the satisfaction of Council.	<ul style="list-style-type: none"> 		Not assessed (outside the period of the IEA)
27	Effective erosion and sediment controls shall be installed prior to any construction activity to prevent sediments or polluted water leaving the construction site or entering the water quality ponds and are to be regularly maintained and retained until works have been completed, and the ground surface stabilised.	<ul style="list-style-type: none"> 	Refer to Appendix A1 SSD-5594 CoA S4-12 for recommendations to improve sediment and erosion control at the Ventilation Shaft No. 3 site.	Not assessed (outside the period of the IEA)

Appendix B EPL Compliance Assessment

1. Table B-1: Environment Protection Licence No. 3607

Table B-1: Environment Protection Licence No. 3607

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																	
A1.1	<p>Administrative Conditions</p> <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> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee-Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal Works</td> <td>Coal works</td> <td>> 2000000 -- 5000000 T handled</td> </tr> <tr> <td>Mining for Coal</td> <td>Mining for coal</td> <td>> 3500000 -- 5000000 T produced</td> </tr> </tbody> </table>	Scheduled Activity	Fee-Based Activity	Scale	Coal Works	Coal works	> 2000000 -- 5000000 T handled	Mining for Coal	Mining for coal	> 3500000 -- 5000000 T produced	<ul style="list-style-type: none"> SSD-5594 DA 11/92 	<p>SSD-5594 was granted on 21/09/2015 and includes CoA S2-5 for up to 4.5 million tonnes of ROM coal each year.</p> <p>Table B-1-1: Coal Production</p> <table border="1"> <thead> <tr> <th></th> <th>2013 (Mt)</th> <th>2014 (Mt)</th> <th>2015 (Mt)</th> </tr> </thead> <tbody> <tr> <td>ROM Coal</td> <td>2,753,678 t</td> <td>3,487,621</td> <td>3,531,844</td> </tr> </tbody> </table>		2013 (Mt)	2014 (Mt)	2015 (Mt)	ROM Coal	2,753,678 t	3,487,621	3,531,844	Compliant
Scheduled Activity	Fee-Based Activity	Scale																			
Coal Works	Coal works	> 2000000 -- 5000000 T handled																			
Mining for Coal	Mining for coal	> 3500000 -- 5000000 T produced																			
	2013 (Mt)	2014 (Mt)	2015 (Mt)																		
ROM Coal	2,753,678 t	3,487,621	3,531,844																		
A2.1	<p>Administrative Conditions</p> <p>The licence applies to the following premises: Premises Details</p> <table border="1"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>SPRINGVALE COLLIERY</td> </tr> <tr> <td>CASTLEREAGH HIGHWAY</td> </tr> <tr> <td>LIDSDALE</td> </tr> <tr> <td>NSW 2790</td> </tr> <tr> <td>ML 1303, ML 1323, ML 1326, ML 1352, ML 1537, ML 1588, MPL 314, EL 6974, MLA 326, A460, CCL 733, ML 204, ML 1319, ML 564, CL 394 AND CL 361 AS SHOWN ON MAP TITLED 'FIGURE NO. 1 - PLAN OF OPERATIONS' PROVIDED TO THE EPA ON 4 SEPTEMBER 2009</td> </tr> </tbody> </table>	Premises Details	SPRINGVALE COLLIERY	CASTLEREAGH HIGHWAY	LIDSDALE	NSW 2790	ML 1303, ML 1323, ML 1326, ML 1352, ML 1537, ML 1588, MPL 314, EL 6974, MLA 326, A460, CCL 733, ML 204, ML 1319, ML 564, CL 394 AND CL 361 AS SHOWN ON MAP TITLED 'FIGURE NO. 1 - PLAN OF OPERATIONS' PROVIDED TO THE EPA ON 4 SEPTEMBER 2009	<ul style="list-style-type: none"> EPL 3607 Figure No.1 – Plan of Operations Final November 2015 – October 2022 MOP (CC, 03/2016) EIS (CC, 04/2014) 	<p>The mining tenements listed in 'Premises Details were not consistent with the mining tenements provided in Table 4 of the 2015 – 2022 MOP e.g. EPL 3607 included CL 733 (rather than 377) and did not include ML 1620 and ML 1727.</p> <p>The map titled 'Figure No. 1 – Plan of Operations' did not include mining tenements for the SSD 5594.</p>	<p>Non-compliant (administrative)</p> <p>EPL 3607 condition A2.1: Submit an EPL 3607 variation to reflect the SMEP premises detail such as current mining tenements and supporting figure.</p> <p>Refer SSD-5594 CoA S6-15 Recommendation</p>											
Premises Details																					
SPRINGVALE COLLIERY																					
CASTLEREAGH HIGHWAY																					
LIDSDALE																					
NSW 2790																					
ML 1303, ML 1323, ML 1326, ML 1352, ML 1537, ML 1588, MPL 314, EL 6974, MLA 326, A460, CCL 733, ML 204, ML 1319, ML 564, CL 394 AND CL 361 AS SHOWN ON MAP TITLED 'FIGURE NO. 1 - PLAN OF OPERATIONS' PROVIDED TO THE EPA ON 4 SEPTEMBER 2009																					
A3.1	<p>Information supplied to the EPA</p> <p>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.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>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</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>			Noted																	
P1.1	<p>Discharges to Air and Water and Applications to Land</p> <p>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.</p>	<ul style="list-style-type: none"> Figure 3.3.1 WRAQHGMP (CC, 02/2016) Monthly Environmental Monitoring Report (CC, 05/2016) 	<p>Springvale Coal has two dust deposition gauges (D1 and D2) and there is also one high volume air sampler (HVAS) measuring both PM₁₀ and Total Suspended Particulates at the D2 site. Monitoring data from the HVAS is manually downloaded on a monthly basis for data validation purposes.</p> <p>Springvale Coal dust monitoring results are required to meet criteria specified in SSD-5594 CoA S4-5.</p> <p>CC received approval from the DPE to prepare a Western Region Air Quality and</p>	<p>Compliant</p> <p>EPL 3607 condition P1.1 Recommendation: Make the dust deposition monitoring network (nomenclature and figures) consistent across:</p> <ul style="list-style-type: none"> EPL 3607 condition P1.1; 																	

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																								
	<table border="1"> <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>8</td> <td>Dust monitoring network</td> <td></td> <td>Dust deposition gauge monitoring network as shown on Springvale Coal's Figure 3.3.1 titled 'Dust Monitoring Locations', forwarded to the EPA on 20/6/01</td> </tr> </tbody> </table>	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	8	Dust monitoring network		Dust deposition gauge monitoring network as shown on Springvale Coal's Figure 3.3.1 titled 'Dust Monitoring Locations', forwarded to the EPA on 20/6/01		<p>Greenhouse Gas Management Plan (WRAQGHGMP). The WRAQGHGMP was approved by the DPE in February 2016 and has been implemented at Springvale Coal. The WRAQGHGMP (Appendix E) describes the dust monitoring network around the Springvale Coal Mine, provides both short term and long term monitoring and states that "The long term monitoring program will require approval from DPE and EPA prior to it being implemented". The auditors understand that CC has not yet requested approval of the long term monitoring plan.</p> <p>There is inconsistency in references to the Springvale Coal dust gauges:</p> <ul style="list-style-type: none"> The WRAQGHGMP (Appendix E): <ul style="list-style-type: none"> References the Springvale Coal dust gauges as DG 1 and DG2; and Does not reference EPL 3607 EPA identification point no. 8. EPL 3607 condition P1.1 Figure 3.3.1: <ul style="list-style-type: none"> References dust monitoring locations for Springvale Coal and Western Coal; Services D1 to D5. The monthly Environmental Monitoring Report, which is available on the CC website, provides the monthly dust deposition results for SV-D1 and SV-D2 in Table 2 and identifies DG 1 and DG 2 in the figure supporting the monitoring results. <p>Note: P1.1 Figure 3.3.1 monitoring locations D3, D4 and D5 are the responsibility of Western Coal Services and were excluded from the Springvale Coal IEA. MCW Environmental understand that these monitoring locations were assessed in the Western Coal Services IEA reported in April 2016 and available on the CC website: CC website Western Coal Services IEA.</p>	<ul style="list-style-type: none"> AQGHGMP (Appendix 5) for Springvale Coal; and Environmental monitoring reports. 																
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																									
8	Dust monitoring network		Dust deposition gauge monitoring network as shown on Springvale Coal's Figure 3.3.1 titled 'Dust Monitoring Locations', forwarded to the EPA on 20/6/01																									
P1.2	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.		Noted	Noted																								
P1.3	<p>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.</p> <p>Water and Land</p> <table border="1"> <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>1</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Overflow from Dam 3 at Springvale pit top labelled as LD001 on Springvale Coal's Diagram titled "Discharge Points LD001, LD002 & LD003", dated 18-November-99</td> </tr> <tr> <td>2</td> <td>Discharge to utilisation area</td> <td></td> <td>Area labelled as LD002 on Springvale Coal's Diagram titled "Discharge Points LD001, LD002 & LD003", dated 18-November-99</td> </tr> <tr> <td>4</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Emergency discharge point on unnamed creek leading to Wolgan River, labelled as LDP-004 on State Forest's Figure 3.2.4 titled "Softwoods Region Occupation Permit No. 02349"</td> </tr> <tr> <td>5</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Emergency discharge point on unnamed creek leading to Wolgan River, labelled as LDP-005 on State Forest's Figure 3.2.4 titled "Softwoods Region Occupation Permit No. 02349"</td> </tr> <tr> <td>6</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Discharge to waters - Discharge quality monitoring Volume monitoring</td> <td>Drain from final filter lagoon at Western Main labelled as LD006 in Springvale Coal's Diagram titled "Discharge Point LD006", dated 18-November-99</td> </tr> </tbody> </table>	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Overflow from Dam 3 at Springvale pit top labelled as LD001 on Springvale Coal's Diagram titled "Discharge Points LD001, LD002 & LD003", dated 18-November-99	2	Discharge to utilisation area		Area labelled as LD002 on Springvale Coal's Diagram titled "Discharge Points LD001, LD002 & LD003", dated 18-November-99	4	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Emergency discharge point on unnamed creek leading to Wolgan River, labelled as LDP-004 on State Forest's Figure 3.2.4 titled "Softwoods Region Occupation Permit No. 02349"	5	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Emergency discharge point on unnamed creek leading to Wolgan River, labelled as LDP-005 on State Forest's Figure 3.2.4 titled "Softwoods Region Occupation Permit No. 02349"	6	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Drain from final filter lagoon at Western Main labelled as LD006 in Springvale Coal's Diagram titled "Discharge Point LD006", dated 18-November-99	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 2015 AR (CC, 2016) 	<p>LDPs 006 and 007 are the responsibility of Western Coal Services and were excluded from the Springvale Coal IEA. MCW Environmental understand that these monitoring locations were assessed in the Western Coal Services IEA reported in April 2016 and available on the CC website: CC website Western Coal Services IEA.</p> <p>LDPs 001, 002, 004, 005, 009 and 010 are applicable to Springvale Coal. Monthly environmental monitoring reports from April 2013 to April 2016 were available on the CC website for LDP 001, 002 and 009.</p> <p>The 2015 AR and monthly environmental monitoring reports identify that there were no discharges from LDP004, LDP005, LDP10 for period of the IEA.</p>	Compliant
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																									
1	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Overflow from Dam 3 at Springvale pit top labelled as LD001 on Springvale Coal's Diagram titled "Discharge Points LD001, LD002 & LD003", dated 18-November-99																									
2	Discharge to utilisation area		Area labelled as LD002 on Springvale Coal's Diagram titled "Discharge Points LD001, LD002 & LD003", dated 18-November-99																									
4	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Emergency discharge point on unnamed creek leading to Wolgan River, labelled as LDP-004 on State Forest's Figure 3.2.4 titled "Softwoods Region Occupation Permit No. 02349"																									
5	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Emergency discharge point on unnamed creek leading to Wolgan River, labelled as LDP-005 on State Forest's Figure 3.2.4 titled "Softwoods Region Occupation Permit No. 02349"																									
6	Discharge to waters - Discharge quality monitoring Volume monitoring	Discharge to waters - Discharge quality monitoring Volume monitoring	Drain from final filter lagoon at Western Main labelled as LD006 in Springvale Coal's Diagram titled "Discharge Point LD006", dated 18-November-99																									

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
7	Discharge to waters - Discharge quality monitoring	Discharge to waters - Discharge quality monitoring	Duncan Street coal conveyor transfer drain from final filter lagoon at Western Main labelled as LD007 in Springvale Coal's Diagram titled as LD007, dated 18 November 99	
9	Discharges to waters - Discharge quality monitoring - Volume monitoring	Discharges to waters - Discharge quality monitoring - Volume monitoring	Centennial's Springvale Water Transfer System bypass point east of Kerosene Vale Ash Dam	
10	Discharge to waters - Discharge quality monitoring - Volume monitoring	Discharge to waters - Discharge quality monitoring - Volume monitoring	Emergency/maintenance discharge from Centennial's Springvale Water Transfer Scheme upstream of the settling ponds	

Note: Licensed discharge points 4 (LD4) and 5 (LD5) are only to be used for emergency discharges as defined in condition E1.1.

P1.4	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or setting of limits for the emission of noise from the point.	<ul style="list-style-type: none"> Monthly Environmental Monitoring Report (CC, 04/2016) (CC, 07/2015) 	<p>CC received approval from the DPE to prepare a Western Region Noise Management Plan (WRNMP). The WRNMP was approved by the DPE in July 2016 and:</p> <ul style="list-style-type: none"> Describes the Springvale Coal noise monitoring network and monitoring plan (Appendix E); and Requires quarterly attended noise monitoring at Springvale Coal noise monitoring locations as S1, S2, S3 and S4. <p>The April 2016 and July 2016 monthly Springvale Coal Environmental Monitoring Reports, which are available on the CC website, provide the quarterly noise monitoring results for S1, S2, S3, S4 and S5.</p> <p>The noise criteria in Appendix E of the WRNMP does not specifically refer to the receptors and limits specified in EPL 3607 P1.4 and L4.1 respectively. A recommendation has been made for the WRNMP (Appendix E) to be revised to reference the specific requirements of EPL 3607 conditions L4.1 to L4.3 in addition to SSD-5594 (Refer Appendix G3 EMP (Appendix E) Recommendation).</p>	Compliant
------	--	---	---	-----------

EPA identification no.	Type of monitoring point	Location description
11	Noise monitoring	Residents identified as 'S1' shown in Residential Receivers in Appendix 4: Noise Receiver Location Plan in Development Consent (SSD_5594) approved by the Planning Assessment Commission 21 September 2015.
12	Noise monitoring	Residents identified as 'S2' shown in Residential Receivers in Appendix 4: Noise Receiver Location Plan in Development Consent (SSD_5594) approved by the Planning Assessment Commission 21 September 2015.
13	Noise monitoring	Residents identified as 'S3' shown in Residential Receivers in Appendix 4: Noise Receiver Location Plan in Development Consent (SSD_5594) approved by the Planning Assessment Commission 21 September 2015.
14	Noise monitoring	Residents identified as 'S4' and 'S5' in Appendix 4: Noise Receiver Location Plan in Development Consent (SSD_5594) approved by the Planning Assessment Commission 21 September 2015.

L1.1	<p>Limit Conditions</p> <p>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.</p>	<ul style="list-style-type: none"> EPL 3607 Monthly Environmental Monitoring Reports (CC, 06/2016), (CC, 05/2016), (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) Letter: Submission of conceptual Draft Stage 1 of the Upper Coxs 	<p>EPL 3607 Water Quality</p> <p>EPL 3607 includes management, monitoring and reporting requirements for water pollution and siltation at the Springvale Mine pit top. Non-compliances with EPL 3607 conditions during the period of the IEA have been reported in the 2013, 2014 and 2015 Annual Returns, in monthly environmental monitoring reports (CC website) and are available on the EPA Public Register website. Monthly environmental monitoring reports were reviewed for the period September 2013 to June 2016.</p> <p>The EPA varied EPL 3607 once during the period of the IEA on 26/02/2016 and three times during the three years prior to June 2016. Pollution reduction studies have been completed for direct toxicity assessment (01/08/2014) and salinity reduction and toxicity elimination (10/02/2016) and the current EPL 3607 includes a PRP for salinity reduction and toxicity elimination by 30/06/2017.</p> <p>Springvale Coal has notified the EPA of the following non-compliances with EPL 3607 since 2013:</p> <ul style="list-style-type: none"> 30/05/2013 – Turbidity exceedance at LDP009 for up to four days, reported on 30/05/2013; 21/11/2013 - Arsenic limit exceedance at LDP 009, reported on 28/11/2013; 12/09/2014 - Protection of the SDWTS the Delta Water Transfer System (DWTS); 12/09/2014 - Coal fines in water discharged at LDP 001; 	<p>Compliant (during the period of the IEA).</p> <p>Refer SSD-5594 CoA S2-14</p>
------	--	--	---	--

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<p>River Action and Monitoring Plan (CC: DPE, 29/062016)</p> <ul style="list-style-type: none"> Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016) Letter: Official Caution (EPA: CC, 16/02/2015) 	<ul style="list-style-type: none"> 23/12/2014 – Turbidity limit exceedance and LDP 009, reported on 13/01/2015; and 23/12/2014 - Arsenic limit exceedance at LDP 009, reported on 30/12/2014. <p>Regulatory Action</p> <p>Three of these non-compliances resulted in regulatory action from the EPA:</p> <ul style="list-style-type: none"> 30/05/2013 - turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Coxs River. As a result of this incident, the EPA: <ul style="list-style-type: none"> Issued a Penalty Infringement Notice (PIN) (\$1,500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days; Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately reporting an incident which threatened material harm to the environment; and Although POEO Act section 153F (implementing the PIRMP) was breached – no further action was taken. <p>The likely cause of turbidity at LDP 009 was identified as a strata failure event underground and the flocculent being used at the LDP09 treatment pond was not suitable to treat the anomalous water chemistry following the strata failure. To prevent a re-occurrence an alternative flocculent (WTS 8-23) was permanently installed into the LDP09 water treatment plant.</p> <ul style="list-style-type: none"> 12/09/2014 - coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2015 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the upper reaches of the Coxs River. <p>The cause of the coal fines incident was identified as wet coal fines overtopping the dirty water drainage channel and temporary pipe into the clean water drainage channel resulting in coal fines being discharged from LDP 001. Mitigation measures that were undertaken included increased inspection regimes, regular cleaning of the trash rack in the clean water drain adjacent to coal stockpile, upgrade of the crusher house dam pumping facility, procedures for dam excavation and investigation into improved capacity of the dirty water drainage channel.</p> <p>During the site inspection, the auditors observed that improvement works had also been recently undertaken to reduce the sediment load in the primary and secondary pond and consequently improve performance at LDP 001 e.g. installation of new gabion drains and dam excavation pads.</p> <ul style="list-style-type: none"> 02/09/2014 and 12/09/2014 - Springvale Delta Water Transfer System (SDWTS) incident: Springvale Coal received a Formal Warning from the EPA in 2014 for failing to undertake activities in a competent manner. The EPA determined that the location of the Springvale Delta Water Transfer System was vulnerable to damage by heavy vehicles and roadwork activities. <p>The cause of the water leak incident was identified as a fractured poly weld that connected the SDWTS branch line to the main line. Mine dewatering pumps were isolated and the pipeline was repaired using a stainless steel clamp. A barrier was installed to prevent future disturbance from vehicle traffic.</p> <p>EPA Annual Returns</p> <p>The following non-compliances with EPL 3607 water quality criteria that were the responsibility of Springvale Coal were reported in Annual Returns between 2013 and 2016:</p> <ul style="list-style-type: none"> 2013 Annual Return-EPL 3607 condition L2.4: <ul style="list-style-type: none"> Minor exceedances of pH, TSS, turbidity, total aluminium, filtered arsenic, filtered copper and zinc concentration limits at various discharge points. The EPA issued a Penalty Infringement Notice for the turbidity exceedance at LDP 009 on 30 May 2013. 2014 Annual Return-EPL 3607 condition L2.4: <ul style="list-style-type: none"> Minor exceedance of licence discharge limit for arsenic, EC, copper and 	

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>turbidity at LDP 009 on several occasions.</p> <ul style="list-style-type: none"> o Minor exceedance of pH and TSS discharge limits at LDP 001. • 2015 Annual Return-EPL 3607 condition L2.4: <ul style="list-style-type: none"> o Exceedance of the EC limit at LDP 009 on 15 occasions between 27/01/2015 and 29/12/2015); o Minor exceedance of the arsenic limit at LDP 009 (13/01/2015). o Exceedance of the copper limit at LDP 009 (25/02/2015) <p>Surface water quality results reported in the January 2016 to June 2016 monthly environmental compliance reports identify exceedance of the EC limit at LDP 009 in each month.</p> <p>The 2015 Annual Return reported that the LDP 009 non-compliances with EPL 3607 condition L2.4 were caused by the mobilisation of naturally occurring minerals as a result of goaf water storage and subsequent dewatering; and that a holistic review of Western Region water management is underway to meet the requirements of SSD-5594. As part of the holistic review, and to meet SSD-5594 CoA S4-13, the conceptual draft Stage 1 of the Upper Coxs River Action and Monitoring Plan was submitted to the DPE on 29/06/2016. The Stage 1 plan identified that completion of all stages of the Upper Coxs River Action and Monitoring Plan by 30 September 2016 will take into account catchment wide assessments and identify how a reduction in salinity will be achieved in the future.</p> <p>During the IEA, MCW environmental contacted the EPA to discuss the scope of the IEA. The EPA advised that EPL 3607 included a PRP for salinity reduction and toxicity elimination to address exceedances of EPL 3607 EC limits at LDP 009; and that the EPA had been included in discussions regarding proposed revisions to the Water Treatment Strategy for Springvale Coal.</p> <p>Although exceedances of EPL 3607 EC limits at LDP 009 have been reported since SSD-5594 was granted in September 2015, as Springvale Coal has completed previous studies to the satisfaction of the EPA on toxicity assessment and salinity reduction, and as EPL 3607 currently includes a pollution reduction program to reduce salinity and eliminate toxicity, it is evident that consideration has been given by the EPA to pollution of waters. As the EPA has required Springvale Coal to monitor and assess water quality and undertake further action and reporting to the EPA (PRP U1), this condition was assessed as compliant.</p> <p>Ventilation Shaft No. 3 Compound</p> <p>During the site inspection on 27/06/2016 MCW Environmental observed that due to the amount of unsealed areas, there was evidence of erosion and a high sediment load behind some sediment fences. As DA 461/02 will be superseded by SSD 5594 CoA S4-12 in September 2016, and as SSD-5594 CoA S4-12 includes a water performance measure for the design, installation and maintenance of erosion and sediment controls to be generally in accordance with Managing Urban Stormwater: Soils and Construction Plan; a recommendation for the design and maintenance of sediment and erosion measures at the Ventilation Shaft No.3 compound has been included for SSD 5594 CoA S4-12 to address this issue.</p>	
L2.1	Concentration limits For each monitoring/discharge point or utilisation area specified in the table's below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.		Noted. Refer EPL 3607 conditions L2.4 and L3.1	Noted
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.		Noted. Refer EPL 3607 condition L2.4	Noted
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table's.		Noted. Refer EPL 3607 condition L2.1	Noted
L2.4	Water and/or Land Concentration Limits For each monitoring/discharge point or utilisation area specified in the table's	<ul style="list-style-type: none"> • Monthly Environmental Monitoring Reports (CC, 06/2016), (CC, 	The following non-compliances with EPL 3607 water quality criteria that were the responsibility of Springvale Coal, were reported in the Annual Returns:	Non-compliant (Low)

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
-----	-----------	-----------------	-------------------	------------------------------------

below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

Point 1

Pollutant	Units of Measure	50-percentile concentration limit	90-percentile concentration limit	3DGM concentration limit	100-percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-9.0
Total suspended solids	milligrams per litre				30

Point 9

Pollutant	Units of Measure	50-percentile concentration limit	90-percentile concentration limit	3DGM concentration limit	100-percentile concentration limit
Aluminium (dissolved)	milligrams per litre				0.45
Arsenic	milligrams per litre				0.024
Boron (dissolved)	milligrams per litre				0.37
Conductivity	microsiemens per centimetre				1200
Copper (dissolved)	milligrams per litre				0.007
Fluoride	milligrams per litre				1.8
Iron (dissolved)	milligrams per litre				0.4
Manganese (dissolved)	milligrams per litre				1.7
Nickel (dissolved)	milligrams per litre				0.047
Oil and Grease	milligrams per litre				10
pH	pH				6.5-9.0
Total suspended solids	milligrams per litre				50
Turbidity	nephelometric turbidity units				50
Zinc (dissolved)	milligrams per litre				0.05

Point 10

- 05/2016), (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013)
- 2013 AEMR (CC, 2014)
- 2014 AEMR (CC, 2015) 2015 AR (CC, 2016).
- 2013 Annual Return (CC, 2014)
- 2014 Annual Return (CC, 2015)
- 2015 Annual Return (CC, 2016)
- Letter: Submission of conceptual Draft Stage 1 of the Upper Coxs River Action and Monitoring Plan (CC: DPE, 29/062016)
- Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016)

- 2013 Annual Return-EPL 3607 condition L2.4:
 - Minor exceedences of pH, TSS, turbidity, total aluminium, filtered arsenic, filtered copper and zinc concentration limits at various discharge points. The EPA issued a Penalty Infringement Notice for the turbidity exceedance at LDP 009 on 30 May 2013.
- 2014 Annual Return-EPL 3607 condition L2.4:
 - Minor exceedance of licence discharge limit for arsenic, EC, copper and turbidity at LDP 009 on several occasions.
 - Minor exceedance of pH and TSS discharge limits at LDP 001.
- 2015 Annual Return-EPL 3607 condition L2.4:
 - Exceedance of the EC limit at LDP 009 on 15 occasions between 27/01/2015 and 29/12/2015;
 - Minor exceedance of the arsenic limit at LDP 009 (13/01/2015).
 - Exceedance of the copper limit at LDP 009 (25/02/2015)

Surface water quality results reported in the monthly environmental compliance reports identify exceedance of the EC limits at LDP 009 in each month from January 2016 to June 2016.

Although exceedances of EPL 3607 EC limits at LDP 009 have been reported since SSD-5594 was granted in September 2015, as Springvale Coal has completed previous studies to the satisfaction of the EPA on toxicity assessment and salinity reduction, and as EPL 3607 currently includes a pollution reduction program to reduce salinity and eliminate toxicity, it is evident that consideration has been given by the EPA to the exceedance of the concentration limits provided in EPL 3607 condition L2.4. As the EPA has required Springvale Coal to monitor and assess water quality (previous PRPs) and undertake further action and reporting to the EPA by 30 June 2017 (PRP U1), no further recommendations have been made.

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																																																																														
	<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units-of-Measure</th> <th>50-percentile-concentration-limit</th> <th>90-percentile-concentration-limit</th> <th>3DGM¶ concentration-limit</th> <th>100-percentile-concentration-limit</th> </tr> </thead> <tbody> <tr> <td>Aluminium (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>0.45¶</td> </tr> <tr> <td>Arsenic (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>0.024¶</td> </tr> <tr> <td>Boron (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>0.37¶</td> </tr> <tr> <td>Conductivity¶</td> <td>microsiemens-per-centimetre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>1200¶</td> </tr> <tr> <td>Copper (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>0.007¶</td> </tr> <tr> <td>Fluoride¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>1.8¶</td> </tr> <tr> <td>Iron (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>0.4¶</td> </tr> <tr> <td>Manganese (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td>¶</td> <td>¶</td> <td>¶</td> <td>1.7¶</td> </tr> <tr> <td>Nickel (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td></td> <td></td> <td></td> <td>0.047¶</td> </tr> <tr> <td>Oil and Grease¶</td> <td>milligrams-per-litre¶</td> <td></td> <td></td> <td></td> <td>10¶</td> </tr> <tr> <td>pH¶</td> <td>pH¶</td> <td></td> <td></td> <td></td> <td>6.5-9.0¶</td> </tr> <tr> <td>Zinc (dissolved)¶</td> <td>milligrams-per-litre¶</td> <td></td> <td></td> <td></td> <td>0.05¶</td> </tr> </tbody> </table>	Pollutant	Units-of-Measure	50-percentile-concentration-limit	90-percentile-concentration-limit	3DGM¶ concentration-limit	100-percentile-concentration-limit	Aluminium (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.45¶	Arsenic (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.024¶	Boron (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.37¶	Conductivity¶	microsiemens-per-centimetre¶	¶	¶	¶	1200¶	Copper (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.007¶	Fluoride¶	milligrams-per-litre¶	¶	¶	¶	1.8¶	Iron (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.4¶	Manganese (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	1.7¶	Nickel (dissolved)¶	milligrams-per-litre¶				0.047¶	Oil and Grease¶	milligrams-per-litre¶				10¶	pH¶	pH¶				6.5-9.0¶	Zinc (dissolved)¶	milligrams-per-litre¶				0.05¶			
Pollutant	Units-of-Measure	50-percentile-concentration-limit	90-percentile-concentration-limit	3DGM¶ concentration-limit	100-percentile-concentration-limit																																																																													
Aluminium (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.45¶																																																																													
Arsenic (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.024¶																																																																													
Boron (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.37¶																																																																													
Conductivity¶	microsiemens-per-centimetre¶	¶	¶	¶	1200¶																																																																													
Copper (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.007¶																																																																													
Fluoride¶	milligrams-per-litre¶	¶	¶	¶	1.8¶																																																																													
Iron (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	0.4¶																																																																													
Manganese (dissolved)¶	milligrams-per-litre¶	¶	¶	¶	1.7¶																																																																													
Nickel (dissolved)¶	milligrams-per-litre¶				0.047¶																																																																													
Oil and Grease¶	milligrams-per-litre¶				10¶																																																																													
pH¶	pH¶				6.5-9.0¶																																																																													
Zinc (dissolved)¶	milligrams-per-litre¶				0.05¶																																																																													

L2.5	<p>The concentration limits stipulated by condition L2.1/L2.4 for EPA identification point 6 is deemed not to apply when the discharge from the stormwater control structures (sediment dams) occurs solely as a result of rainfall measured at the premises which exceeds:</p> <p>a) for the Washery and Stockpile Sediment dams, a total of 56 millimetres of rainfall over any consecutive 5-day period.</p> <p>b) for the Main Sediment dam, a total of 29mm of rainfall over any consecutive 5 day period.</p> <p>Note: A 56mm rainfall event is defined by the EPA endorsed publication "Managing urban stormwater: soils and construction" (Landcom 2004; 6-24) as the rainfall depth in millimetres for a 95th percentile 5-day rainfall event for "Lithgow" which is also consistent with the storage capacity (recommended minimum design criteria) for Type D sediment basins for mines and quarries (see "Managing urban stormwater: soils and construction, Volume 2E, mines and quarries" (DECC, 2008).</p>		LDP 006 is the responsibility of Western Coal Services and were excluded from the Springvale Coal IEA. MCW Environmental understand that these monitoring locations were assessed in the Western Coal Services IEA reported in April 2016 and available on the CC website: CC website Western Coal Services IEA.	Noted
------	---	--	--	-------

L2.6	<p>The concentration limit for total suspended solids stipulated by condition L2.1/L2.4 for EPA identification point 6 is deemed not to have been breached where:</p> <p>a) the water discharged is covered by condition L2.5; and</p> <p>b) the water discharged complies with the turbidity limit at the time of the discharge; and</p> <p>c) the EPA is advised within 3 working days of the completion of the sample testing and analysis as required by condition M2.3 of any results above the licence limit.</p> <p>Note: The purpose of condition L2.6 is to expediate the assessment and subsequent discharge of the clarified water from the stormwater control</p>		LDP 006 is the responsibility of Western Coal Services and were excluded from the Springvale Coal IEA. MCW Environmental understand that these monitoring locations were assessed in the Western Coal Services IEA reported in April 2016 and available on the CC website: CC website Western Coal Services IEA.	Noted
------	---	--	--	-------

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation															
	structures (sediment basins).																		
L3.1	<p>For each discharge point or utilisation area specified below (by a point number), the volume/mass of: a) liquids discharged to water; or; b) solids or liquids applied to the area; must not exceed the volume/mass limit specified for that discharge point or area.</p> <table border="1"> <thead> <tr> <th>Point</th> <th>Unit of Measure</th> <th>Volume/Mass Limit</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>kilolitres per day</td> <td>10000</td> </tr> <tr> <td>4</td> <td>kilolitres per day</td> <td>15000</td> </tr> <tr> <td>5</td> <td>kilolitres per day</td> <td>15000</td> </tr> <tr> <td>9</td> <td>kilolitres per day</td> <td>30000</td> </tr> </tbody> </table>	Point	Unit of Measure	Volume/Mass Limit	1	kilolitres per day	10000	4	kilolitres per day	15000	5	kilolitres per day	15000	9	kilolitres per day	30000	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 06/2016), (CC, 05/2016), (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016). 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) 	<p>The monthly environmental reports from September 2015 to June 2016 identify that the volume of water discharged does not exceed the volume limit specified in EPL 3607 condition L3.1.</p> <p>The annual discharges reported in the 2015 AR (section 7) represent less than daily volume limit specified in EPL 3607 condition L3.1.</p>	Compliant
Point	Unit of Measure	Volume/Mass Limit																	
1	kilolitres per day	10000																	
4	kilolitres per day	15000																	
5	kilolitres per day	15000																	
9	kilolitres per day	30000																	
L3.2	During emergency discharges (as defined in condition E1.1) the licensee may exceed the 15000kL/day limit for points 4 or 5, however the combined total daily limit for these two points must not exceed 30000kL/day. All practical steps must be taken to ensure that there is equilibrium of flow between these two discharge points.		LDP 004 and LDP 005 are for emergency discharge only. Springvale Coal reported that for the period of the IEA there were no emergency discharges from LDP 004 and LDP 005.	Not triggered															
L4.1	<p>Noise Limits</p> <p>Noise from the upcast ventilation shaft must not exceed an LAeq (15 minute) noise emission criterion of 35 dB(A), except as expressly provided by this licence.</p>	<ul style="list-style-type: none"> CC, 11/2013), (CC, 10/2013) Quarterly Noise Monitoring (SLR, 12/04/2016) Monthly Environmental Inspection (CC, 01/2016), (CC, 02/2016), (CC, 03/2016) Environment and Community Database 	<p>The quarterly noise monitoring report (SLR, 12/04/2016) identifies that there are no sensitive receptors for the ventilation shaft no.3.</p> <p>Springvale Coal reported that there were no noise complaints received during the period of the IEA from ventilation shaft no.3.</p>	Compliant															
L4.2	Noise from the premises is to be measured or computed at the nearest or most affected residence to determine compliance with condition L4.1.	<ul style="list-style-type: none"> Quarterly Noise Monitoring (SLR, 12/04/2016) 	The quarterly noise monitoring report (SLR, 12/04/2016) was reviewed and identified that noise from Springvale Coal was measured or computed at the nearest or most affected residence to determine compliance with condition L4.1.	Compliant															
L4.3	<p>Noise</p> <p>For the purpose of condition L5.1:</p> <p>(a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and public holidays;</p> <p>(b) Evening is defined as the period 6pm to 10pm; and</p> <p>(c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and public holidays.</p>	<ul style="list-style-type: none"> Quarterly Noise Monitoring (SLR, 12/04/2016) 	The quarterly noise monitoring report (SLR, 12/04/2016) was reviewed and identified that attended noise monitoring was undertaken during the day, evening and night as described in EPL 3607 condition L4.3.	Compliant															
L4.4	Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.	<ul style="list-style-type: none"> Quarterly Noise Monitoring (SLR, 12/04/2016) Environment and Community Database WRNMP (CC, 2016) 	<p>The quarterly attended noise monitoring results for 31/03/2016 were provided to Springvale Coal on 12/04/2016. The results identified that the attended noise monitoring was undertaken at the locations specified in EPL 3607 (S1- S5) and that monitoring undertaken on 31/03/2016 by SLR, recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2.</p> <p>The exceedance was recorded on the Environment and Community Database Ref No. 4/2016/ccapp1000311.</p> <p>Following the exceedance, notification letters were provided to the landowner at Receptor S2 on 13/04/2016 and the DPE and EPA on 12/04/2016, and a follow up letter provided to the</p>	<p>Non-compliant (Low)</p> <p>EPL 3607 condition L4.4 OFI: Revise WRNMP (Appendix E) to include the requirements of EPL 3607 conditions P1.4 and L4.1 to L4.4.</p> <p>Refer to SSD-5594 CoA S4-1.</p>															

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
-----	-----------	-----------------	-------------------	------------------------------------

POINT 11

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	44
Evening	LAeq (15 minute)	n/a	44
Night	LAeq (15 minute)	n/a	46
Night	Night-LA1 (1 minute)	n/a	52

POINT 12

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	43
Evening	LAeq (15 minute)	n/a	43
Night	LAeq (15 minute)	n/a	46
Night	Night-LA1 (1 minute)	n/a	53

POINT 13

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	35
Evening	LAeq (15 minute)	n/a	35
Night	LAeq (15 minute)	n/a	35
Night	Night-LA1 (1 minute)	n/a	60

POINT 14

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	35
Evening	LAeq (15 minute)	n/a	35
Night	LAeq (15 minute)	n/a	35
Night	Night-LA1 (1 minute)	n/a	45

Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.

Note: The above noise limits apply to 30 June 2016, and do not apply at properties where the licensee has a written agreement with the landowner to exceed the limits.

DPE on 31/05/2016 identifying that the cause of the noise exceedance was track chains on the stockpile dozer and identified that appropriate corrective actions had been undertaken. Corrective actions included replacement of the dozer track chains and link assemblies, stockpile operators were requested to report abnormal noise, dozer operators requested to use second gear while reversing to reduce track slap and fitters scheduled to inspect dozer tracks at regular intervals.

The noise limits in EPL 3607 condition L4.4 are also included within SSD-5594 CoA S4-1 which was also assessed as non-compliant and included recommendations to improve monitoring of noise sources and reporting of noise limit exceedances.

A noise management plan (WRNMP) had been developed for the western region (including Springvale Coal). The noise criteria in Appendix E of the WRNMP does not refer to the receptors and limits specified in EPL 3607 P1.4 and L4.1 respectively. An OFI has been developed for the WRNMP (Appendix E) to be revised to reference the specific requirements of EPL 3607 conditions L4.1 to L4.3 in addition to criteria specified in SSD-5594 CoA S4-1.

O1.1	<p>Operating Conditions</p> <p>Licensed activities must be carried out in a competent manner. This includes:</p> <p>(a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>(b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<ul style="list-style-type: none"> Letter: Formal Warning SDWTS EPA: CC, 10/02/2015) Waste Management Procedure SV-STD-218 (CC, 05/2016) Crew Talk: Correct Use of Waste and Recycle Bins (CC, 25/02/2016) Mine Site Waste Review (JRR, 03/03/2016) Mine Site Waste Review (JRR, 30/03/2016) Springvale Environmental Induction (CC, undated) Underground Contractor Induction Pulse Code: 4023 (CC, undated) Monthly Environment Inspection Checklist (CC, 01/2016, (CC, 	<p>Processing, handling, movement and storage of materials and substances used to carry out the activity:</p> <ul style="list-style-type: none"> Refer EPL 3607 condition O1.2 and L1.1. Springvale Coal received a Formal Warning in 2014 when the EPA determined that the location of the Springvale Delta Water Transfer System (SDWTS) was vulnerable to damage by heavy vehicles and roadwork activities as evidenced by two incidents on 02/09/2014 and 12/09/2014 and three previous incidents in 2009, 2010 and 2014. For failing to provide adequate protection of the SDWTS, the EPA determined that CC had failed to undertake activities in a competent manner. <p>Treatment, storage, processing, transport and disposal of waste:</p> <ul style="list-style-type: none"> Refer SSD-5594 CoA S4-27. Springvale Coal have a procedure for waste management (SV-STD-218) that aims to minimize waste (maximizing recycling) at the site and includes identification of Pit Top waste streams and waste receptacles. The monthly Environment Inspection Checklist includes assessment of 	<p>Compliant (for the period of the IEA)</p> <p>Refer to SSD-5594 CoA S4-27.</p>
------	--	---	---	--

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<p>02/2016), (CC, 03/2016)</p> <ul style="list-style-type: none"> • Surface Inspection work order (W/O OMI 17724 (CC, 22/04/2016) • Surface Inspection work order (W/O OLI 3781 WO (CC, 06/11/2015) 	<p>housekeeping at the Pit Top and LDP 009 (including the stockpile area, ponds, dams, irrigation area and support storage areas). Work orders for the Surface and CHP Coordinator to inspect the stockpile perimeter, pollution traps, oil separator, fire dam water quality, housekeeping and dust were also sighted.</p> <ul style="list-style-type: none"> • Springvale Coal employ JRR to undertake regular waste reviews assessing storage and handling of waste at the pit top (including warehouses, dangerous goods, wash bay and bunds). The reviews identify the presence/absence of spills, status of waste receptacles and also spill response equipment. Reports are provided to the Environment Coordinator. Two reports of the JRR waste review (03/03/2016 and 30/03/2016) were sighted and identified that the wash bay (at entrance to site) was highly contaminated with oil/hydrocarbons and large amounts of sediment visible; and the wash bay near the workshop requires cleaning out. • Waste was observed to be stored appropriately in large recycling skips located near the store (cardboard, metal, recycled plastic/cans). At the equipment storage area adjacent to the coal stockpile, waste was not segregated in skips (eg metal, timber, general waste in one skip). • Springvale Coal provided evidence of off-site disposal records for sediment (mainly coal) that was collected from the ponds at LDP 009. The 2015 AR identified that there was no reject coal produced at Springvale Mine in the reporting period. • The 2015 AR reported that the recycling rate in 2015 (39.78% for the total offsite waste tonnes/recycled waste) represented an improvement from the recycling rate of 2014. • Although waste was not segregated at the equipment storage area near the coal stockpile, as Springvale Coal was assessed as generally meeting the requirements of SSD-5594 CoA S4-27 and EPL 3607 condition O1.1, the condition was assessed as compliant with two identified OFIs included in SSD-5594 CoA S4-27. 	
O2.1	<p>Operating Conditions</p> <p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>(a) must be maintained in a proper and efficient condition; and</p> <p>(b) must be operated in a proper and efficient manner.</p>	<ul style="list-style-type: none"> • Mine / Site Waste Review (JRR, 03/03/2016) • Monthly inspection of dirty surface water oil/water separator (Allfow, 11/2015) • Email: Records of February 2016 maintenance to environmental controls (Geolen Services: CC, 07/03/2016) • Springvale Site Clean-up reports (New Era, 05/2015 and 04-08/12/2015) • LDP 001 Calibration certificate for flowmeter (Hyquest, 08/03/2016) • Monthly Environment Inspection (CC, 19/01/2016), (CC, 11/03/2016) • Springvale Environment Procedures: <ul style="list-style-type: none"> • Pollution Control Maintenance procedure SV-SWP-2166 • Hydrocarbon Chemical Management SZ-MP-027-WP-527 • Erosion and Sediment Control Procedure SV-MS-027-WP-529 • Noise Management Surface SV-STD-2172 • State Forest Civil and General Earthworks Environmental Controls 	<p>Refer SSD-5594 CoA S2-14 (similar condition).</p> <p>All workers/contractors onsite were reportedly required to undertake an induction which included assessment. Copies of the induction and assessment forms were provided.</p> <p>Records verifying that maintenance and proper operation of pollution control equipment was occurring were provided e.g.:</p> <ul style="list-style-type: none"> • Weekly inspection of the Pit Top including visual assessment of the oil/water separator, waste, wash bay and storage areas; • Weekly inspection of plateau; • Power Line inspection form; • Equipment maintenance records for the oily water separator; • Weekly service reports for LDP 001 pH unit/UG pump/STP agitator and LDP dosing plant; • Calibration certificate for LDP 001 flowmeter; • Housekeeping at the pit top and laydown areas; • Monthly record of maintenance to environmental controls including oily sludge removal from oil/water separator, solids removal from wash bay and sumps, backflush gabion filters at top yard drain and sort and disposal of steel rubbish; • Monthly Environment Coordinator inspection records; • Repairs to silt drains (19/02/2016); and • Water treatment / dosing records. <p>The Draft Springvale Water Management Plan Section 3.1.4 and Fig 3-4 identifies that excess water from the grit trap, wastewater from the machinery wash-down bay, hardstand areas, oil storage areas, workshop, and run-off from the contributing dirty water catchment discharges to the Pit Top oil/water separator; and water from the oil/water separator is transferred to the Secondary Pond and ultimately to the Renown colliery workings or discharge at LDP 001 to Springvale Creek. Although records of regular inspections and maintenance for the Pit Top oil/water separator were provided by Springvale Coal, at the time of the IEA site inspection the plates in the separator were blocked with sediment. Although EPL 3607 monthly Environmental Monitoring Reports did not identify an exceedance of the LDP 001 oil and grease concentration limit; as the oil/water separator removes oil from water discharged to the Secondary Pond, integrity of the oil/water separator is critical. Consequently, a recommendation was identified to assess the adequacy of the existing oil/water separator for</p>	<p>Complaint</p> <p>Refer to SSD-5594 CoA S2-14.</p>

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<p>SV-STD-1972</p> <ul style="list-style-type: none"> • Waste Management Procedure SV-MS-034-WP-663 • Pulse Work Order SWP-2166 for maintenance to oil/water separator pump (CC, 29/02/2016) • Draft Springvale Water Management Plan (CC, 03/2016) • Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015) • Springvale Service Report Feb 16.pdf • 160307 Centennial Coal Weekly Service Report.docx • APP118597_SV103 151128 Rep E1.pdf • APP118597_SVMT 1509 Rep - OHL ISSC3 Compliance.pdf 	<p>the current dirty water load.</p> <p>Springvale Coal reported that the Pulse work order system triggers quarterly inspections of Springvale Mine pit top and stockpile area by the Mine Services Manager to identify best practice opportunities (housekeeping, maintenance of equipment, surface water management and sediment load, dust generating activities etc). At the time of undertaking the IEA site inspection, the June inspection was overdue.</p> <p>During the site inspection the following observations were made regarding housekeeping, waste management, hazardous material storage and spill response at the Pit Top areas adjacent to the outbye, store and workshop:</p> <ul style="list-style-type: none"> • The capacity of the wash bay near the workshop was reduced due to amount of sediment and required cleaning out. • Spill response: <ul style="list-style-type: none"> ○ A spill response bin and comingled waste bin were both the same orange colour and located side by side adjacent to the outbye. This has the potential for misuse of the spill response bin as a waste receptacle. ○ A spill response bin located near the store had been used for rubbish disposal. ○ Blue and orange coloured spill response bins were available which has the potential for confusion. ○ Although absorbent had been used on oil spills outside the store, the contaminated absorbent had not been swept up and disposed. • The Contractors compound located to the southeast of the wash bay near the workshop had unbanded 20L oil drums and general waste scattered across the area. • Un-rolled hoses were prevalent throughout the Pit Top area. • 20L hydraulic oil drums were stored on timber pallets and not banded across the pit top area. • Combustible timber pallets were present in the Class 3 Dangerous Goods storage containers located near the store. • 1,000 L IBC labelled as 'contaminated' was unbanded on the hardstand area to the south east of the wash bay near the workshop. • Equipment and materials were stored outside the store and outside the yellow marked areas' reducing the space for vehicle and pedestrian access and providing opportunity for loss of containment from impact with material. <p>Although the Pit Top areas adjacent to the outbye, store and workshop are within the dirty surface water system, which is diverted to the grit trap and oil/water separator system, there is opportunity to reduce the load on the grit trap and oil/water separator by improving housekeeping and materials storage.</p> <p>During the site inspection at the equipment storage area adjacent to the coal stockpile the following observations were made:</p> <ul style="list-style-type: none"> • Waste was not segregated in skips (eg metal, timber, general waste in one skip); and • Although 20L drums were stored on banded pallets, the number of drums stored on one pallet exceeded the capacity of the pallet and drums were stored over the edge of the pallet. <p>As there was evidence that the plant and equipment was maintained and operated in a proper manner this condition was assessed as compliant however; based on the observations during the site inspection, the standard of housekeeping, including hazardous material storage and handling, and waste management was assessed as requiring improvement. Refer to SSD-5594 CoA S2-14 for recommendations.</p>	
O3.1	<p>Dust</p> <p>The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.</p>	<ul style="list-style-type: none"> • WRAQGHGMP (CC, 02/2016) • Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 	<p>Springvale Coal has two dust deposition gauges (D1 and D2) and there is also one high volume air sampler (HVAS) measuring both PM₁₀ and Total Suspended Particulates at the D2 site. Monitoring data from the HVAS is manually downloaded on a monthly basis for data validation purposes.</p> <p>Monitoring of the two dust depositional gauges (D1 and D2), applicable to Springvale Coal and triggered by EPL 3607, and complaints, are provided in monthly environmental reports which are available on the Centennial Coal website.</p>	Compliant

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																														
		05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) 2015 AR (CC, 2016). • 2013 Annual Return (CC, 2014) • 2014 Annual Return (CC, 2015) • 2015 Annual Return (CC, 2016) • Monthly dust monitoring (ACIRL, 2016) Environment and Community Database	Springvale Coal has submitted Annual Returns to the EPA for 2013, 2014 and 2015 which identify there was no exceedance of the Table 5 air quality criteria and that there were no dust complaints. Results of PM ₁₀ , TSP and deposited dust within the 2013 and 2014 AEMR and 2015 AR identify that the air quality criteria in Table 5 has not been exceeded. There were no dust complaints registered on the Environment and Community Database for the period of the SSD-5594 IEA. The Western Region Air Quality and Greenhouse Gas Management Plan (WRAQGHGMP) includes mitigation measures for dust such as enclosed conveyors, speed limits, use of water carts, and HVAS and depositional gauge dust (short term and long term) monitoring.																															
O3.2	Dust Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	• Chain of Responsibility Permit SV-TA-1650 for transport of material and equipment (Heavy vehicle loads) • Environment and Community Database	Springvale Coal reported that the safe work procedure for removal of items off site (SV-TA-1650) is implemented for heavy vehicle loads. The procedure outlines the steps to be taken for items of plant and materials transported off site by road and includes the following checklist: <table border="1"> <thead> <tr> <th></th> <th>TRANSPORT FROM SITE CHECKLIST</th> <th>COMPLETE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>All guards & covers secured?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>2</td> <td>All doors & compartments are closed & secured</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>3</td> <td>All chains, hazard droppers etc secure or removed?</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>4</td> <td>All loose bolts, pins "D" shackles removed</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>5</td> <td>All cables & plugs (Lights also where applicable) contained & secured</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>5</td> <td>All hoses, connectors & valves contain & secured</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>6</td> <td>Ensure where practical all mud and debris is removed</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>7</td> <td>Ensure all loose items are removed including wheel chocks, mine plans etc</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>8</td> <td>Conduct an inspection to ensure that there are no items at risk of coming free</td> <td><input checked="" type="checkbox"/></td> </tr> </tbody> </table> There were no records of complaints on the Environment and Community database relating to trucks from the Springvale Mine carrying dirt or mud onto public roads and/or resulting in material falling on the road to create a safety hazard or public nuisance.		TRANSPORT FROM SITE CHECKLIST	COMPLETE	1	All guards & covers secured?	<input checked="" type="checkbox"/>	2	All doors & compartments are closed & secured	<input checked="" type="checkbox"/>	3	All chains, hazard droppers etc secure or removed?	<input checked="" type="checkbox"/>	4	All loose bolts, pins "D" shackles removed	<input checked="" type="checkbox"/>	5	All cables & plugs (Lights also where applicable) contained & secured	<input checked="" type="checkbox"/>	5	All hoses, connectors & valves contain & secured	<input checked="" type="checkbox"/>	6	Ensure where practical all mud and debris is removed	<input checked="" type="checkbox"/>	7	Ensure all loose items are removed including wheel chocks, mine plans etc	<input checked="" type="checkbox"/>	8	Conduct an inspection to ensure that there are no items at risk of coming free	<input checked="" type="checkbox"/>	Compliant
	TRANSPORT FROM SITE CHECKLIST	COMPLETE																																
1	All guards & covers secured?	<input checked="" type="checkbox"/>																																
2	All doors & compartments are closed & secured	<input checked="" type="checkbox"/>																																
3	All chains, hazard droppers etc secure or removed?	<input checked="" type="checkbox"/>																																
4	All loose bolts, pins "D" shackles removed	<input checked="" type="checkbox"/>																																
5	All cables & plugs (Lights also where applicable) contained & secured	<input checked="" type="checkbox"/>																																
5	All hoses, connectors & valves contain & secured	<input checked="" type="checkbox"/>																																
6	Ensure where practical all mud and debris is removed	<input checked="" type="checkbox"/>																																
7	Ensure all loose items are removed including wheel chocks, mine plans etc	<input checked="" type="checkbox"/>																																
8	Conduct an inspection to ensure that there are no items at risk of coming free	<input checked="" type="checkbox"/>																																
O4.1	Effluent application to land Effluent application must not occur in a manner that causes surface runoff.		Grey water and sewage from the administration and bathhouse buildings is directed to the on-site sewage effluent ponds and is spray irrigated to a designated utilisation area via EPL 3607 LDP 002. As the irrigation system was not operating during the IEA inspection, an assessment as to whether surface run off occurred as a result of effluent application was unable to be made consequently this condition was assessed as Not Verified. There was no visual evidence of erosion, scoring or vegetation discolouration in the vicinity of the irrigation heads. At the time of the site inspection, the Springvale Sewage Transfer Plant (STP) had recently been upgraded and was undergoing commissioning. When commissioned, waste water from the bathhouse and office buildings will be discharged to a 64,000L storage facility and transferred via a 2500-metre pipeline to the LCC Duncan St Pump station. Springvale Coal reported that approximately 30,000L is generated per day currently and the upgraded system has capacity for a maximum capacity of 450 persons. If water from the on-site sewage effluent treatment ponds continues to be applied to the utilisation area, a recommendation was made to assess irrigation practices for the effluent irrigation area against the EPA guidelines 'Use of Effluent for Irrigation' and implement corrective actions as required (Refer DA 11/92 CoA S213).	Not verified Refer to DA 11/92 CoA S2-13																														
O4.2	Effluent application to land Spray from effluent application must not drift beyond the boundary of the premises.	• Draft Springvale Mine Water Management Plan (CC, 03/2016) • EPL 3607 • 2013 Annual Return (CC, 2014) • 2014 Annual Return (CC, 2015) • 2015 Annual Return (CC, 2016)	The irrigation sprinklers were located at the very edge, and amidst some trees, of the Newnes State Forest and the boundary of the property was not defined. As the irrigation system was not operating during the IEA inspection, an assessment as to whether the effluent application drifted beyond the boundary of the premises could not be made consequently this condition was assessed as Not Verified.	Not verified Refer to DA 11/92 CoA S2-13																														

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> EnviDan - Springvale Wastewater Transfer Scheme - Design Report - Rev G - 300415.docx SVY02755_Sewage Route.pdf SVY02775_Proposed waste water storage and pump station.pdf 	If water from the on-site sewage effluent treatment ponds continues to be applied to the utilisation area, a recommendation was made to assess irrigation practices for the effluent irrigation area against the EPA guidelines 'Use of Effluent for Irrigation' and implement corrective actions as required (Refer DA 11/92 CoA S213).	
O4.3	Effluent application to land Livestock access to any effluent application area must be denied during irrigation and until the applied effluent has dried.		There was no evidence of livestock in the effluent area irrigation area during the site inspection. The irrigation area was directly adjacent to the Newnes State Forest.	Compliant
O4.4	The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids. For the purpose of this condition, 'effectively utilise' include the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.	<ul style="list-style-type: none"> Monitoring spreadsheet (ALS, 04/2016) 	Refer DA 11/92 CoA S2-13 Grey water and sewage from the administration and bathhouse buildings is directed to the on-site sewage effluent ponds and is spray irrigated to a designated utilisation area via EPL 3607 LDP 002. There were no reported requests from the EPA to provide details of grey water and sewage effluent treatment, monitoring and disposal. However, there was no evidence provided that an assessment of the capacity of the utilisation area had been undertaken. At the time of the IEA site inspection, Springvale Coal were in the process of commissioning a project to divert wastewater from the irrigated utilisation area to the Lithgow sewage system. The ALS monitoring spreadsheet included analyses for soil in the sewage utilisation area (27/04/2016). The results included sodium absorption ratio and moisture content however did not report as to whether the utilisation area was effectively utilising the irrigated effluent. If water from the on-site sewage effluent treatment ponds continues to be applied to the utilisation area, a recommendation was made to assess irrigation practices for the effluent irrigation area against the EPA guidelines 'Use of Effluent for Irrigation' and implement corrective actions as required (Refer DA 11/92 CoA S213).	Not verified Refer to DA 11/92 CoA S2-13
O5.1	Waste Management There must be no incineration or burning of any waste at the premises.	<ul style="list-style-type: none"> Mine Site Waste Review (JRR, 03/03/2016) Mine Site Waste Review (JRR, 30/03/2016) 	Springvale Coal reported that incineration or burning of waste was not undertaken at the site. There was no visible evidence of burning or incineration of waste sighted during the site inspection. Waste records were available for review.	Compliant
O5.2	Waste Management The sediments from the settling ponds of the Springvale Delta Water Transfer Scheme must be disposed of lawfully.	<ul style="list-style-type: none"> 2015 AR (CC, 2016) Quarterly Coal Transport Records (CC, 12/2015) Pulse Work Order OM 53797 Coal transport records (CC, 03/2016) (CC, 12/2015) Springvale Coal website: http://data.centennialcoal.com.au/domino/centennialcoal/cc205.nsf/Published.xsp?site=Springvale&type=Environmental%20Management%20Report&date=All 	Records reviewed identified that movement of sediment from the 'silt bag' located at LDP 009 were included within road transportation records and disposed lawfully. Quarterly records of coal transported by conveyor, private haul road and public road were available on the website for December 2015 and March 2016. These reports identified that < 1,000 tonnes of coal waste had been transported on a public road and no coal had been transported on private haul roads during the six months prior to 29/02/2016.	Compliant
O6.1	Other Operating Conditions The stormwater control structures (sediment dams) identified at condition L2.5 EPA identification point 6 must be drained or pumped out as necessary to maintain each basins design storage capacity within 5 days following rainfall.		LDP 006 is the responsibility of Western Coal Services and were excluded from the Springvale Coal IEA. MCW Environmental understand that these monitoring locations were assessed in the Western Coal Services IEA reported in April 2016 and available on the CC website: CC website Western Coal Services IEA .	Noted
O6.2	Other Operating Conditions Water discharged to comply with condition O6.1 may only be discharged to waters from those stormwater control structures (sediment dams) identified at EPA identification point 6 where the discharged water complies with the		LDP 006 is the responsibility of Western Coal Services and were excluded from the Springvale Coal IEA. MCW Environmental understand that these monitoring locations were assessed in the Western Coal Services IEA reported in April 2016 and available on the CC website: CC website Western Coal Services IEA .	Noted

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation								
	discharge limits stipulated at condition L2.1/L2.4 (and taking into consideration condition L2.5).											
M1.1	<p>Monitoring Records</p> <p>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.</p>	<ul style="list-style-type: none"> Monitoring results.xls (ALS, 04/2016) (ALS, 03/2016) (ALS, 2014) Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 	<p>Monitoring results (including water quality, dust, HVAS, groundwater and water flow) are compiled and stored in MS Excel spread sheets APP 126992 Springvale. Water and dust analyses were reviewed in March and April 2016 monitoring spreadsheets. Results were available from 2012.</p> <p>Environmental monitoring results were also available in the monthly environmental monitoring reports and summarised in the 2013, 2014 and 2015 Annual Returns.</p> <p>As monitoring results triggered by EPL 3607 were available for review, this condition as assessed as compliant.</p>	Compliant								
M1.2	<p>Monitoring Records</p> <p>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.</p>	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 	<p>Monitoring results were sighted and available for the audit period. Records were available from 2012.</p> <p>Monitoring records were available in a legible form and were available if requested by the EPA.</p> <p>The monthly monitoring reports included EPL 3607 limits (where applicable).</p>	Compliant								
M1.3	<p>Monitoring Records</p> <p>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.</p>	<ul style="list-style-type: none"> Monitoring results.xls (ALS, 04/2016) (ALS, 03/2016) (ALS, 2014) 	<p>ALS monitoring spreadsheets included:</p> <ol style="list-style-type: none"> The date(s) on which the sample was taken; The time(s) at which the sample was collected; The point at which the sample was taken; and The name of the person who collected the sample. 	Compliant								
M2.1	<p>Requirement to monitor concentration of pollutants discharged</p> <p>Special Frequency 1 means every five days.</p>		Noted	Noted								
M2.2	<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>		Noted	Noted								
M2.3	<p>Air Monitoring Requirements</p> <p>POINT 8</p> <table border="1"> <thead> <tr> <th>Pollutant^a</th> <th>Units of measure^a</th> <th>Frequency^a</th> <th>Sampling Method^a</th> </tr> </thead> <tbody> <tr> <td>Particulates -- Deposited Matter^a</td> <td>grams per square metre per month^a</td> <td>Monthly^a</td> <td>AM-19^a</td> </tr> </tbody> </table>	Pollutant ^a	Units of measure ^a	Frequency ^a	Sampling Method ^a	Particulates -- Deposited Matter ^a	grams per square metre per month ^a	Monthly ^a	AM-19 ^a	<ul style="list-style-type: none"> Monitoring results.xls (ALS, 04/2016) (ALS, 03/2016) (ALS, 2014) 	<p>The ALS monitoring results spreadsheet identifies that the method of sampling for particulates is 3580.9.6:2003. The Approved Methods for the Sampling and Analysis of Air Pollutants identifies that 3580.9.6:2003 is AM-19.</p>	Compliant
Pollutant ^a	Units of measure ^a	Frequency ^a	Sampling Method ^a									
Particulates -- Deposited Matter ^a	grams per square metre per month ^a	Monthly ^a	AM-19 ^a									
M2.4	<p>Water and/ or Land Monitoring Requirements</p> <p>Point 1</p>	<ul style="list-style-type: none"> Monitoring results.xls (ALS, 04/2016) (ALS, 03/2016) (ALS, 2014) Monthly Environmental Monitoring 	<p>There was no discharge during the period of the IEA from LDPs 004, 005 and 010.</p> <p>For LDPs 001 and 009 the auditor sighted raw data on the ALS monitoring results showing that the concentration of each pollutant specified in Column 1 was monitored by using the sampling method, units of measure, and sampling at the frequency specified in EPL 3607</p>	Compliant								

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
-----	-----------	-----------------	-------------------	------------------------------------

Pollutant ^a	Units-of-measure ^a	Frequency ^a	Sampling-Method ^a
Conductivity ^a	microsiemens per-centimetre ^a	Weekly during any-discharge ^a	Grab sample ^a
Filterable iron ^a	milligrams per litre ^a	Monthly during discharge ^a	Grab sample ^a
Filterable manganese ^a	milligrams per litre ^a	Monthly during discharge ^a	Grab sample ^a
Oil and Grease ^a	milligrams per litre ^a	Monthly during discharge ^a	Grab sample ^a
pH ^a	pH ^a	Weekly during any-discharge ^a	Grab sample ^a
Total suspended solids ^a	milligrams per litre	Monthly during discharge ^a	Grab sample

Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013)

M2.4.
ALS advised that representative sample for LDP 009 is taken from the water storage at the discharge point.

Point 4, 5

Pollutant ^a	Units-of-measure ^a	Frequency ^a	Sampling-Method ^a
Conductivity ^a	microsiemens per-centimetre ^a	Daily during any-discharge ^a	Probe ^a
Filterable iron ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Grab sample ^a
Filterable manganese ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Grab sample ^a
Oil and Grease ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Grab sample ^a
pH ^a	pH ^a	Daily during any-discharge ^a	Probe ^a
Temperature ^a	degrees-Celsius ^a	Daily during any-discharge ^a	Probe ^a
Total suspended solids ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Grab sample ^a
Turbidity ^a	nephelometric turbidity-units ^a	Daily during any-discharge ^a	Grab sample ^a

Point 9

Pollutant ^a	Units-of-measure ^a	Frequency ^a	Sampling-Method ^a
Aluminium (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Arsenic (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Boron (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Conductivity ^a	microsiemens per-centimetre ^a	Weekly during any-discharge ^a	Representative sample ^a
Copper (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Fluoride ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Iron (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Manganese (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Nickel (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Oil and Grease ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
pH ^a	pH ^a	Weekly during any-discharge ^a	Representative sample ^a
Total suspended solids ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a
Turbidity ^a	nephelometric turbidity-units ^a	Weekly during any-discharge ^a	Representative sample ^a
Zinc (dissolved) ^a	milligrams per litre ^a	Weekly during any-discharge ^a	Representative sample ^a

Point 10

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																																																												
	<table border="1"> <thead> <tr> <th>Pollutant^a</th> <th>Units of measure^a</th> <th>Frequency^a</th> <th>Sampling Method^a</th> </tr> </thead> <tbody> <tr> <td>Aluminium (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Arsenic (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Boron (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Conductivity^a</td> <td>microsiemens per centimetre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Copper (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Fluoride^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Iron (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Manganese (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Nickel (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Oil and Grease^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>pH^a</td> <td>pH^a</td> <td>Daily^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Total suspended solids^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Turbidity^a</td> <td>nephelometric turbidity units^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> <tr> <td>Zinc (dissolved)^a</td> <td>milligrams per litre^a</td> <td>Daily during any discharge^a</td> <td>Representative sample^a</td> </tr> </tbody> </table>	Pollutant ^a	Units of measure ^a	Frequency ^a	Sampling Method ^a	Aluminium (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Arsenic (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Boron (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Conductivity ^a	microsiemens per centimetre ^a	Daily during any discharge ^a	Representative sample ^a	Copper (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Fluoride ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Iron (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Manganese (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Nickel (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Oil and Grease ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	pH ^a	pH ^a	Daily ^a	Representative sample ^a	Total suspended solids ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a	Turbidity ^a	nephelometric turbidity units ^a	Daily during any discharge ^a	Representative sample ^a	Zinc (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a			
Pollutant ^a	Units of measure ^a	Frequency ^a	Sampling Method ^a																																																													
Aluminium (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Arsenic (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Boron (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Conductivity ^a	microsiemens per centimetre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Copper (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Fluoride ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Iron (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Manganese (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Nickel (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Oil and Grease ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
pH ^a	pH ^a	Daily ^a	Representative sample ^a																																																													
Total suspended solids ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Turbidity ^a	nephelometric turbidity units ^a	Daily during any discharge ^a	Representative sample ^a																																																													
Zinc (dissolved) ^a	milligrams per litre ^a	Daily during any discharge ^a	Representative sample ^a																																																													
M3.1	<p>Testing methods - concentration limits</p> <p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>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</p> <p>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.</p> <p>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".</p>	<ul style="list-style-type: none"> Monitoring results.xls (ALS, 04/2016) (ALS, 03/2016) (ALS, 2014) 	<p>The ALS monitoring results spreadsheet identifies that the method of sampling for particulates is 3580.9.6:2003. The Approved Methods for the Sampling and Analysis of Air Pollutants identifies that 3580.9.6:2003 is AM-19 (which is specified in EPL 3607 condition M2.4.</p> <p>The ALS monitoring spreadsheet provides the method of analysis for deposited dust to be in accordance with Methods for sampling and analysis of ambient air Method 10.1: Determination of particulate matter- Deposited matter-Gravimetric method Standards Australia, 2003.</p> <p>It is recommended that ALS confirm on each monitoring result spreadsheet, and CC confirm on each monthly monitoring report, whether the monitoring of dust and particulates was conducted in accordance with "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>	<p>Compliant</p> <p>EPL 3607 condition M3.1 OFI: Include on both the ALS monitoring spreadsheet and the CC monthly environmental monitoring report, the analytical method used for deposited dust, PM₁₀ and TSP and that this method is in accordance with "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>																																																												
M3.2	<p>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.</p>	<ul style="list-style-type: none"> Monitoring results.xls (ALS, 04/2016) (ALS, 03/2016) (ALS, 2014) 	<p>The ALS monitoring results spreadsheet identifies that the methodology of water analyses is "In accordance with "Standard Methods for the Examination of Water & Wastewater" APHA, AWWA, WEF and Water & Wastewater Examination Manual (V. Dean Adams) Preservation procedures in accordance with AS/NZS 5667/1 when sampled by ACIRL staff unless otherwise stated". The auditor was unable to confirm if this methodology meets the requirements of the Approved Methods Publication e.g. the metals analyses for LDP 009 in the monthly environmental monitoring report are identified as filtered. The auditors are not clear whether the Approved Methods Publication require filtering.</p> <p>It is recommended that ALS confirm on each monitoring result spreadsheet, and CC confirm on each monthly monitoring report, whether the monitoring was conducted in accordance with the "Approved Methods Publication".</p>	<p>Not verified</p> <p>EPL 3607 condition M3.2 OFI: Include on both the ALS monitoring spreadsheet and the monthly environmental monitoring report the analytical methods used for water quality analyses and that these methods are in accordance with "Approved Methods Publication".</p>																																																												
M4.1	<p>Environmental monitoring</p> <p>The licensee must ensure that the following meteorological parameters are monitored on site and the results recorded: -</p>	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 	<p>The monthly Environmental Monitoring Reports, which are available on the website, identify that the following parameters are measured at the on-site meteorological station:</p> <p>a) Monthly total rainfall;</p>	<p>Compliant</p>																																																												

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
-----	-----------	-----------------	-------------------	------------------------------------

- a) daily rainfall;
- b) daily evaporation;
- c) continuous wind speed and direction.

01/2016), (CC, 12/2015), (CC, 11/2015),

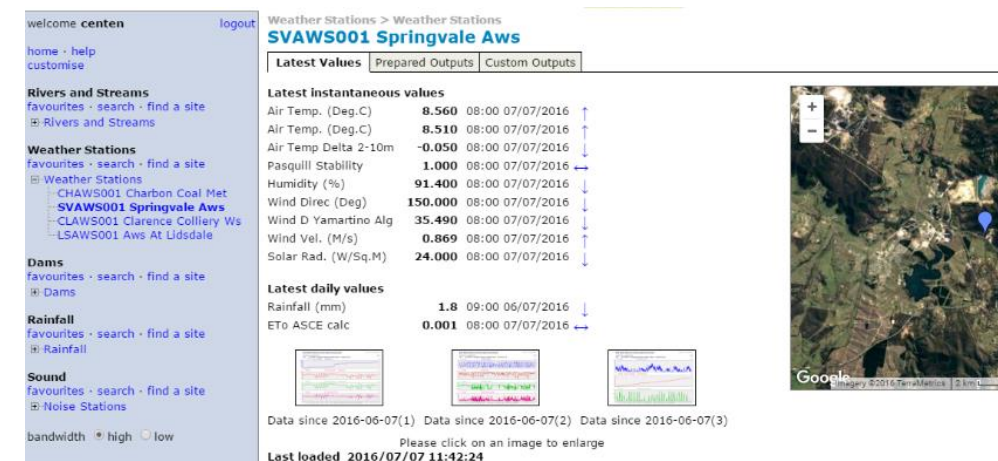
- b) Minimum temperature; and'
- c) Maximum temperature.

The WRAQGHGMP (Appendix E Table 4) states that the meteorological station monitors, temperature, wind speed and direction, rainfall, relative humidity and evaporation.

The calibration certificate for the Springvale meteorological station (22/09/2015) states that the unit:

- Has:
 - Campbell Scientific CR800 Data Logger
 - Met-One 034B Wind Sensor (existing)
 - Vaisala HMP155 Air Temperature and Humidity sensor
 - Middleton SK01-D2 Pyranometer
 - Model 107 Temperature Sensor
- Complies with the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC 2005/360); and
- Has been programmed to calculate the Pasquill-Gifford Stability Category for non-arid areas in NSW using the Sigma-Theta Method measured with hourly data in accordance with Appendix E5 Tables E5/E6 of the NSW Industrial Noise Policy.

The ALS portal provides data for the Springvale Automatic Weather station as demonstrated in the following screenshot showing daily rainfall, evaporation calculation, wind speed and direction:



M5.1	<p>Pollution complaint records</p> <p>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.</p>	<ul style="list-style-type: none"> • Environment and Community Database • 2015 Annual Return (CC, 2016) • 2015 AR (CC, 2016) • SV-TARP 1758 Community Complaint or Request for Information (CC, 2015) 	<p>The Environment and Community Database identified one community compliant (Ref: 4/2015/ccapp1000259) during the period of the IEA relating to a vehicle entering the highway at 5.30am on 28/09/2015.</p> <p>Complaints are also summarised on the monthly Environmental Monitoring Report (section 7) which are available on the CC website.</p> <p>A record of contact from the community was available in the control room compliant log (not related to Springvale Coal).</p> <p>Springvale Coal has developed a procedure to address community complaints and requests for information which may be received by the mine (SV-TARP-1758).</p>	Compliant
M5.2	<p>Pollution complaint records</p> <p>The record must include details of the following:</p> <ul style="list-style-type: none"> (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 	<ul style="list-style-type: none"> • Environment and Community Database – complaint 4/2015/ccapp1000259 (CC, 29/09/2015) • EMS (CC, 18/03/2016) 	<p>The Environment Management Strategy identifies that the following information is required for each complaint:</p> <ul style="list-style-type: none"> • Date and time of the complaint; • Complainant details; • Details of the issue or complaint; • Actions taken to remediate the issue; • Follow up actions required; • Details of further liaison with complainant; and 	Compliant

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	contact with the complainant; and (f) if no action was taken by the licensee, the reasons why no action was taken.		<ul style="list-style-type: none"> Closure of the issue. <p>The community complaint recorded on the Environment and Community Database (4/2015/ccapp1000259) included:</p> <ol style="list-style-type: none"> The date and time of the complaint; The method by which the complaint was made (How) Complainant details; The nature of the complaint; The action taken – referred to NSW Police and a toolbox talk was held to reiterate potential traffic impacts on the community. 	
M5.3	Pollution complaint records The record of a complaint must be kept for at least 4 years after the complaint was made.	<ul style="list-style-type: none"> Environment and Community Database EMS (CC, 18/03/2016) 	The procedure for managing complaints is described in the Environment Management Strategy (section 2.5.2). The Environment and Community Database addresses the requirement to keep complaint records for at least four years.	Compliant
M5.4	Pollution complaint records The record must be produced to any authorised officer of the EPA who asks to see them.		<p>The Environment and Community Database has records of complaints available if requested by the EPA.</p> <p>Springvale Coal reported that no request has been received by the EPA for complaint records.</p>	Compliant
M6.1	Telephone complaints line 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.		<p>The auditors tested the telephone complaints phone number (02 6350 1640) during the IEA. The call was received by the Springvale Coal control room and the operator was prepared to record details of the complaint and complainant and then to pass onto the Environment and Community Coordinator.</p> <p>A record of a community complaint was available in the control room.</p> <p>The control room is manned 24 hours / day.</p>	Compliant
M6.2	Telephone complaints line 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.	<ul style="list-style-type: none"> CCC minutes (04/2016) 	<p>Springvale Coal reported that the telephone complaints phone number had not advertised in a local newspaper recently.</p> <p>The telephone complaints phone number was not available on the sign at the entrance to the site.</p> <p>The Springvale Coal telephone complaints phone number was available on the CC website /Contact Us page.</p> <p>The number of complaints recorded in 2015 were tabled at the April 2016 CCC meeting.</p>	<p>Compliant</p> <p>EPL 3607 condition M6.2 OFI: As the telephone complaints number has not been included in a Newsletter recently and/or is not available on the sign at the entrance to the site, develop a system to provide notification to 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 on a regular basis (e.g. six-monthly).</p>
M6.3	Telephone complaints line The preceding two conditions do not apply until 3 months after: (a) the date of the issue of this licence or (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.		Noted	Noted
M7.1	Requirement to Monitor volume or mass For each discharge point or utilisation area specified below, the licensee must monitor: a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air;	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), 	<p>The volume of water discharged at LDPs 001, 002, 004, 005 and 009 is reported in the monthly Environmental Monitoring reports.</p> <p>There were no discharges from LDPs 004 and 005 during the period of the IEA and the 2015 AR reporting period.</p>	Compliant

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																																										
	<p>at the frequency and using the method and units of measure, specified below.</p> <p>Point1:</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily^a</td> <td>kilolitres per day^a</td> <td>Flow-meter-and-continuous-logger^a</td> </tr> </tbody> </table> <p>Point 2</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily^a</td> <td>kilolitres per day^a</td> <td>Flow-meter-and-continuous-logger^a</td> </tr> </tbody> </table> <p>POINT-4^a</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily-during-any-discharge^a</td> <td>kilolitres per day^a</td> <td>By-Calculat^aion-(volume-flow-rate-or-pump-capacity-multiplied-by-operating-time)^a</td> </tr> </tbody> </table> <p>POINT-5^a</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily-during-any-discharge^a</td> <td>kilolitres per day^a</td> <td>By-Calculat^aion-(volume-flow-rate-or-pump-capacity-multiplied-by-operating-time)^a</td> </tr> </tbody> </table> <p>POINT-7^a</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily-during-any-discharge^a</td> <td>kilolitres per day^a</td> <td>Estimate^a</td> </tr> </tbody> </table> <p>POINT-9^a</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily-during-any-discharge^a</td> <td>kilolitres per day^a</td> <td>Estimate^a</td> </tr> </tbody> </table> <p>POINT-10^a</p> <table border="1"> <thead> <tr> <th>Frequency^a</th> <th>Unit-of-Measure^a</th> <th>Sampling-Method^a</th> </tr> </thead> <tbody> <tr> <td>Daily-during-any-discharge^a</td> <td>kilolitres per day^a</td> <td>Estimate^a</td> </tr> </tbody> </table>	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily ^a	kilolitres per day ^a	Flow-meter-and-continuous-logger ^a	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily ^a	kilolitres per day ^a	Flow-meter-and-continuous-logger ^a	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily-during-any-discharge ^a	kilolitres per day ^a	By-Calculat ^a ion-(volume-flow-rate-or-pump-capacity-multiplied-by-operating-time) ^a	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily-during-any-discharge ^a	kilolitres per day ^a	By-Calculat ^a ion-(volume-flow-rate-or-pump-capacity-multiplied-by-operating-time) ^a	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily-during-any-discharge ^a	kilolitres per day ^a	Estimate ^a	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily-during-any-discharge ^a	kilolitres per day ^a	Estimate ^a	Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a	Daily-during-any-discharge ^a	kilolitres per day ^a	Estimate ^a	(CC, 11/2015),	<p>LDP 007 is the responsibility of Western Coal Services.</p> <p>Water volumes are measured at LDPs 001 and 009 using a v-notch weir with a level sensor, and at LDP 002 using an STP water meter.</p> <p>The draft Springvale Coal Water Management Plan (CC, 03/2016) (section 6.1.3) identifies the volume limits for LDPs 001, 002, 004, 005 and 009.</p>	
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily ^a	kilolitres per day ^a	Flow-meter-and-continuous-logger ^a																																												
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily ^a	kilolitres per day ^a	Flow-meter-and-continuous-logger ^a																																												
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily-during-any-discharge ^a	kilolitres per day ^a	By-Calculat ^a ion-(volume-flow-rate-or-pump-capacity-multiplied-by-operating-time) ^a																																												
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily-during-any-discharge ^a	kilolitres per day ^a	By-Calculat ^a ion-(volume-flow-rate-or-pump-capacity-multiplied-by-operating-time) ^a																																												
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily-during-any-discharge ^a	kilolitres per day ^a	Estimate ^a																																												
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily-during-any-discharge ^a	kilolitres per day ^a	Estimate ^a																																												
Frequency ^a	Unit-of-Measure ^a	Sampling-Method ^a																																												
Daily-during-any-discharge ^a	kilolitres per day ^a	Estimate ^a																																												
R1.1	<p>Annual Return</p> <p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <p>(a) a Statement of Compliance; and</p> <p>(b) a Monitoring and Complaints Summary.</p> <p>At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA</p>	<ul style="list-style-type: none"> 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) EPA public register website 	Annual Returns have been supplied to the EPA since 2013 in the approved form.	Compliant																																										
R1.2	<p>Annual Return</p> <p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period."</p>	<ul style="list-style-type: none"> 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) EPA public register website 	Annual Returns have been supplied to the EPA since 2013 in the approved form.	Compliant																																										
R1.3	<p>Annual Return</p> <p>Where this licence is transferred from the licensee to a new licensee:</p> <p>(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</p>		EPL 3607 was not transferred to a new licensee during the period of the IEA.	Not triggered																																										

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	(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. Note: An application to transfer a licence must be made in the approved form for this purpose.			
R1.4	Annual Return 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."		EPL 3607 was not surrendered during the period of the IEA.	Not triggered
R1.5	Annual Return The Annual Return for the reporting period must be supplied to the EPA 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').	<ul style="list-style-type: none"> EPA public register website 	The EPA public register website http://www.epa.nsw.gov.au/prpoeoapp/ identifies that the 2013, 2014 and 2015 Annual Returns have been supplied to the EPA not later than 60 days after the end of each reporting period.	Compliant
R1.6	Annual Return 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.	<ul style="list-style-type: none"> 2012 Annual return (CC, 2013) 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) 	Copies of the 2012, 2013, 2014 and 2015 Annual Returns were available.	Compliant
R1.7	Annual Return Within the Annual Return, the Statement 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.	<ul style="list-style-type: none"> 2013 Annual Return (CC, 2014) 2014 Annual Return (CC, 2015) 2015 Annual Return (CC, 2016) 	The 2013, 2014 and 2015 Annual Returns were signed by a CC Director and Company Secretary representing licence holder.	Compliant
R2	Notification of environmental harm Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	<ul style="list-style-type: none"> PIRMP (CC, 2015) Environment and Community Database EMS (CC, 18/03/2016) Email: EPA notification turbidity limit exceedance (CC: EPA, 13/01/2015) Email: EPA notification arsenic limit exceedance (CC: EPA, 28/11/2013) Letter: Written notification SDWTS (CC: EPA, 12/09/2014) Letter: Official Caution (EPA: CC, 16/02/2015) Letter: Formal Warning SDWTS EPA: CC, 10/02/2015) 	<p>Springvale Coal reported that there were no incidents that caused or threatened material harm to the harm during the period of the IEA, consequently the requirement to notify the EPA was not triggered.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the material harm notification requirements.</p> <p>The EMS (section 3.2.2) identifies that external incident reporting will be completed in accordance with the PIRMP which is available on the CC website.</p> <p>Springvale Coal has notified the EPA of the following non-compliances with EPL 3607 since 2013:</p> <ul style="list-style-type: none"> 30/05/2013 – Turbidity exceedance at LDP009 for up to four days, reported on 30/05/2013; 21/11/2013 - Arsenic limit exceedance at LDP 009, reported on 28/11/2013; 12/09/2014 - Protection of the SDWTS the Delta Water Transfer System (DWTS); 12/09/2014 - Coal fines in water discharged at LDP 001; 23/12/2014 – Turbidity limit exceedance and LDP 009, reported on 13/01/2015; and 23/12/2014 - Arsenic limit exceedance at LDP 009, reported on 30/12/2014. <p>Three of these non-compliances resulted in regulatory action from the EPA:</p> <ul style="list-style-type: none"> 30/05/2013 turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Cocks River. As a result of this incident, the EPA: <ul style="list-style-type: none"> Issued a Penalty Infringement Notice (PIN) (\$1500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days; Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately 	Not triggered (during the period of the IEA)

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>reporting an incident which threatened material harm to the environment; and</p> <ul style="list-style-type: none"> ○ Although POEO Act section 153F (implementing the PIRMP) was breached – no further action was taken. • 12/09/2014 Coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2015 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the Upper reaches of the Coxs River on 12 September 2014. • 02/09/2014 and 12/09/2014 incident at SDWTS: Springvale Coal received a Formal Warning in 2014 when the EPA determined that the location of the Springvale Delta Water Transfer System (SDWTS) was vulnerable to damage by heavy vehicles and roadwork activities as evidenced by two incidents on 02/09/2014 and 12/09/2014 and three previous incidents in 2009, 2010 and 2014. For failing to provide adequate protection of the SDWTS, the EPA determined that CC had failed to undertake activities in a competent manner. <p>On 20/03/2016, Springvale Coal notified the Commonwealth Department of Environment (in accordance with EPBC Act Approval 2011/5949 condition 11) of an exceedance of a water trigger level.</p>	
R2.1	<p>Notification of environmental harm</p> <p>Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.</p>	<ul style="list-style-type: none"> • Letter requesting written report (LDP 001 coal fines (EPA: CC, 15/10/2014) • Letter: Written notification SDWTS (CC: EPA, 12/09/2014) • Letter: Penalty Notice Advice for LDP 009 discharge (EPA: CC, 02/09/2013) 	<p>Notification (in accordance with EPL 3607 condition R2.1) was provided to the EPA on:</p> <ul style="list-style-type: none"> • 12/09/2014 for an incident regarding protection of the SDWTS the Delta Water Transfer System (DWTS); and • 12/09/2014 for an incident relating to coal fines in water discharged at LDP 001. <p>Springvale Coal reported that there were no pollution incidents that caused or threatened material harm to the environment during the period of the IEA, consequently the requirement to notify the EPA was assessed as not triggered.</p> <p>The PIRMP includes notification to the EPA Pollution Line on 131 555.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the material harm notification requirements.</p> <p>The EMS (section 3.2.2) identifies that external incident reporting will be completed as per the PIRMP which is available on the CC website.</p>	<p>Not triggered (during the period of the IEA).</p>
R2.2	<p>Notification of environmental harm</p> <p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p>	<ul style="list-style-type: none"> • Letter: Written notification SDWTS (CC: EPA, 12/09/2014) 	<p>Springvale Coal reported that there were no pollution incidents that caused or threatened material harm to the environment during the period of the IEA, consequently the requirement to provide written details to the EPA within seven days of the incident was assessed as not triggered.</p> <p>The list of appropriate regulatory authorities provided in the PIRMP meets the requirements of the POEO Regulation 2009 however the list does not include the DPE or DRE. As SSD-5594 S6-10 requires immediate notification of incidents to the DPE Secretary and any other relevant agencies, an OFI has been identified to include the DPE (and the DRE) contact details as appropriate regulatory authorities for reporting pollution incidents from Springvale (i.e. Table 7 of the PIRMP).</p> <p>The DRE's Environmental Incident Reporting Requirements (DRE, 2007) are similar to the EPA's e.g. the requirements include:</p> <ul style="list-style-type: none"> • That an environmental incident report is required when an incident causes or threatens material harm to the environment; • Harm to the environment is material if: <ul style="list-style-type: none"> ○ (i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or ○ (ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000. • A verbal report must be made to the DRE within 24 hours after the titleholder or person becomes aware of the incident; • A written incident report must be provided to the Department as soon as practicable, but no later than 7 days after the incident (unless the titleholder is otherwise advised by the Department). 	<p>Not triggered (during the period of the IEA)</p> <p>EPL 3607 condition R2.2 OFI: Include the DPE and the DRE contact details as appropriate regulatory authorities for reporting pollution incidents (i.e. Table 7) in the PIRMP.</p>

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
R3.1	<p>Written report</p> <p>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.</p>	<ul style="list-style-type: none"> Email: Written Report to EPA DWTS (CC: EPA, 30/09/2014) Letter: Written notification Coal fines at LDP 001 (CC: EPA, 11/2014) Letter: Penalty Notice Advice for LDP 009 discharge (EPA: CC, 02/09/2013) 	<p>Springvale Coal received a request to provide a written report for the following incidents:</p> <ul style="list-style-type: none"> 12/09/2014 for an incident regarding adequate protection of the Delta Water Transfer System (DWTS); 12/09/2014 for an incident relating to coal fines in water discharged at LDP 001; and 30/05/2013 for an incident where dirty water was discharged from LDP 009 to the Coxs River for up to four days. <p>Records indicate that the written reports for all three incidents were submitted to the EPA by the requested dates.</p> <p>During the period of the IEA the EPA has not submitted a request for a written report consequently the requirement to provide a written report was assessed as not triggered.</p>	Not triggered (during the period of the IEA)
R3.2	<p>Written report</p> <p>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."</p>		Refer EPL 3607 condition R3.1	Not triggered (during the period of the IEA)
R3.3	<p>Written report</p> <p>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."</p>		<p>During the period of the IEA the EPA has not submitted a request for a written report consequently the requirement to provide a written report was assessed as not triggered.</p> <p>The written reports provided to the EPA for the SDWTS (12/09/2014) and the coal fines at LDP 001 (12/09/2014) included the information triggered by EPL 3607 condition R3.3</p>	Not triggered (during the period of the IEA)
R3.4	<p>Written report</p> <p>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.</p>		During the period of the IEA the EPA has not submitted a request for a written report and/or additional information consequently the requirement to provide a written report was assessed as not triggered.	Not triggered (during the period of the IEA)
G1.1	<p>General</p> <p>A copy of this licence must be kept at the premises to which the licence applies.</p>		A copy of EPL 3607 was available in hard and soft copy at the Springvale Coal mine site (office of the Environment Coordinator).	Compliant
G1.2	<p>General</p> <p>The licence must be produced to any authorised officer of the EPA who asks to see it.</p>		A copy of EPL 3607 was available in hard and soft copy at the Springvale Coal mine site (office of the Environment Coordinator) to be provided to the EPA if requested.	Compliant
G1.3	<p>General</p> <p>The licence must be available for inspection by any employee or agent of the licensee working at the premises.</p>		A copy of EPL 3607 was available in hard and soft copy at the Springvale Coal mine site (office of the Environment Coordinator) to be provided to an employee if requested.	Compliant
G2.1	<p>Signage</p> <p>The location of EPA point number(s) 4 (LD4) and 5 (LD5) must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practical to the point.</p>		During an inspection of LDP 4 and 5, no signage was sighted indicating the identification number of the LDP, hence this condition was assessed as Not Compliant.	<p>Non-compliant (administrative)</p> <p>EPL 3607 condition G2.1: Mark the location of LDPs 004 and 005 clearly. Locate the signs as close as practical to LDPs 004 and 005.</p>

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
U1.1	<p>Salinity Reduction and Toxicity Elimination Program</p> <p>The licensee must undertake works to achieve the following reductions in salinity in all groundwater inflow mine water (except from the Renoun workings) discharged through the Springvale Delta Water Transfer Scheme, as measured by Electrical Conductivity (micro-Siemens per centimetre) by the dates set out below:</p> <p>A 50th percentile limit of 700 EC, a 90th percentile limit of 900 EC and 100th percentile limit of 1,000 EC by 30 June 2017.</p> <p>A 90th percentile limit of 500 EC by 30 June 2019.</p> <p>The licensee must eliminate acute and chronic toxicity from the LDP009 discharge to aquatic species by 30 June 2017, with acute toxicity defined as greater than 10 percent effect relative to the control group and chronic toxicity defined as greater than 20 percent effect relative to the control group.</p>		<p>At the time of preparing the IEA, Springvale Coal had commenced works to reduce salinity and eliminate toxicity to meet the requirements of EPL 3607 condition U1.1. As the initial salinity reduction and toxicity elimination works were not required until 30/06/2017, this condition was assessed as not triggered.</p> <p>During consultation with the EPA undertaken during the IEA, the EPA advised the auditor that the current PRP for salinity reduction and toxicity elimination had been developed to address exceedances of EPL 3607 electrical conductivity limits at licensed discharge point LDP 009; and that the EPA had been included in discussions regarding proposed revisions to the Water Treatment Strategy for Springvale Coal.</p>	Not triggered.
E1.1	<p>Emergency Discharges to Wolgan River</p> <p>For the purposes of this licence, an "emergency discharge" is defined as the release of groundwater, sourced from the licensee's underground workings, through licensed discharge points 4 (LD4) and 5 (LD5) in the event of a shutdown of the Springvale Colliery to Delta Water Transfer Scheme for circumstances either beyond the licensee's control or for essential maintenance purposes.</p>	<ul style="list-style-type: none"> Monthly Environmental Monitoring Reports (CC, 04/2016), (CC, 03/2016), (CC, 02/2016), (CC, 01/2016), (CC, 12/2015), (CC, 11/2015), (CC, 10/2015), (CC, 09/2015), (CC, 08/2015), (CC, 07/2015), (CC, 06/2015), (CC, 05/2015), (CC, 04/2015), (CC, 03/2015), (CC, 02/2015), (CC, 01/2015), (CC, 12/2013), (CC, 11/2013), (CC, 10/2013) 2015 AR (03/2015) 	There was no emergency discharge to the Wolgan River during the period of the IEA.	Noted
E1.2	<p>Emergency Discharges to Wolgan River</p> <p>Prior to discharge:</p> <p>The licensee must ensure that appropriate measures are taken prior to any emergency water discharge to minimise erosion and sedimentation at the discharge points (LD4 and LD5) and of the drainage lines downstream of LD4 and LD5.</p>		There was no emergency discharge to the Wolgan River during the period of the IEA.	Not triggered
E1.3	<p>Emergency Discharges to Wolgan River</p> <p>Notifying the EPA of emergency discharge</p> <p>The licensee shall inform the EPA in writing (fax to 6332 7630):</p> <ol style="list-style-type: none"> within 24 hours of a failure in the Springvale to Delta Water Transfer Scheme; no later than 48 hours prior to a scheduled pipeline shutdown; no later than 48 hours prior to the requirement to continue the emergency discharge for a period greater than 2 weeks; and within 24 hours following the reinstatement of the pipeline. <p>The notification of a failure or planned shutdown of the pipeline must include details of the nature of the failure/shutdown and the expected timeframe to restore the pipeline</p>		There was no emergency discharge to the Wolgan River during the period of the IEA.	Not triggered
E1.4	<p>Emergency Discharges to Wolgan River</p> <p>Monitoring during emergency discharge</p> <p>In addition to the monitoring required by condition M2.1, the licensee shall undertake the following monitoring during and following an emergency discharge event:</p> <ol style="list-style-type: none"> daily inspections of the discharge points (LD4 and LD5) and the drainage lines 		There was no emergency discharge to the Wolgan River during the period of the IEA.	Not triggered

Environment Protection Licence No. 3607

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>downstream of LD4 and LD5;</p> <p>b) daily monitoring (visual) of the equilibration of the flow rate between emergency discharge points LD4 and LD5; and</p> <p>c) a photographic survey along the length of the flow lines, beneath the discharge points, likely to be affected during periods of emergency discharge. This survey must be conducted either immediately prior to or during the emergency discharge event and no later than 6 months following the cessation of the emergency discharge event.</p>			
E1.5	<p>Emergency discharge reporting</p> <p>A report shall be prepared by the licensee, following the recommissioning of the pipeline, which shall include but not be limited to:</p> <p>a) the cause of the pipe failure/shutdown;</p> <p>b) the duration of the emergency discharge (in days);</p> <p>c) the total volume of water discharged from LD4 and LD5 (in kL/day);</p> <p>d) the results of all monitoring undertaken;</p> <p>e) any remedial measures required on the drainage line(s) below the emergency discharge points that have been or will require implementation;</p> <p>f) any measures to be taken to prevent a recurrence in the case the emergency discharge event was a result of a pipe failure; and</p> <p>g) all appropriate photos and figures.</p> <p>The report must be sent to the EPA's Bathurst office within four (4) weeks of the recommissioning of the Springvale to Delta Water Transfer Scheme.</p>		There was no emergency discharge to the Wolgan River during the period of the IEA.	Not triggered

Appendix C

Mining Leases and Consolidated Coal Leases Compliance Assessments

1. Table C-1: Mining Lease 1303
2. Table C-2: Mining Lease 1323
3. Table C-3: Mining Lease 1326
4. Table C-4: Mining Lease 1537
5. Table C-5: Mining Lease 1588
6. Table C-6: Mining Lease 1670
7. Table C-7: Mining Lease 1727
8. Table C-8: Mining Purposes Lease 314
9. Table C-9: Consolidated Coal Lease 377

Table C-1: Mining Lease 1303

Mining Lease 1303 (1992) - Area to the north of the Springvale Coal pit top including LDP 009				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>(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.</p> <p>(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</p>	<ul style="list-style-type: none"> 140603 ML1303 Renewal-Notification to Landholders Advertisement 7190-181LITH-PROOF.pdf 	<p>Springvale Coal maintain a database for ML 1303 records including landholder notification. Evidence was provided that the renewal was advertised in the Lithgow Mercury in June 2014.</p>	Compliant
2	<p>Rehabilitation</p> <p>Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister</p>	<ul style="list-style-type: none"> 2013 Annual Exploration Report (CC, 12/2013) 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration Report (CC, 08/2015) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 	<p>ML 1303 covers the area to the north of the Springvale Coal pit top and includes LDP 009. The 2013, 2014 and 2015 Annual Exploration Reports, 2013 and 2014 AEMR and 2015 AR identify that there was no change in the disturbance footprint and there were no exploration activities and/or rehabilitation activities undertaken in this area from 2013 – 2016. Springvale Coal reported that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p> <p>The 2015 AR reports that at the end of 2015, 7 ha of land is being prepared for rehabilitation and that this area is exclusive of ML 1303 and includes the Bore 1 – Bore 4 dewatering facilities, services corridor to the Bore 8 dewatering facility, Old Fire Dam and the Settlement Pond Site.</p>	Not triggered
3	<p>Mining Operations Plan and Annual Rehabilitation Report</p> <p>(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.</p> <p>(b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <p>(i) identifies areas that will be disturbed;</p> <p>(ii) details the staging of specific mining operations, mining purposes and prospecting;</p> <p>(iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;</p> <p>(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</p> <p>(v) reflects the conditions of approval under:</p> <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979; the Protection of the Environment Operations Act 1997; and any other approvals relevant to the development including the conditions of this mining lease. <p>(c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at www.resources.r.i.sw.qov.au/environment</p> <p>(d) The lease holder may apply to the Minister to amend an approved MOP at any</p>	<ul style="list-style-type: none"> November 2009 – November 2016 MOP (CC, 2010) Final November 2015 – October 2022 MOP (CC, 03/2016) Letter: Approval of the MOP (DRE: CC, 25/02/2016) 2015 AR (CC, 2016) 	<p>November 2015 – October 2022 MOP</p> <p>(a) 2015-2022 MOP was approved in March 2016 and was in place.</p> <p>(b) The 2015-2022 MOP identifies post mining land use and a rehabilitation strategy (sections 4 and 5).</p> <p>(c) The 2015 -2022 MOP referenced the ESG3: Mining Operations Plan (MOP) Guidelines (DRE 2013).</p> <p>(d) The 2009 – 2016 MOP was varied, and subsequently approved, to accommodate changes such as the booster station (which was not constructed) and construction of the Bore 8 facility. Springvale Coal submitted a request to the DRE to align the compliance reporting across the mining leases on 11/12/2015.</p> <p>(e) Not triggered.</p> <p>(f) No rehabilitation during 2013-2016 in ML 1303 and the status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR. Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p>	Compliant

Mining Lease 1303 (1992) - Area to the north of the Springvale Coal pit top including LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>time.</p> <p>(e) It is not a breach of this condition if:</p> <p>(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 Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the Mine Health and Safety Act 2004, Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007, Coal Mine Health and Safety Regulation 2006 or the Work Health and Safety Act 2011; and</p> <p>(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.</p> <p>(f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <p>(i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</p> <p>(ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</p> <p>(iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resources.nsw.gov.au/environment.</p> <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>			
4	<p>Compliance Report</p> <p>(a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.</p> <p>(b) The Compliance Report must include:</p> <p>(i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;</p> <p>(ii) particulars of any non-compliance with any such conditions or provisions,</p> <p>(iii) the reasons for any such non-compliance;</p> <p>(iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.</p> <p>(c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.</p> <p>(d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:</p> <p>(i) must accompany any application to renew this mining lease under the Act;</p> <p>(ii) must accompany any application to transfer this mining lease under the Act; and</p> <p>(iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.</p> <p>(e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.</p> <p>(f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining</p>	<ul style="list-style-type: none"> ML 1303 Compliance Report (CC, 15/12/2015) Letter: Compliance Report due 31/03/2016 (DRE: CC, 07/01/2016) Email: Compliance Report submitted 15/12/2015 (CC: DRE, 15/12/2015) Email: Mining Lease Condition for Compliance Reporting (DRE:CC, 26/05/2016) 	<p>ML1303 was granted in 1992, renewed on 08/05/2014 and will expire in 2034.</p> <p>When ML 1303 was renewed in 2014, a new condition was included for the annual Compliance Report. The inaugural ML 1303 Compliance Report was due to be submitted to the DRE on the anniversary date of 08/05/2015 however, the inaugural ML 1303 Compliance Report was dated 15/12/2015 which represents an administrative non-compliance with ML 1303 CoA 4.</p> <p>This non-compliance has been reported by Springvale Coal in the 2015 AR.</p> <p>The 2015 ML 1303 Compliance Report identified that Springvale Coal had submitted a letter to the DRE on 11/12/2015 requesting alignment of the due date for Compliance Reports. A response was provided from DRE (email, 05/2016) advising that Springvale Coal was "authorised to complete one compliance report per operation".</p>	Compliant

Mining Lease 1303 (1992) - Area to the north of the Springvale Coal pit top including LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	lease.			
5	<p>Environmental Incident Report</p> <p>(a) The lease holder must notify the Department of all:</p> <p>(i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p> <p>(ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Administration Act 1991), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>Note. Refer to _www.resources.nsw.gov.au for notification contact details.</p> <p>(b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <p>(i) the details of the mining lease;</p> <p>(ii) contact details for the lease holder;</p> <p>(iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental Incident Report. Refer to www.resources.nsw.s1ov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations Act 1997 arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) • 2013 Annual Return (CC, 2014) • 2014 Annual Return (CC, 2015) • 2015 Annual Return (CC, 2016) • Environment and Community Database 	<p>LDP 009 is within ML 1303. Refer to Appendix B EPL 3607 condition L1.1 for non-compliances with EPL 3607 limits for LDP 009.</p> <p>One of the EPL 3607 non-compliances, a turbidity incident at LDP 009 on 30/05/2013, resulted in regulatory action from the EPA for "not immediately reporting an incident which threatened material harm to the environment". MCW Environmental has not verified if the DRE was informed of this incident and has recommended in EPL 3607 condition R2.2 that the DPE and the DRE contact details are included as appropriate regulatory authorities for reporting pollution incidents (i.e. Table 7) in the PIRMP. This would align the PIRMP notification requirements with the Environmental Incident Report requirements in ML 1303 CoA 5.</p> <p>Although there were EC and Arsenic concentration limit exceedances at LDP 009, which is within ML 1303, reported in the 2015 AR and 2013 – 2015 Annual Returns, there were no non-compliances reported that caused or threatened to cause environmental harm.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the POEO Act material harm notification requirements. Refer Appendix B EPL 3607 CoA R2.2 Recommendation to include the DPE and the DRE contact details as appropriate regulatory authorities (ARAs) for reporting pollution incidents (i.e. Table 7 of the PIRMP).</p>	Compliant
6	<p>Extraction Plan Condition</p> <p>(a) In this condition:</p> <p>(i) approved Extraction Plan means a plan, being:</p> <p>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</p> <p>B. a subsidence management plan relating to the mining operations subject to this lease:</p> <p>I. submitted to the Secretary on or before 31 December 2014; and</p> <p>II. approved by the Secretary.</p> <p>(ii) relevant development consent means a development consent or project approval issued under the Environmental Planning & Assessment Act 1979 relating</p>		Springvale Coal reported that there was no mining activity within ML 1303.	Not triggered.

Mining Lease 1303 (1992) - Area to the north of the Springvale Coal pit top including LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>to the mining operations subject to this lease.</p> <p>(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.</p> <p>(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.</p> <p>(d) The lease holder must notify the Secretary within 48 hours of any:</p> <p>(i) incident caused by subsidence which has a potential to expose any person to health and safety risks;</p> <p>(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</p> <p>(iii) significant failure or malfunction of a monitoring device or risk control measure set out in the approved Extraction Plan addressing:</p> <p>A. built features;</p> <p>B. public safety; or</p> <p>C. subsidence monitoring</p>			
7	<p>Resource Recovery</p> <p>The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>Springvale Coal reported that there was no mining activity within ML 1303 during the period of the IEA.</p> <p>Refer figure 2 in the 2015-2022 MOP.</p>	Not triggered.
8	<p>Security</p> <p>Group Security</p> <p>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 lease, including obligations of all or any kind under the mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$6,750,000.</p> <p>The leases covered by the group security include:</p> <ul style="list-style-type: none"> Mining Lease 204 (Act 1906) Mining Lease 564 (Act 1906) Private Lands Lease 133 (Act 1906) Consolidated Coal Lease 733 (Act 1973) Coal Lease 361 (Act 1973) Coal Lease 377 (Act 1973) Coal Lease 394 (Act 1973) Mining Purposes Lease 314 (Act 1973) Mining Lease 1303 (Act 1992) Mining Lease 1319 (Act 1992) Mining Lease 1323 (Act 1992) Mining Lease 1326 (Act 1992) Mining Lease 1352 (Act 1992) Mining Lease 1448 (Act 1992) Mining Lease 1537 (Act 1992) Mining Lease 1588 (Act 1992) Mining Lease 1670 (Act 1992) 	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	<p>Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1303.</p>	Compliant
9	<p>Cooperation Agreement</p> <p>The lease holder must make every reasonable attempt, and be able to demonstrate</p>		<p>Springvale Coal; reported that there was no requirement to enter into cooperation agreements for ML 1303 as there were no overlapping titles which was verified on the DRE website:</p>	Not triggered.

Mining Lease 1303 (1992) - Area to the north of the Springvale Coal pit top including LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>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:</p> <ul style="list-style-type: none"> • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues. 		http://commonground.nsw.gov.au	
	<p>Exploration Reporting</p> <p>Note: Exploration Reports (Geological and Geophysical)</p> <p>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.</p> <p>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).</p>	<ul style="list-style-type: none"> • 2013 Annual Exploration Report (CC, 12/2013) • 2014 Annual Exploration Report (CC, 12/2014) • 2015 Annual Exploration Report (CC, 08/2015) 	<p>Although there was no exploration undertaken under ML 1303, Exploration Reports were submitted annually in 2013, 2104 and 2015. Springvale Coal reported that no feedback had been received from the DRE on the reports.</p> <p>The exploration reporting guideline (Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales, Department of Trade and Investment; Regional Infrastructure and Services 2010) was revised in March 2016.</p>	<p>Compliant</p> <p>ML 1303 CoA 9 OFI: Prepare the 2016 Exploration Report 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) which was revised in March 2016; and include a statement in Exploration Report that report has been prepared in accordance with this revised guideline.</p>
	<p>SPECIAL CONDITIONS</p> <p>Note: The standard conditions apply to all mining leases. The Division of Resources & Energy (DRE) reserves the right to impose special conditions, based on individual circumstances, where appropriate.</p>		Noted	Noted
10	<p>Prescribed Dam</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 Sawyers Swamp Creek Ash Dam 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> <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 if:</p> <p>(i) the Dams Safety Committee as constituted by Section 7 of the Dams Safety Act 1978 and the owner of the dam have been notified in writing of the desire to</p>		Springvale Coal reported that there was no mining within the Sawyers Swamp Creek Ash Dam Notification Area during the period of the IEA.	Not triggered

Mining Lease 1303 (1992) - Area to the north of the Springvale Coal pit top including LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>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 Dams Safety Act 1978; 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 Dams Safety Act 1978 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>Barriers</p> <p>(a) Unless with the consent of the Minister first had and obtained and subject to such conditions as he may impose the lease holder shall not work or cause to be worked any seam of coal by underground methods within the subject area within the barrier defined as follows:</p> <p>The land within the zone beneath and adjacent to the Main Western Line of the Railway enclosed by an angle of draw of 35' from the vertical plane of the boundary parallel to and thirty (30) metres horizontally distant from either side of the railway lands, such angle of draw being measured outwards from the point on the vertical plane of the said boundary at the surface or at the level of the horizontal plane of the railway track, whichever may be the higher, to the floor of the coal seam in which mining operations are being carried out.</p> <p>(b) The lease holder shall maintain a barrier fifty (50) metres wide against any old abandoned workings of the Fernbrook, Steelworks and/or Lithgow State Collieries</p> <p>(c) When approaching within one hundred (100) metres of the old workings of the Fernbrook, Steelworks and/or Lithgow State Collieries the lease holder shall carry out pre-drilling underground exploration, to the satisfaction of the District Inspector of Coal Mines, to prove the existence or non-existence of such old workings.</p>		Springvale Coal reported that there was no mining within the Barrier Area.	Not triggered

Table C-2: Mining Lease 1323

Mining Lease 1323 (1992) – access road to LDP 009				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>(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.</p> <p>(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</p>	<ul style="list-style-type: none"> ML 1326 Compliance Report (CC, 2015) Submission to Landholder FCNSW-ML1323 Renewal Notification (CC, 23/09/2014) Submission to Landholder Energy Australia-ML1323 Renewal Notification (CC, 23/09/2014) 	<p>ML1323 was granted in 1992 and was renewed on 28/06/2014.</p> <p>Springvale Coal maintain a database for ML 1323 records including landholder notification. Notification was provided on 23/09/2014 to Energy Australia and FCNSW which is within three months from the date of renewal.</p>	Compliant
2	<p>Rehabilitation</p> <p>Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister</p>	<ul style="list-style-type: none"> 2013 Annual Exploration Report (CC, 12/2013) 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration Report (CC, 08/2015) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 	<p>ML 1323 covers the access track to LDP 009 to the north of the Springvale Coal pit top. The 2013, 2014 and 2015 Annual Exploration Reports, 2013 and 2014 AEMR and 2015 AR identify that there was no change in the disturbance footprint and there were no exploration activities and/or rehabilitation activities undertaken in this area from 2013 – 2016.</p> <p>Springvale Coal reported that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure. The 2015 AR reports that at the end of 2015, 7 ha of land is being prepared for rehabilitation and that this area is exclusive of ML 1323 and includes the Bore 1 – Bore 4 dewatering facilities, services corridor to the Bore 8 dewatering facility, Old Fire Dam and the Settlement Pond Site.</p>	Not triggered
3	<p>Mining Operations Plan and Annual Rehabilitation Report</p> <p>(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.</p> <p>(b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <p>(i) identifies areas that will be disturbed;</p> <p>(ii) details the staging of specific mining operations, mining purposes and prospecting;</p> <p>(iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;</p> <p>(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</p> <p>(v) reflects the conditions of approval under:</p> <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979; the Protection of the Environment Operations Act 1997; and any other approvals relevant to the development including the conditions of this mining lease. <p>(c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at www.resources.ri.sw.qov.au/environment</p>	<ul style="list-style-type: none"> November 2009 – November 2016 MOP (CC, 2010) Final November 2015 – October 2022 MOP (CC, 03/2016) Letter: Approval of the MOP (DRE: CC, 25/02/2016) 	<p>November 2015 – October 2022 MOP:</p> <p>(a) 2015-2022 MOP was approved in March 2016 and was in place.</p> <p>(b) The 2015-2022 MOP identifies post mining land use and a rehabilitation strategy (sections 4 and 5).</p> <p>(c) The 2015 -2022 MOP referenced the ESG3: Mining Operations Plan (MOP) Guidelines (DRE 2013).</p> <p>(d) The 2009 – 2016 MOP was varied, and subsequently approved, to accommodate changes such as the booster station (which was not constructed) and construction of the Bore 8 facility. Springvale Coal submitted a request to the DRE to align the compliance reporting across the mining leases on 11/12/2015.</p> <p>(e) Not triggered.</p> <p>(f) No rehabilitation during 2013 -2016 in ML 1323 and the status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR. Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is anticipated at site closure.</p>	Compliant

Mining Lease 1323 (1992) – access road to LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(d) The lease holder may apply to the Minister to amend an approved MOP at any time.</p> <p>(e) It is not a breach of this condition if:</p> <p>(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 Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the Mine Health and Safety Act 2004, Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007, Coal Mine Health and Safety Regulation 2006 or the Work Health and Safety Act 2011; and</p> <p>(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.</p> <p>(f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <p>(i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</p> <p>(ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</p> <p>(iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resources.nsw.gov.au/environment.</p> <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>			
4	<p>Compliance Report</p> <p>(a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.</p> <p>(b) The Compliance Report must include:</p> <p>(i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;</p> <p>(ii) particulars of any non-compliance with any such conditions or provisions,</p> <p>(iii) the reasons for any such non-compliance;</p> <p>(iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.</p> <p>(c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.</p> <p>(d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:</p> <p>(i) must accompany any application to renew this mining lease under the Act;</p> <p>(ii) must accompany any application to transfer this mining lease under the Act; and</p> <p>(iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.</p> <p>(e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.</p> <p>(f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining</p>	<ul style="list-style-type: none"> ML 1323 Compliance Report (CC, 18/12/2015) Email: Mining Lease Condition for Compliance Reporting (DRE:CC, 26/05/2016) 	<p>ML1323 was granted in 1992, renewed on 28/06/2014 and will expire in 2035.</p> <p>When ML 1323 was renewed in 2014, a new condition was included for the annual Compliance Report. The inaugural ML 1323 Compliance Report was due to be submitted to the DRE on the anniversary date of 28/06/2015 however, the inaugural ML 1323 Compliance Report was dated 18/12/2015 which represents an administrative non-compliance with ML 1323 CoA 4.</p> <p>This non-compliance has been reported by Springvale Coal in the 2015 AR.</p> <p>The 2015 ML 1323 Compliance Report identified that Springvale Coal has submitted a letter to the DRE on 11/12/2015 requesting alignment of the due date for Compliance Reports. A response was provided from DRE (email, 05/2016) advising that Springvale Coal was "authorised to complete one compliance report per operation".</p>	Compliant

Mining Lease 1323 (1992) – access road to LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	lease.			
5	<p>Environmental Incident Report</p> <p>(a) The lease holder must notify the Department of all:</p> <p>(i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p> <p>(ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Administration Act 1991), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>Note. Refer to _www.resources.nsw.gov, au for notification contact details.</p> <p>(b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <p>(i) the details of the mining lease;</p> <p>(ii) contact details for the lease holder;</p> <p>(iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental Incident Report. Refer to www.resources.nsw.s1ov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations Act 1997 arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) 	<p>No non-compliances with ML 1323 were recorded in the 2013 and 214 AEMR and the 2015 AR.</p> <p>Springvale Coal records did not identify breaches of conditions of ML 1323 or an environmental incident which caused or threatened environmental harm during the period of the IEA consequently a requirement to submit an environmental incident report was not triggered.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the POEO Act material harm notification requirements. Refer Appendix B EPL 3607 CoA R2.2 Recommendation to include the DPE and the DRE contact details as appropriate regulatory authorities (ARAs) for reporting pollution incidents (i.e. Table 7 of the PIRMP).</p>	Compliant
6	<p>Subsidence Management</p> <p>(The lease holder must not commence or undertake underground mining operations that may cause subsidence of the surface other than in accordance with an Eligible Subsidence Management Plan approved by the Director-General.</p> <p>For the purposes of this condition, an 'Eligible Subsidence Management Plan' means:</p> <p>(i) A Subsidence Management Plan prepared in accordance with current government guidelines for the preparation of Subsidence Management Plans; or</p> <p>(ii) Those parts of an Extraction Plan or another type of plan:</p> <ul style="list-style-type: none"> • prepared, either in whole or in part, with reference to current government guidelines for the preparation of a Subsidence Management Plan; and • approved for the purposes of the Environmental Planning and Assessment Act 1979 (or any planning legislation which replaces that Act) by the Minister or 		Springvale Coal reported that there was no mining activity within ML 1323.	Not triggered.

Mining Lease 1323 (1992) – access road to LDP 009

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Director-General of the Department of Planning & Infrastructure, or another officer of that Department authorised to approve such a plan, which relate to issues of subsidence.			
7	Resource Recovery The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible		Springvale Coal reported that there was no mining activity within ML 1323. Refer figure 8 in the 2014 AEMR.	Not triggered.
8	Security Group Security 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 lease, including obligations of all or any kind under the mining lease that may arise in the future. The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$6,750,000. The leases covered by the group security include: <ul style="list-style-type: none"> • Mining Lease 204 (Act 1906) • Mining Lease 564 (Act 1906) • Private Lands Lease 133 (Act 1906) • Consolidated Coal Lease 733 (Act 1973) • Coal Lease 361 (Act 1973) • Coal Lease 377 (Act 1973) • Coal Lease 394 (Act 1973) • Mining Purposes Lease 314 (Act 1973) • Mining Lease 1303 (Act 1992) • Mining Lease 1319 (Act 1992) • Mining Lease 1323 (Act 1992) • Mining Lease 1326 (Act 1992) • Mining Lease 1352 (Act 1992) • Mining Lease 1448 (Act 1992) • Mining Lease 1537 (Act 1992) • Mining Lease 1588 (Act 1992) • Mining Lease 1670 (Act 1992) 	<ul style="list-style-type: none"> • Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1323.	Compliant
9	Cooperation Agreement 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"> • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues. 		Springvale Coal; reported that there was no requirement to enter into cooperation agreements for ML 1323 as there were no overlapping titles which was verified on the DRE website: http://commonground.nsw.gov.au .	Not triggered.
	Exploration Reporting	<ul style="list-style-type: none"> • 2013 Annual Exploration Report (CC, 12/2013) 	Although there was no exploration undertaken under ML 1323, Exploration Reports were submitted annually in 2013, 2104 and 2015. Springvale Coal reported that no feedback had	Compliant

Mining Lease 1323 (1992) – access road to LDP 009				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Note: Exploration Reports (Geological and Geophysical)</p> <p>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.</p> <p>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).</p>	<ul style="list-style-type: none"> 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration Report (CC, 08/2015) 	<p>been received from the DRE on the reports.</p> <p>The exploration reporting guideline (Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales, Department of Trade and Investment; Regional Infrastructure and Services 2010) was revised in March 2016.</p>	Refer ML 1303 CoA 9 OFI.
	<p>SPECIAL CONDITIONS</p> <p>Note: The standard conditions apply to all mining leases. The Division of Resources & Energy (DRE) reserves the right to impose special conditions, based on individual circumstances, where appropriate.</p>		Noted	Noted

Table C-3: Mining Lease 1326

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>Within a period of three months from the date of renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, 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 lease has been renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>		<p>ML 1326 was granted in 1993, renewed in 2004 and will expire in 2024.</p> <p>Springvale Coal maintain a database for ML 1326 records including landholder notification. Although the requirement for this condition was outside the period of the IEA, records on the database were sighted for communication with landholders.</p>	Compliant
2	<p>Mining, Rehabilitation, Environmental Management Process (MREMP) Mining Operations Plan (MOP)</p> <p>(1) Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for: -</p> <p>(a) ongoing mining operations and environmental management; and</p> <p>(b) ongoing monitoring of the project.</p> <p>(2) The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgement.</p> <p>(3) A Plan must be lodged with the Director-General: -</p> <p>(a) prior to the commencement of mining operations (including mining purposes);</p> <p>(b) subsequently as appropriate prior to the expiry of any current Plan; and</p> <p>(c) in accordance with any direction issued by the Director-General.</p> <p>(4) The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify: -</p> <p>(a) area(s) proposed to be disturbed under the Plan;</p> <p>(b) mining and rehabilitation method(s) to be used and their sequence;</p> <p>(c) areas to be used for disposal of tailings/waste;</p> <p>(d) existing and proposed surface infrastructure;</p> <p>(e) existing flora and fauna on the site;</p> <p>(f) progressive rehabilitation schedules;</p> <p>(g) areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas;</p> <p>(h) water management. Systems (including erosion and sediment controls);</p> <p>(i) proposed resource recovery; and</p> <p>(j) where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation.</p> <p>(5) The Plan when lodged will be reviewed by the Department of Mineral Resources.</p> <p>(6) The Director-General may within two (2) months of the lodgement of a Plan, require modification and re-lodgement.</p>	<ul style="list-style-type: none"> November 2009 – November 2016 MOP (CC, 2010) Final November 2015 – October 2022 MOP (CC, 03/2016) Letter: Approval of the MOP (DRE: CC, 25/02/2016) 	<p>November 2015 – October 2022 MOP:</p> <p>(1) 2015-2022 MOP was approved in March 2016 by the DRE.</p> <p>(2) The 2015-2022 MOP referenced that the MOP was prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines (DRE 2013) (section 1.2.2).</p> <p>(3) The 2009 – 2016 MOP was lodged prior to the commencement of LW 419 mining operations and prior to the expiry of 2009 – 2016 MOP. The 2009 -2016 MOP was varied, and subsequently approved, to accommodate changes such as the booster station (which was not constructed) and construction of the Bore 8 facility. Springvale Coal has not applied for an amendment of the 2015 -2022 MOP.</p> <p>(4) The 2015 -2022 MOP includes schedule of development for 7 years of mine development (section 2) and included:</p> <p>a) area(s) proposed to be disturbed under the Plan (section 2);</p> <p>(b) mining and rehabilitation method(s) to be used and their sequence (sections 5 and 7);</p> <p>(c) no tailings or reject materials are generated at Springvale;</p> <p>(d) existing and proposed surface infrastructure (sections 2 and 4);</p> <p>(e) existing flora and fauna on the site (section 3);</p> <p>(f) progressive rehabilitation schedules (sections 7 and 8);</p> <p>(g) areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas (section 7 and associated plans);</p> <p>(h) water management systems (including erosion and sediment controls) (section 7);</p> <p>(i) proposed resource recovery (section 5.3 (nutrient only)); and</p> <p>(j) where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation. Not triggered.</p> <p>No rehabilitation was undertaken during 2013 -2016 in ML 1326 and the status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR. Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p>	Compliant

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(7) If a requirement in accordance with clause (6) is not issued within two (2) months of the lodgement of a Plan, the lease holder may proceed with implementation of the Plan.</p> <p>(8) During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlined in clauses (5) - (7) above.</p>			
3	<p>Annual Environmental Management Report (AEMR)</p> <p>(1) Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.</p> <p>(2) The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of:</p> <p>(a) the accepted Mining Operations Plan;</p> <p>(b) development consent requirements and conditions;</p> <p>(c) Department of Environment and Conservation and Department of Infrastructure, Planning and Natural Resources licences and approvals;</p> <p>(d) any other statutory environmental requirements;</p> <p>(e) details of any variations to environmental approvals applicable to the lease area; and</p> <p>(f) where relevant, progress towards final rehabilitation objectives.</p> <p>(3) After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.</p> <p>(4) The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies and the local council.</p>	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) • Statement of Environmental Effects SMEP Modification 1 (CC, 07/2016) 	<p>Springvale Coal has prepared AEMRs for 2013 (CC, 2014) and 2014 (CC, 2015) and an AR for 2015 (CC, 2016). These reports were accepted by the DRE.</p> <p>The 2013 AEMR, 2014 AEMR and 2015 AR included:</p> <ul style="list-style-type: none"> • EPL 3607 LDP monitoring results assessed against limits in graphical format. • The 2013 AEMR and 2014 AEMR state that non-compliances with EPL 3607 are reported to the EPA in the Annual Return, and the 2015 AR includes a summary of EPL 3607 non-compliances. • Assessment of air, water and noise pollution, groundwater monitoring results against EIS (1992) predictions and includes recommendations (e.g. dust control measures in the 2013 and 2014 AEMR). • Description of mining operations undertaken during the preceding 12 months. • DA 11/92 Mod 4 was approved allowing for an increase in workforce to 310 full time employees. Manning levels were not reported in 2013 AEMR and 2014 AEMR. The 2015 AR reported that employment exceeds a full time workforce of 310 due to increased production as a result of Angus Place Mine being on care and maintenance. • High level summaries of subsidence, flora, fauna and groundwater monitoring results and assessment against predictions. • Progress toward rehabilitation objectives (although limited due to the status of the mining operations). <p>Following submission of the 2013 AEMR in March 2014, the DRE requested additional hydrocarbon (Phase 2) studies, re-format of waste production and waste summaries and inclusion of maintenance activities.</p> <p>The 2014 AEMR was reportedly prepared in accordance with the industry guideline Mining, Rehabilitation and Environmental Management Process Guideline Version 3 (DRE, 2006). Following submission of the 2014 AEMR in February 2015, the DPE requested additional information on production data, trials on the removal of arsenic in discharge waters and specialist reports in relation to low frequency noise; and the DRE requested improvements in accordance with Annual Review Guideline (NSW Government, 2015). Following provision of revised information to the DPE and DRE in June 2015, there has been no further response.</p> <p>The 2015 AR was prepared in accordance with the Annual Review Guideline (NSW Government, 2015) and included a summary of self- assessed non-compliances with the CoAs identified during internal inspections, incidents and monitoring. The DPE provided feedback on the Springvale 2015 AR (18/04/2016) advising that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016.</p> <p>The 2015 AR (Table 3 and section 11) reported that during the 2015 AR reporting period, SSD-5594 CoA S2-2(a) 'generally in accordance with EIS' was non-compliant. The auditors understand that this non-compliance resulted from the Springvale Coal manning levels exceeding the EIS predicted full time workforce of up to 310 due to the Angus Place mine being on Care and Maintenance and the resultant transfer of some of the workforce to the Springvale Coal mine. Springvale Coal reported in the 2015 AR that there were no adverse effects to the community as a result of increased workforce. A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 fte personnel, including contractors, to 450 fte personnel. Copies of 2013 and 2014 AEMR and</p>	Compliant

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			2015 AR were available on the CC website.	
4	<p>Subsidence Management</p> <p>(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the Guideline for Applications for Subsidence Management Approvals.</p> <p>(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the Coal Mines Regulation Act 1982, or the document New Subsidence Management Plan Approval Process - Transitional Provisions.</p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>(e) Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document New Approval Process for Management of Coal Mining Subsidence - Policy</p>	<ul style="list-style-type: none"> SMP Approval LW 411-418 (CC, 2006) Letter: Requesting approval SMP LW 411-418 extension (CC: DRE, 16/09/2015) Letter: Approval of request for extension of SMP LW 411-418 (DRE:CC, not dated) 	<p>Refer to Appendix D SMP Approval LW 411-418.</p> <p>The SMP LW 411 - 418 was originally approved in 2006. There have been 18 approved variations to the SMP since this time (refer Table 7 in the 2015 AR). The most recent variation was for an extension of the SMP Approval LW 411-418 to 30/09/2016 which was approved by the DRE subject to review of the EMP.</p> <p>An assessment of compliance of the SMP Approval LW 411-418 against the 418 subsidence monitoring and reporting requirements of the Guideline for Applications for Subsidence Management Approvals and the New Approval Process for Management of Coal Mining Subsidence – Policy was not undertaken as part of this IEA, consequently this condition was assessed as not verified.</p> <p>Refer to SMP Approval LW 411-418 CoA 12 Recommendation 2) regarding preparing the SMPs in accordance with the Guideline for Applications for Subsidence Management Approvals and the New Approval Process for Management of Coal Mining Subsidence – Policy.</p> <p>The auditors did not review the SMP for LW 419 as it was not finalised during the IEA consequently the status of the SMP for LW 419 was not assessed.</p>	Not verified
5	<p>Working Requirement</p> <p>The lease holder must</p> <p>(a) ensure that at least 87 competent people are efficiently employed on the lease area on each week day except Saturday or any week day that is a public holiday,</p> <p>OR</p> <p>(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$1,522,500.00 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed</p>	<ul style="list-style-type: none"> 2015 AR (CC, 2016) EIS, (CC, 2014) Statement of Environmental Effects SMEP Modification 1 (CC, 07/2016) 	<p>The EIS for SMEP identified that Springvale Coal would have a full time workforce of up to 310. The 2015 AR reports that the Springvale Coal employment exceeds a full time workforce of up to 310 due to movement of personnel from Angus Place coal mine (which was placed under care and maintenance). A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 fte personnel, including contractors, to 450 fte personnel.</p>	Compliant
6	<p>Control of Operations</p> <p>(a) If an Environmental Officer of the Department of Mineral Resources believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to: -</p> <p>(i) cease working the lease; or</p> <p>(ii) cease that part of the operation not complying with the Act or conditions;</p> <p>until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director- General may confirm, vary or revoke any such direction.</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>		<p>Springvale Coal reported that a request to cease working from the DRE had not been received.</p>	Not triggered.
7	<p>Reports</p> <p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date</p>	<ul style="list-style-type: none"> Email: Approval of combined reports (CC: DRE, 26/08/2015) 2013 Annual Exploration 	<p>Springvale Coal received approval from the DRE for the submission of a single Exploration Report each year for the mining leases applicable to Springvale Coal operations. Annual Exploration Reports that included information to meet the requirements of ML 1326 CoA 7</p>	Compliant

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months' period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months' period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>	<ul style="list-style-type: none"> Report (CC, 12/2013) 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration Report (CC, 08/2015) 	<p>were submitted to the DRE during 2013 – 2015.</p> <p>The 2013 and 2014 AEMRs and the 2015 AR reported exploration activities during 2013 – 2016 were limited to:</p> <ul style="list-style-type: none"> 2013: No surface exploration activities; 2014: Three non-exploration boreholes (for electrical cables) and three aquifer monitoring boreholes on the Newnes Plateau 2015: No exploration or construction activities. 	
8	<p>Licence to Use Reports</p> <p>(a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.</p> <p>(b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act 1992</p>			Noted
9	<p>Confidentiality</p> <p>(a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential.</p> <p>(ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.</p> <p>(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality</p>		Springvale Coal reported that exploration reports submitted in accordance with the conditions of this lease were kept confidential.	Noted
10	<p>Terms of the non-exclusive licence</p> <p>The terms of the non-exclusive copyright licence granted under condition 8 (a) are:</p> <p>(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(b) the Minister and any sub-licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.</p> <p>(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.</p> <p>(d) there is no royalty payable by the Minister for the licence.</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months' notice.</p>		Noted	Noted
12	<p>Safety</p> <p>Operations must be carried out in a manner that ensures the safety of persons or</p>		Springvale Coal reported that there were no abandoned shafts at Springvale and that operational shafts were fenced. Fencing around the Ventilation Shaft No. 3 compound was	Compliant

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	stock in the vicinity of the operations. All drill holes' shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General		observed during the site inspections. MCW Environmental sighted adequate fencing around borehole 8 and Ventilation Shaft No. 3 and has consequently assessed that operations are compliant with this condition. MCW Environmental has not assessed operations against the NSW Work Health and Safety Act 2011.	
15	<p>Exploratory Drilling</p> <p>(1) At least twenty-eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Infrastructure, Planning and Natural Resources regional hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(2) If the lease holder drills exploratory drill holes he must satisfy the Director-General that-</p> <p>(a) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>b) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(c) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(d) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;</p> <p>(e) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(f) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General.</p> <p>(g) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.</p>	<ul style="list-style-type: none"> Notification of proposed drilling (CC: DPE, DPI-Water, DRE, 24/01/2011) Photograph of cement marker at SPR 1105G SPR 1105 cement bore log Photograph SPR 1105 drill site (rehabilitation) 	<p>There has been no exploratory drilling undertaken with ML 1326 during 2013 -2016. The most recent exploratory drilling operations were undertaken in 2012 (when 18 surface exploration boreholes were drilled). Details of the drilling operations undertaken in 2012 were available on the Springvale Coal Acquire database, for example:</p> <ul style="list-style-type: none"> Notification of proposed drilling SPR 1105; SPR 1105 location – permanent, cement identifier; SPR1105 Cement bore log (20/09/2011); and Rehabilitation of SPR1105 drilling site. <p>The following non-exploratory boreholes were drilled during 2013 -2016:</p> <ul style="list-style-type: none"> 2014: Three non-exploration boreholes for electrical cables in MPL 314 (1304SVA, 1304SVB and 1304SVC); 2014: Three aquifer monitoring boreholes in ML 1326 (SPR 1401AQ, SPR 1402AQ and SPR 1401SP); and 2015: One aquifer monitoring borehole in ML 1588 (SPR 1403). 	Not triggered.
16	<p>Prevention of Soil Erosion and Pollution</p> <p>Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.</p>	<ul style="list-style-type: none"> Environment and Community Database 	<p>Springvale Coal's Environment and Community Database did not include an environmental incident relating to sediment and erosion control in ML 1326 during the period of the IEA.</p> <p>Project specific erosion and sediment control plans were developed for specific construction projects e.g. the construction of Bore 8 (which is not in ML 1326).</p> <p>Refer Appendix A1 SSD-5594 CoA S4-12 for recommendations to improve sediment and erosion control at Bore 8 and the Ventilation Shaft No. 3 compounds (which are both outside of ML 1326).</p>	Compliant
17	<p>Transmission lines, Communication lines and Pipelines</p> <p>Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the area without the prior written approval of the Director-General and subject to any conditions he may stipulate</p>	<ul style="list-style-type: none"> Letter: Provision of Infrastructure Management Plan (CC, 21/09/2006) Infrastructure Management Plan (CC, 09/2006) Letter: Provision of Infrastructure Management Plan (CC; DPI-MR, 11/09/2007) Letter: Provision of Infrastructure Management Plan (CC: Integral Energy, 11/09/2007) Infrastructure Management Plan (CC, 23/09/2009) 	<p>Power is supplied to Springvale Coal operations in ML 1326 by electrical transmission lines owned by Integral Energy. All other communication and pipeline infrastructure in ML 1326 is reportedly owned by CC. Transmission lines are managed in accordance with the Infrastructure Management Plan (refer Appendix D SMP Approval LW 411-418 CoA 17).</p> <p>The Infrastructure Management Plan was drafted, provided to Integral in 2007 for comment, and revised in 2009. The plan included the following to ensure the safety and serviceability of any infrastructure:</p> <ul style="list-style-type: none"> Measure baseline information; Continue monitoring and inspection of roads and fire trails at key times relating to the longwall position; Scheduled visual inspections; Monitoring and inspection data is analysed to identify any variations from predictions, unexpected anomalies or visual impact (e.g. cracking); Where variations and/or impacts are greater than predictions made in the SMP, 	Compliant

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>additional assessment/investigation of impacts will be undertaken; and</p> <ul style="list-style-type: none"> If impacts require remedial action, remedial action will be implemented. <p>The March 2016 SMSR included a statement that there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418 and subsidence monitoring identified "<i>subsidence, tilt and strain results are within the predicted range.</i>"</p>	
19	<p>Roads and Tracks</p> <p>(a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director- General and subject to any conditions he may stipulate.</p> <p>(b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.</p>	<ul style="list-style-type: none"> RMP (CC, 09/2006) Letter: Request for comment on draft RMP (CC: FCNSW, 21/09/2006) Letter: Provision of RMP, LMP and PSMP to FCNSW for comment (CC: FCNSW, 21/09/2006) Letter: Provision of revised draft RMP to FCNSW (CC: FCNSW, 11/09/2007) Letter: Provision of RMP to FCNSW (CC: FCNSW, 23/09/2007) SMSR (CC, 03/2016) Occupation Certificate FCNSW (FCNSW, 10/07/2012) Springvale - Level 3 Permit Amendment - PB53711 (FCNSW, May 2015) 	<p>A Road Management Plan (RMP) was drafted and provided to FCNSW (owners of the Newnes State Forest) for comment in 2007.</p> <p>The RMP included the following to manage the safety of road users and serviceability of roads / 4WD trails:</p> <ul style="list-style-type: none"> Measure baseline information. Continue monitoring and inspection of roads and fire trails at key times relating to the longwall position Scheduled visual inspections. Monitoring and inspection data is analysed to identify any variations from predictions, unexpected anomalies or visual impact (eg cracking). Where variations and/or impacts are greater than predictions made in the SMP, additional assessment/investigation of impacts will be undertaken. If impacts require remedial action, remedial action will be implemented. <p>The March 2016 SMSR included a statement that there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418 and subsidence monitoring identified "<i>subsidence, tilt and strain results are within the predicted range.</i>"</p> <p>Signed FCNSW occupation certificates (2012 and 2015) were sighted. These certificates are for work within the Newnes State Forest. Any changes in work to be carried out is addressed in an amendment to the Permit e.g. an amendment approval dated 7 May 2015 was issued for the extension of two subsidence survey lines. MCW Environmental discussed the IEA scope with the Stewardship and Fire Supervisor (FCNSW) on 1 July 2016. FCNSW reported that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016). FCNSW advised that there were no outstanding responses to requests for information.</p>	Compliant
23	<p>Resource Recovery</p> <p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p> <p>(d) The Director-General shall issue no such report unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.</p> <p>(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the Mining Act, 1992.</p>		<p>Springvale Coal reported that no notices have been issued by the DRE regarding recovery of resources.</p>	Not triggered

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.			
24	<p>Indemnity</p> <p>The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.</p>			Noted
25	<p>Security</p> <p>(a) A security in the sum of \$1,395,000.00 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under Coal Lease No. 377 (Act 1973), Mining Purposes Lease No. 314 (Act 1973) and Mining Leases No's 1303, 1323, 1326, 1352, 1448 and 1537 (Act, 1992). If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of these leases if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.</p> <p>(b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:</p> <p>(i) cash,</p> <p>(ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.</p>	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1326.	Compliant
27	<p>Additional Royalty</p> <p>The lease holder must in respect of coal recovered by open cut mining methods pay additional royalty to the Minister at the rate prescribed by the Mining Regulation 2003</p>		As Springvale Coal does not undertake open cut mining, this condition was not triggered.	Not triggered.
28	<p>Catchment Areas</p> <p>(a) The lease holder shall carry out operations in such a way as to conform strictly to all provisions of the Sydney Water Catchment Management Act 1998 and the regulations thereunder applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply provided thereby or derived therefrom or for the protection of the property of Sydney Catchment Authority [hereinafter referred to as the 'the Authority'] on the Outer Catchment Area and also to all requirements of the Authority from time to time under the said Act or any of the regulations for the time being in force.</p> <p>(b) If the lease holder shall at any time be using or about to use any process which in the opinion of the Authority is likely to pollute the Outer Catchment Area or the water supply or to endanger any property of the Authority on the Outer Catchment Area the lease holder upon service of a notice in writing under the hand of the Minister to do so shall:</p>	<ul style="list-style-type: none"> Letter: Submission of conceptual Draft Stage 1 of the Upper Cocks River Action and Monitoring Plan (CC: DPE, 29/062016) Draft Upper Cox River Action and Monitoring Plan (CC, 06/2016) Letter: Request for extension of submission date for Upper Cocks River Action Plan (CC: DPE, 20/05/2015) Email: Approval of extension of submission of Upper Cocks River Action Plan to 30/09/2016 (DPE: CC, 	<p>Springvale Coal operations are undertaken within the Upper Cocks River catchment area. The Upper Cocks River is within the Warragamba catchment area which is covered under the provisions of the Sydney Water Catchment Management Act 1998. Principles of the Sydney Water Catchment Management Act 1998 Part 3 Condition 14 Principal Objectives are to:</p> <p>(a) to ensure that the catchment areas and the catchment infrastructure works are managed and protected so as to promote water quality, the protection of public health and public safety, and the protection of the environment,</p> <p>(b) to ensure that water supplied by it complies with appropriate standards of quality,</p> <p>(c) where its activities affect the environment, to conduct its operations in compliance with the principles of ecologically sustainable development contained in section 6 (2) of the Protection of the Environment Administration Act 1991,</p> <p>(d) to manage the SCA's catchment infrastructure works efficiently and economically and in accordance with sound commercial principles.</p>	<p>Not verified.</p> <p>ML 1326 CoA 28 Recommendation: Assess if the requirements of Sydney Water Catchment Management Act 1998 and regulations applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply have been taken into account in the plans and procedures associated with works in the Outer Catchment Area e.g. Upper Cocks River Action and Monitoring Plan,</p>

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(i) discontinue the use of such process immediately, or</p> <p>(ii) thereafter refrain from adopting such process at any time, as the case may require.</p> <p>(c) The lease holder shall provide and maintain to the satisfaction of the Minister efficient means to prevent the contamination, pollution, erosion or siltation of any stream or watercourse or Outer Catchment Area and shall observe any instruction given or which may be given by the Minister with a view to preventing or minimising the contamination, pollution or siltation of any stream watercourse or Outer Catchment Area.</p> <p>(d) The lease holder hereby covenants with Us Ours Heirs and Successors and as a separate covenant the lease holder hereby covenants with the Authority and its Successors that the lease holder shall at all times hereafter save harmless and keep Us and the said Authority and Our Heirs and Successors and the Successors of the said Authority indemnified from payment of compensation and from and against all actions proceedings claims and demands in respect of any injury loss of damage arising out of or in any way connected with any interference with or deprivation or loss of access to the land and premises of this authority which may occur by reason of any works or operations undertaken or carried out by the said Authority or arising out of or in any way connected with any discontinuance or alteration of any process consequent upon the service of a notice in pursuance of the provisions of Condition 28 (b) or arising out of or in any way connected with the operation of any regulations relating to Outer Catchment Area in force at the date hereof or made by the said Authority at any time hereafter and the lease holder hereby agrees that for the purpose of this condition the said Authority shall be deemed to be a party to this authority.</p>	<p>21/06/2016)</p> <ul style="list-style-type: none"> • Draft Western Region Water Management Plan (CC, 03/2016) • Draft Springvale Water Management Plan (CC, 03/2016) • Letter: Provision of draft Western Region Water Management Plan and draft Springvale Water Management Plan (CC: EPA, 19/02/2016) • Letter: Provision of draft Water Management Plans (CC: DRE, 19/02/2016) • Letter: Provision of draft Water Management Plans (CC: DPE, 18/03/2016) • Letter and attachment: EPA and OEH feedback on draft Water Management Plans (EPA:CC, 04/04/2016) • Letter: WaterNSW feedback on draft Water Management Plans (WaterNSW: CC, 14/03/2016) 	<p>Springvale Coal reported that the principles of the Sydney Water Catchment Management Act 1998 were addressed in the implementation of the Upper Cocks River Action and Monitoring Plan and Water Management Plan (which are both requirements of the SSD-55904 consent) and by meeting the requirements of EPL 3607.</p> <p>In accordance with SSD-5594 CoA S4-13, a conceptual draft Stage 1 of the Upper Cocks River Action and Monitoring Plan was submitted to the DPE on 29/06/2016. The Stage 1 plan identified that completion of all stages of the Cocks River Action Plan will be undertaken by 30 September 2016 which will take into account catchment wide assessments and identify how a reduction in salinity will be achieved in the future. As the plan is not due until 30/09/2016, SSD-5594 CoA S4-13 was assessed as not triggered.</p> <p>In accordance with SSD-5594 CoA S4-14, Springvale Coal prepared a draft Western Region Water Management Plan and draft Springvale Mine Water Management Plan and provided these plans to the DPE, EPA, DPI-Water and WaterNSW for review to meet SSD-5594 S4-14. The EPA subsequently provided the plans to the OEH for review. Feedback has been received from the EPA, OEH and WaterNSW identifying information gaps. At the time of preparing the IEA, the draft Water Management Plans had not been finalised.</p> <p>EPL 3607 pollution reduction studies have been completed for direct toxicity assessment (01/08/2014) and salinity reduction and toxicity elimination (10/02/2016) and the current EPL 3607 includes a PRP for salinity reduction and toxicity elimination by 30/06/2017.</p> <p>Springvale Coal has notified the EPA of non-compliances with EPL 3607 conditions (refer 2013, 2014 and 2015 EPL Annual Returns) and regulatory action was taken by the EPA on the following two incidents related to Cocks River water quality:</p> <ul style="list-style-type: none"> • 30/05/2013 turbidity incident at LDP 009: Springvale Coal reported to the EPA that dirty water was discharged from LDP 009 into Sawyers Swamp Creek and ultimately to the Cocks River. As a result of this incident, the EPA: <ul style="list-style-type: none"> • Issued a Penalty Infringement Notice (PIN) (\$1500) for a breach of POEO Act section 64 for discharging water that exceeded the turbidity limit for up to four days; • Issued a PIN (\$5000) for a breach of POEO Act section 148 for not immediately reporting an incident which threatened material harm to the environment; and • Although POEO Act section 153F (implementing the PIRMP was breached – no further action was taken. • 12/09/2014 Coal fines incident at LDP 001: The EPA issued an Official Caution to Springvale Coal in February 2016 as the EPA had reasonable grounds for an alleged offence that Springvale Coal had caused coal fines to discharge from LDP 001 into a wetland in the upper reaches of the Cocks River on 12 September 2014. <p>Springvale Coal reported that notice in writing has not been received from the DRE or the SCA regarding ML 1326 CoA 28.</p> <p>An assessment of mining operations in the Warragamba Outer Catchment Area against Sydney Water Catchment Management Act 1998 and regulations applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply was not available. MCW Environmental has not undertaken an assessment of Springvale Coal operations against provisions of the Sydney Water Catchment Management Act 1998, consequently this condition was assessed as not verified.</p>	<p>Water Management Plan, SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls, and Springvale Coal incident reporting requirements. Record the findings of the assessment on the Compliance Database for ML 1326 CoA 28. Undertake corrective actions as required.</p>
29	<p>The lease holder shall:</p> <p>(a) Make such provisions for sanitation as may be directed by the Authority and shall at all times observe and perform any requirements of the said Authority respecting sanitation.</p> <p>(b) not establish any camps or habitations within any area under the control of the Authority unless with the consent of the Authority.</p> <p>(c) Not sink any drillholes within the stored waters on the subject area nor within 40 metres of the top water level thereof unless with the consent of the Authority.</p> <p>(d) Not sink any drillholes within any watercourse on the Warragamba Outer</p>	<ul style="list-style-type: none"> • SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls (CC, 11/2015) • Letters: Provision of 2015 AR to SCA (CC, 24/03/2016) 	<p>Springvale Coal reported that during 2013 -2016:</p> <p>(a) There was no requirement to undertake provisions for sanitation on the surface of ML 1326.</p> <p>(b) There was no requirement to establish any camps or habitations within any area under the control of the Authority.</p> <p>(c) No boreholes were drilled within the stored waters on the subject area nor within 40 metres of the top water level thereof unless with the consent of the Authority.</p> <p>(e) Springvale Coal activities did not interfere with or impeded the use of the Authority tracks or endangered their stability.</p>	<p>Not verified</p>

Mining Lease 1326 (1992) - Underground mining area including LW 401 - 419

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Catchment Area nor within 100 metres thereof unless with the consent of the Authority.</p> <p>(e) Not interfere with or impede the use of the Authority tracks or endanger their stability in any way by reason of the operations.</p> <p>(f) Not construct any road to the sites of any drillholes unless with the consent of the Authority to the proposed route and type of road construction.</p> <p>(g) Not interfere in any way with any fences on or adjacent to the Warragamba Outer Catchment Area unless with the consent in writing of the owner thereof or the Authority.</p> <p>(h) Give twenty-eight days' notice to the General Manager Catchment Operations and Major Projects, Sydney Catchment Authority, Penrith, of its intention to commence drilling operations.</p> <p>(i) Not cut or remove any timber except such as directly obstructs or prevents the carrying on of operations and the lease holder shall obtain the consent in writing of the Authority before making use of the timber so cut for other than in connection with operations.</p> <p>(j) Complete work in relation to rehabilitation within the Warragamba Outer Catchment Area before termination of the authority to the satisfaction of the Authority.</p>		<p>(g) Springvale Coal activities did not interfere with fences on or adjacent to the Warragamba Outer Catchment Area.</p> <p>The auditors were unable to verify if the requirements of ML 1326 CoA 29 (d), (f), (h), (i) and (j) were triggered for the three aquifer monitoring boreholes drilled near Sunnyside East Swamp in ML 1326 in 2014 (SPR 1401AQ, SPR 1402AQ and SPR 1401SP).</p> <p>The 2015 AR was provided to the SCA. A standard has been developed which defines the minimum environmental standards for any works carried out in the State Forest by or for Springvale Coal (SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls). The standard includes:</p> <ul style="list-style-type: none"> • Prior to the removal of native vegetation, a due diligence flora survey is to be conducted and provided to FCNSW. • FCNSW is to be notified by Springvale Coal and an Occupation Permit granted prior to any earth works commencing. • FCNSW will be invited to inspect the area where works were undertaken. • All earth works (including vegetation removal/excavation) within 40 metres of a river (river being defined as any blue line on a topographic map) will require a 3A permit under the Rivers and Foreshore Act. This approval is issued by the Department of Land and Water Conservation. • Clearing, erosion control, sediment control and rehabilitation requirements. • Specific requirements for exploration drilling sites including a Review of Environmental Factors for ground clearance, drilling water management, sediment control and rehabilitation. <p>Although SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls states "<i>Springvale Colliery will obtain all of the necessary licenses from the relevant statutory bodies</i>" there is no specific mention of liaison and notice to the SCA. Refer ML 1326 CoA 28 Recommendation.</p>	

Table C-4: Mining Lease 1537

Mining Lease 1537 (1992) – Ventilation Shaft No. 3				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>EXTRACTION OF COAL</p> <p>The lease holder shall extract as large a percentage of the coal in the subject area as is practicable consistent with the provisions of the Coal Mines Regulations Act 1982 and the Regulations thereunder and shall comply with any direction given or which may be given in this regard by the Minister.</p>	<ul style="list-style-type: none"> 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2014) 2015 AR (CC, 2016) 	<p>ML 1537 was granted in 2003 and will expire in 2024.</p> <p>Springvale Coal have reported the coal extracted in the 2013 and 2014 AEMR and the 2015 AR and have not received a direction from the DRE regarding coal extraction.</p>	Compliant
2	<p>MINING, REHABILITATION, ENVIRONMENTAL MANAGEMENT PROCESS (MREMP)</p> <p>MINING OPERATIONS PLAN (MOP)</p> <p>(1) Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for: -</p> <p>(a) ongoing mining operations and environmental management; and</p> <p>(b) ongoing monitoring of the project.</p> <p>(2) The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgement.</p> <p>(3) A Plan must be lodged with the Director-General: -</p> <p>(a) prior to the commencement of operations;</p> <p>(b) subsequently as appropriate prior to the expiry of any current Plan; and</p> <p>(c) in accordance with any direction issued by the Director- General.</p> <p>(4) The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify: -</p> <p>(a) area(s) proposed to be disturbed under the Plan;</p> <p>(b) mining and rehabilitation method(s) to be used and their sequence;</p> <p>(c) areas to be used for disposal of tailings/waste;</p> <p>(d) existing and proposed surface infrastructure;</p> <p>(e) progressive rehabilitation schedules;</p> <p>(f) areas of particular environmental sensitivity;</p> <p>(g) water management systems (including erosion and sediment controls);</p> <p>(h) proposed resource recovery; and</p> <p>(i) where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation</p> <p>(5) The Plan when lodged will be reviewed by the Department of Mineral Resources.</p> <p>(6) The Director-General may within two (2) months of the lodgement of a Plan, require modification and lodgement.</p> <p>(7) If a requirement in accordance with clause (6) is not issued within two months of the lodgement of a Plan, lease holder may proceed with implementation of the Plan submitted subject to the lodgement of the required security deposit within the specified time.</p> <p>(8) During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlined in clauses (5) - (7) above.</p>	<ul style="list-style-type: none"> November 2009 – November 2016 MOP (CC, 2010) Final November 2015 – October 2022 MOP (CC, 03/2016) Letter: Approval of the MOP (DRE: CC, 25/02/2016) 	<p>Refer ML 1326 CoA 2.</p> <p>In the 2015 AR, Springvale Coal reported that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p>	Compliant

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
3	<p>ANNUAL ENVIRONMENTAL MANAGEMENT REPORT (AEMR)</p> <p>(1) Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.</p> <p>(2) The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of: -</p> <p>(a) the accepted Mining Operations Plan;</p> <p>(b) development consent requirements and conditions;</p> <p>(c) Environment Protection Authority and Department of Land and Water Conservation licences and approvals;</p> <p>(d) any other statutory environmental requirements;</p> <p>(e) details of any variations to environmental approvals applicable to the lease area. and</p> <p>(f) where relevant, progress towards final rehabilitation objectives.</p> <p>(3) After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.</p> <p>(4) The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies.</p>	<ul style="list-style-type: none"> • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) 	Refer ML 1326 CoA 3.	Compliant
14	<p>SHAFTS, DRIFTS, ADITS</p> <p>Operations shall be conducted in such a manner as not to cause any danger to persons or stock and the lease holder shall provide and maintain adequate protection to the satisfaction of the Minister around each shaft or excavation opened up or used by the lease holder.</p>		Refer ML 1326 CoA 12	Compliant
15	<p>DUMPS</p> <p>The lease holder shall comply with any direction, given or which may be given by the Inspector regarding the dumping, depositing or removal of material extracted as well as the stabilisation and revegetation of any dumps of coal, minerals, mine residues, tailings or overburden situated on the subject area or the associated colliery holding.</p>		<p>Springvale Coal reported that a direction regarding dumping, depositing or removal of materials had not been received from the DRE.</p> <p>ML 1537 covers the construction and operation of the ventilation No. 3 shaft site. No coal was dumped, deposited or removed at this location.</p>	Not triggered
16	<p>DUMPS</p> <p>The lease holder shall comply with any direction given or which may be given by the Minister regarding the spraying of coal dumps on the subject area.</p>		ML 1537 covers the construction and operation of the ventilation No. 3 shaft site. No coal was dumped, deposited or removed at this location.	Not triggered
17	<p>DUST</p> <p>The lease holder shall take such precautions as are necessary to abate any dust nuisance.</p>	<ul style="list-style-type: none"> • Environment and Community Database • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) 	<p>ML 1537 is removed from landowner properties.</p> <p>The Environment and Community Database, 2013 and 2014 AEMRs and 2015 AR does not have records regarding dust complaints from the Ventilation Shaft No. 3 construction or operation.</p>	Compliant

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
18	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) The lease holder shall not interfere in any way with any fences on or adjacent to the subject area unless with the prior written approval of the owner thereof or the Minister and subject to such conditions as the Minister may stipulate.	<ul style="list-style-type: none"> Environment and Community Database 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 	<p>The Environment and Community Database, 2013 and 2014 AEMRs and 2015 AR does not have records regarding fencing complaints from the Ventilation Shaft No. 3 construction or operation.</p> <p>During consultation undertaken as part of this IEA, FCNSW reported that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016). FCNSW advised that there were no outstanding responses to requests for information.</p> <p>During the site inspection fences were observed to be in good condition around the perimeter of the Ventilation Shaft No. 3 site.</p>	Compliant
19	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) The lease holder shall observe any instruction given or which may be given by the Minister with a view to minimising or preventing public inconvenience or damage to public or private property.		Springvale Coal reported that an instruction from the DRE regarding public inconvenience had not been received.	Compliant
20	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) If required to do so by the Minister and within such time as may be stipulated by the Minister the lease holder shall carry out to the satisfaction of the Minister surveys of structures, buildings and pipelines on adjacent landholdings to determine the effect of operations on any such structures, buildings and pipelines.		The Environment and Community Database, 2013 and 2014 AEMRs and 2015 AR does not have records regarding built structure complaints from the Ventilation Shaft No. 3 construction or operation.	Compliant
21	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) If so directed by the Minister the lease holder shall rehabilitate to the satisfaction of the Minister any lands within the subject area which may have been disturbed by the lease holder		<p>The 2015 AR identifies that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p> <p>Springvale Coal reported that a direction on rehabilitation has not been received from the DRE.</p>	Not triggered
22	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) Upon completion of operations on the surface of the subject area or upon the expiry or sooner determination of this authority or any renewal thereof, the lease holder shall remove from such surface such buildings, machinery, plant, equipment, constructions and works as may be directed by the Minister and such surface shall be rehabilitated and left in a clean, tidy and safe condition to the satisfaction of the Minister.		The Ventilation Shaft No. 3 compound is in use consequently this condition has not been triggered.	Not triggered
23	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) If so directed by the Minister the lease holder shall rehabilitate to the satisfaction of the Minister and within such time as may be allowed by the Minister any lands within the subject area which may have been disturbed by mining or prospecting operations whether such operations were or were not carried out by the lease holder.		Springvale Coal reported that a direction on rehabilitation has not been received from the DRE	Not triggered
24	MANAGEMENT AND REHABILITATION OF LANDS (GENERAL) The lease holder shall take all precautions against causing outbreak of fire on the subject area.	<ul style="list-style-type: none"> Compliance Database Draft Springvale Mine Water Management Plan (CC, 03/2016) EIS (CC, 04/2014) Bushfire Management Plan SV-MS-029 (CC, 2013) Bushfire Management Procedure SV-MS-029-WP-568 (CC, 2011) <p>Monthly Environment Inspection Checklist (CC, 01/2016, (CC, 02/2016), (CC, 03/2016)</p>	<p>The EIS identifies that the emergency holding dam, located at the Ventilation Shaft No. 3 Facility on the Newnes Plateau, has 3.4 ML capacity for the storage of mine water for use by bushfire fighting helicopters.</p> <p>The Springvale Bushfire Management Plan (SV-MS-029) and the associated Bushfire Management Procedure (SV-MS-029-WP-568) were reportedly developed in consultation with the NSW Rural Fire Service. The Compliance Database (SSD-5594 CoA S4-20) includes an action to revise the Newnes Bushfire Management Plan by 31/08/2016.</p> <p>The following bushfire risk mitigation measures were observed during the site inspection:</p> <ul style="list-style-type: none"> Evidence of hot work procedure which identifies during planning for works the potential for ignition sources and corresponding corrective actions; Maintenance of access tracks to the pit top and the infrastructure area on Newnes Plateau (to allow access by emergency vehicles); Asset Protection Zones around Ventilation Shaft No. 3 Facility and overhead powerlines. 	Compliant

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<ul style="list-style-type: none"> Emergency holding dam at the Ventilation Shaft No. 3 Facility were maintained; and Fire hydrants. <p>Refer to SSD-5594 CoA S4-26 for recommendation regarding an independent Bushfire Hazard Assessment to assess the adequacy of fire response equipment and procedures.</p>	
25	<p>The lease holder shall provide and maintain to the satisfaction of the Minister efficient means to prevent contamination, pollution, erosion or siltation of any river, stream, creek, tributary, lake, dam, reservoir, watercourse or catchment area or any undue interference to fish or their environment and shall observe any instruction given or which may be given by the Minister with a view to preventing or minimising the contamination, pollution, erosion or siltation of any river, stream, creek, tributary, lake, dam, reservoir, watercourse or catchment area or any undue interference to fish or their environment.</p>		<p>During the site inspection on 27/06/2016 at the Ventilation Shaft No. 3 site, MCW Environmental observed the following:</p> <ul style="list-style-type: none"> Surplus construction plant and waste had been removed from the compound. Approximately 30% of the compound area was covered with ballast. Approximately 40% of the site was not sealed or vegetated and had potential to generate high sediment loads. Sediment fences were present on site with some fences requiring repair e.g. at perimeter boundary - refer Photo 5. Sediment basins were present. Erosion and channelling was present on some unsealed areas e.g. on APZ near entrance gate and between sediment basins - refer Photos 4 and 6. Weed control had recently been undertaken. <p>During the site inspection on 27/06/2016 MCW Environmental observed that due to the amount of unsealed areas, there was evidence of erosion and a high sediment load behind some sediment fences. As DA 461/02 will be superseded by SSD 5594 CoA S4-12 in September 2016, and as SSD-5594 CoA S4-12 includes a water performance measure for the design, installation and maintenance of erosion and sediment controls to be generally in accordance with Managing Urban Stormwater: Soils and Construction Plan; a recommendation for the design and maintenance of sediment and erosion measures at the Ventilation Shaft No. 3 has been included for SSD-5594 CoA S4-12 to address this issue.</p> <p>Springvale Coal's Environment and Community Database did not include an environmental incident relating to sediment and erosion control in ML 1537 during the period of the IEA.</p> <p>Project specific erosion and sediment control plans were developed for specific construction projects e.g. the construction of Bore 8 (which is not in ML 1537).</p> <p>The auditors did not observe contamination, pollution, erosion or siltation of any river, stream, creek, tributary, lake, dam, reservoir, watercourse or catchment area or any undue interference to fish or their environment, consequently this condition was assessed as compliant.</p>	<p>Compliant</p> <p>Refer to SSD-5594 CoA S4-12.</p>
26	<p>BLASTING</p> <p>The lease holder shall monitor noise and vibration and institute controls, generally in accordance with the recommendations of Australian Standard AS-2187-1993 and ANZEC Guidelines.</p> <p>(a) Ground Vibration</p> <p>The lease holder shall design all blasts on the basis that the ground vibration peak particle velocity generated by any blasting within the subject area, shall not exceed the levels in or conditions of the EPA Licence for the mine, at any dwelling or occupied premises not owned by the lease holder, the holder of an authority under the Mining Act, or not subject to a valid agreement with the lease holder, with respect to the effects of blasting.</p> <p>(b) Blast Overpressure</p> <p>The lease holder shall design all blasts on the basis that the blast overpressure noise level generated by any blasting within the subject area, shall not exceed the levels in or conditions of the EPA Licence for the mine, at any dwelling or occupied premises not owned by the lease holder, the holder of an authority under the Mining Act, or not subject to a valid agreement with the lease holder, with respect to the effects of blasting.</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) Environment and Community Database 	<p>Springvale Coal reported that no blasting is carried out at the Springvale Mine and no explosives are stored on site.</p> <p>The Environment and Community Database, 2013 and 2014 AEMRs and 2015 AR does not have records regarding noise and/or vibration from the Ventilation Shaft No. 3 compound. Construction of the shaft was outside the period of the IEA.</p>	<p>Not triggered</p>

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
27	<p>TREES (PLANTING AND PROTECTION OF FLORA AND FAUNA AND ARBOREAL SCREENS)</p> <p>If so directed by the Minister, the lease holder shall ensure that operations are carried out in such manner so as to minimise disturbance to flora and fauna within the subject area.</p>		Springvale Coal reported that a direction from the DRE regarding an arboreal screen has not been received.	Not triggered.
29	<p>TREES (PLANTING AND PROTECTION OF FLORA AND FAUNA AND ARBOREAL SCREENS)</p> <p>The lease holder shall maintain an arboreal screen to the satisfaction of the Minister within such parts of the subject area as may be specified by the Minister and shall plant such trees or shrubs as may be required by the Minister to preserve the arboreal screen in a condition satisfactory to the Minister.</p>		<p>Springvale Coal reported that a direction from the DRE regarding an arboreal screen has not been received.</p> <p>Ventilation Shaft No. 3 is located on the Newnes plateau in the Newnes State Forest. Although an asset protection zone was in place, the site was surrounded by State Forest.</p>	Not triggered.
30	<p>SOIL EROSION</p> <p>The lease holder shall conduct operations in such a manner as not to cause or aggravate soil erosion and the lease holder shall observe and perform any instructions given or which may be given by the Minister with a view to minimising or preventing soil erosion.</p>	<ul style="list-style-type: none"> Environment and Community Database Photographs of Ventilation Shaft No. 3 site sediment controls (CC, 14/09/2016) 	<p>Springvale Coal's Environment and Community Database did not include an environmental incident relating to sediment and erosion control in ML 1537 during the period of the IEA.</p> <p>Springvale Coal reported that a direction from the DRE regarding soil erosion has not been received.</p> <p>During the site inspection on 27/06/2016 MCW Environmental observed that due to the amount of unsealed areas evidence of erosion in the area adjacent to the sediment dams and a high sediment load behind some sediment fences was observed. As DA 461/02 will be superseded by SSD 5594 CoA S4-12 in September 2016, and as SSD-5594 CoA S4-12 includes a water performance measure for the design, installation and maintenance of erosion and sediment controls to be generally in accordance with Managing Urban Stormwater: Soils and Construction Plan; a recommendation for the design and maintenance of sediment and erosion measures at the Ventilation Shaft No. 3 has been included for SSD-5594 CoA S4-12 to address this issue.</p> <p>A recommendation has been made for Springvale Coal to identify and address the cause of erosion at the Ventilation Shaft No. 3 site.</p> <p>After the site inspection and during report preparation (17/10/2016) Springvale Coal provided photographs demonstrating that work had commenced on improved erosion and sediment control at the Ventilation Shaft No.3 site.</p>	<p>Non-compliant</p> <p>ML 1537 CoA 30</p> <p>Recommendation: Identify the cause of erosion on the Ventilation Shaft No. 3 site and shallow channelling in the adjacent APZ zone and improve sediment controls. Undertake corrective actions as required.</p>
31	<p>ROADS</p> <p>The lease holder shall pay to Council of the City of Lithgow, Department of Land and Water Conservation or the Chief Executive, Roads and Traffic Authority the cost incurred by such Council or Department or Chief Executive of making good any damage caused by operations carried on by or under the authority of the lease holder to any road adjoining or traversing the surface or the excepted surface, as the case may be of the subject area.</p> <p>PROVIDED HOWEVER that the amount to be paid by the lease holder as aforesaid shall be reduced by such sum of money if any as may be paid to the said Council the Department of Land and Water Conservation or the Chief Executive, Roads and Traffic Authority as the case may be from the Mine Subsidence Compensation Fund constituted under the Mine Subsidence Compensation Act, 1961, in settlement of a claim for compensation for the same damage.</p>	<ul style="list-style-type: none"> Letter: 2015 Springvale Mine Contribution (CC: LCC, 23/02/2016) Occupation Certificate FCNSW (FCNSW, 10/07/2012) Springvale - Level 3 Permit Amendment - PB53711 (FCNSW, May 2015) 	<p>Refer Appendix A1 SSD-5594 CoA Appendix 3-14 which requires that CC will contribute three cents per saleable tonne of coal (exclusive of GST) produced from the Springvale, Angus Place and Airly Mines, as a 'Community Contribution' to Lithgow City Council. This Community Contribution will be capped at \$200,000 annually and the funds allocated to long-term community activities and projects agreed by both parties and reported publicly. Commencement of the 'Community Contribution' will be from the date the first of the above three mines is granted consent.</p> <p>In 2016, a contribution for 2015 was made to LCC based on \$0.03/tonne.</p> <p>Signed FCNSW occupation certificates (2012 and 2015) were sighted. These certificates are for work within the Newnes State Forest. Any changes in work to be carried out is addressed in an amendment to the Permit e.g. an amendment approval dated 7 May 2015 was issued for the extension of two subsidence survey lines.</p> <p>Springvale Coal reported that a request for payment to make good roads had not been received.</p>	Not triggered
32	<p>ROADS</p> <p>In the event of operations being conducted on the surface of any road, track or firetrail traversing the subject area or in the event of such operations causing damage to or interference with any such road, track or firetrail the lease holder, at his own expense, shall if directed to do so by the Minister provide to the satisfaction of the Minister an alternate road, track or firetrail in a position as required by the Minister and shall allow free and uninterrupted access along such alternate road,</p>		Springvale Coal reported that a request for payment to make good roads had not been received.	Not triggered

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	track or firetrail and, if required to do so by the Minister, the lease holder shall upon completion of operations rehabilitate the surface of the original road, track or firetrail to a condition satisfactory to the Minister.			
33	<p>CATCHMENT AREAS</p> <p>(a) Operations shall be carried out in such a way as not to cause any pollution of the Hawkesbury Catchment Area.</p> <p>(b) If the lease holder is using or about to use any process which in the opinion of the Minister is likely to cause contamination of the waters of the said Catchment Area the lease holder shall refrain from using or cease using as the case may require such process within twenty-four (24) hours of the receipt by the lease holder of a notice in writing under the hand of the Minister requiring the lease holder to do so.</p> <p>(c) The lease holder shall comply with any regulations now in force or hereafter to be in force for the protection from pollution of the said Catchment Area.</p>		<p>The auditors did not observe activities in the ML area that were causing pollution of the Hawkesbury Catchment Area.</p> <p>Springvale Coal reported that a notice from the DRE regarding pollution of the Hawkesbury Catchment Area had not been received.</p> <p>Refer to ML 1326 CoAs 28 and 29 Recommendations.</p>	Compliant
34	<p>CATCHMENT AREAS</p> <p>(a) The lease holder shall carry out operations in such a way as to conform strictly to all provisions of the Sydney Water Catchment Management Act 1998 and the regulations thereunder applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply provided thereby or derived therefrom or for the protection of the property of Sydney Catchment Authority [hereinafter referred to as the 'the Authority'] on the Outer Catchment Area and also to all requirements of the Authority from time to time under the said Act or any of the regulations for the time being in force.</p> <p>(b) If the lease holder shall at any time be using or about to use any process which in the opinion of the Authority is likely to pollute the Outer Catchment Area or the water supply or to endanger any property of the Authority on the Outer Catchment Area the lease holder upon service of a notice in writing under the hand of the Minister to do so shall:</p> <p>(i) discontinue the use of such process within twenty-four (24) hours, or</p> <p>(ii) thereafter refrain from adopting such process at any time, as the case may require.</p> <p>(c) The lease holder shall provide and maintain to the satisfaction of the Minister efficient means to prevent the contamination, pollution, erosion or siltation of any stream or watercourse or Outer Catchment Area and shall observe any instruction given or which may be given by the Minister with a view to preventing or minimising the contamination, pollution or siltation of any stream watercourse or Outer Catchment Area.</p>		Refer to ML 1326 CoAs 28 and 29 Recommendations.	Not verified
35	<p>ADDITIONAL CONDITION AS REQUESTED BY THE SYDNEY CATCHMENT AUTHORITY</p> <p>The lease holder shall consult with the Authority and take account of the Authority's input in the planning phase of rehabilitation to ensure the measures to be undertaken are to the satisfaction of the Authority with regards to water quality protection and future landuse</p>	<ul style="list-style-type: none"> 2015 AR (CC, 2016) 	<p>Ventilation Shaft No. 3 is operational and rehabilitation has not commenced.</p> <p>Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p> <p>Refer ML 1326 CoAs 28 and 29 Recommendations.</p>	Not triggered
36	<p>STATE FORESTS AND FOREST RESERVES</p> <p>(a) This lease does not confer the power to cut or remove any timber within Newnes State Forest No. 748 - No. 4 extension, except such as directly obstructs or prevents the carrying on of operations and the lease holder shall obtain authority under the provisions of the Forestry Act, 1916, as amended, or any Act amending the same and the Regulations thereunder before making use of the timber so cut for other than in connection with operations. The sanction of the Regional Manager or his deputy shall be obtained before</p>	<ul style="list-style-type: none"> Occupation Certificate FCNSW (FCNSW, 10/07/2012) Springvale - Level 3 Permit Amendment - PB53711 (FCNSW, May 2015) SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls (CC, 	<p>Signed FCNSW occupation certificates (2012 and 2015) were sighted. These certificates are for work within the Newnes State Forest. Any changes in work to be carried out is addressed in an amendment to the Permit e.g. an amendment approval dated 7 May 2015 was issued for the extension of two subsidence survey lines.</p> <p>A standard has been developed which defines the minimum environmental standards for any works carried out in the State Forest by or for Springvale Coal (SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls). The standard includes:</p>	Compliant

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>proceeding to cut any other timber within the said forest(s).</p> <p>(b) The lease holder shall take all precautions against causing outbreak of fire on the said forest(s) and shall not burn off any grass dry herbage or surface litter except with the consent of the Regional Manager.</p> <p>(c) In the event of operations encroaching on or within ten (10) metres of any constructed road or firebreak the lease holder shall provide a suitable deviation to the same standard as the previous road or firebreak and upon the completion of operations or the sooner determination of this authority the lease holder shall restore the road or firebreak to its original position and condition to the satisfaction of the Minister.</p> <p>(d) The lease holder shall not interfere with any Crown improvements unless with consent in writing of the Minister.</p> <p>(e) (i) Any necessary clearing shall be done only with the prior permission of the Regional Manager or his deputy and compensation shall be paid for any mature trees or semi mature trees damaged or destroyed at the rate fixed by State Forests of New South Wales and such compensation shall be payable on demand at the end of each calendar month. (ii) In the event of any non-merchantable trees being destroyed by the operations hereby authorised compensation payable to State Forests of New South Wales shall relate to the cost of establishment and tending of the part of the forest affected by the operations. (iii) For the purpose of allowing inspection of the site and assessment of compensation payable for the timber to be destroyed, the lease holder shall provide two weeks' notice to the Regional Manager or his deputy prior to the commencement of any clearing operations.</p> <p>(f) The lease holder shall not cause damage to forest roads or tracks by operating vehicles on the subject area during wet weather.</p> <p>(g) The Minister reserves the right to suspend operations immediately if weather conditions and/or the operations are causing damage to any assets of State Forests of New South Wales.</p> <p>(h) During operations and progressively, the lease holder shall rehabilitate, consolidate and make trafficable all roads and firebreaks at present existing and which may be affected by the operations to the satisfaction of the Regional Manager or his deputy.</p>	11/2015)	<ul style="list-style-type: none"> • Prior to the removal of native vegetation, a due diligence flora survey is to be conducted and provided to FCNSW. • FCNSW is to be notified by Springvale Coal and an Occupation Permit granted prior to any earth works commencing. • FCNSW will be invited to inspect the area where works were undertaken. • All earth works (including vegetation removal/excavation) within 40 metres of a river (river being defined as any blue line on a topographic map) will require a 3A permit under the Rivers and Foreshore Act. This approval is issued by the Department of Land and Water Conservation. • Clearing, erosion control, sediment control and rehabilitation requirements. • Specific requirements for exploration drilling sites including a Review of Environmental Factors for ground clearance, drilling water management, sediment control and rehabilitation. <p>Springvale Coal reported that in 2013, under the Rural Fire Services State Emergency and Rescue Management Act 1989, the Rural Fire Services cleared additional vegetation in the Ventilation Shaft No. 3 area as a direct result of the Marangaroo bush fire. CC did not undertake the clearing.</p> <p>No other clearing was undertaken by Springvale Coal.</p> <p>Refer ML 1326 CoA 24.</p>	
41	<p>TRANSMISSION LINES, COMMUNICATION LINES AND PIPELINES</p> <p>The lease holder shall as far as be practicable so conduct operations as not to interfere with or impair the stability or efficiency of any transmission line, communication line or pipeline traversing the surface or the excepted surface of the subject area and shall comply with any direction given or which may be given by the Minister in this regard.</p>		Refer ML 1326 CoA 17	Compliant
43	<p>ABORIGINAL PLACE OR RELIC</p> <p>The lease holder shall not knowingly destroy, deface or damage any aboriginal place or relic within the subject area except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.</p>		<p>No additional construction works have been undertaken between 2013 – 2016 that had the potential to destroy, deface or damage any aboriginal place or relic at the Ventilation Shaft No. 3 compound.</p> <p>CC have recently revised and implemented the Western Region Aboriginal Cultural Heritage Management Plan (CC, 07/2016).</p>	Compliant
45	<p>ADDITIONAL INFORMATION</p> <p>The lease holder shall if directed by the Minister and within such time as the Minister may stipulate furnish to the Minister:</p> <p>(a) information regarding the ownership of the land within the subject area;</p> <p>(b) information regarding the ownership of the coal within the subject area prior to 1st January, 1982;</p> <p>(c) an indemnity in a form approved by the Minister indemnifying the Crown and</p>		Springvale Coal reported that a request for additional information from the DRE has not been received.	Not triggered

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>the Minister against any wrong payment effected as a result of incorrect information furnished by the lease holder;</p> <p>(d) information regarding the financial viability of the lease holder and operations within and associated with the subject area; and</p> <p>(e) information regarding shareholdings in the lease holder.</p>			
46	<p>SERVICE OF NOTICES</p> <p>Within a period of three (3) months from the date of this authority or a period of three (3) months from the date of service of the notice of renewal, or within such further time as the Director General may allow, the lease holder shall serve on each landholder within the subject area a notice in writing indicating that this authority has been granted or renewed and whether the authority includes the surface. The notice shall be accompanied by an adequate plan and description of the subject area.</p> <p>If there are ten (10) or more landholders affected the lease holder may serve the notice by publication in a newspaper circulating in the region where the subject area is situated. The notice shall indicate that this authority has been granted or renewed, state whether the authority includes the surface and shall contain an adequate plan and description of the subject area.</p>		ML 1537 was granted in 2003 and will expire in 2024 consequently this condition as not triggered between 2013 -2016.	Not triggered
47	<p>INSPECTORS</p> <p>(a) Where an Inspector under the Mining Act 1992 is of the opinion that any condition of this authority relating to operations within the subject area, or any provision of the Mining Act, 1992, relating to operations within the subject area, are not being complied with by the lease holder, the Inspector may serve on the lease holder a notice stating that and give particulars of the reason why, and may in such notice direct the lease holder:</p> <p>(i) to cease operations within the subject area in contravention of that condition or Act; and</p> <p>(ii) to carry out within the specified time works necessary to rectify or remedy the situation.</p> <p>(b) The lease holder shall comply with the directions contained in any notice served pursuant to sub paragraph (a) of this condition. The Director General may confirm, vary or revoke any such direction.</p> <p>(c) A notice referred to in his condition may be served on the Colliery Manager.</p>		Springvale Coal reported that a notice from the DRE to cease or modify operations had not been received.	Not triggered
48	<p>INDEMNITIES</p> <p>Mining Lease Application No. 206</p> <p>The lease holder shall indemnify and keep indemnified the Crown from and against all actions suits and claims and demands of whatsoever nature and all costs charges and expense which may be brought against the lease holder or which the lease holder may incur respect of any accident or injury to any person or property which may arise out of the construction maintenance or working of any workings now existing or to be made by the lease holder within the boundaries of the subject area or in connection with any of the operations notwithstanding that all other conditions of this authority shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do hereunder.</p>		Noted	Noted
49	<p>INDEMNITIES</p> <p>The lease holder shall save harmless the Crown from payment of compensation and from and against all claims, actions, suits or demands whatsoever in the event of any damage resulting from mining operations under or near the subject area.</p>		Noted	Noted

Mining Lease 1537 (1992) – Ventilation Shaft No. 3

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
50	<p>PROSPECTING (GENERAL)</p> <p>(a) Where the lease holder desires to commence prospecting operations in the subject area the lease holder shall notify the Director General in writing and shall comply with such additional conditions as the Minister may impose including any condition requiring the lodgement of an additional bond or other form of security for rehabilitation of the area affected by such operations.</p> <p>(b) Where the lease holder notifies the Director General pursuant to sub paragraph (a) of this condition the lease holder shall furnish with that notification details of the type of prospecting methods that would be adopted and the extent and location of the area that would be affected by them.</p>		Springvale Coal reported that a notice to commence prospecting under ML1537 had not been provided to the DRE.	Not triggered
51	<p>(a) The lease holder shall, upon request by the Director General, lodge with the Minister the sum of \$190,000.00 as security for the fulfilment of the obligations of the lease holder under this authority. In the event that the lease holder fails to fulfil any of the lease holder's obligations under these authorities the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purposes of the clause a lease holder shall be deemed to have failed to fulfil the lease holder's obligations under these authorities, if the lease holder fails to comply with any condition or provision of these authorities, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision of these authorities or of any provision of the Act or regulations made thereunder</p> <p>(b) The lease holder must provide the security required by sub-clause (a) hereof in one of the following forms: -</p> <p>(i) cash, or</p> <p>(ii) a security certificate in such form and given by such surety as may from time to time be approved by the Minister.</p> <p>(c) The Minister may at any time, vary the amount of security required in accordance with this condition.</p>	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1537.	Compliant
54	<p>ROYALTY AT ADDITIONAL RATE</p> <p>The lease holder shall during the term of this authority pay to the Minister royalty at the additional rate as prescribed by the Regulations for coal recovered by open cut mining methods from the area.</p>		As Springvale Coal does not undertake open cut mining, this condition was not triggered.	Not triggered.

Table C-5: Mining Lease 1588

Mining Lease 1588 (2006) - Underground mining including LW 420 – 423 (includes Borehole 8)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>Within a period of three months from the date of grant of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, 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 lease has been granted; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>		<p>ML 1588 was granted in 2006 and expires in 2027. Springvale Coal reported that there was no mining activity within ML 1588 within the period of the IEA.</p> <p>Springvale Coal maintain a database for ML records including landholder notification.</p>	Not assessed (outside the period of the IEA)
2	<p>Mining, Rehabilitation, Environmental Management Process (MREMP) Mining Operations Plan (MOP)</p> <p>(1) Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for: -</p> <p>(a) ongoing mining operations and environmental management; and</p> <p>(b) ongoing monitoring of the project.</p> <p>(2) The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgement.</p> <p>(3) A Plan must be lodged with the Director-General: -</p> <p>(a) prior to the commencement of mining operations (including mining purposes);</p> <p>(b) subsequently as appropriate prior to the expiry of any current Plan; and</p> <p>(c) in accordance with any direction issued by the Director- General.</p> <p>(4) The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify: -</p> <p>(a) area(s) proposed to be disturbed under the Plan;</p> <p>(b) mining and rehabilitation method(s) to be used and their sequence;</p> <p>(c) areas to be used for disposal of tailings/waste;</p> <p>(d) existing and proposed surface infrastructure;</p> <p>(e) existing flora and fauna on the site;</p> <p>(f) progressive rehabilitation schedules;</p> <p>(g) areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas;</p> <p>(h) water management systems (including erosion and sediment controls);</p> <p>(i) proposed resource recovery; and</p> <p>(j) where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation.</p> <p>(5) The Plan when lodged will be reviewed by the Department.</p> <p>(6) The Director-General may within two (2) months of the lodgement of a Plan, require modification and re-lodgement.</p> <p>(7) If a requirement in accordance with clause (6) is not issued within two (2)</p>	<ul style="list-style-type: none"> • 2015 AR (CC, 2016) • Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>Refer to ML 1326 CoA 2.</p> <p>The 2015-2022 MOP identifies that first and second workings on LW 420 – 423 have not commenced and will be undertaken within the period of the MOP.</p> <p>Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p>	Compliant

Mining Lease 1588 (2006) - Underground mining including LW 420 – 423 (includes Borehole 8)

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>months of the lodgement of a Plan, the lease holder may proceed with implementation of the Plan.</p> <p>(8) During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlined in clauses (5) - (7) above.</p>			
3	<p>Annual Environmental Management Report (AEMR)</p> <p>(1) Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director- General.</p> <p>(2) The AEMR must be prepared in accordance with the Director- General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of:</p> <p>(a) the accepted Mining Operations Plan;</p> <p>(b) development consent requirements and conditions;</p> <p>(c) Department of Environment and Conservation and Department of Infrastructure, Planning and Natural Resources licences and approvals;</p> <p>(d) any other statutory environmental requirements;</p> <p>(e) details of any variations to environmental approvals applicable to the lease area; and</p> <p>(f) where relevant, progress towards final rehabilitation objectives.</p> <p>(3) After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.</p> <p>(4) The lease holder shall, as and when directed by the Minister, co- operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies and the local council.</p>	Refer ML 1326 CoA 3		Compliant
4	<p>Subsidence Management</p> <p>(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the Guideline for Applications for Subsidence Management Approvals.</p> <p>(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the Coal Mines Regulation Act 1982, or the document New Subsidence Management Plan Approval Process - Transitional Provisions.</p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>(e) Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document New Approval Process for Management of Coal Mining</p>		<p>Springvale Coal reported that there was no mining activity within ML 1588.</p> <p>The SMP for LW 419 was under development at the time of the IEA. Development of the SMP for LW 420 – 423 had not commenced.</p>	Not triggered

Mining Lease 1588 (2006) - Underground mining including LW 420 – 423 (includes Borehole 8)

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Subsidence - Policy.			
5	<p>Working Requirement</p> <p>The lease holder must:</p> <p>(a) ensure that at least 40 competent people are efficiently employed on the lease area on each week day except Saturday or any week day that is a public holiday,</p> <p>OR</p> <p>(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$700,000.00 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	<ul style="list-style-type: none"> 2015 AR (CC, 2016) Final November 2015 – October 2022 MOP (CC, 03/2016) Statement of Environmental effects SMEP Modification 1 (CC, 07/2016) 	<p>Mining at LW420 – LW 423 had not commenced.</p> <p>The 2015 AR reports that the Springvale Coal employment exceeds a full time workforce of up to 310 fte. A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 fte personnel, including contractors, to 450 fte personnel.</p>	Compliant
6	<p>Control of Operations</p> <p>(a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to: -</p> <p>(i) cease working the lease; or</p> <p>(ii) cease that part of the operation not complying with the Act or conditions;</p> <p>until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director- General may confirm, vary or revoke any such direction.</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>		Springvale Coal reported that a request to cease working from the DRE had not been received.	Not triggered
7	<p>Reports</p> <p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months' period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months' period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>		Refer ML 1326 CoA 7	Compliant
8	<p>Licence to Use Reports</p> <p>(a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.</p> <p>(b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act 1992</p>		Noted	Noted
9	<p>Confidentiality</p> <p>(a) All exploration reports submitted in accordance with the conditions of this lease</p>		Springvale Coal reported that exploration reports were kept confidential.	Noted

Mining Lease 1588 (2006) - Underground mining including LW 420 – 423 (includes Borehole 8)

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>will be kept confidential while the lease is in force, except in cases where:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential.</p> <p>(ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.</p> <p>(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality.</p>			
10	<p>Terms of the non-exclusive licence</p> <p>The terms of the non-exclusive copyright licence granted under condition 8 are:</p> <p>(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(b) the Minister and any sub- licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.</p> <p>(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.</p> <p>(d) there is no royalty payable by the Minister for the licence.</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months' notice.</p>		Noted	Noted
12	<p>Safety</p> <p>Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes' shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.</p>		<p>No shafts have been constructed in ML 1588 as at the date of this IEA.</p> <p>Refer ML 1326 CoA 12.</p> <p>MCW Environmental has not assessed operations against the NSW Work Health and Safety Act 2011.</p>	Not triggered
15	<p>Exploratory Drilling</p> <p>(1) At least twenty-eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Planning regional hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(2) If the lease holder drills exploratory drill holes he must satisfy the Director-General that: -</p> <p>(a) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>(b) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(c) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(d) if any drill hole meets natural or noxious gases it is plugged or sealed to</p>		There has been no exploratory drilling undertaken with ML 1588 during 2013 -2016	Not triggered

Mining Lease 1588 (2006) - Underground mining including LW 420 – 423 (includes Borehole 8)

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>prevent their escape;</p> <p>(e) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(f) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General.</p> <p>(g) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.</p>			
16	<p>Prevention of Soil Erosion and Pollution</p> <p>Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.</p>		There has been no exploratory drilling or mining undertaken with ML 1588 during 2013 -2016	Not triggered
17	<p>Transmission lines, Communication lines and Pipelines</p> <p>Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions he may stipulate.</p>		There has been no exploratory drilling or mining undertaken with ML 1588 during 2013 -2016	Not triggered
19	<p>Roads and Tracks</p> <p>(a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.</p> <p>(b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.</p>		Refer ML 1326 CoA 19.	Not triggered
23	<p>Resource Recovery</p> <p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p> <p>(d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.</p>		Springvale Coal reported that no notices have been issued by the DRE regarding recovery of resources.	Not triggered

Mining Lease 1588 (2006) - Underground mining including LW 420 – 423 (includes Borehole 8)

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the Mining Act, 1992.</p> <p>(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.</p>			
24	<p>Indemnity</p> <p>The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.</p>		Noted	Noted
26	<p>Single Security (extended)</p> <p>(a) The single security given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under Coal Lease No. 377 and Mining Purposes Lease No. 314 (Act 1973) and Mining Leases No's 1303, 1323, 1326, 1352, 1448 and 1537 (Act, 1992) is extended to apply to this lease.</p> <p>(b) If the lease holder fails to fulfil any one or more of the obligations under this lease, then the security held may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of the lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder or approval given or conditions imposed.</p>	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1588.	Compliant

Table C-6: Mining Lease 1670

Mining Lease 1670 (2012) – Borehole 6				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>(a) Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders affected, 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 lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	<ul style="list-style-type: none"> Submission to SF-Grant Notification of ML1670-Formerly MLA344 (CC, 28/03/2012) 	<p>ML 1670 was granted in 2012 and will expire in 2033.</p> <p>Reference to the notification advising that ML 1670 was granted was provided.</p>	Compliant.
2	<p>Environmental Harm</p> <p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</p> <p>(A) land, air and water, and</p> <p>(B) any layer of the atmosphere, and</p> <p>(C) any organic or inorganic matter and any living organism, and</p> <p>(D) human-made or modified structures and areas,</p> <p>and includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C).</p> <p>(ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	<ul style="list-style-type: none"> Environment and Community Database November 2015 to October 2022 MOP (CC, 2016) 	<p>There were no incidents recorded in the Environment and Community Database and/or regulatory action reported regarding activities under ML 1670.</p>	Compliant
3	<p>Mining Operations Plan</p> <p>(a) Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General.</p> <p>(b) The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations;</p> <p>(ii) detail the staging of specific mining operations;</p> <p>(iii) identify how the mine will be managed to allow mine closure;</p> <p>(iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;</p> <p>(v) reflect the conditions of approval under:</p> <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979 the Protection of the Environment Operations Act 1997 and any other approvals relevant to the development including the conditions of this lease; and 	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>Refer ML 1326 CoA 2</p>	Compliant

Mining Lease 1670 (2012) – Borehole 6				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<ul style="list-style-type: none"> • have regard to any relevant guidelines adopted by the Director-General. (c) The leaseholder may apply to the Director-General to amend an approved MOP at any time. (d) It is not a breach of this condition if: <ul style="list-style-type: none"> (i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997, Mine Health and Safety Act 2004 I Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007, Coal Mine Health and Safety Regulation 2006 or the Occupational Health and Safety Act 2000; and (ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. (e) A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General. 			
4	<p>Environment Management Report</p> <p>(a) The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.</p> <p>(b) The EMR must:</p> <ul style="list-style-type: none"> (i) report against compliance with the MOP; (ii) report on progress in respect of rehabilitation completion criteria; (iii) report on the extent of compliance with regulatory requirements; and (iv) have regard to any relevant guidelines adopted by the Director-General; 		Refer ML 1326 CoA 3	Compliant
5	<p>Environmental Incident Report</p> <p>(a) The lease holder must report any environmental incidents. The report must:</p> <ul style="list-style-type: none"> (i) be prepared according to any relevant Departmental guidelines; (ii) be submitted within 24 hours of the environmental incident occurring; <p>(b) For the purposes of this condition, environmental incident includes:</p> <ul style="list-style-type: none"> (i) any incident causing or threatening material harm to the environment (ii) any breach of Conditions 1 to 9 and 11 to 24; (iii) any breach of environment protection legislation; or, (iv) a serious complaint from landholders or the public. <p>(c) For the purposes of this condition, harm to the environment is material if:</p> <ul style="list-style-type: none"> (i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or (ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, where loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment. 	<ul style="list-style-type: none"> • Environment and Community Database 	<p>Springvale Coal's Environment and Community Database did not include an environmental incident in ML 1670 consequently a requirement to submit an environmental incident report was not triggered.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the POEO Act material harm notification requirements. Refer Appendix B EPL 3607 CoA R2.2 Recommendation to include the DPE and the DRE contact details as appropriate regulatory authorities (ARAs) for reporting pollution incidents (i.e. Table 7 of the PIRMP).</p>	Not triggered
6	<p>Additional Environmental Reports</p> <p>Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.</p>			Not triggered

Mining Lease 1670 (2012) – Borehole 6

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
7	<p>Rehabilitation</p> <p>Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 	<p>No rehabilitation was undertaken during 2013 -2016 in ML 1670. The status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR.</p> <p>Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p>	Not triggered
10	<p>Blasting</p> <p>(a) Ground Vibration</p> <p>The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.</p> <p>(b) Blast Overpressure</p> <p>The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) Environment and Community Database 	<p>Springvale Coal reported that no blasting is carried out at the Springvale Mine and no explosives are stored on site.</p> <p>The Environment and Community Database, 2013 and 2014 AEMRs and 2015 AR does not have records regarding noise and/or vibration on ML 1670.</p>	Not triggered
11	<p>Safety</p> <p>Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.</p>		<p>Springvale Coal reported that there were no abandoned shafts at Springvale and that operational shafts were fenced. There are no shafts in ML 1670.</p> <p>MCW Environmental has sighted adequate fencing around borehole 8 and Ventilation Shaft No. 3 and has consequently assessed that operations are compliant with this condition. MCW Environmental has not assessed operations against the NSW Work Health and Safety Act 2011.</p>	Compliant
12	<p>Prevention of soil erosion and pollution</p> <p>Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.</p>		<p>Springvale Coal reported that there were no prospecting activities undertaken in ML 1670 during 2013-2016.</p>	Not triggered
13	<p>Transmission lines, Communication lines and Pipelines Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions stipulated.</p>		<p>Springvale Coal reported that there were no activities with potential to impact transmission lines undertaken in ML 1670 during 2013-2016.</p>	Not triggered
14	<p>Roads and Tracks</p> <p>(a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the roads authority in making good any damage to roads or tracks caused by operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund.</p> <p>(b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.</p> <p>(c) Existing access tracks should be used for all operations where reasonably practicable. New access tracks must be kept to a minimum and be positioned in order to minimise damage to the land, watercourses or vegetation.</p> <p>(d) Temporary access tracks must be rehabilitated and revegetated to the</p>	<ul style="list-style-type: none"> Occupation Certificate FCNSW (FCNSW, 10/07/2012) Springvale - Level 3 Permit Amendment - PB53711 (FCNSW, May 2015) 	<p>Refer ML 1326 CoA 19</p> <p>Signed FCNSW occupation certificates (2012 and 2015) were sighted. These certificates are for work within the Newnes State Forest. Any changes in work to be carried out is addressed in an amendment to the Permit e.g. an amendment approval dated 7 May 2015 was issued for the extension of two subsidence survey lines.</p>	Compliant

Mining Lease 1670 (2012) – Borehole 6

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	satisfaction of the Director-General as soon as reasonably practicable after they are no longer required under this lease.			
15	<p>Trees and Vegetation</p> <p>(a) The lease holder must not fell trees, strip bark or cut timber on any land subject of this lease without the consent of the landholder who is entitled to the use of the timber.</p> <p>(b) The lease holder must contact Forests NSW and obtain any required permit, licence or approval before taking timber from any Crown land within the lease area.</p> <p>Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking of timber on Crown land is subject to the requirements of the Forestry Act 1916.</p>	<ul style="list-style-type: none"> SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls (CC, 11/2015) 	<p>Springvale Coal reported that no clearing of vegetation was undertaken within ML 1670 between 2013 – 2016.</p> <p>A standard has been developed which defines the minimum environmental standards for any works carried out in the State Forest by or for Springvale Coal (SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls). The standard includes:</p> <ul style="list-style-type: none"> Prior to the removal of native vegetation, a due diligence flora survey is to be conducted and provided to FCNSW. FCNSW is to be notified by Springvale Coal and an Occupation Permit granted prior to any earth works commencing. FCNSW will be invited to inspect the area where works were undertaken. All earth works (including vegetation removal/excavation) within 40 metres of a river (river being defined as any blue line on a topographic map) will require a 3A permit under the Rivers and Foreshore Act. This approval is issued by the Department of Land and Water Conservation. Clearing, erosion control, sediment control and rehabilitation requirements. <p>Specific requirements for exploration drilling sites including a Review of Environmental Factors for ground clearance, drilling water management, sediment control and rehabilitation.</p> <p>MCW Environmental discussed the IEA scope with the Stewardship and Fire Supervisor (FCNSW) on 1 July 2016. FCNSW reported that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016). FCNSW advised that there were no outstanding responses to requests for information.</p>	Compliant
18	<p>Indemnity</p> <p>The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.</p>			Noted
21	<p>Single Security (extended)</p> <p>The single security given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under Mining Lease 204 (Act 1906), Mining Lease 564 (Act 1906), Private Lands Lease 133 (Act 1906), Consolidated Coal Lease 733 (Act 1973), Coal Lease 361 (Act 1973), Coal Lease 377 (Act 1973), Coal Lease 394 (Act 1973), Mining Purposes Lease 314 (Act 1973), Mining Lease 1303 (Act 1992), Mining Lease 1319 (Act 1992), Mining Lease 1323 (Act 1992), Mining Lease 1326 (Act 1992), Mining Lease 1352 (Act 1992), Mining Lease 1448 (Act 1992), Mining Lease 1537 (Act 1992) and Mining Lease 1588 (Act 1992) is extended to apply to this lease.</p>	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1670.	Compliant
24	<p>Cooperation Agreement</p> <p>The lease holder must make every reasonable attempt, and be able to demonstrate their 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:</p> <ul style="list-style-type: none"> access arrangements 		Springvale Coal; reported that there was no requirement to enter into cooperation agreements for ML 1670 as there were no overlapping titles which was verified on the DRE website: http://commonground.nsw.gov.au .	Not triggered.

Mining Lease 1670 (2012) – Borehole 6

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<ul style="list-style-type: none"> • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts and • rehabilitation issues. 			
	<p>Note: Exploration Reports (Geological and Geophysical)</p> <p>The lease holder must lodge reports to the satisfaction of the Director-General in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</p> <p>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).</p>	<ul style="list-style-type: none"> • 2013 Annual Exploration Report (CC, 12/2013) • 2014 Annual Exploration Report (CC, 12/2014) • 2015 Annual Exploration Report (CC, 08/2015) 	<p>Although there was no exploration undertaken under ML 1670, Exploration Reports were submitted annually in 2013, 2014 and 2015. Springvale Coal reported that no feedback had been received from the DRE on the reports.</p>	<p>Compliant</p> <p>Refer ML 1303 CoA 9 OFI.</p>

Table C-7: Mining Lease 1727

Mining Lease 1727 (4 February 2016) – SMEP underground mining including LW 424 to 432				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>(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.</p> <p>(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.</p>	<ul style="list-style-type: none"> Letter: notice of ML 1727 (CC: Boral Property Group, 25/02/2016) Letter: notice of ML 1727 (CC: FCNSW, 25/02/2016) 	<p>ML 1727 was granted on 04/04/2016 and will expire in 2037.</p> <p>The two landholders, Boral Property Group and FCNSW, were notified in writing within three months of the granting of ML 1727.</p>	Compliant
2	<p>Rehabilitation</p> <p>Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 2015 AR (CC, 2016) 	<p>ML 1727 was granted in February 2016. No rehabilitation has been undertaken since the lease was granted.</p> <p>Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p>	Not triggered
3	<p>Mining Operations Plan and Annual Rehabilitation Report</p> <p>(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.</p> <p>(b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <p>(i) identifies areas that will be disturbed;</p> <p>(ii) details the staging of specific mining operations, mining purposes and prospecting;</p> <p>(iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;</p> <p>(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</p> <p>(v) reflects the conditions of approval under:</p> <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979; the Protection of the Environment Operations Act 1997; and any other approvals relevant to the development including the conditions of this mining lease. <p>(c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at www.resources.nsw.gov.au/environment</p> <p>(d) The lease holder may apply to the Minister to amend an approved MOP at any time.</p> <p>(e) It is not a breach of this condition if:</p> <p>(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 Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the Mine Health and Safety Act 2004 / Coal</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>Refer ML 1326 CoA 3.</p> <p>An indicative schedule in the 2015 – 2022 MOP identifies that during the 2015 - 2022 MOP term Springvale Coal will undertake primary workings from LW 424 – 431 and secondary workings for LW 424 to 429.</p>	Compliant

Mining Lease 1727 (4 February 2016) – SMEP underground mining including LW 424 to 432

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007 / Coal Mine Health and Safety Regulation 2006 or the Work Health and Safety Act 2011; and</p> <p>(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.</p> <p>(f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <p>(i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</p> <p>(ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</p> <p>(iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resources.nsw.gov.au/environment.</p> <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>			
4	<p>Compliance Report</p> <p>(a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.</p> <p>(b) The Compliance Report must include:</p> <p>(i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;</p> <p>(ii) particulars of any non-compliance with any such conditions or provisions,</p> <p>(iii) the reasons for any such non-compliance;</p> <p>(iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.</p> <p>(c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.</p> <p>(d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:</p> <p>(i) must accompany any application to renew this mining lease under the Act;</p> <p>(ii) must accompany any application to transfer this mining lease under the Act; and</p> <p>(iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.</p> <p>(e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.</p> <p>(f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining lease.</p>	<ul style="list-style-type: none"> Email: Mining Lease Condition for Compliance Reporting (DRE:CC, 26/05/2016) 	<p>ML 1727 was granted on 04/02/2016 consequently the inaugural ML 1727 Compliance Report is due in February 2017. A response was provided from DRE (email, 05/2016) advising that Springvale Coal was "authorised to complete one compliance report per operation".</p>	Not triggered
5	<p>Environmental Incident Report</p> <p>(a) The lease holder must notify the Department of all:</p> <p>(i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p>	<ul style="list-style-type: none"> Environment and Community Database 	<p>Springvale Coal's Environment and Community Database did not include an environmental incident in ML 1727 consequently a requirement to submit an environmental incident report was not triggered.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the POEO Act material harm notification requirements. Refer</p>	Not triggered

Mining Lease 1727 (4 February 2016) – SMEP underground mining including LW 424 to 432

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Operations Act 1997), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>Note. Refer to www.resources.nsw.gov.au/environment for notification contact details.</p> <p>(b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <ul style="list-style-type: none"> (i) the details of the mining lease; (ii) contact details for the lease holder; (iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur; (iv) a description of the nature of the incident or breach, likely causes and consequences; (v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a). (vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease. <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental Incident Report. Refer to www.resources.nsw.gov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations Act 1997 arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>		<p>Appendix B EPL 3607 CoA R2.2 Recommendation to include the DPE and the DRE contact details as appropriate regulatory authorities for reporting pollution incidents (i.e. Table 7) of the PIRMP.</p>	
6	<p>Extraction Plan</p> <p>(a) In this condition:</p> <ul style="list-style-type: none"> (i) approved Extraction Plan means a plan, being: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> I. submitted to the Secretary on or before 31 December 2014; and II. approved by the Secretary. (ii) relevant development consent means a development consent or project approval issued under the Environmental Planning & Assessment Act 1979 relating to the mining operations subject to this lease. <p>(b) The lease holder must not undertake any underground mining operations that may cause subsidence except in accordance with an approved Extraction Plan.</p> <p>(c) The lease holder must ensure that the approved Extraction Plan provides for the effective management of risks associated with any subsidence resulting from</p>		<p>There was no mining activity within ML 1727 since ML 1727 was granted in February 2016.</p> <p>The SMP for LW 419 was under development at the time of the IEA consequently development of the SMP for LW 424 - 432 had not commenced.</p>	<p>Not triggered.</p>

Mining Lease 1727 (4 February 2016) – SMEP underground mining including LW 424 to 432

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	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.			
7	<p>Resource Recovery</p> <p>The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.</p>		Springvale Coal reported that no notices have been issued by the DRE regarding recovery of resources.	Not triggered
8	<p>Group Security</p> <p>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 lease, including obligations of all or any kind under the mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$12,768,000.</p> <p>The leases covered by the group security include:</p> <p>Mining Leases 204 and 564 (Act 1906), Private Lands Lease 133 (Act 1906), Consolidated Coal Lease 733 (Act 1973), Coal Leases 361, 377 and 394 (Act 1973), Mining Purposes Lease 314 (Act 1973) and Mining leases 1303, 1319, 1323, 1326, 1352, 1448, 1537, 1588 and 1670 (Act 1992).</p> <p>This group security is extended to apply to this lease.</p>	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including ML 1727.	Compliant
9	<p>Cooperation Agreement</p> <p>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:</p> <ul style="list-style-type: none"> access arrangements operational interaction procedures dispute resolution information exchange well location timing of drilling potential resource extraction conflicts; and rehabilitation issues. 		Springvale Coal; reported that there was no requirement to enter into cooperation agreements for ML 1727 as there were no overlapping titles which was verified on the DRE website: http://commonground.nsw.gov.au .	Not triggered.
	<p>Note: Exploration Reports (Geological and Geophysical)</p> <p>The lease holder must lodge reports to the satisfaction of the Minister in accordance</p>		Although there was no exploration undertaken under ML 1727, Exploration Reports were submitted annually in 2013, 2104 and 2015. Springvale Coal reported that no feedback had	Compliant

Mining Lease 1727 (4 February 2016) – SMEP underground mining including LW 424 to 432

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</p> <p>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).</p>		<p>been received from the DRE on the reports.</p>	
	<p>SPECIAL CONDITIONS</p> <p>Note: The standard conditions apply to all mining leases. The Division of Resources & Energy (DRE) reserves the right to impose special conditions, based on individual circumstances, where appropriate.</p>		<p>Noted</p>	<p>Noted</p>

Table C-8: Mining Purposes Lease 314

Mining Purposes Lease 314 – Springvale Coal pit top				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>(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 1326the 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.</p> <p>(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</p>	<ul style="list-style-type: none"> 2015 MPL 314 Compliance Report (CC, 2015) 140923 Submission to Landholder EA-MPL314 Renewal Notification.pdf 140923 Submission to Landholder FCNSW-MPL314 Renewal Notification.pdf 140923 Submission to Landholder HUNT-MPL314 Renewal Notification.pdf 140923 Submission to Landholder SRA-MPL314 Renewal Notification.pdf 	<p>MPL 314 was granted in 1993, renewed on16/06/2014 and will expire in 2035. The letter informing CC of MPL 314 renewal was dated 24/07/2014 advising that renewal took effect from 16/06/2014.</p> <p>Springvale Coal maintain a database for records including landholder notification. Following renewal of MPL 314 in 2014, notification was provided to Hunt, Energy Australia, FCNSW and SRA. The notification was provided within three months of CC receiving the MPL 314 renewal.</p>	Compliant
2	<p>Rehabilitation</p> <p>Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister</p>	<ul style="list-style-type: none"> 2013 Annual Exploration Report (CC, 12/2013) 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration Report (CC, 08/2015) 2013 AEMR (CC, 2014) 2014 AEMR (CC, 2015) 2015 AR (CC, 2016) 	<p>MPL 314 covers the Springvale Coal pit top. The 2013, 2014 and 2015 Annual Exploration Reports, 2013 and 2014 AEMR and 2015 AR identify that there was no change in the disturbance footprint and there were no exploration activities and/or rehabilitation activities undertaken in this area from 2013 to 2016.</p> <p>Springvale Coal reported that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure.</p> <p>The 2015 AR reports that at the end of 2015, 7 ha of land is being prepared for rehabilitation and that this area includes the Bore 1 – Bore 4 dewatering facilities, services corridor to the Bore 8 dewatering facility, Old Fire Dam and the Settlement Pond Site.</p>	Not triggered
3	<p>Mining Operations Plan and Annual Rehabilitation Report</p> <p>(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.</p> <p>(b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <p>(i) identifies areas that will be disturbed;</p> <p>(ii) details the staging of specific mining operations, mining purposes and prospecting;</p> <p>(iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;</p> <p>(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</p> <p>(v) reflects the conditions of approval under:</p> <ul style="list-style-type: none"> the Environmental Planning and Assessment Act 1979; the Protection of the Environment Operations Act 1997; and any other approvals relevant to the development including the conditions of this mining lease. <p>(c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at www.resources.ri.sw.qov.au/environment</p>	<ul style="list-style-type: none"> 2015 AR (CC, 2016) Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>Refer ML 1326 CoA 2</p> <p>For the period 2013 – 2016, Springvale Coal have provided the rehabilitation status in the 2013 and 2014 AEMR and the 2015 AR (i.e. a separate Rehabilitation Report has not been prepared). The 2013 and 2014 AEMR and the 2015 AR identified that there was no change in the disturbance footprint and there were no exploration activities and/or rehabilitation activities undertaken from 2013 to 2016.</p> <p>Springvale Coal reported in the 2015 AR that major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure. The 2015 AR reports that at the end of 2015, 7 ha of land is being prepared for rehabilitation and that this area includes the Bore 1 – Bore 4 dewatering facilities, services corridor to the Bore 8 dewatering facility, Old Fire Dam and the Settlement Pond Site.</p>	Compliant

Mining Purposes Lease 314 – Springvale Coal pit top

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(d) The lease holder may apply to the Minister to amend an approved MOP at any time.</p> <p>(e) It is not a breach of this condition if:</p> <p>(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 Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the Mine Health and Safety Act 2004, Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007, Coal Mine Health and Safety Regulation 2006 or the Work Health and Safety Act 2011; and</p> <p>(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.</p> <p>(f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <p>(i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</p> <p>(ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</p> <p>(iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resources.nsw.gov.au/environment.</p> <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>			
4	<p>Compliance Report</p> <p>(a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.</p> <p>(b) The Compliance Report must include:</p> <p>(i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;</p> <p>(ii) particulars of any non-compliance with any such conditions or provisions,</p> <p>(iii) the reasons for any such non-compliance;</p> <p>(iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.</p> <p>(c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.</p> <p>(d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:</p> <p>(i) must accompany any application to renew this mining lease under the Act;</p> <p>(ii) must accompany any application to transfer this mining lease under the Act; and</p> <p>(iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.</p> <p>(e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.</p> <p>(f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining</p>	<ul style="list-style-type: none"> 2015 Springvale Coal MPL314 Compliance Report (CC, 18/12/2015) 2015 AR (CC, 2016) Email: Mining Lease Condition for Compliance Reporting (DRE:CC, 26/05/2016) 	<p>MPL 314 was granted in 1993, renewed on 16/06/2014 and will expire in 2035.</p> <p>When MPL 314 was renewed in 2014, a new condition was included for the annual Compliance Report. The inaugural MPL 314 Compliance Report was due to be submitted to the DRE on the anniversary date of 16/06/2015 however, the inaugural MPL 314 Compliance Report was dated 18/12/2015 which represents an administrative non-compliance with MPL 314 CoA 4. Refer ML 1303 CoA 4 Recommendation.</p> <p>This non-compliance has been reported by Springvale Coal in the 2015 AR.</p> <p>The 2015 MPL 314 Compliance Report identified that Springvale Coal has submitted a letter to the DRE on 11/12/2015 requesting alignment of the due date for Compliance Reports. A response was provided from DRE (email, 05/2016) advising that Springvale Coal was "authorised to complete one compliance report per operation".</p>	Compliant

Mining Purposes Lease 314 – Springvale Coal pit top

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	lease.			
5	<p>Environmental Incident Report</p> <p>(a) The lease holder must notify the Department of all:</p> <p>(i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p> <p>(ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Administration Act 1991), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>Note. Refer to _www.resources.nsw.gov.au for notification contact details.</p> <p>(b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <p>(i) the details of the mining lease;</p> <p>(ii) contact details for the lease holder;</p> <p>(iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental Incident Report. Refer to www.resources.nsw.gov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations Act 1997 arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>	<ul style="list-style-type: none"> • 2014 Annual Return (CC, 2015) • 2013 AEMR (CC, 2014) • 2014 AEMR (CC, 2015) • 2015 AR (CC, 2016) 	<p>Springvale Coal records did not identify breaches of conditions of MPL 314 or an environmental incident which caused or threatened environmental harm during the period of the IEA consequently a requirement to submit an environmental incident report was not triggered.</p> <p>The 2014 Annual Return for EPL 3607 identified that a minor exceedance of pH and TSS discharge limits had occurred at LDP 001 which is within MPL 314 however, there were no non-compliances reported that caused or threatened to cause environmental harm from LDP 001.</p> <p>No non-compliances with MPL 314 were recorded in the 2015 AR.</p> <p>Springvale Coal have a PIRMP that references Part 5.7 of the POEO Act, defines a material harm incident and identifies the POEO Act material harm notification requirements. Refer Appendix B EPL 3607 CoA R2.2 Recommendation to include the DPE and the DRE contact details as appropriate regulatory authorities for reporting pollution incidents (i.e. Table 7) of the PIRMP.</p>	Compliant
6	<p>Subsidence Management</p> <p>The lease holder must not commence or undertake underground mining operations that may cause subsidence of the surface other than in accordance with an Eligible Subsidence Management Plan approved by the Director-General.</p> <p>For the purposes of this condition, an 'Eligible Subsidence Management Plan' means:</p> <p>(i) A Subsidence Management Plan prepared in accordance with current government guidelines for the preparation of Subsidence Management Plans; or</p> <p>(ii) Those parts of an Extraction Plan or another type of plan</p> <ul style="list-style-type: none"> • prepared, either in whole or in part, with reference to current government guidelines for the preparation of a Subsidence Management Plan; and • approved for the purposes of the Environmental Planning and Assessment Act 1979 (or any planning legislation which replaces that Act) by the Minister or 		Springvale Coal reported that there was no mining activity within MPL 314.	Not triggered

Mining Purposes Lease 314 – Springvale Coal pit top				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Director-General of the Department of Planning & Infrastructure, or another officer of that Department authorised to approve such a plan, which relate to issues of subsidence.			
7	Resource Recovery The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 	Springvale Coal reported that there was no mining activity within MPL 314. Refer figure 2 in the 2015-2022 MOP.	Not triggered.
8	<ul style="list-style-type: none"> Security Group Security 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 lease, including obligations of all or any kind under the mining lease that may arise in the future. The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$6,750,000. The leases covered by the group security include: <ul style="list-style-type: none"> Mining Lease 204 (Act 1906) Mining Lease 564 (Act 1906) Private Lands Lease 133 (Act 1906) Consolidated Coal Lease 733 (Act 1973) Coal Lease 361 (Act 1973) Coal Lease 377 (Act 1973) Coal Lease 394 (Act 1973) Mining Purposes Lease 314 (Act 1973) Mining Lease 1303 (Act 1992) Mining Lease 1319 (Act 1992) Mining Lease 1323 (Act 1992) Mining Lease 1326 (Act 1992) Mining Lease 1352 (Act 1992) Mining Lease 1448 (Act 1992) Mining Lease 1537 (Act 1992) Mining Lease 1588 (Act 1992) Mining Lease 1670 (Act 1992) 	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including MPL 314.	Compliant
9	Cooperation Agreement 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"> access arrangements operational interaction procedures dispute resolution information exchange good location timing of drilling potential resource extraction conflicts; and rehabilitation issues. 		Springvale Coal; reported that there was no requirement to enter into cooperation agreements for MPL 314 as there were no overlapping titles which was verified on the DRE website: http://commonground.nsw.gov.au .	Not triggered.
	Exploration Reporting Note: Exploration Reports (Geological and Geophysical) 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	<ul style="list-style-type: none"> 2013 Annual Exploration Report (CC, 12/2013) 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration 	Although there was no exploration undertaken under MPL 314, Exploration Reports were submitted annually in 2013, 2104 and 2015. Springvale Coal reported that no feedback had been received from the DRE on the reports.	Compliant Refer to ML 1303 CoA 9 OFI.

Mining Purposes Lease 314 – Springvale Coal pit top				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Mining Regulation 2010. 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).	Report (CC, 08/2015)		
	SPECIAL CONDITIONS Note: The standard conditions apply to all mining leases. The Division of Resources & Energy (DRE) reserves the right to impose special conditions, based on individual circumstances, where appropriate.		Noted	Noted

Table C-9: Consolidated Coal Lease 377

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Notice to Landholders</p> <p>Within a period of three months from the date of renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, 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 lease has been renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>		<p>ML 1326 was granted in 1993, renewed on 01/09/2004 and will expire in 2025.</p> <p>Springvale Coal maintain a database for ML records including landholder notification. Evidence was provided for landholder notification at the granting and renewal of mining leases for MPL 314, ML 1303, ML 1323, ML 1670 and ML 1727.</p>	Not assessed (outside the period of the IEA)
2	<p>Mining, Rehabilitation, Environmental Management Process (MREMP) Mining Operations Plan (MOP)</p> <p>(1) Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for: -</p> <p>(a) ongoing mining operations and environmental management; and</p> <p>(b) ongoing monitoring of the project.</p> <p>(2) The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgement.</p> <p>(3) A Plan must be lodged with the Director-General: -</p> <p>(a) prior to the commencement of mining operations (including mining purposes);</p> <p>(b) subsequently as appropriate prior to the expiry of any current Plan; and</p> <p>(c) in accordance with any direction issued by the Director-General.</p> <p>(4) The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify: -</p> <p>(a) area(s) proposed to be disturbed under the Plan;</p> <p>(b) mining and rehabilitation method(s) to be used and their sequence;</p> <p>(c) areas to be used for disposal of tailings/waste;</p> <p>(d) existing and proposed surface infrastructure;</p> <p>(e) existing flora and fauna on the site;</p> <p>(f) progressive rehabilitation schedules;</p> <p>(g) areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas;</p> <p>(h) water management systems (including erosion and sediment controls);</p> <p>(i) proposed resource recovery; and</p> <p>(j) where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation.</p> <p>(5) The Plan when lodged will be reviewed by the Department of Mineral Resources.</p>	<ul style="list-style-type: none"> Final November 2015 – Refer ML 1326 CoA 2. October 2022 MOP (CC, 03/2016) 		Compliant

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>(6) The Director-General may within two (2) months of the lodgement of a Plan, require modification and re-lodgement.</p> <p>(7) If a requirement in accordance with clause (6) is not issued within two (2) months of the lodgement of a Plan, the lease holder may proceed with implementation of the Plan.</p> <p>(8) During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlined in clauses (5) - (7) above.</p>			
3	<p>Annual Environmental Management Report (AEMR)</p> <p>(1) Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.</p> <p>(2) The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of:</p> <p>(a) the accepted Mining Operations Plan;</p> <p>(b) development consent requirements and conditions;</p> <p>(c) Department of Environment and Conservation and Department of Infrastructure, Planning and Natural Resources licences and approvals;</p> <p>(d) any other statutory environmental requirements;</p> <p>(e) details of any variations to environmental approvals applicable to the lease area; and</p> <p>(f) where relevant, progress towards final rehabilitation objectives.</p> <p>After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.</p> <p>(4) The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies and the local council.</p>		Refer ML 1326 CoA 2.	Compliant
4	<p>Subsidence Management</p> <p>(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.</p> <p>(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the Guideline for Applications for Subsidence Management Approvals.</p> <p>(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the Coal Mines Regulation Act 1982, or the document New Subsidence Management Plan Approval Process - Transitional Provisions.</p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>(e) Subsidence Management Plans as approved shall form part of the Mining.</p>		There has been no underground mining in CCL 377.	Not triggered

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	Operations Plan required under Condition .2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document New Approval Process for Management of Coal Mining Subsidence - Policy			
5	<p>Working Requirement</p> <p>The lease holder must:</p> <p>(a) ensure that at least 45 competent people are efficiently employed on the lease area on each week day except Saturday or any week day that is a public holiday,</p> <p>OR</p> <p>(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$787,500.00 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 	<p>Mining at LW 501 – 503 is not included in the estimated mining schedule in the 2015-2022. MOP had not commenced, consequently it is unlikely that the employment number on ML 1588 CoA 5 has been met and consequently this condition has been assessed as not verified.</p> <p>The 2015 AR reports that the Springvale Coal employment exceeds a full time workforce of up to 310. A modification (1) to SSD-5594 and supporting Statement of Environmental Effects was exhibited on the DPE website on 03/08/2016. The modification included increasing the workforce from the approved 310 fte personnel, including contractors, to 450 fte personnel.</p> <p>MCW Environmental did not see specific employment numbers and expenditure for CCL 377 and consequently CCL 377 CoA 5 was assessed as not verified. Refer ML 1588 CoA 5 Recommendation.</p>	Not verified
6	<p>Control of Operations</p> <p>(a) If an Environmental Officer of the Department of Mineral Resources believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to: -</p> <p>(i) cease working the lease; or</p> <p>(ii) cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director- General may confirm, vary or revoke any such direction.</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>		<p>There has been no underground mining in CCL 377. Springvale Coal reported that a request to cease working from the DRE had not been received.</p>	Not triggered
7	<p>Reports</p> <p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <p>(Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months' period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months' period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>	<ul style="list-style-type: none"> Email: Approval of combined reports (CC: DRE, 26/08/2015) 2013 Annual Exploration Report (CC, 12/2013) 2014 Annual Exploration Report (CC, 12/2014) 2015 Annual Exploration Report (CC, 08/2015) 	<p>Springvale Coal received approval from the DRE for the submission of a single Exploration Report each year for the mining leases applicable to Springvale Coal operations. Annual Exploration Reports that included information to meet the requirements of ML 1326 CoA 7 were submitted to the DRE during 2013 – 2015.</p> <p>There has been no exploratory drilling undertaken with CCL 377 during 2013 -2016. The 2013 and 2014 AEMRs and the 2015 AR reported exploration activities during 2013 – 2016 were limited to:</p> <ul style="list-style-type: none"> 2013: No surface exploration activities; 2014: Three non-exploration boreholes (for electrical cables) and three aquifer monitoring boreholes on the Newnes Plateau 2015: No exploration or construction activities. 	Compliant
8	<p>Licence to Use Reports</p> <p>(a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.</p> <p>(b) The non-exclusive licence will operate as a consent for the purposes of</p>			Noted

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	section 365 of the Mining Act 1992.			
9	<p>Confidentiality</p> <p>(a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential.</p> <p>(ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.</p> <p>(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality</p>		Springvale Coal reported that exploration reports submitted in accordance with the conditions of this lease were kept confidential.	Noted
10	<p>Terms of the non-exclusive licence</p> <p>The terms of the non-exclusive copyright licence granted under condition 8 (a) are:</p> <p>(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(b) the Minister and any sub- licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.</p> <p>(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.</p> <p>(d) there is no royalty payable by the Minister for the licence.</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months' notice.</p>		Noted	Noted
12	<p>Safety</p> <p>Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes' shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.</p>		Springvale Coal reported that there were no abandoned shafts at Springvale and that operational shafts were fenced. There were no facilities that required fencing in CCL 377 however fencing around the Ventilation Shaft No. 3 compound and borehole 8 was observed during the site inspections, consequently operations were assessed as compliant with this condition. MCW Environmental has not assessed operations against the NSW Work Health and Safety Act 2011.	Compliant
15	<p>Exploratory Drilling</p> <p>(1) At least twenty-eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Infrastructure, Planning and Natural Resources regional hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(2) If the lease holder drills exploratory drill holes he must satisfy the Director-General that: -</p> <p>(a) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>b) all holes cored or otherwise are sealed to prevent the collapse of the</p>		There has been no exploratory drilling undertaken with CCL 377 during 2013 -2016.	Not triggered

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>surrounding surface;</p> <p>(c) \ a,11 drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(d) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;</p> <p>(e) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(f) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General.</p> <p>(g) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.</p>			
16	<p>Prevention of Soil Erosion and Pollution</p> <p>Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.</p>	<ul style="list-style-type: none"> Environment and Community Database Erosion and Sediment Control Procedure SV-MS-027-WP-529 	<p>There have been no mining activities in CCL 377 during 2013 – 2016.</p> <p>Refer Appendix A1 SSD-5594 CoA S4-12 for recommendations to improve sediment and erosion control at Bore 8 and the Ventilation Shaft No. 3 compounds (which are both outside of CCL 377).</p>	Not triggered
17	<p>Transmission lines, Communication lines and Pipelines</p> <p>Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the area without the prior written approval of the Director-General and subject to any conditions he may stipulate.</p>		There have been no mining activities in CCL 377 during 2013 – 2016.	Not triggered
19	<p>Roads and Tracks</p> <p>(a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.</p> <p>(b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.</p>	<ul style="list-style-type: none"> Occupation Certificate FCNSW (FCNSW, 10/07/2012) Springvale - Level 3 Permit Amendment - PB53711 (FCNSW, May 2015) 	<p>There have been no mining activities in CCL 377 during 2013 – 2016.</p> <p>Signed FCNSW occupation certificates (2012 and 2015) were sighted. These certificates are for work within the Newnes State Forest. Any changes in work to be carried out is addressed in an amendment to the Permit e.g. an amendment approval dated 7 May 2015 was issued for the extension of two subsidence survey lines.</p>	Not triggered
23	<p>Resource Recovery</p> <p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral</p>		Springvale Coal reported that no notices have been issued by the DRE regarding recovery of resources.	Not triggered

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	resources of the lease area. (d) The Director-General shall issue no such report unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder. (e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the Mining Act, 1992. (f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.			
24	Indemnity The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.		Noted	Noted
25	Security (a) A security in the sum of \$1,395,000.00 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under Coal Lease No. 377 (Act 1973), Mining Purposes Lease No. 314 (Act 1973) and Mining Leases No's 1303, 1323, 1326, 1352, 1448 and 1537 (Act, 1992). If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of these leases if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder. (b) The lease holder must provide the security required by sub-clause (a) in one of the following forms: (i) cash, (ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.	<ul style="list-style-type: none"> Letter: Joint Security (CC: DRE, 24/10/2014) 	Deed of Security Deposit Bond for \$12,768,000 (DG373553418) was sighted for multiple leases including CCL 377.	Compliant
27	Additional Royalty The lease holder must in respect of coal recovered by open cut mining methods pay additional royalty to the Minister at the rate prescribed by the Mining Regulation 2003.		As Springvale Coal does not undertake open cut mining, this condition was not triggered.	Not triggered.
28	Catchment Areas (a) The lease holder shall carry out operations in such a way as to conform strictly to all provisions of the Sydney Water Catchment Management Act 1998 and the regulations thereunder applying to the prevention of pollution of the Warragamba Outer Catchment Area or the preservation of the purity of the water supply provided thereby or derived therefrom or for the protection of the property of Sydney Catchment Authority [hereinafter referred to as the 'the Authority'] on the Outer	<ul style="list-style-type: none"> Dwg SVY0321 	CCL 377 is located within the Cocks River catchment area. There have been no mining activities in CCL 377 during 2013 – 2016. Refer ML 1326 CoAs 28 and 29 Recommendations.	Not triggered.

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Catchment Area and also to all requirements of the Authority from time to time under the said Act or any of the regulations for the time being in force.</p> <p>(b) If the lease holder shall at any time be using or about to use any process which in the opinion of the Authority is likely to pollute the Outer Catchment Area or the water supply or to endanger any property of the Authority on the Outer Catchment Area the lease holder upon service of a notice in writing under the hand of the Minister to do so shall:</p> <p>(i) discontinue the use of such process immediately, or</p> <p>(ii) thereafter refrain from adopting such process at any time, as the case may require.</p> <p>(c) The lease holder shall provide and maintain to the satisfaction of the Minister efficient means to prevent the contamination, pollution, erosion or siltation of any stream or watercourse or Outer Catchment Area and shall observe any instruction given or which may be given by the Minister with a view to preventing or minimising the contamination, pollution or siltation of any stream watercourse or Outer Catchment Area.</p> <p>(d) The lease holder hereby covenants with Us Ours Heirs and Successors and as a separate covenant the lease holder hereby covenants with the Authority and its Successors that the lease holder shall at all times hereafter save harmless and keep Us and the said Authority and Our Heirs and Successors and the Successors of the said Authority indemnified from payment of compensation and from and against all actions proceedings claims and demands in respect of any injury loss of damage arising out of or in any way connected with any interference with or deprivation or loss of access to the land and premises of this authority which may occur by reason of any works or operations undertaken or carried out by the said Authority or arising out of or in any way connected with any discontinuance or alteration of any process consequent upon the service of a notice in pursuance of the provisions of Condition 28 (b) or arising out of or in any way connected with the operation of any regulations relating to Outer Catchment Area in force at the date hereof or made by the said Authority at any time hereafter and the lease holder hereby agrees that for the purpose of this condition the said Authority shall be deemed to be a party to this authority.</p>			
29	<p>Catchment Areas</p> <p>The lease holder shall:</p> <p>(a) Make such provisions for sanitation as may be directed by the Authority and shall at all times observe and perform any requirements of the said Authority respecting sanitation.</p> <p>(b) not establish any camps or habitations within any area under the control of the Authority unless with the consent of the Authority.</p> <p>(c) Not sink any drillholes within the stored waters on the subject area nor within 40 metres of the top water level thereof unless with the consent of the Authority.</p> <p>(d) Not sink any drillholes within any watercourse on the Warragamba Outer Catchment Area nor within 100 metres thereof unless with the consent of the Authority.</p> <p>(e) Not interfere with or impede the use of the Authority tracks of endanger their stability in any way by reason of the operations.</p> <p>(f) Not construct any road to the sites of any drillholes unless with the consent of the Authority to the proposed route and type of road construction.</p> <p>(g) Not interfere in any way with any fences on or adjacent to the Warragamba Outer Catchment Area unless with the consent in writing of the owner thereof or the Authority.</p> <p>(h) Give twenty-eight days' notice to the General Manager Catchment Operations</p>	<ul style="list-style-type: none"> SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls (CC, 11/2015) 	<p>There have been no mining activities in CCL 377 during 2013 – 2016.</p> <p>A standard has been developed which defines the minimum environmental standards for any works carried out in the State Forest by or for Springvale Coal (SV-STD-1972_State Forest Civil & General Earth Works Environmental Controls). The standard includes:</p> <ul style="list-style-type: none"> Prior to the removal of native vegetation, a due diligence flora survey is to be conducted and provided to FCNSW. FCNSW is to be notified by Springvale Coal and an Occupation Permit granted prior to any earth works commencing. FCNSW will be invited to inspect the area where works were undertaken. All earth works (including vegetation removal/excavation) within 40 metres of a river (river being defined as any blue line on a topographic map) will require a 3A permit under the Rivers and Foreshore Act. This approval is issued by the Department of Land and Water Conservation. Clearing, erosion control, sediment control and rehabilitation requirements. Specific requirements for exploration drilling sites including a Review of Environmental Factors for ground clearance, drilling water management, sediment control and rehabilitation. <p>Refer ML 1326 CoAs 28 and 29 Recommendations.</p>	Not triggered.

Consolidated Coal Lease 377 - Area to the southwest of ML 1326 including LW 501-503

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>and Major Projects, Sydney Catchment Authority, Penrith, of its intention to commence drilling operations.</p> <p>(i) Not cut or remove any timber except such as directly obstructs or prevents the carrying on of operations and the lease holder shall obtain the consent in writing' of the Authority before making use of the timber so cut for other than run connection with operations.</p> <p>j) Complete work in relation to rehabilitation within the Warragamba Outer Catchment Area before termination of the authority to the satisfaction of the Authority.</p>			

Appendix D Compliance Tables – SWPs

Table D-1: SMP Approval LW 411 – 418 -variation for LW 416 & 417

Table D-1: SMP Approval LW 411 – 418 -variation for LW 416 & 417

SMP Approval LW 411 – 418 -variation for LW 416 & 417				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
1	<p>Extent of Approval</p> <p>Definitions</p> <p>In this document:</p> <p>File No. 04/1673</p> <p>"longwall mining" means the extraction of the longwall panels covered by the SMP.</p> <p>"SMP" means the Subsidence Management Plan for the workings shown on the SMP Approved Plan as set out in the Springvale Colliery Longwal/s 411</p> <p>- 418 Subsidence Management Plan Application dated May 2005 and supplementary supporting information provided to the Department.</p> <p>"SMP Approved Plan" means Plan No. Approved Plan dog titled 'Springvale Mine Subsidence Management Plan 151 & 2nd Workings Submission May 2005 Approved Plan', signed by the Mine Manager on 31 May 2005.</p>	<ul style="list-style-type: none"> Letter: Approval of SMP LW 411- 418 (DPI-Mineral Resources: CC, 07/03/2006) 	The SMP LW 411 - 418 was originally approved in 2006. There have been 18 variations to the SMP since this time.	Compliant
2	<p>Extent of Approval</p> <p>The SMP is approved subject to the conditions set out in this document. The SMP, as modified by these conditions, must be implemented by the leaseholder.</p>		<p>Springvale Coal reported that the SMP, as modified, was implemented.</p> <p>With the exception of issues identified in this audit, MCW Environmental has assessed that in general Springvale Coal was compliant with the requirements established under of SMP Approval LW 411-418.</p>	Compliant
3	<p>Extent of Approval</p> <p>This approval ceases to have effect on 01/03/2013 or upon expiry of Mining Lease 1326, whichever occurs earlier. The Director-General may, at his or her discretion, extend the term of the approval upon request.</p>	<ul style="list-style-type: none"> Letter: Requesting approval SMP LW 411-418 extension (CC: DRE, 16/09/2015) Letter: Approval of request for extension of SMP LW 411-418 (DRE:CC, not dated) 	Springvale Coal sought approval from the DRE for an extension of the SMP. The DRE approved the extension to 30/09/2016 subject to review of the EMP.	Compliant
4	<p>Extent of Approval</p> <p>The Director General may suspend or revoke this approval if the leaseholder fails to adhere to any condition of the approval. In addition, the Director- General may vary the conditions of this approval by notice in writing at any time.</p>		The DRE has not suspended or revoked SMP Approval LW 411-418.	Not triggered
5	<p>Extent of Approval</p> <p>These approval conditions relate to the proposed extraction by longwall methods in the Lithgow Seam only.</p>	<ul style="list-style-type: none"> Final November 2015 – October 2022 MOP (CC, 03/2016) 	The 2015-2022 MOP identifies that coal is only extracted from the Lithgow seam	Compliant
6	<p>Notification</p> <p>The leaseholder shall give notice of this SMP approval to the Department of Planning, Department of Natural Resources, Department of Environment and Conservation, Lithgow City Council, NSW State Forests, Sydney Catchment Authority, NSW Heritage Office, the owners/operators of any infrastructure in the application area and any other relevant stakeholders as listed in the Guideline for Application for Subsidence Management Approvals, that Director General's approval of the proposed Subsidence Management Plan has been granted. This notification and its distribution list shall be provided to the Director, Environmental Sustainability, within one month from the approval of this approval.</p>	<ul style="list-style-type: none"> Letters: Notification of Approval of SMP Approval LW 411-418 (CC, 24/03/2006, 24/02/2009, 17/10/2010 and 30/09/2015) 	<p>Approval of the latest modification for SMP Approval for LW 411-418 was provided prior to the period of the IEA.</p> <p>The auditors sighted notification letters for the 2006 SMP Approval to the Department of Planning, Department of Natural Resources, Department of Environment and Conservation, Lithgow City Council, NSW State Forests, Sydney Catchment Authority, NSW Heritage Office and Gundungurra Tribal Council; and a selection of letters to stakeholders for subsequent notifications.</p>	Compliant
7	<p>Subsidence Management Conditions</p> <p>The Leaseholder shall develop and implement a program to ensure on-going baseline data collection, investigation, assessment and regular reviews with the relevant stakeholders. A review schedule shall be developed in consultation with</p>	<ul style="list-style-type: none"> Letter: Approval of Subsidence Monitoring program (DRE:CC, 15/06/2009) Subsidence Monitoring and 	<p>Ongoing baseline data collection, investigation and assessment is defined in the Subsidence Environmental Monitoring Program (EMP) which was approved in 2009. Since 2009 various changes have been made to the monitoring program.</p> <p>Annual Reviews, End of Panel Reports and four monthly reviews (SMSRs) have been</p>	Compliant

SMP Approval LW 411 – 418 -variation for LW 416 & 417

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	these stakeholders. The programme and review schedule shall be submitted to the Director Environmental Sustainability within four months of this approval. The Leaseholder shall undertake further reviews if such reviews are requested by the Director Environmental Sustainability or the Principal Subsidence Engineer	<p>Reporting Program LW 418 (CC, 04/2014)</p> <ul style="list-style-type: none"> Letter: Baseline Data collection schedule (CC: SCA, 03/2006) SMP EMP (CC, 03/2006) Letters: Feedback on baseline data collection schedule (Assorted: CC, 2006) 	<p>undertaken until the end of LW 418 (or the SMP Approval expires).</p> <p>SEWPAC surveys were undertaken for LW 415 – 417 to meet THSSMP and DA 11/92 requirements.</p> <p>Springvale Coal reported that a request for additional reviews had not been received from Director Environmental Sustainability or the Principal Subsidence Engineer.</p>	
8	<p>Subsidence Management Conditions</p> <p>The required on-going baseline data collection, investigation, assessment and reviews shall aim to identify appropriate management measures to mitigate and/or remediate subsidence impacts. The Leaseholder shall ensure that management reviews are conducted in consultation with the relevant stakeholders, prior to subsidence of any important surface features or as otherwise determined in the said review schedule as per Condition 7.</p>	<ul style="list-style-type: none"> LW 411- 418 SMSR (CC, 11/2015) LW 411- 418 SMSR (CC, 11/2014) LW 411- 418 SMSR (CC, 11/2013) Letter: Notification under SMP Approval Condition 12 (c) of higher-than-predicted subsidence over LW 411 (CC: DRE,21/08/2009) 	<p>The SMP LW 411-418 EMP includes TARPs for assessment.</p> <p>Springvale Coal provided evidence of ongoing monitoring and interpretation such as:</p> <ul style="list-style-type: none"> SMP Approval was received for decreased block width to address surface impact at East Wolgan- demonstrating adaptive management (LW 415 had block widths of 305 m with 50m pillars and LW 416, 417 and 418 had reduced block widths to 256 m with 63 m pillars). This reduction was to reduce subsidence impacts at the surface. Following review of adaptive management methods for flora assessment, revised flora methodology (University of Queensland) was implemented over five years (cost reported by CC to be approx. \$5 million over 5 years primarily to detect changes to vegetation). Studies into hydrogeology and hydrology of shrub swamps (McHugh reports) contribute to knowledge 	Compliant
9	<p>Subsidence Management Conditions</p> <p>The Leaseholder shall regularly seek advice and/or feedback from the relevant stakeholders, with regard to the adequacy, quality and effectiveness of the implemented management processes and the need for any appropriate management measures, early response actions or emergency procedures to ensure adequate management of any potential subsidence impacts due to longwall mining.</p>	<ul style="list-style-type: none"> SMP EMP (CC, 03/2006) SMSR (CC, 03/2016) 	<p>Springvale Coal advised that DPE were the main stakeholder for subsidence management and that the EMP TARPS describe notification requirements to regulator(s) which are implemented when trigger levels within the TARPs were achieved.</p> <p>Springvale Coal reported that there had been no trigger levels exceeded for LW 418.</p> <p>Emergency procedures have reportedly not been triggered.</p> <p>SMSR (March 2016) identifies consultation that had been undertaken with regulators from September -December 2015 e.g. DRE, OEH, LCC regarding EMP revision, Newnes Plateau inspection and THPSSMMP trigger notification.</p> <p>Springvale Coal reported that FCNSW had knocked over B Line pegs which indicated that some stakeholders may not be aware of subsidence management measures.</p>	Compliant
10	<p>Subsidence Monitoring</p> <p>The Leaseholder shall undertake a subsidence monitoring/reporting program for the subject panels. This program shall include but not be limited to any proposed inspection regimes, layout of monitoring points, parameters to be measured, monitoring methods and accuracy, timing and frequencies of surveys and inspections. It shall be agreed to by the Principal Subsidence Engineer prior to the commencement of the longwall mining. The Leaseholder must implement any changes to the monitoring/reporting program, if required by the Principal Subsidence Engineer during the development of subsidence arising from the longwall mining.</p>	<ul style="list-style-type: none"> SMP Monitoring Program (CC, 02/2006) Subsidence Monitoring and Reporting Program LW 418 (CC, 04/2014) LW 415-417 SMP Monitoring and Reporting Program (CC, 02/2014) 	<p>The LW 418 Monitoring Program defines the subsidence monitoring including:</p> <ul style="list-style-type: none"> Parameters to be measured; Monitoring methods, Frequency of surveys and inspections <p>Subsidence lines are detailed in drawings and plans and included in the SMP LW 411-418.</p> <p>A plan was available that identifies where monitoring is required for each line based on daily update from underground operations. This drives the subsidence monitoring schedule. The Pulse Work Order system triggers the surveys which are then undertaken to meet the monitoring schedule.</p> <p>Evidence of the monitoring program being updated was sighted including:</p> <ul style="list-style-type: none"> LW 415-417 (02/2014) which was approved in May 2014 to accommodate SEWPAC changes; and LW 418 (04/2014), <p>Springvale Coal reported that they had received no requests from DRE to do more surveys.</p> <p>MCW Environmental did not reconcile monitoring conducted against every monitoring requirement defined in the SMP Monitoring Programs.</p>	Compliant
11	<p>Subsidence Reporting</p> <p>End of Panel Report - The Leaseholder shall prepare an end of panel report to encompass all environmental and subsidence monitoring, including a comparison of</p>	<ul style="list-style-type: none"> LW 416 End of Panel Report LW 417 End of Panel Report 	<p>End of Panel reports for LW 416 and 417 were sighted.</p> <p>Mining of LW 417 commenced on 11/01/2014 and was completed on 04/07/2015.</p>	Compliant

SMP Approval LW 411 – 418 -variation for LW 416 & 417

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>actual impacts with predicted subsidence impacts. This report shall be submitted to the Director, Environmental Sustainability, within three months of extraction being completed for each longwall panel</p>		<p>Mining of LW 418 was completed in May 2016, consequently the end of panel report had not yet been completed.</p>	
<p>12</p>	<p>Subsidence Reporting</p> <p>The Leaseholder shall provide to the Department of Planning, Department of Natural Resources, Department of Environment and Conservation, Lithgow City Council, NSW State Forests, Sydney Catchment Authority, the owners/operators of any infrastructure and the Director Environmental Sustainability and Principal Subsidence Engineer of the Department of Primary Industries, notification within 24 hours of occurrence or identification of the following during the development of subsidence caused by the longwall mining. The same information shall also be made available to other relevant stakeholders if requested.</p> <p>a) Any observed subsidence impacts adverse to groundwater resources and/or the natural environment that may be affected by the longwall mining;</p> <p>b) Any observed subsidence impacts adverse to the serviceability and/or safety of infrastructure and other built structures that may be affected by the longwall mining;</p> <p>c) Any significant unpredicted and/or higher-than-predicted subsidence and/or abnormalities in subsidence development in any surface areas that may be affected by the longwall mining;</p> <p>d) Any adverse subsidence impacts reported by any relevant stakeholder, and</p> <p>e) Any other relevant information requiring prompt notification.</p> <p>Note: Pursuant to paragraph (e) of the subsidence management condition in the leaseholder's Coal Lease, the SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document, New approval process for management of coal mining subsidence - Policy (2003). The monitoring and reporting requirements set out in that document apply, as modified by these conditions.</p>	<ul style="list-style-type: none"> Email: Notification of subsidence LW 411 (CC: DPI, 25/08/2009) Letter: Notification of subsidence (CC: DPI, 31/05/2006) Audit 5949 2015.xls (CC, 2015) Memo: Notification of SSE2 and SSE3 groundwater trigger exceedance (RPS: CC, 27/03/2015) Letter: Notification of SSE2 and SSE3 groundwater trigger exceedance (CC: DoE, 30/03/2015) EPBC Approval 2011/5949 Report on Investigation of THPSSMMP Groundwater Triggers (CC, 05/2015) EPBC 5949 2012-2103 Annual Compliance Monitoring Report (UQ, 2013) 2013 Annual THPSSMMP Report (CC, 11/03/2014) 2014 Annual THPSSMMP Report (CC, 15/03/2015) 2015 Annual THPSSMMP Report (CC, 03/2016) EPBC Approval 2011/5949 and EPBC Approval 2013/6881 Report on Investigation of Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan Groundwater Triggers (CC, 02/2016) 	<p>Evidence was provided of notification under SMP Approval LW 411-418 in May 2006 and August 2009 including notification to the DPE, DNR, DEC, LCC, FCNSW, SCA, DPI and Principal Subsidence Engineer.</p> <p>The following evidence of notification were also sighted:</p> <ul style="list-style-type: none"> SSE1 and SPR1101: Notification of the defined groundwater monitoring trigger was received by CC from RPS on 24/03/2014. This was reported to relevant agencies on 28/03/2014 (i.e. within five business days) with subsequent provision of an investigation report within eight weeks (05/2014). SSE2 and SSE3: Notification of the groundwater monitoring trigger was received by CC from RPS on 27/03/2015. This was reported to relevant agencies on 30/03/2015 (i.e. within five business days) with subsequent provision of an investigation report within eight weeks (05/2015). CW3 and CW4: Notification of the defined groundwater monitoring trigger was received by CC from RPS on 29/07/2015. This was reported to relevant agencies on 05/08/2015 i.e. within five business days. CW1, CW2 and SPR 1109: Notification of an historical trend of declining groundwater levels was received by CC from RPS on 18/12/2015. This was reported to relevant agencies on 22/12/2015 (i.e. within five business days) with subsequent provision of a preliminary investigation report on 12/02/2016. This report summarised monitoring data related to the impact, provided an explanation of the expected cause and that further data analysis was required to determine if the changes to water levels in Carne West Swamp are related to mine subsidence or the decline observed in the regional groundwater table aquifer. <p>Springvale Coal did not consider that this trigger level exceedance represented a potential non-compliance of the SMP Condition 12, nor the EPBC Approval 2013/6881 CoA 17, consequently the regulators were not notified within two days. Since the notification, there has been an exchange of information between the IMP, DPE and CC considering the declining groundwater trend and implications on the draft LW 419 Extraction Plan and component management plans. The draft LW 419 Extraction Plan and component management plans were revised to include actions as proposed by the IMP and approved by the DPE. (Refer SSD-5594 CoA S3-10 Recommendation. The exceedance of the trigger level has not been identified by the DoE, DPE or IMP as a potential non-compliance with SSD-5594 Table 1 subsidence performance measures or EPBC Approval 2013/6881 conditions or this SMP Condition 12.</p> <p>Monitoring has been undertaken and assessed against defined criteria for predicted levels to meet DPE and DoE requirements.</p> <p>The March 2016 SMSR stated "there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418. Inspections were undertaken by Craven Elliston and Hayes before and after mining...."</p> <p>The auditors were unable to verify if observed subsidence impacts adverse to the serviceability and/or safety of infrastructure and other built structures that may be affected by the longwall mining were assessed however, it is noted that the land overlying the SMP area is State Forest and contains no private landholdings and very little infrastructure. The only public infrastructure above the mining area is Forests NSW roads / 4WD trails and the following private infrastructure above the mining area (SDWTS, 11Kv power lines, No. 3 ventilation shaft, 66kV power lines and Borehole 8).</p> <p>No higher than predicted subsidence, and no adverse impacts, were reported by Springvale Coal for LW 413-418. Springvale uses a spreadsheet that highlights if subsidence impacts are higher than predicted, which would then trigger investigation and specialist consultant reports. During the audit, the spreadsheet identifying predicted subsidence for LW 418 was not available for review, alternatively the auditor sighted a graph showing predicted subsidence with actual settlement and sighted a highlighted cell warning of a 4 mm/m measurement</p>	<p>Non-compliant (administrative)</p> <p>SMP Approval LW 411-418 CoA 12 OFI: Include in regular reporting (e.g. previously SMSR) any observed subsidence impacts adverse to:</p> <ul style="list-style-type: none"> Groundwater resources and/or the natural environment; and Serviceability and/or safety of infrastructure and other built structures <p>that may be affected by Springvale Coal's longwall mining. If adverse impacts are observed, notify the stakeholders identified in SMP Approval CoA 12 within 24 hours.</p> <p>SMP Approval LW 411-418 CoA 12 OFI: Include in LW 419 SMP Approval an assessment of the requirements for subsidence monitoring and reporting set out in the Guideline for Applications for Subsidence Management Approvals and the New Approval Process for Management of Coal Mining Subsidence – Policy.</p>

SMP Approval LW 411 – 418 -variation for LW 416 & 417

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>against a limit of 6mm/m for Line y LW 418 (26/02/2016).</p> <p>The 2013 and 2014 AEMRs reported that “none of the measured subsidence effects have caused any surface cracking or erosion impacts to surface features on the Newnes Plateau including shrub swamps, fire trails and powerlines” and “Subsidence monitoring results for LW415 are within predictions detailed in the EIS”. The 2015 AR identified that subsidence monitoring demonstrates compliance with the performance criteria and condition of SMP Approval (LW 411 – 418) and that results were not considered significantly different from previous years. The DPE provided feedback on the 2015 AR (18/04/2016) advising CC that to meet SSD-5594 CoA S6-12, the 2015 AR requires additional information to be included in the AR and provided to the DPE by 18/07/2016. The additional information included the comprehensive review of monitoring results and complaints including a comparison against statutory requirements, limits or performance measures, monitoring results of previous years and relevant predictions in the EIS; identification of trends and gaps for at least three years and preferably five years. Following receipt of feedback from the DPE on the 2015 AR, a revised AR was being prepared and was proposed to be submitted by 18/07/2016.</p> <p>Springvale Coal reported that the Sydney Morning Herald reported impacts to the East Wolgan Swamp from LW 411 however this incident was outside the period of the IEA.</p> <p>The requirements for subsidence monitoring and reporting set out in the Guideline for Applications for Subsidence Management Approvals, and the New Approval Process for Management of Coal Mining Subsidence – Policy, were not assessed as part of this IEA.</p> <p>As some of the notifications required of this condition were not issued within 24 hours of the occurrence, (e.g. the water levels at CW1 and CW2 in Carne West Swamp) there is a potential that CC were not in compliance with this aspect of the condition. This non-compliance was assessed as administrative as notifications were ultimately provided to regulators within five days. As CC now operates within a recently approved Extraction Plan (LW 419), the requirements of the SMP are now reflected in the Extraction Plan, and consequently no further recommendations have been made.</p>	
13	<p>Subsidence Community Consultation Process</p> <p>The Leaseholder shall establish a Subsidence Community Consultation Process (SCCP). The SCCP shall be established in accordance with the Guideline for Application for Subsidence Management Approvals. The proposed SCCP shall be submitted within six months of this approval to the Department of Primary Industries for Director Environmental Sustainability's approval</p>	<ul style="list-style-type: none"> Subsidence Community Consultation Process SV-MS-040 (CC, 03/2015) SMP Compliance Audit (CC, undated) SMSR (CC, 03/2016) 	<p>A Subsidence Community Consultation Process was established (SV-MS-040) in 2015. The document states that the Process was prepared by following the Guideline for Applications for Subsidence Management Approvals.</p> <p>An SMP Compliance Audit (undated) identifies that</p> <ul style="list-style-type: none"> Springvale Community Consultation Program was submitted to Mineral Resources 06/09/2006; LW411 Mid-Panel Review 8 December 2006 was completed; LW411 End-of-Panel Review 7 December 2007 was completed; LW412 Mid-Panel Review 5 November 2008 was completed; LW412 End-of-Panel Review 18 September 2009 was completed; and Consultation process reviewed and completed on 11/09/2009 and submitted to DII-ME for comment on 23/09/2009. <p>The March 2016 SMSR recorded consultation with regulators undertaken from 28/10/2015 e.g. DRE, OEH, LCC regarding EMP revision, Newnes Plateau inspection and THPSSMMP trigger notification.</p>	Compliant
14	<p>Management Status</p> <p>The Leaseholder shall prepare and regularly up-date a Subsidence Management Status Report until the completion of subsidence in the application area. This Status Report shall be provided to the Department of Planning, Department of Natural Resources, Department of Environment and Conservation, Lithgow City Council, NSW State Forests, Sydney Catchment Authority and the Director of Environmental Sustainability and Principal Subsidence Engineer of the Department of Primary Industries. This Report shall also be made available to other relevant stakeholders if requested. It shall be submitted at a minimum four monthly intervals, from the date of this approval, and shall include but not be limited to:</p> <p>a) Face position of the longwall panel being extracted;</p>	<ul style="list-style-type: none"> Letters: SMSR 1-14 provided to stakeholders including local Aboriginal Council, Blue Mountain Conservation Society, Colong Foundation, DEH, DNR, DPE, DRE, Principal Subsidence Engineer, LCC, FCNSW an SCA), (CC, 2006 – 2010) SMSR (CC, 03/2013) (CC, 07/2013) (CC, 11/2013), (CC, 03/2014), (CC, 11/2015) and 	<p>Records of provision of four-monthly SMSR 1 (July 2006) - SMSR 14 (11/2010) to stakeholders were available for review.</p> <p>The following four-monthly SMSRs were available on the CC website:</p> <ul style="list-style-type: none"> 2013: March, July and November 2014: March 2015: November 2016: March <p>The November 2015 SMSR states that Longwall 417 commenced extraction on 11 October 2014 and was completed on the 4th July 2015. For the remainder of the SMSR period, Springvale was undertaking the Longwall move and on stand down while securing the</p>	<p>Compliant</p> <p>SMP Approval LW 411-418 CoA 14 OFI: Include all SMSR reports on the CC website.</p>

SMP Approval LW 411 – 418 -variation for LW 416 & 417

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>b) A summary of any management actions undertaken by the Leaseholder;</p> <p>c) A summary of the results of consultation with the stakeholders as per Condition 9 and 13;</p> <p>d) A summary of any observed and/or reported subsidence impacts, incidents, service difficulties, community complaints, and any other relevant information reported as per Condition 12;</p> <p>e) A summary of subsidence development based on monitoring information from the subsidence monitoring programs, including a statement with regard to any identified trend in the development of ground deformations/subsidence movements in the application area; as compared with any defined triggers and/or the predicted subsidence to facilitate early detection of potential subsidence impacts;</p> <p>f) A summary with regard to the adequacy, quality and effectiveness of the implemented management processes based on the monitoring and consultation information summarised above, and</p> <p>g) A statement regarding any management actions to be undertaken or the need for early responses or emergency procedures to ensure adequate management of any potential subsidence impacts due to longwall mining.</p>	(CC, 03/2016)	<p>necessary state and federal approvals.</p> <p>The March 2016 SMSR included:</p> <ul style="list-style-type: none"> • Face position. • That no management actions were undertaken. • Contact details for complaints. • A summary of consultation with regulators undertaken from 28/10/2015 e.g. DRE, OEH, LCC regarding EMP revision, Newnes Plateau inspection and THPSSMMP trigger notification. • A statement that there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418. • Reference to inspections being undertaken by Craven Elliston and Hayes before and after mining. • Documented photo monitoring. • A summary of subsidence monitoring identifying “<i>subsidence, tilt and strain results are within the predicted range.</i>” There was no statement regarding any identified trend in the development of ground deformations/subsidence movements compared to triggers and predicted subsidence. • A statement that “<i>the adequacy, quality, effectiveness of the implemented management processes based on monitoring and consultation is considered to be satisfactory to date.</i>” • A statement that “<i>comparison against the TARP indicates that during the reporting period, groundwater level triggers were activated at CW1, CW2 and SPR1109. Details are presented in Section 6.3.2. The trigger was reported in accordance with the THPSS MMP with the department as noted Table 3. There are no outstanding management actions requiring an update.</i>” • Identified that the format of the SMSR had been revised to align with Subsidence Monitoring status report requirements and reflect the monitoring locations in the approved EMP. <p>As SMSRs are no longer required under Extraction Plans, the auditors assessed that a recommendation for the inclusion of a statement regarding the presence/absence of trends in the development of ground deformations/subsidence movements compared to triggers and predicted subsidence was not required.</p>	
15	<p>Miscellaneous Conditions</p> <p>Newnes Plateau Shrub Swamps</p> <p>The Leaseholder shall develop a Newnes Plateau Shrub Swamp Management Plan in consultation with the Department of Environment and Conservation. The commencement of extraction of Longwall Panel 412 shall not be permitted unless the said Plan is approved by the Director Environmental Sustainability.</p>	<ul style="list-style-type: none"> • NPSSMP (CC, 09/2007) • Letter: Final NPSSMP (CC: DPI- MR, 05/09/2007) • Letter: Draft NPSSMP to DEC (CC: DEC, 04/12/2007) • Letter: Feedback from DECC (DECC: CC, 03/09/2007) • SMSR 6 (CC, 07/03/2008) 	<p>Correspondence demonstrating consultation on the NPSSMP between DEC and CC was sighted</p> <p>The March 2008 SMSR (6) reports that “<i>The revised Springvale Draft NPSS Management Plan was submitted to the Director, Environmental Sustainability for approval on 5-September 2007 and was approved on 30 November 2007, thus complying with Condition 15 which required approval prior to the commencement of Longwall 412 extraction.</i>”</p>	Compliant
16	<p>Miscellaneous Conditions</p> <p>Roads</p> <p>The Leaseholder shall implement a management plan to ensure the safety of road users and the serviceability of any roads and/or 4WD trails within the application area. This plan shall be implemented to the satisfaction of the owners/operators of the infrastructure.</p>	<ul style="list-style-type: none"> • RMP (CC, 09/2006) • Letter: Request for comment on draft RMP (CC: FCNSW, 21/09/2006) • Letter: Provision of RMP, LMP and PSMP to FCNSW for comment (CC: FCNSW, 21/09/2006) • Letter: Provision of revised draft RMP to FCNSW (CC: FCNSW, 11/09/2007) • Letter: Provision of RMP to FCNSW (CC: FCNSW, 23/09/2007) • SMSR (CC, 03/2016) 	<p>A Road Management Plan (RMP) was drafted and provided to FCNSW (owners of the Newnes State Forest) for comment in 2007.</p> <p>The RMP included the following to manage the safety of road users and serviceability of roads / 4WD trails:</p> <ul style="list-style-type: none"> • Measure baseline information. • Continue monitoring and inspection of roads and fire trails at key times relating to the longwall position • Scheduled visual inspections. • Monitoring and inspection data is analysed to identify any variations from predictions, unexpected anomalies or visual impact (e.g. cracking). • Where variations and/or impacts are greater than predictions made in the SMP, additional assessment/investigation of impacts will be undertaken. • If impacts require remedial action, remedial action will be implemented. <p>The March 2016 SMSR included a statement that there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418 and subsidence</p>	Compliant

SMP Approval LW 411 – 418 -variation for LW 416 & 417

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>monitoring identified “<i>subsidence, tilt and strain results are within the predicted range.</i>”</p> <p>MCW Environmental discussed the IEA scope with the Stewardship and Fire Supervisor (FCNSW) on 1 July 2016. FCNSW reported that FCNSW had undertaken regular inspections of access tracks and rehabilitation sites in the Newnes State Forest (including as recently as the last week in June 2016). FCNSW advised that there were no outstanding responses to requests for information</p>	
17	<p>Miscellaneous Conditions</p> <p>Infrastructure</p> <p>Notwithstanding Condition 16 above, the Leaseholder shall develop a management plan to ensure the safety and serviceability of any infrastructure that may be affected by subsidence arising from the extraction of the longwall panels. The management plan shall be implemented to the satisfaction of the owners/operators of the said infrastructure</p>	<ul style="list-style-type: none"> • Letter: Provision of Infrastructure Management Plan (CC, 21/09/2006) • Infrastructure Management Plan (CC, 09/2006) • Letter: Provision of Infrastructure Management Plan (CC; DPI-MR, 11/09/2007)) • Letter: Provision of Infrastructure Management Plan (CC: Integral Energy, 11/09/2007) • Infrastructure Management Plan (CC, 23/09/2009) 	<p>An Infrastructure Management Plan was drafted and provided to DRE and FCNSW for comment in 2007 and 2009.</p> <p>The 2009 Infrastructure Management Plan included the following to ensure the safety and serviceability of any infrastructure:</p> <ul style="list-style-type: none"> • Measure baseline information. • Continue monitoring and inspection of roads and fire trails at key times relating to the longwall position • Scheduled visual inspections. • Monitoring and inspection data is analysed to identify any variations from predictions, unexpected anomalies or visual impact (eg cracking). • Where variations and/or impacts are greater than predictions made in the SMP, additional assessment/investigation of impacts will be undertaken. • If impacts require remedial action, remedial action will be implemented. <p>The March 2016 SMSR included a statement that there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418 and subsidence monitoring identified “<i>subsidence, tilt and strain results are within the predicted range.</i>”</p>	Compliant
18	<p>Land Management</p> <p>The Leaseholder shall implement a management plan to ensure adequate management of any impacts associated with surface cracking, erosion, soil slumping and land degradation caused by subsidence due to longwall mining and/or activities associated with subsidence monitoring or other management actions in the application area. The management plan shall be developed within 3 months of this approval and implemented to the satisfaction of the NSW State Forests and Sydney Catchment Authorities.</p>	<ul style="list-style-type: none"> • LMP (CC, 2006) • LMP (CC, 2013) • LMP SV-MS-038 (CC, 08/2009) • Letter: Provision of LMP to DRE (CC: DRE, 23/09/2009) • Letter: Provision of LMP to SCA (CC: SCA, 23/09/2009) • Letter: Provision of LMP to FCNSW (CC: FCNSW, 23/09/2009) • Letter: Provision of LMP to DRE (CC: DRE, 11/09/2007) • Letter: Provision of LMP to SCA (CC: SCA, 11/09/2007) • Letter: Provision of LMP to FCNSW (CC, 11/09/2007) 	<p>A Land Management Plan (LMP) was drafted and provided to DRE, SCA and FCNSW for comment prior to finalisation in 2007, 2009 and 2013.</p> <p>The 2013 LMP includes the management of:</p> <ul style="list-style-type: none"> • Surface cracking; • Erosion; • Soil slumping; and • Land degradation. <p>The LMP also includes:</p> <ul style="list-style-type: none"> • Subsidence monitoring; • Monitoring and inspection of Newnes Plateau shrub swamps, watercourses; • Groundwater, flora, fauna and key surface features (photographic and visual); • Other regular inspections of surface facilities, clearing activities and construction/drilling activities on the Newnes Plateau. 	Compliant
19	<p>Public Safety</p> <p>The Leaseholder shall implement a public safety management plan to ensure public safety in any surface areas that may be affected by subsidence arising from the longwall mining. This plan shall include, but not be limited to, regular monitoring of areas or infrastructure/structures posing safety risks, erection of warning signs, entry restrictions, backfilling of dangerous surface cracks and securing of unstable built structures or rockmass where required and appropriate, and the provision of timely notification of mining progress to the community and any other relevant stakeholders where management of public safety is required. The plan shall be developed and implemented to the satisfaction of the District Inspector of Coal Mines.</p>	<ul style="list-style-type: none"> • PSMP (CC, 2006) • PSMP (CC, 2013) • Letter: Approval of the PSMP (DRE:CC, 26/10/2006) • PSMP SV-MS-038 (CC, 08/2009) • Letter: Provision of PSMP to DRE (CC: DRE, 23/09/2009) • Letter: Provision of PSMP to District Inspector Coal Mines 	<p>A Public Safety Management Plan (PSMP) was drafted and provided to DRE, District Inspector of Coal Mines and FCNSW for comment prior to finalisation in 2006, 2009 and 2013.</p> <p>The 2013 PSMP included the following to ensure public safety:</p> <ul style="list-style-type: none"> • Regular monitoring of areas of infrastructure / structures posing safety risks – monitoring introduced though no high risk areas identified. • Erection of warning signs – completed. • Entry restrictions – identified as part of management actions and remedial measures if Public Safety Risk identified. • Backfilling of dangerous surface cracks – noted as remedial measure if identified e.g. the 	Compliant

SMP Approval LW 411 – 418 -variation for LW 416 & 417

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		(CC: DICM, 23/09/2009) • Letter: Letter: Provision of PSMP to FCNSW (CC: FCNSW, 23/09/2009):	LMP (CC, 2009) states that during the mining longwalls 411 and 412, some cracks developed along Campbell's Track. Forests NSW was notified about the cracking and they were monitored regularly. Over a short period of time, the cracks filled with sediment and were reported as now not detected. <ul style="list-style-type: none"> • Securing of unstable man-made structures or rockmass where required and appropriate - noted as field inspection and remedial measure (if required) after identification. • Provision of timely notification of mining progress to the community and any other stakeholders where management of Public Safety is required – noted as part of management actions. The March 2016 SMSR included statement that there were no observed subsidence impacts, incidents or service difficulties during the retreat of LW 418 and subsidence monitoring identified "subsidence, tilt and strain results are within the predicted range."	
20	Survey Marks Survey Marks - At the completion of subsidence or otherwise as required by the Department of Lands, the leaseholder shall ensure that the functionalities of any survey marks affected by subsidence are fully restored to the satisfaction of the Department of Lands		Springvale Coal reported that there are no survey marks in the development area.	Not triggered

Appendix E

Development Consent Compliance Assessments

1. Table E-1: Water Access Licences: 36383 (10BL603519), 36446 (10BL601863) and 36443 (10BL602017);

Table E-1: Water Access Licences

WAL	Date Granted	Water Sharing Plan Location	Units	Groundwater Extracted ML/Financial Year (1 July to 30 June)	Findings	Compliance Status & Recommendation
36383	24/02/2010	Water sharing plan: Sydney Basin Richmond Groundwater Source Dewatering Bore 6 & 8	5958 Nominated Work Approval: 10WA118719 (10BL603519)	<ul style="list-style-type: none"> 2015: 4951 ML 2014: 4557 ML 2013: 4744 ML References: <ul style="list-style-type: none"> 2013 WAL Annual Compliance Report (CC, 17/04/2014) 2014 WAL Annual Compliance Report (CC, 24/02/2015) 2015 WAL Annual Compliance Report (CC, 22/01/2016) 	The WAL extraction limit of 5,958 ML was not exceeded. CC reported that they had recently applied to DPI Water to list additional pumps on 10WAL118719 to ensure that groundwater sources reflect water extraction practices on-site.	Compliant
36446	04/09/2007	Water sharing plan: Sydney Basin Coxs River Groundwater Source Ventilation Shaft No. 3	3300 Nominated Work Approval: 10WA118752 (10BL601863)	<ul style="list-style-type: none"> 2015: 451 ML 2014: 746 ML 2013: 453 ML 	The WAL extraction limit of 3,300 ML was not exceeded.	Compliant
36443	04/09/2007	Water sharing plan: Sydney Basin Coxs River Groundwater Source Springvale Mine pit top collection system	585 Nominated Work Approval: 10WA118754 (10BL602017)	<ul style="list-style-type: none"> 2015: 178 ML 2014: 512 ML 2013: 500 ML 	The 2013 AEMR states “ <i>The net extraction volume at the pit top bore 10BL602017 reported in the table excludes 455 ML of water that was re-injected into the old Renown Colliery. The total extraction volume for pit top bore 10BL602017 including the water re-injected into the Renown Colliery is 955 ML. The reason for this is water levels in the old Renown Colliery need to be carefully managed so as to maintain an acceptable level of inrush protection and safety at Springvale. Extraction volumes from Renown will fluctuate according to recharge rates which are largely dependent upon rainfall. Springvale is working with the NSW Office of Water to reduce extraction from pit top bore 10BL602017 by increasing extraction at shaft No.3 bore 10BL601863.</i> ” The WAL extraction limit of 585 ML was exceeded in 2012/2013 Water Year. The WAL extraction limit of 3,300 ML was not exceeded in 2013/2014 and 2014/2015 Water Years (as reported in the 2014 AEMR and the 2015 AR). CC reported that Springvale Coal has the following controls in place to meet Water Access Licence entitlements: <ul style="list-style-type: none"> Monitoring and tracking of groundwater extraction volumes against entitlements; and Monthly Water Improvement Team meetings to review water extraction practices and identify improvement opportunities. As the Water Access Licence entitlements have not been exceeded in 2013/2014 and 2014/2015 Water Years, and extraction volumes are monitored, no further recommendations have been made.	Non-compliant

Appendix F Compliance Tables – EPBC Approval 2013/6881

Table F-1: EPBC Approval 2013/6881 – variation 01/04/2016

Table F-2: EPBC Approval 2011/5949

Table F-1: EPBC Approval 2013/6881 – variation 01/04/2016

EPBC Approval 2013/6881 – variation 01/04/2016																												
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation																								
1	<p>To minimise and compensate for impacts to listed threatened species and communities, the approval holder must comply with the following conditions of the New South Wales development consent:</p> <table border="1"> <thead> <tr> <th>schedule^a</th> <th>condition^a</th> <th>subject^a</th> </tr> </thead> <tbody> <tr> <td>3^a</td> <td>1^a</td> <td>general performance measures^a</td> </tr> <tr> <td rowspan="5">4^a</td> <td>15^a</td> <td>biodiversity offset strategy^a</td> </tr> <tr> <td>16^a</td> <td>long-term security of offsets^a</td> </tr> <tr> <td>18^a</td> <td>biodiversity management plan^a</td> </tr> <tr> <td>30^a</td> <td>rehabilitation^a</td> </tr> <tr> <td>31^a</td> <td></td> </tr> <tr> <td></td> <td>32^a</td> <td></td> </tr> <tr> <td>5^a</td> <td>all^a</td> <td>notification of landowners and independent review^a</td> </tr> </tbody> </table>	schedule ^a	condition ^a	subject ^a	3 ^a	1 ^a	general performance measures ^a	4 ^a	15 ^a	biodiversity offset strategy ^a	16 ^a	long-term security of offsets ^a	18 ^a	biodiversity management plan ^a	30 ^a	rehabilitation ^a	31 ^a			32 ^a		5 ^a	all ^a	notification of landowners and independent review ^a		<p>The assessment of compliance with SSD-5594 CoAs (extracted from Appendix A) is:</p> <ul style="list-style-type: none"> CoA 3-1: as, at the time of preparing this report, assessment against the performance criteria in Table 1 had not been reported, consequently, this condition has been assessed as not verified. CoA 4-15: Not triggered CoA 4-16: Not triggered CoA 4-18: Not triggered CoA 4-30: Not triggered CoA 4-31: Compliant CoA 4-32: Compliant CoA 5-1: Compliant CoA 5-2: Not triggered <p>As one of the conditions was assessed as not verified (the most conservative compliance status), this condition was assessed as not verified.</p>	Not verified (pending inaugural performance monitoring against the criteria listed in SSD-5594 CoA S3-1 Table 1 Subsidence Performance Measures).	
schedule ^a	condition ^a	subject ^a																										
3 ^a	1 ^a	general performance measures ^a																										
4 ^a	15 ^a	biodiversity offset strategy ^a																										
	16 ^a	long-term security of offsets ^a																										
	18 ^a	biodiversity management plan ^a																										
	30 ^a	rehabilitation ^a																										
	31 ^a																											
	32 ^a																											
5 ^a	all ^a	notification of landowners and independent review ^a																										
2	<p>To minimise and compensate for impacts on Temperate Highland Peat Swamps, the approval holder must comply with the following conditions on the New South Wales development consent:</p> <table border="1"> <thead> <tr> <th>schedule^a</th> <th>condition^a</th> <th>subject^a</th> </tr> </thead> <tbody> <tr> <td rowspan="7">3^a</td> <td>1^a</td> <td>general performance measures and risk management and assessment^a</td> </tr> <tr> <td>2^a</td> <td></td> </tr> <tr> <td>3^a</td> <td>offsets for breach of performance measures^a</td> </tr> <tr> <td>4^a</td> <td>offsets for first undermined swamps^a</td> </tr> <tr> <td>5^a</td> <td>offsets for other undermined swamps^a</td> </tr> <tr> <td>6^a</td> <td></td> </tr> <tr> <td>10^a</td> <td>extraction plans^a</td> </tr> <tr> <td></td> <td>11^a</td> <td>Independent Monitoring Panel^a</td> </tr> <tr> <td>5^a</td> <td>all^a</td> <td>notification of landowners and independent review^a</td> </tr> </tbody> </table>	schedule ^a	condition ^a	subject ^a	3 ^a	1 ^a	general performance measures and risk management and assessment ^a	2 ^a		3 ^a	offsets for breach of performance measures ^a	4 ^a	offsets for first undermined swamps ^a	5 ^a	offsets for other undermined swamps ^a	6 ^a		10 ^a	extraction plans ^a		11 ^a	Independent Monitoring Panel ^a	5 ^a	all ^a	notification of landowners and independent review ^a		<p>The assessment of compliance with SSD-5594 CoAs (extracted from Appendix A) is:</p> <ul style="list-style-type: none"> CoA 3-1: Not verified as, at the time of preparing this report, assessment against the performance criteria in Table 1 had not been reported, consequently, this condition has been assessed as not verified. CoA 3-2: Not triggered CoA 3-3: Not triggered CoA 3-4: Compliant CoA 3-5: Not verified CoA 3-6: Compliant CoA 3-10: Not verified CoA 3-11 Compliant CoA 5-1: Compliant CoA 5-2: Not triggered 	Not verified (pending inaugural performance monitoring against the criteria listed in SSD-5594 CoA S3-1 Table 1 Subsidence Performance Measures).
schedule ^a	condition ^a	subject ^a																										
3 ^a	1 ^a	general performance measures and risk management and assessment ^a																										
	2 ^a																											
	3 ^a	offsets for breach of performance measures ^a																										
	4 ^a	offsets for first undermined swamps ^a																										
	5 ^a	offsets for other undermined swamps ^a																										
	6 ^a																											
	10 ^a	extraction plans ^a																										
	11 ^a	Independent Monitoring Panel ^a																										
5 ^a	all ^a	notification of landowners and independent review ^a																										
3	<p>To minimise impacts on water resources, the approval holder must comply with the following conditions on the New South Wales development consent:</p> <table border="1"> <thead> <tr> <th>schedule^a</th> <th>condition^a</th> <th>subject^a</th> </tr> </thead> <tbody> <tr> <td rowspan="2">3^a</td> <td>1^a</td> <td>general performance measures^a</td> </tr> <tr> <td>10(h)(iii)^a</td> <td>water management plan^a</td> </tr> <tr> <td rowspan="4">4^a</td> <td>9^a</td> <td>water supply^a</td> </tr> <tr> <td>10^a</td> <td>water pollution^a</td> </tr> <tr> <td>12^a</td> <td>water management performance measures^a</td> </tr> <tr> <td>14^a</td> <td>water management plan^a</td> </tr> <tr> <td>5^a</td> <td>all^a</td> <td>notification of landowners and independent review^a</td> </tr> </tbody> </table>	schedule ^a	condition ^a	subject ^a	3 ^a	1 ^a	general performance measures ^a	10(h)(iii) ^a	water management plan ^a	4 ^a	9 ^a	water supply ^a	10 ^a	water pollution ^a	12 ^a	water management performance measures ^a	14 ^a	water management plan ^a	5 ^a	all ^a	notification of landowners and independent review ^a		<p>The assessment of compliance with SSD-5594 CoAs (extracted from Appendix A) is:</p> <ul style="list-style-type: none"> CoA 3-1: Not verified as, at the time of preparing this report, assessment against the performance criteria in Table 1 had not been reported, consequently, this condition has been assessed as not verified. CoA 10 (h) (iii): Not verified CoA 4-9: Not verified CoA 4-10: Compliant CoA 4-12: Not verified CoA 4-14 Not verified CoA 5-1: Compliant CoA 5-2: Not triggered 	Not verified (pending inaugural performance monitoring against the criteria listed in SSD-5594 CoA S3-1 Table 1 Subsidence Performance Measures).				
schedule ^a	condition ^a	subject ^a																										
3 ^a	1 ^a	general performance measures ^a																										
	10(h)(iii) ^a	water management plan ^a																										
4 ^a	9 ^a	water supply ^a																										
	10 ^a	water pollution ^a																										
	12 ^a	water management performance measures ^a																										
	14 ^a	water management plan ^a																										
5 ^a	all ^a	notification of landowners and independent review ^a																										
4	Temperate Highland Peat Swamps	<ul style="list-style-type: none"> EPBC 2013/6881 Annual Compliance Report (CC, 	Springvale Coal has developed THPSSMMPs for LW 415-417 and 418 which include processes to monitor environmental impacts on THPS within the project area, trigger levels,	Not verified																								

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	To minimise impacts on Temperate Highland Peat Swamps, in addition to Condition 1 (Schedule 3) on the New South Wales development consent, the approval holder must ensure that the action does not have greater than negligible environmental consequences on any Temperate Highland Peat Swamps within the project area, including in relation to their size, ecological functionality and species composition or distribution, unless those consequences are addressed through Condition 5.	<ul style="list-style-type: none"> 22/03/2016) • THPSSMMP LW 415-417 (CC, 04/2013) • THPSSMMP LW 418 (CC, 08/2015) 	<p>and notification and reporting requirements. The THPSSMMP was approved by the DoE.</p> <p>Springvale Coal provided evidence of implementation of the THPSSMMPs including reporting of exceedances of trigger level thresholds e.g. the EPBC 2013/6881 Annual Compliance Report reported the following exceedances of swamp and aquifer trigger values:</p> <ul style="list-style-type: none"> • SSE1 and SPR1101 (24/03/2014); • SSE2 and SSE3 (27/03/2015); • CW3 and CW4 (29/07/2015); • SPR1109 (29/07/2015) and • CW1 and CW2 (18/12/2015) <p>In the EPBC Approval 2013/6881 Annual Compliance Report (CC, 15/06/2015) CC reported that “There has been no anomalous subsidence detected within 200m of any areas of Temperate Highland Peat Swamps on Sandstone Ecological Communities. There has therefore been no reporting under Condition 4 of the EPBC 2011/5949 approval has been required.”</p> <p>In the EPBC Approval 2013/6881 Annual Compliance Report (CC, 22/03/2016) CC reported “Centennial will undertake underground mining to ensure the action does not have greater than negligible environmental consequences on any Temperate Highland Peat Swamps within the project area”.</p> <p>Since EPBC Approval 2013/6881 was granted on 13 October 2015, although swamp and aquifer trigger values had been exceeded (e.g. CW 1 and CW2), greater than negligible environmental consequences on THPS within the project area had not been reported in the 2015 and 2016 EPBC 2013/6881 Annual Compliance Reports. The issue of the extent of impacts as defined by water level drops measured in Carne West Swamp has not been formally assessed by the IMP or the DPE against the “negligible environmental consequences” criteria as defined in this condition. On this basis, MCW Environmental is not able to verify compliance or otherwise with this condition and has included in SSD-5594 CoA S3-11 OFI that “In association with the DPE, CC consider clarifying the role and functioning of the IMP with respect to implementing its responsibilities under SSD-5594 CoA S3-11 and EPBC Approval 2013/6881 CoA 4.</p> <p>Springvale Coal has developed the LW 419 Extraction Plan and component management plans to meet SSD-5594 CoA S3-1 and CoA S3-10 and included tracking monitoring results against ‘negligible environmental consequences on swamps’ performance measures. The IMP reviewed draft versions of the LW 419 Extraction Plan and concluded that LW 419 be allowed to commence subject to recommendations. The DPE informed CC on 21/07/2016 that following acceptance of the IMP recommendations on the LW 419 Extraction Plan, the DPE had assessed and approved the Extraction Plan attaching strict conditions to monitoring impacts on swamp vegetation communities. As LW 419 mining had not commenced during the period of the IEA, reporting against these performance measures had not yet been commenced.</p>	Refer SSD-5594 CoA S3-11.
5	<p>Temperate Highland Peat Swamps</p> <p>To minimise impacts on Temperate Highland Peat Swamps, in addition to Conditions 4, 5 and 6 (Schedule 3) on the New South Wales development consent:</p> <p>a. Greater than negligible environmental consequences on Temperate Highland Peat Swamps, and therefore offset liabilities, must be initially determined based on changes to the shallow groundwater aquifer as measured using piezometers in accordance with Conditions 6 to 10.</p> <p>b. Where monitoring identifies a change to the shallow groundwater aquifer below an undermined Temperate Highland Peat Swamp and that change cannot be reasonably attributed to other specific factors to the satisfaction of the Minister, the swamp will be considered to have experienced a greater than negligible environmental consequence of the action.</p> <p>c. 90 per cent (by area) of offset liabilities for Temperate Highland Peat Swamps must be met with direct offsets, within the meaning of the Commonwealth offsets</p>	<ul style="list-style-type: none"> • Extraction Plan LW 419 (CC, 06/2016) • Letter: IMP advice on component plans for LW 419 Extraction Plan (IMP: DPE, 13/04/2016) • Letter: IMP advice on LW 419 Extraction Plan (IMP: DPE, 09/06/2016) • Draft Maximum Offset Liability Gang Gang Swamp (RPS, 05/2016) • Draft Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) 	<p>Springvale Coal drafted the Upland Swamp Maximum Offset Liability Framework Western Region (CC, 05/2016) to address the requirements of SSD-5594 CoA S3-5 by describing how CC propose to:</p> <ul style="list-style-type: none"> • Define a negligible environmental consequence in the context of swamp communities; • Establish the offset liability; and • Monitor for mining induced impacts for which an offset would be required. <p>The Draft Framework included monitoring performance indicators and trigger levels for both shrub swamps (MU50) and hanging swamps (MU51); and three scenarios to calculate the offset liability using the BioBanking Assessment Methodology 2014 (BBAM 2014); this being the methodology that underpins the Framework for Biodiversity Assessment (OEH, 2014). The scenarios were summarised as:</p> <ul style="list-style-type: none"> • Scenario 1: Maximum loss, or ‘maximum offset liability’ (complete loss of THPSS); • Scenario 2: Mitigated loss, or ‘mitigated offset liability’ (loss of 1 condition score for Biometric attributes); and • Scenario 3: Actual offset liability, which uses ‘before’ and ‘after’ data obtained from 	Not verified (pending finalisation of the Draft Upland Swamp Maximum Offset Liability Framework)

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>policy.</p> <p>d. If after five (5) years, the approval holder can demonstrate to the satisfaction of the Minister that a greater than negligible environmental consequence on Temperate Highland Peat Swamps identified under Condition 5a has been reversed, has not eventuated or has only partially eventuated, whether due to active remediation or passive (natural) equilibration, any offsets already provided in relation to that identified consequence may be held by the approval holder and used to offset future liabilities.</p> <p>e. Except in relation to Sunnyside East and Carne West Swamps, the approval holder must not commence longwall mining before the corresponding maximum predicted offset liability has been determined in accordance with Conditions 4 and 5 (Schedule 3) on the New South Wales development consent and approved in writing by the Minister.</p>		<p>impact and reference sites using multiple vegetation/ management zones.</p> <p>The Draft Upland Swamp Maximum Offset Liability Framework Western Region states that where one or more triggers are exceeded within whole or part thereof a swamp, an offset is required; and provides a flow chart describing the steps to identify the requirement for an offset.</p> <p>As the Draft Framework has been provided to the DoE and state regulators to facilitate discussion, and at the time of preparing the IEA, the Framework had not been finalised, this condition was assessed as not verified.</p>	
6	<p>Temperate Highland Peat Swamps</p> <p>This condition applies to all longwalls except LW418 and LW419.</p> <p>To minimise impacts on Temperate Highland Peat Swamps, in addition to Condition 10(h)(v) (Schedule 3) on the New South Wales development consent, swamp monitoring programs (or similar documents) must:</p> <p>a. be capable of detecting any greater than negligible environmental consequence on any Temperate Highland Peat Swamps within the project area</p> <p>b. includes at least three (3) control swamps for each swamp to which the program applies, matched in terms of vegetation, geomorphology, hydrology and size, which must be monitored according to the same standards and protocols (a swamp may serve as a control for any number of suitably matched swamps to which the program applies)</p> <p>c. has installed for each swamp to which the program applies and for each control swamp:</p> <p>i. a configuration of at least two (2) intersecting piezometer transects, the first along a line from the highest area of the swamp to the swamp outflow point and the second perpendicular to the first, located directly above a long wall panel, with each transect comprising at least three (3) piezometers (piezometers should not be installed immediately above longwall pillars); and</p> <p>ii. piezometers (at least one (1)) installed at the deepest point in the swamp's sediments and any other significant deep points to better understand potential mine-induced drainage; and</p> <p>d. establishes for each swamp proposed for undermining a monitoring regime that includes daily data collection from each swamp with data review at least weekly during undermining operations and at least monthly at all other times</p> <p>The approval holder must not commence longwall mining before the corresponding swamp monitoring program has been approved in writing by the Minister. Each approved swamp monitoring program must be implemented for no less than five (5) years from the approval of the program</p>		<p>Since EPBC Approval 2013/6881 was granted on 13/10/2015, mining of LW 418 had been completed and mining of LW 419 had not commenced. This condition was assessed as not triggered.</p>	<p>Not triggered</p>
7	<p>Temperate Highland Peat Swamps</p> <p>This condition applies to longwalls LW418 and LW419.</p> <p>To minimise impacts on Temperate Highland Peat Swamps, in addition to Condition 10(h)(v) (Schedule 3) on the New South Wales development consent, swamp monitoring programs (or similar documents) must:</p> <p>a. be capable of detecting any greater than negligible environmental</p>	<ul style="list-style-type: none"> Establishment of UAV monitoring methodology for Narrow Creek and Kangaroo Creek Shrub Swamps and Control Sites (UQ, 23/03/2015) THPSSMMP LW 415-417 	<p>a. Negligible environmental consequence</p> <ul style="list-style-type: none"> CC swamp monitoring programs have been transitioning to the Unmanned Aerial Vehicle (UAV) method developed by the University of Queensland (developed in 2014 by Brownstein et al). This method was developed as a result of a research program undertaken by CC over five years, as the traditional Blanquet monitoring methods, which was based on plant counts, had not been effective at detecting change. CC undertook consultation on the 	<p>Compliant</p>

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>consequence on any swamps within the project area that meet the listing criteria for Temperate Highland Peat Swamps</p> <p>b. includes at least three (3) control swamps for each swamp to which the program applies, matched in terms of vegetation, geomorphology, hydrology and size, which must be monitored according to the same standards and protocols (a swamp may serve as a control for any number of suitably matched swamps to which the program applies)</p> <p>c. has installed for each swamp to which the program applies and for each control swamp:</p> <p>i. a configuration of at least two (2) intersecting piezometer transects, the first along a line from the highest area of the swamp to the swamp outflow point and the second perpendicular to the first, located directly above a long wall panel, with each transect comprising at least three (3) piezometers (piezometers should not be installed immediately above longwall pillars); and</p> <p>ii. piezometers (at least one (1)) installed at the deepest point in the swamp's sediments and any other significant deep points to better understand potential mine-induced drainage; and</p> <p>d. establish for each swamp proposed for undermining a monitoring regime that includes daily data collection from each swamp with data review at least weekly during undermining operations and at least monthly at all other times</p> <p>The approval holder must not continue longwall mining beyond 30 June 2016 until the swamp monitoring program(s) has been approved in writing by the Minister. Each approved swamp monitoring program must be implemented for no less than five (5) years from the approval of the program.</p> <p>On 29 July 2016, DoE provided a variation to the EPBC Approval effectively removing condition 7c.</p>	<p>(CC, 04/2013)</p> <ul style="list-style-type: none"> • THPSSMP LW 418 (CC, 08/2015) • Peer Review of Angus Place Revised THPSS Monitoring and Management Plan (Cenwest Environmental Services, 24/09/2014) • Letter: IMP advice on component plans for LW 419 Extraction Plan (IMP: DPE, 13/04/2016) • Letter: IMP advice on LW 419 Extraction Plan (IMP: DPE, 09/06/2016) • DPE Website: http://www.planning.nsw.gov.au/News/2016/Department-supports-independent-advice-on-the-Springvale-Extension-Project • LW 419 Extraction Plan (CC, 21/07/2016) • LW 419 Swamp Monitoring Program (CC, 07/2016) • THPSSMP LW 418 (CC, 08/2015) 	<p>Brownstein methodology with OEH and the DoE in 2014 and obtained peer review of the methodology by David Golding (Cenwest) in 2014. The major difference between the LW 415 -417 THPSSMMP and the LW 418 THPSSMMP was the inclusion of the Brownstein methodology for LW 418 THPSSMMP. A component of the LW 419 Extraction Plan, the LW 419 Swamp Monitoring Program, was prepared to meet the requirements of SSD_5594 and EPBC 6811 Approval CoAs 7 and 9 and references the 'Flora monitoring methods for Newnes Plateau Shrub Swamps and Hanging Swamps' (Brownstein et al. 2014).</p> <ul style="list-style-type: none"> • The draft LW 419 Extraction Plan was provided to the DPE in March 2016. A letter report (dated 09/06/2016) from the IMP states that Centennial Coal provided the IMP with the LW 419 Extraction Plan for review in May 2016. The IMP review recommended that LW 419 be allowed to commence subject to recommendations contained within the advice. The DPE informed CC on 21/07/2016 (outside the period of the IEA) that following acceptance of the IMP recommendations on the LW 419 Extraction Plan, the DPE has assessed and approved the Extraction Plan attaching strict conditions to monitoring impacts on swamp vegetation communities e.g. layout of piezometers as presented in the EPBC Approval 2013/6881, and requirement to address a knowledge gap on soil moisture in swamps. • Refer SSD-5594 CoA S3-10 Recommendation regarding assessment of the LW 419 Extraction Plan and supporting management plans against IMP recommendations (09/06/2016) and IMP advice on component management plans of LW 419 (13/04/2016). <p>CC reported in October 2016 that "An extensive environmental monitoring program is undertaken by Springvale to measure, monitor, report and assess impacts to the THPSS (refer Environment and Rehabilitation Monitoring Program (ERMP) Section 2 (August 2016)). The primary document is the Swamp Monitoring Program for LW419 (sub plan of the LW419 Extraction Plan). The Swamp Monitoring Program was approved by the Department of Environment on the 29th July 2016 as in accordance with Condition 7 of the EPBC2013-6881. An overview of Management Plan in place instruments is listed in the ERMP, Sections 3.1 and 3.2."</p> <p>(a) At the time of the audit inspection this condition was assessed as not verified, as it was not demonstrated that a monitoring program that met the requirements had been developed. Since this time, the Environment and Rehabilitation Monitoring Program was developed and was approved by DoE. On the basis of the Monitoring Program being approved by DoE, from the date of the approval (29 July 2016) it is considered CC were compliant with this condition. MCW Environmental has not conducted any review of this Monitoring Plan.</p> <p>b.</p> <ul style="list-style-type: none"> • Shrub swamp reference sites listed in the LW 419 Swamp Monitoring Program are: Barrier Swamp, Carne Central Swamp, Marrangaroo Swamp, Twin Gully Swamp and TriStar Swamp. • Hanging swamp reference listed in the LW 419 Swamp Monitoring Program are: Barrier are Northern portions of Reference Swamp 1, Southern section of Twin Gully Swamp and South eastern arm of TriStar Swamp. • Section 3.2 of the approved ERMP (approved by DoE July 2016) defines the Environmental Monitoring Schedule. Four Impact and six Reference classified swamps are listed in regards to LW419 Extraction. Monitoring undertaken in regards to these swamps include: Subsidence, Flora, Fauna, Aquatic Ecology, Stygofauna, Surface Water and Groundwater. <p>(b) Assessed as compliant.</p> <p>c. The number and location of piezometers required in CoA 7 have not been installed consequently this condition was assessed as non-compliant at the time of the audit. Springvale Coal advised that:</p> <ul style="list-style-type: none"> • There is significant data from piezometers installed in Sunnyside swamp, Carne West swamp, West Wolgan swamp, Kangaroo Creek swamp, Narrow swamp and East Wolgan swamp, where piezometers were initially installed in 	

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<p>2005, with more installed in other swamps in 2010/2011 e.g. Sunnyside East.</p> <ul style="list-style-type: none"> • Piezometers have intentionally been positioned at the edge of the swamps to avoid damage to swamps. • Additional piezometers would not provide useful information in the absence of baseline data. <p>Due to the variation of the Approval by DoE on 29 July 2016, this part of the condition (7c) was removed and hence no longer applicable.</p> <p>d. Prior to SSD-5594 being granted, swamp monitoring data collection has reportedly not consistently met the requirements of EPBC Approval 2013/6881 CoA 7 (d) however since EPBC Approval 2013/6881 was granted (13/10/2015), data has reportedly been logged daily and downloaded weekly:</p> <ul style="list-style-type: none"> • CC notified the DoE that piezometers were stolen on 05/05/2015. • Daily results for Sunnyside Swamp piezometers were sighted from 13/12/2005. • Data for Sunnyside swamp, Carne West swamp, West Wolgan swamp, Kangaroo Creek swamp, Narrow swamp and East Wolgan swamp was sighted from 2005. • LW 419 Swamp Monitoring Program identifies Swamp Monitoring locations (Figure 6) and frequencies in Table 22. The Program states that current and future monitoring points referred to on Table 22 are or will be equipped with automated water level loggers that will be recorded on a daily basis with: <ol style="list-style-type: none"> Weekly monitoring at sites that will be within 200m of the advancing Longwall. Monthly monitoring at all Impact and Reference swamp monitoring sites across Springvale. Quarterly monitoring at all swamp, ridge/aquifer and vibrating wire piezometers <p>CC received approved variations to EPBC Approval 2013/6881 for changing the date of 'mining beyond' from 30/03/2016 to 30/06/2016 and 21/07/2016. Copies of the variations were available on the CC website.</p> <p>In October 2016 CC reported that "Impact classified swamps are Gang Gang Swamp East, Gang Gang Swamp South West, Carne West Swamp, Sunnyside East Swamp (refer ERMP Section 3.2). Figure 6 of the LW419 Swamp Monitoring Program (not sighted by MCW Environmental) shows the network of piezometers installed in these four Impact swamps as well as deep piezometers and soil moisture probes also installed (note: deep piezometers have been installed on the swamp edge to avoid unnecessary damage to the swamp).</p> <p>Section 3.9 of the ERMP lists the monitoring regime in place around groundwater monitoring in the Impact and Reference swamps. Weekly, monthly, bi-monthly, four-monthly and annual reporting is in place to meet federal and state reporting requirements. Groundwater and soil moisture data is generally monitored daily using transducers which are then downloaded regularly for analysis, interpretation and reporting purposes."</p> <p>MCW Environmental has not sighted the recently approved LW 419 Swamp Monitoring Program. The ERMP was sighted but not reviewed as it was provided in October, well after the audit period. Compliance with these documents has not been assessed.</p>	
8	<p>Temperate Highland Peat Swamps</p> <p>Until Condition 7 has been met, the approval holder must monitor LW418 and LW419 consistent with Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan for LW418, August 2015, except that data collection must be consistent with Condition 7d from the commencement of longwall mining in LW418 and LW419</p>	<ul style="list-style-type: none"> • THPSSMP LW 418 (CC, 08/2015) 	<p>Evidence of implementation of monitoring in accordance with LW 418 THPSSMMP until 31/07/2016 was sighted.</p>	<p>Compliant</p>
9	<p>Temperate Highland Peat Swamps</p> <p>This condition applies to all longwalls except LW418.</p> <p>To minimise impacts on Temperate Highland Peat Swamps, in addition to</p>	<ul style="list-style-type: none"> • THPSSMP LW 418 (CC, 08/2015) • LW 419 Extraction Plan (CC, 21/07/2016) 	<p>The LW 419 Swamp Monitoring Program, which was approved by the DPE in July 2016, includes:</p> <p>a. Specific triggers (exceedence thresholds), with reference to baseline data and control swamps, which will apply to each Temperate Highland Peat Swamp within the project</p>	<p>Compliant</p> <p>EPBC Approval 2013/6881 CoA 9 OFI: Obtain record of approval from the DoE for LW</p>

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Condition 10(h)(ix) (Schedule 3) on the New South Wales development consent, trigger action response plans (or similar documents) must:</p> <p>a. defines specific triggers (exceedence thresholds), with reference to baseline data and control swamps, which will apply to each Temperate Highland Peat Swamp within the project area</p> <p>b. defines specific cease-work triggers, with reference to baseline data and control swamps, to respond to cases of sudden, unexpected or persistent exceedences, after which work may not recommence until the impact has been explained or offset to the satisfaction of the Minister</p> <p>c. defines protocols for investigation and appropriate treatment of early warning and cease- work triggers in a timely fashion</p> <p>d. establishes a protocol for reporting exceedences promptly to the Department; and</p> <p>e. explains how the measures described in the trigger action response plan will protect Temperate Highland Peat Swamps.</p> <p>The approval holder must not commence longwall mining before the corresponding trigger action response plan has been approved in writing by the Minister. The approved trigger action response plan must be implemented</p>	<ul style="list-style-type: none"> LW 419 Swamp Monitoring Program (CC, 07/2016) 	<p>area (Section 7 and Table 27)</p> <p>b. Specific cease-work triggers, with reference to baseline data and control swamps, to respond to cases of sudden, unexpected or persistent exceedences, after which work may not recommence until the impact has been explained or offset to the satisfaction of the Minister (Table 27, sections 7, 9 and 10)</p> <p>c. defines protocols for investigation and appropriate treatment of early warning and cease- work triggers in a timely fashion (sections 9 and 10)</p> <p>d. establishes a protocol for reporting exceedences promptly to the Department (Chart 3 and section 10); and</p> <p>e. explains how the measures described in the trigger action response plan will protect Temperate Highland Peat Swamps (section 7).</p> <p>The auditors did not sight evidence of approval of the LW 419 Swamp Monitoring Program by the DoE.</p>	419 Swamp Monitoring Program and record on Compliance Database.
10	<p>Temperate Highland Peat Swamps</p> <p>This condition applies to LW418, for which a trigger action response plan already exists.</p> <p>At any time after an exceedence has been reported to the Department, the Minister may order the approval holder to cease work, after which work may not recommence until the exceedence has been explained or offset to the satisfaction of the Minister</p>		<p>Springvale Coal reported that although exceedences of triggers have been reported to the DoE (e.g. CW1 and CW2 on 18/12/2015), a request to cease work has not been received.</p>	Not triggered
11	<p>Biodiversity</p> <p>To minimise impacts on listed threatened species and communities, the approval holder must not clear more than 13 hectares of habitat for threatened species within the project area</p>		<p>No clearing of land has been undertaken within the project area since EPBC Approval 2013/6881 was granted on 13/10/2015.</p> <p>No evidence of recent land clearing was observed during the site inspection.</p>	Compliant
12	<p>Biodiversity</p> <p>This condition applies to all longwalls except LW418.</p> <p>To minimise impacts on listed threatened species and communities, in addition to Condition 18 (Schedule 4) on the New South Wales development consent, the biodiversity management plan (or similar document) must:</p> <p>a. includes measures to avoid and / or mitigate impacts on listed threatened species and communities that may occupy landform habitats including cliffs, minor cliffs, pagodas and gorges - these measures must include pre-mining surveys and translocation and / or cease work protocols if any sites with potential as nursery caves for Large- eared Pied Bat are identified</p> <p>b. includes measures to control the spread of pathogens including cheered fungus and Phytophthora cinematic</p> <p>c. explains how the mitigation and management measures described will protect specific listed threatened species and communities; and</p> <p>d. specifies clear timeframes for all management and mitigation measures described.</p> <p>The approval holder must not commence the action before the biodiversity management plan has been approved in writing by the Minister. The approved biodiversity management plan must be implemented</p>	<ul style="list-style-type: none"> Appendix to the Biodiversity Management Plan addressing Condition 12 of the EPBC Approval 2013/6881 (RPS, 02/2016) Letter: EPBC 2013/6881 Commencement (CC: DoE, 16/10/2015) 	<p>The LW 419 Biodiversity Management Plan was approved in July 2016 and includes an Appendix that specifically addresses Condition 12 (a) to (d) of the EPBC Approval 2013/6881 (RPS, 02/2016):</p> <p>a. includes measures to avoid and / or mitigate impacts on listed threatened species and communities (section 4)</p> <p>b. includes measures to control the spread of pathogens including cheered fungus and Phytophthora cinematic (section 4)</p> <p>c. explains how the mitigation and management measures described will protect specific listed threatened species and communities (section 4); and</p> <p>d. specifies clear timeframes for all management and mitigation measures described (section 4).</p> <p>Springvale Coal informed the DoE that EPBC 2013/6881 CoA 15 (commencement of the action) in October 2015. The auditors did not sight evidence of approval by the DoE of the LW 419 Biodiversity Management Plan Appendix to the Biodiversity Management Plan addressing Condition 12 of the EPBC Approval 2013/6881 (RPS, 02/2016).</p>	<p>Compliant</p> <p>EPBC Approval 2013/6881 CoA 12 OFI: Obtain record of approval from the DoE for LW 419 Biodiversity Management Plan and record on Compliance Database.</p>

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
13	<p>Biodiversity</p> <p>The approval holder must prepare a management and research program for the Blue Mountains Water Skink at Carne West Swamp, including specific measures for monitoring that population and response measures to be implemented if a decline is detected.</p> <p>The approval holder must not commence undermining of Carne West Swamp before the management and research program has been approved in writing by the Minister. The approved management and research program must be implemented.</p>	<ul style="list-style-type: none"> Appendix to the Biodiversity Management Plan addressing Condition 12 of the EPBC Approval 2013/6881 (RPS, 02/2016) Letter: Approval of Blue Mountains Water Skink Research and Management Program (DoE: CC, 27/11/2015) 	<p>The Blue Mountains Water Skink Research and Management Program was approved by the DoE in November 2015.</p> <p>RPS report in the Appendix to the Biodiversity Management Plan addressing Condition 12 of the EPBC Approval 2013/6881 (RPS, 02/2016) identifies that the Blue Mountains Water Skink Research and Monitoring Program was commenced by RPS in October 2015 and involves monitoring populations of the BMWS within certain swamps in the site and overarching Project Application Area.</p> <p>Copies of the Research Program and the Approval were available on the CC website.</p>	Compliant
14	<p>Administrative conditions</p> <p>The approval holder must provide the Department with details of each offset area secured in accordance with Conditions 3 to 5 (Schedule 3) or Conditions 15 and 16 (Schedule 4), on the New South Wales development consent, within twenty (20) business days of securing each offset. Details to be provided must include but are not necessarily limited to:</p> <ul style="list-style-type: none"> textual descriptions and maps to clearly define the location and boundaries of the offset areas written evidence of legal protection management plans offset attributes and shapefiles 		Not triggered as offset areas have not been secured.	Not triggered
15	<p>Administrative conditions</p> <p>Within ten (10) days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement of the action.</p>	<ul style="list-style-type: none"> Letter: EPBC 2013/6881 Commencement (CC: DoE, 16/10/2015) 	The action commenced on 10/10/2015 and a letter was provided to the DoE on 16/10/2015 notifying that the action had commenced (i.e. within 10 days).	Compliant
16	<p>Administrative conditions</p> <p>The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of this approval, including measures taken to implement management documents required by this approval, and make them available on request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of this approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media</p>	<ul style="list-style-type: none"> CW 1 and CW 2 notification (CC, 12/2015) THPSSMP LW 418 (CC, 08/2015) EPBC 2013/6881 Annual Compliance Report (CC, 22/03/2016) THPSSMMP LW 418 Annual Report (CC, 03/2016) 	<p>The following documents were sighted as evidence to demonstrate that records were maintained:</p> <ul style="list-style-type: none"> Subsidence data portal records from 01/08/2015 to 28/06/2016; Flora monitoring results compared to THPSSMMP trigger results since 2013; Groundwater results compared to THPSSMMP trigger results since 2013; Water quality data since 2013; and Notification of trigger level exceedances from piezometers at CW1 and CW2 in December 2015. <p>Springvale Coal reported that a request for records had not been received from the DoE.</p>	Compliant
17	<p>Administrative conditions</p> <p>The approval holder must report potential non-compliance with any of the conditions of this approval to the Department within two (2) business days of becoming aware of the non-compliance.</p>	<ul style="list-style-type: none"> EPBC 2013/6881 Annual Compliance Report (CC, 22/03/2016) THPSSMMP LW 418 Annual Report (CC, 03/2016) Extraction Plan LW 419 (CC, 07/2016) Letter: IMP advice on component plans for LW 419 Extraction Plan (IMP: DPE, 13/04/2016) Letter: IMP advice on LW 419 Extraction Plan (IMP: DPE, 09/06/2016) LW 419 Extraction Plan (07/2016) LW 419 Swamp Monitoring Program (CC, 07/2016) 	<p>There was one exceedance of THPSSMMP trigger levels since the EPBC Approval 2013/6881 was issued on 13/10/2015. Springvale Coal did not consider that this trigger level exceedance represented a potential non-compliance of the EPBC Approval 2013/6881 CoA 17. Reporting of the exceedance and assessment of compliance with EPBC Approval 2013/6881 CoA 17 is summarised as:</p> <ul style="list-style-type: none"> Notification of an historical trend of declining groundwater levels at CW1 and CW2 was received by CC from RPS on 18/12/2015. This was reported as a trigger level exceedance to the DoE on 22/12/2015 (i.e. within five business days) with subsequent provision of a preliminary investigation report on 12/02/2016. This report summarised monitoring data related to the impact, provided an explanation of the expected cause and that further data analysis was required to determine if the changes to water levels in Carne West Swamp are related to mine subsidence or the decline observed in the regional groundwater table aquifer. The THPSSMMP Annual Report (03/2016) concludes that "overall the annual report prepared shows compliance with the requirements of the THPSSMMP and no discernible impact from mining on THPSS". The conclusion was based on: <ul style="list-style-type: none"> Although B-Line monitoring results (Table 8) identified that LW 415 Tilt (15.4 mm/m) was greater than the trigger value (10 mm/m), as this event was 	Not triggered

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		<ul style="list-style-type: none"> LW 419 Biodiversity Management Plan (CC, 2016) LW 419 Water Management plan (CC, 2016) Approval SSD5594 and EPBC Approval 2013/6881 Evolution of understanding of the interactions of groundwater behaviour and mine subsidence at Springvale Mine (CC, 05/2016) 	<p>approx. 630 m from the nearest THPSS (and not within the Tilt trigger level area of within 200m of the THPSS on sandstone ecological community), subsidence, tilt, tensile strain and compressive strain results were reported as not exceeding the trigger values defined in the THPSSMP (within 200m of THPSS);</p> <ul style="list-style-type: none"> Groundwater levels exceeded both swamp and aquifer trigger values and Springvale Coal had reported, investigated and undertaken action to determine any potential impact from mining (section 7); One trigger exceedance was observed for a flora impact site and three flora reference sites during the 2015 monitoring period. The behaviour at reference sites supported that confounding environmental factors were considered the cause of the exceedance. Surface water flows and water chemistry showed trends that are consistent with that observed in previous years monitoring and showed no discernible effects from mining. <ul style="list-style-type: none"> Draft LW 419 Extraction Plan and component management plans were prepared and provided to the DPE and IMP for comment in March 2016. The IMP provided preliminary comments on the draft LW 419 Extraction Plans to the DPE on 13/04/2016 which included that the draft LW 419 Extraction Plan required consideration of the most recent data available in relation to mining impacts at Carne West swamp and the high likelihood that these impacts were mining induced. A letter report from the IMP (09/06/2016) stated that Centennial Coal provided the IMP with a revised LW 419 Extraction Plan for review in May 2016 and that the IMP recommended that LW 419 be allowed to commence subject to recommendations contained within the advice. The IMP had requested substantial changes on the Extraction Plan's associated management plans and specific changes to reflect recent data on swamp impacts. The advice of the IMP is available on the DPE Major Projects website (SSD-5594). The IMP feedback included changes to the LW 419 Subsidence Monitoring Program, Water Management Plan and Swamp Monitoring Program. The DPE reported on 21/07/2016 that following acceptance of the IMP recommendations on the LW 419 Extraction Plan, the DPE has assessed and approved the Extraction Plan and component management plans attaching strict conditions to monitoring impacts on swamp vegetation communities. The LW419 Extraction Plan was finalised in July 2016 and placed on the Springvale Coal website on 22/07/2016. In May 2016, CC provided the DoE and DPE with a report summarising the evolution of understanding of the interactions of groundwater behaviour and mine subsidence at Springvale Mine. This report concluded that <i>"the Management Plans to which groundwater is relevant will include a study area which extends 600m to the east, north and south of Longwall 419. TARP's related to groundwater monitoring and management will use the 600m groundwater study area for the purpose of defining investigation triggers. The Management Plans which will be modified with the 600m groundwater study area are the Swamp Monitoring Program, Biodiversity Management Plan and the Water Management Plan"</i>. MCW Environmental reviewed the final LW 419 Swamp Monitoring Program, Biodiversity Management Plan and the Water Management Plan and confirmed that monitoring now includes a 600m groundwater study area: <ul style="list-style-type: none"> LW 419 Swamp Monitoring Program (section 5.7.1): Swamps that fall within 600 m of LW419, this representing the far field area of impact for swamp communities (i.e. groundwater dependant ecosystem), are deemed to be within the area of impact from the longwall subsidence and are termed Impact Swamps. This area includes the zone demarcated by the angle of draw (AOD) of the longwall subsidence. Monitoring has also been implemented at a number of swamps that have not yet been, or will not be, encroached upon by the 600 m buffer, these are designated as Reference Swamps. LW 419 Water Management Plan (sections 2 and 3): It is noted that this Water Management Plan needs to be read in conjunction with the other components of the Extraction Plan, specifically the Swamp Monitoring Program and the Biodiversity Management Plan. LW 419 Biodiversity Management Plan (section 3): 600 metre far field subsidence investigation area (for effects to groundwater and GDEs). <p>In summary, CC notified the DoE of an exceedance of THPSSMMP trigger levels for an</p>	

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			historical trend of declining groundwater at CW1 and CW2 in accordance with the notification requirements in the LW 418 THPSSMMP. Springvale Coal did not consider that this trigger level exceedance represented a potential non-compliance of the EPBC Approval 2013/6881 CoA 17, consequently the DoE was not notified within two days. Since the notification, there has been an exchange of information between the IMP, DPE and CC considering the declining groundwater trend and implications on the draft LW 419 Extraction Plan and component management plans. The draft LW 419 Extraction Plan and component management plans were revised to include actions as proposed by the IMP and approved by the DPE. (Refer SSD-5594 CoA S3-10 Recommendation 1). The exceedance of the trigger level has not been identified by the DoE, DPE or IMP as a potential non-compliance with SSD-5594 Table 1 subsidence performance measures or EPBC Approval 2013/6881 conditions. Consequently, this condition was assessed as not triggered.	
18	<p>Administrative conditions</p> <p>Before 31 March each year, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, including implementation of any management documents as specified in the conditions during the previous calendar year. Documentary evidence of the date of publication of the compliance report, as well as details of any reported potential non-compliance, must be provided to the Department at the same time as the compliance report is published.</p>	<ul style="list-style-type: none"> EPBC 2013/6881 Annual Compliance Report (CC, 22/03/2016) THPSSMMP LW 418 Annual Report (CC, 03/2016) 	<p>CC prepared a report identifying the compliance status of each of the conditions of EPBC Approval 2013/6881 which was dated 22/03/2016 (ie before 31 March). No potential non-compliances were identified in the 2016 Compliance Report.</p> <p>A copy of the report was available on the CC website and the document upload date shown as 23/03/2016.</p>	Compliant
19	<p>Administrative conditions</p> <p>Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of this approval is conducted and a report submitted to the Minister. The audit must not commence until the independent auditor and audit criteria have been approved by the Minister. The audit report must address the criteria to the satisfaction of the Minister</p>		A direction to undertake an independent environmental audit from the DoE has not been received.	Not triggered
20	<p>Administrative conditions</p> <p>The approval holder may choose to revise a management document approved by the Minister under Conditions 6, 7, 9 12 or 13 without submitting it for approval under Section 143A of the EPBC Act, if the taking of the action in accordance with the revised management document would not be likely to have a new or increased impact on a matter protected under the conditions of this approval. If the approval holder makes this choice, it must:</p> <p>a. notifies the Department in writing that the approved management document has been revised and provide the Department with an electronic copy of the revised management document</p> <p>b. implements the revised management document from the date that it is submitted to the Department; and</p> <p>c. for the life of this approval, maintain a record of the reasons the approval holder considers that taking the action in accordance with the revised management document would not be likely to have a new or increased impact on a matter protected under the conditions of this approval.</p>		CC reported that review of management documents approved by DoE under CoAs 6, 7, 9, 12 or 13 has not been undertaken.	Not triggered
21	<p>Administrative conditions</p> <p>The approval holder may revoke its choice under Condition 20 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised management document, without approval under section 143A of the EPBC Act,</p> <p>the approval holder must implement the management document most recently approved by the Minister.</p>		Not triggered	Not triggered
22	Administrative conditions		Not triggered	Not triggered

EPBC Approval 2013/6881 – variation 01/04/2016

No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>Condition 20 does not apply if the revisions to the approved management document include changes to offsets established under the conditions of the approval, unless otherwise agreed in writing by the Minister. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised management document would, or would not, be likely to have new or increased impacts.</p>			
23	<p>Administrative conditions</p> <p>If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised management document would be likely to have a new or increased impact on a matter protected by the conditions of this approval, then:</p> <p>a. Condition 20 does not apply, or ceases to apply, in relation to the revised management documents; and</p> <p>b. the approval holder must implement the management documents most recently approved by the Minister.</p> <p>At the time of giving the notice, the Minister may also notify that for a specified period of time that Condition 20 does not apply for one or more specified plans, programs or strategies required under the approval.</p> <p>To avoid any doubt, this condition does not affect any operation of Conditions 20 to 22 in the period before the day after the notice is given.</p>		As a notice has not been received, this condition was assessed as not triggered.	Not triggered
24	<p>Administrative conditions</p> <p>Conditions 20 to 23 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to subunit a revised management document to the Minister for approval.</p>		Not triggered	Not triggered
25	<p>Administrative conditions</p> <p>The approval holder must not commence longwall mining at any time after five (5) years from the date of this approval without the written agreement of the Minister</p>		Not triggered	Not triggered
26	<p>Administrative conditions</p> <p>Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management documents on their website. Each management document must be published</p>		<p>The following management documents referenced in EPBC Approval 2013/6881 were available on the CC website:</p> <ul style="list-style-type: none"> • LW 418 THPSSMMP • EPBC Approval 2013/6881 Variation (conditions 6 and 7) • EPBC Approval 2013/6881 Variation (condition 7) • EPBC Approval 2013/6881 Annual Report (which includes the Annual Compliance Report) • Blue Mountains Water Skink Research Program • Approval of the Blue Mountains Water Skink Research Program 	Compliant

Table F-2: EPBC Approval 2011/5949

EPBC Approval 2011/5949																		
	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation														
1	Unless agreed by the minister in writing, longwall mining is not to be undertaken in areas directly below known high quality sites of temperate highland peat swamps on sandstone or within approved buffer zones (as per condition 2). If at any time the person taking the action seeks the minister's agreement to vary this condition the person taking the action must demonstrate in writing that a proven technology or engineering methodology will be used for the proposed longwall mining that prevents severe impacts of subsidence on temperate highland peat swamps on sandstone, or that would allow any severe impacts on temperate highland peat swamps on sandstone to be successfully remediated.	<ul style="list-style-type: none"> THPSSMMP LW 411-417 Annual Compliance Report (CC, 15/06/2016) EPBC 5949 Approval (DoE, 14/03/2012) EPBC 5949 Approval condition 1, LW 415, 416 and 417 (DoE, 21/10/2013) 	CC received approval to vary condition 1 of EPBC 2011/5949 to allow for long wall mining under Temperate Highland Peat Swamps on Sandstone Ecological Communities.	Compliant														
2	Within three months of the date of this approval, the person taking the action must submit details of proposed buffer zones around high quality temperate highland peat swamps on sandstone for the minister's approval. The buffer zones must be approved by the minister before mining of longwalls 416 and 417 can commence	<ul style="list-style-type: none"> THPSSMMP LW 411-417 Annual Compliance Report (CC, 15/06/2016) Audit 5949 2015.xls (CC, 2015) Audit 5949 2013.xls (CC, 2013) Letter: Approval of buffer (DoE: CC, 14/06/2013) 	CC submitted to SEWPaC details of proposed buffer zones around known high quality sites of Temperate Highland Peat Swamps on Sandstone in the Controlled Action Area on 08/06/2012. This was within 3 months of the date of issue of 2011/5949 EPBC (14/03/2012). The DoE approved the buffer zone in a letter dated 14/06/2013.	Compliant														
3	The person taking the action must monitor subsidence resulting from the proposed longwall mining in accordance with the Springvale Colliery Subsidence Management Plan: Proposed Subsidence Monitoring and Reporting program LW415 to 417 to monitor subsidence effects on the endangered temperate highland peat swamps on sandstone ecological community	<ul style="list-style-type: none"> Reporting Program LW 418 (CC, 04/2014) LW 415-417 SMP Monitoring and Reporting Program (CC, 02/2014) EPBC 5949 2012-2103 Annual Compliance Monitoring Report (UQ, 2013) EPBC 5949 2013 Annual Compliance Monitoring Report (CC, 11/03/2014) EPBC 5949 Annual Compliance Monitoring Report (CC, 15/06/2015) EPBC 5949 Annual Compliance Monitoring Report (CC, 15/06/2016) Audit 5949 2015.xls (CC, 2015) Audit 5949 2013.xls (CC, 2013) 	Monitoring of subsidence has been assessed in Appendix D SMP Approval LW 411-418 of this IEA. Audits of compliance against EPBC 2011/5949 conditions in 2013 and 2015 were sighted. The audits reported that monitoring had been undertaken in accordance with the approved monitoring program and document control references for monitoring records for CoA 3 were available e.g. Audit 5949 2015.xls:	Compliant														
		<table border="1"> <tbody> <tr> <td>APP112191</td> <td>Subsidence results</td> <td>B, M, V, X5, XC2, W and Y Line results attached</td> </tr> <tr> <td>APP11203</td> <td>Sunnyside swamp photo monitoring records</td> <td rowspan="2">Photographic records available and further supported by mine driven monitoring</td> </tr> <tr> <td>APP11204</td> <td>Sunnyside east swamp photo monitoring records</td> </tr> <tr> <td>APP11205</td> <td>carne west swamp photo monitoring records</td> <td></td> </tr> <tr> <td>APP112191</td> <td>Rock Bar Monitoring</td> <td>Rock monitoring results attached</td> </tr> </tbody> </table>			APP112191	Subsidence results	B, M, V, X5, XC2, W and Y Line results attached	APP11203	Sunnyside swamp photo monitoring records	Photographic records available and further supported by mine driven monitoring	APP11204	Sunnyside east swamp photo monitoring records	APP11205	carne west swamp photo monitoring records		APP112191	Rock Bar Monitoring	Rock monitoring results attached
APP112191	Subsidence results	B, M, V, X5, XC2, W and Y Line results attached																
APP11203	Sunnyside swamp photo monitoring records	Photographic records available and further supported by mine driven monitoring																
APP11204	Sunnyside east swamp photo monitoring records																	
APP11205	carne west swamp photo monitoring records																	
APP112191	Rock Bar Monitoring	Rock monitoring results attached																
4	If anomalous subsidence is detected within 200 metres of an area of temperate highland peat swamps on sandstone ecological community using the method defined in condition 3, the person taking the action must submit to the department a report detailing: a) the extent and level of subsidence recorded b) likely reasons for the anomalous subsidence c) potential impacts on the temperate highland peat swamps on sandstone ecological community resulting from the anomalous subsidence.	<ul style="list-style-type: none"> THPSSMMP LW 411-417 Annual Compliance Report (CC, 15/06/2016) EPBC 2013/6881 Annual Compliance Report (CC, 22/03/2016) Audit 5949 2015.xls (CC, 2015) Audit 5949 2013.xls (CC, 2013) Approval SSD5594 and EPBC Approval 2013/6881 Evolution of understanding of the interactions of groundwater behaviour and mine subsidence at Springvale Mine V2 (CC, 05/2016) 	Springvale Coal advised that there had been no anomalous subsidence detected within 200 m of Temperate Highland Peat Swamps on Sandstone Ecological Communities. This advice was supported by sighting location plans showing that subsidence was detected outside 200 m.	Compliant														
5	The report in condition 4 must be submitted to the department within 10 business days of detecting the anomalous subsidence		As there was no anomalous subsidence reporting required, the requirement to submit a report within 10 business days has not been triggered	Not triggered														

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
6	<p>Within six months of the date of this approval, the person taking the action must submit a Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan ('Monitoring and Management Plan') for the minister's approval, to define clear, quantifiable and measurable criteria for monitoring the impact of longwall mining on temperate highland peat swamps on sandstone</p>	<ul style="list-style-type: none"> Letter: Approval of THPSSMMP LW 415, 416 and 417 (DoE, 21/10/2012) 	<p>The letter approving the THPSS MMP (dated 21/09/2012) references receipt of the THPSSMMP by DoE on 11/09/2012 which is less than six months from EPBC 2011/5949 approval (14/03/2012).</p>	Compliant
7	<p>The Monitoring and Management Plan must include prevention, monitoring, mitigation and management actions for all potential impacts on the temperate highland peat swamps on sandstone ecological community arising from the action. The Monitoring and Management Plan must be a stand-alone document and include but not be limited to:</p> <p>a) monitoring must take into account the geological and hydrological context in which the swamps sit, i.e. monitoring must include methods to detect potential geological and hydrological impacts upstream of temperate highland peat swamps on sandstone</p> <p>b) monitoring must focus on surface and groundwater hydrology (including at least one piezometer per swamp), surface and groundwater quality, vegetation community structure and diversity, and biological indicator species</p> <p>c) monitoring must include at least one sample per season (four samples per year) at each sampling location for each parameter measured, though more frequent sampling may be required for some parameters</p> <p>d) monitoring post-mining must continue for a period of at least 10 years. Monitoring frequency may be reduced once three years of post-mining swamp monitoring has been undertaken if swamp condition has not degraded as a result of mining activity</p> <p>e) monitoring must include all temperate highland peat swamps on sandstone (including but not limited to both Newnes Plateau Shrub Swamps and Newnes Plateau Hanging Swamps) potentially affected by the proposed action (impact sites) as well as reference sites. Reference sites must include temperate highland peat swamps on sandstone that have never been subjected to, or are not predicted to be impacted by, subsidence impacts</p> <p>f) details of the parameters monitored, methods, timing, frequency and location of baseline monitoring within the temperate highland peat swamps on sandstone ecological community</p> <p>g) definition and description of baseline conditions of individual temperate highland peat swamps on sandstone (including both impact and reference sites), including biological processes, condition, threats and the range of natural variability observed in parameters monitored</p> <p>h) trigger levels sufficient to detect potential impacts of subsidence on the temperate highland peat swamps on sandstone ecological community, including information on how the triggers were derived using baseline monitoring and desktop study data. Triggers should be specific and measurable</p> <p>i) details of the parameters monitored, methods, timing, frequency and location of reference site monitoring within the temperate highland peat swamps on sandstone ecological community</p> <p>j) allowance and methods for trigger levels to be refined as more monitoring data is collected</p> <p>k) details of the parameters monitored, methods, timing, frequency and location of impact site monitoring within the temperate highland peat swamps on sandstone ecological community, sufficient to detect changes in the defined trigger levels</p> <p>l) corrective actions to be taken should the defined trigger levels (as at</p>	<ul style="list-style-type: none"> THPSSMMP LW 415-417 (CC, 04/2013) THPSSMP LW 418 (CC, 08/2015) 	<p>The requirements of CoA 7 are addressed in the THPSSMMP 2013 and 2015 as follows (section reference in brackets):</p> <p>a) monitoring must take into account the geological and hydrological context in which the swamps sit (sections 3 and 5)</p> <p>b) monitoring must focus on surface and groundwater hydrology (section 7.1)</p> <p>c) monitoring must include at least one sample per season (four samples per year) at each sampling location for each parameter measured (table 8.1)</p> <p>d) monitoring post-mining must continue for a period of at least 10 years (sections 6.1, 7.1.2 and 7.2.1)</p> <p>e) monitoring must include all temperate highland peat swamps on sandstone (section 7)</p> <p>f) details of the parameters monitored, methods, timing, frequency and location of baseline monitoring within the temperate highland peat swamps on sandstone ecological community (section 7 and Appendices)</p> <p>g) definition and description of baseline conditions of individual temperate highland peat swamps on sandstone (including both impact and reference sites), including biological processes, condition, threats and the range of natural variability observed in parameters monitored (sections 3.6 and 6 and Appendices (baseline))</p> <p>h) trigger levels sufficient to detect potential impacts of subsidence on the temperate highland peat swamps on sandstone ecological community (section 6)</p> <p>i) details of the parameters monitored, methods, timing, frequency and location of reference site monitoring (section 7)</p> <p>j) allowance and methods for trigger levels to be refined as more monitoring data is collected (section 7 and table 11.2.1)</p> <p>k) details of the parameters monitored, methods, timing, frequency and location of impact site (section 7)</p> <p>l) corrective actions to be taken should the defined trigger levels be exceeded (sections 9 and 10)</p> <p>m) details of how data collected by the proposed monitoring methods will be analysed (section 7)</p> <p>n) description of how potential impacts arising from the monitoring and mitigation measures themselves will be minimised or avoided (section 7)</p> <p>o) maps illustrating the location of the longwall mining activity, past mining activities, expected subsidence limits, location of temperate highland peat swamps on sandstone within a 5 kilometre radius of the longwall mining activity, and past and proposed monitoring locations for all parameters</p> <p>p) description of record keeping and reporting procedures (section 11)</p> <p>q) the plan must clearly state the person responsible, including their position or status (section 1.3)</p> <p>r) the plan must include a timeline for review, and provision for revisions to be approved by the department prior to their implementation (section 11)</p> <p>The 2012 THPSSMMP was revised in 2013 for LW 415-417, and again in 2015 for LW 418.</p>	Compliant

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	<p>condition 7h) be exceeded. These should be clear, measurable, auditable and include specific timing (e.g. Within 6 months of impact detection).</p> <p>Implementation of a Response Strategy (as required at condition 13) should be included as a corrective action should severe impacts be detected.</p> <p>m) details of how data collected by the proposed monitoring methods will be analysed. This must include a method to analyse data sets in a holistic manner to produce an overall indication of swamp health</p> <p>n) description of how potential impacts arising from the monitoring and mitigation measures themselves will be minimised or avoided</p> <p>o) maps illustrating the location of the longwall mining activity, past mining activities, expected subsidence limits, location of temperate highland peat swamps on sandstone within a 5 kilometre radius of the longwall mining activity, and past and proposed monitoring locations for all parameters</p> <p>p) description of record keeping and reporting procedures</p> <p>q) the plan must clearly state the person responsible, including their position or status</p> <p>r) the plan must include a timeline for review, and provision for revisions to be approved by the department prior to their implementation</p>			
8	The Monitoring and Management Plan must be reviewed by two independent reviewers approved by the department prior to the submission to the department for approval.	<ul style="list-style-type: none"> Audit 5949 2015.xls (CC, 2015) Letter: Peer Review of Angus Place Revised THPSS Monitoring and Management Plan (Genwest: DoE, 24/09/2014) Letter: Mining of LW 416,417 and 418-Approval of independent peer reviewers (DoE: CC, 22/06/2012) 	<p>The internal Springvale Coal 2015 EPBC 2011/5949 audit spreadsheet reports that Grant Hose and David Goldney were approved by the DoE as independent peer reviewers and subsequently undertook a review of the THPSSMP.</p> <p>In a letter to the DoE (24/09/2014), David Goldney states <i>"I have now completed my Peer Review of the THPSS MMP"</i>.</p> <p>DoE approval of independent peer review by David Goldney and Grant Hose was provided on 22/06/2012.</p>	Compliant
9	If the minister approves the Monitoring and Management Plan, then the approved Monitoring and Management Plan must be implemented	<ul style="list-style-type: none"> Audit 5949 2015.xls (CC, 2015) THPSSMMP LW 415-417 (CC, 04/2013) THPSSMMP Annual Compliance Report (CC, 03/2016) EPBC 5949 2012-2103 Annual Compliance Monitoring Report (UQ, 2013) EPBC 5949 2013 Annual Compliance Monitoring Report (CC, 11/03/2014) EPBC 5949 Annual Compliance Monitoring Report (CC, 15/06/2015) EPBC 5949 Annual Compliance Monitoring Report (CC, 15/06/2016) EPBC Approval 2011/5949 Report on Investigation of Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan Groundwater Triggers (CC, 05/2014) Annual groundwater monitoring report (RPS, 17/01/2014) 	<p>Evidence of implementation of the THPSSMMP included:</p> <ul style="list-style-type: none"> The 2014 LW 415 to 417 Annual THPSSMMP report includes subsidence, flora, surface water and groundwater monitoring results. Annual monitoring reports have been submitted to the DoE (2013 – 2016). The THPSSMMP Annual Compliance Report (03/2016) identifies that the following notification and investigations were conducted in accordance with TARP and notification processes defined in LW 415-417 and LW 418 THPSSMMPs: <ul style="list-style-type: none"> SSE1 and SPR1101: Notification of the defined groundwater monitoring trigger was received by CC from RPS on 24/03/2014. This was reported to DoE on 28/03/2014 (i.e. within five business days) with subsequent provision of an investigation report within eight weeks (19/05/2014) with additional investigation details provided on 19/01/2016. SSE2 and SSE3: Notification of the groundwater monitoring trigger was received by CC from RPS on 27/03/2015. This was reported to the DoE on 30/03/2015 (i.e. within five business days) with subsequent provision of an investigation report within eight weeks (22/05/2015). Stolen Piezometers: The 2015 Audit spreadsheet identified that piezometers were stolen on 5/5 and that notification was provided to the DoE on 5/5 (assumed to be 2015) which is within five business days. The spreadsheet also provides a Doc One reference link to the notification, APP128649. CW3 and CW4: Notification of the defined groundwater monitoring trigger was received by CC from RPS on 29/07/2015. This was reported to DoE on 05/08/2015 i.e. within five business days. A preliminary investigation report was provided on 22/09/2015 (within eight weeks). SPR1109: Notification of an historical trend of decline groundwater levels was received by CC from RPS on 29/07/2015. This was reported to the DoE on 05/08/2015 (within five business days) and a preliminary findings report 	Compliant

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			<ul style="list-style-type: none"> submitted to the DoE on 22/09/2015. o CW1 and CW2: Notification of an historical trend of declining groundwater levels was received by CC from RPS on 18/12/2015. This was reported to the DoE on 22/12/2015 (i.e. within five business days) with subsequent provision of a preliminary investigation report on 12/02/2016. This report summarised monitoring data related to the impact, provided an explanation of the expected cause and that further data analysis was required to determine if the changes to water levels in Carne West Swamp are related to mine subsidence or the decline observed in the regional groundwater table aquifer. • Audit 5949 2015.xls includes links to the following documents verifying monitoring has been undertaken in accordance with THPSSMMP requirements: <ul style="list-style-type: none"> o Groundwater reports from October 2013; o Flora reports from October 2013; o Subsidence monitoring; and o Water quality reports from October 2013 	
10	A report detailing the results of actions carried out under the Monitoring and Management Plan must be prepared and provided to the department annually on the anniversary of the date of this approval. The minister may request that the report be reviewed by an independent reviewer approved by the department.	<ul style="list-style-type: none"> • Audit 5949 2015.xls (CC, 2015) • EPBC 5949 2012-2103 Annual Compliance Monitoring Report (UQ, 2013) • 2013 Annual THPSSMMP Report (CC, 11/03/2014) • 2014 Annual THPSSMMP Report (CC, 15/03/2015) • 2015 Annual THPSSMMP Report (CC, 03/2016) 	<p>Copies of the Annual THPSSMMP Reports for 2013 – 2015 were sighted.</p> <p>The 2016 Annual THPSSMMP Report, and the internal Springvale Coal 2015 EPBC 2011/5949 audit spreadsheet, stated that Annual Monitoring Reports were provided to the DoE on 28/03/2014, 17/03/2015 and 11/03/2016.</p>	Compliant
11	<p>The person taking the action must, when first becoming aware of an impact to temperate highland peat swamps on sandstone:</p> <p>a) when the impact is a defined trigger level (as defined in condition 7h) being exceeded, report the impact to the Department within five business days</p> <p>b) when the impact is a defined trigger level (as defined in condition 7h) being exceeded, report the implementation of the corrective action (as defined at condition 71) within such time as is reasonable in the circumstances, unless required to report outcomes within a time frame specified in writing by the department</p> <p>c) when exceedence of a trigger level is not detected, but an impact is apparent, report the impact to the department within 20 business days with details of proposed corrective actions</p> <p>d) in all of the above cases (conditions 11a to 11c inclusive), provide the results of monitoring data relating to the impact and an explanation of the expected cause of the impact.</p>	<ul style="list-style-type: none"> • Audit 5949 2015.xls (CC, 2015) • Memo: Notification of SSE2 and SSE3 groundwater trigger exceedance (RPS: CC, 27/03/2015) • Letter: Notification of SSE2 and SSE3 groundwater trigger exceedance (CC: DoE, 30/03/2015) • EPBC Approval 2011/5949 Report on Investigation of THPSSMMP Groundwater Triggers (CC, 05/2015) • EPBC 5949 2012-2103 Annual Compliance Monitoring Report (UQ, 2013) • 2013 Annual THPSSMMP Report (CC, 11/03/2014) • 2014 Annual THPSSMMP Report (CC, 15/03/2015) • 2015 Annual THPSSMMP Report (CC, 03/2016) • EPBC Approval 2011/5949 and EPBC Approval 2013/6881 Report on Investigation of Temperate Highland Peat Swamps on Sandstone Monitoring and Management Plan Groundwater Triggers (CC, 02/2016) 	<p>The following evidence of notification was sighted:</p> <ul style="list-style-type: none"> • SSE1 and SPR1101: Notification of the defined groundwater monitoring trigger was received by CC from RPS on 24/03/2014. This was reported to DoE on 28/03/2014 (i.e. within five business days) with subsequent provision of an investigation report within eight weeks (05/2014). • SSE2 and SSE3: Notification of the groundwater monitoring trigger was received by CC from RPS on 27/03/2015. This was reported to the DoE on 30/03/2015 (i.e. within five business days) with subsequent provision of an investigation report within eight weeks (05/2015). • Stolen Piezometers: The 2015 Audit spreadsheet identified that piezometers were stolen on 5/5 and that notification was provided to the DoE on 5/5 (assumed to be 2015) which is within five business days. The spreadsheet also provides a Doc One reference link to the notification, APP128649. • CW3 and CW4: Notification of the defined groundwater monitoring trigger was received by CC from RPS on 29/07/2015. This was reported to DoE on 05/08/2015 i.e. within five business days. • CW1, CW2 and SPR 1109: Notification of an historical trend of declining groundwater levels was received by CC from RPS on 18/12/2015. This was reported to the DoE on 22/12/2015 (i.e. within five business days) with subsequent provision of a preliminary investigation report on 12/02/2016. This report summarised monitoring data related to the impact, provided an explanation of the expected cause and that further data analysis was required to determine if the changes to water levels in Carne West Swamp are related to mine subsidence or the decline observed in the regional groundwater table aquifer. 	Compliant
12	If at any time the minister determines that data provided in the report at condition 10 or 11 indicates that the action has had a severe impact on the temperate highland peat swamps on sandstone ecological community and/or		There was no evidence of impacts sighted that demonstrated a severe impact to the temperate highland peat swamps on sandstone ecological community and/or any	Not triggered

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	any associated threatened species, the minister will inform the person taking the action in writing ('the severe impact notification letter'), particularising all severe impacts. Once the person taking the action receives the severe impact notification letter, conditions 13 to 18 (inclusive) will apply		associated threatened species. Springvale Coal reported that no severe impact notification letters were issued by the DoE.	
13	When the person taking the action receives a severe impact notification letter, the person taking the action must prepare and submit a Temperate Highland Peat Swamps on Sandstone Response Strategy (the 'Response Strategy') for the minister's approval within three months of the date of the letter		Springvale Coal reported that no severe impact notification letters were issued by the DoE consequently a Temperate Highland Peat Swamps on Sandstone Response Strategy was not required.	Not triggered
14	The Response Strategy must include measures for remediating or offsetting all severe impacts particularised by the Minister on the temperate highland peat swamps on sandstone ecological community arising from the action. The Response Strategy must be a stand-alone document and include but not be limited to: a) a description of the severe impact including extent, duration, and expected cause. This should include a description of how the impact may affect temperate highland peat swamps on sandstone b) the objectives of the Response Strategy c) the proposed response actions to be taken and how the proposed actions will be implemented d) a description of how the strategy will deliver an overall conservation outcome that improves or maintains the viability of temperate highland peat swamps on sandstone and associated threatened species e) the estimated cost of all proposed response actions f) the strategy must clearly state the person responsible for implementing remediation actions, including their position or status and contact details g) description of record keeping and reporting procedures		The requirement for a Temperate Highland Peat Swamps on Sandstone Response Strategy has not been triggered.	Not triggered
15	The Response Strategy must be reviewed by two independent reviewers approved by the department prior to the submission to the department.		The requirement for a Temperate Highland Peat Swamps on Sandstone Response Strategy has not been triggered.	Not triggered
16	If the minister approves the Response Strategy, then the approved Response Strategy must be implemented.		The requirement for a Temperate Highland Peat Swamps on Sandstone Response Strategy has not been triggered.	Not triggered
17	A report detailing the results of actions carried out under the Response Strategy must be prepared and provided to the department at a time agreed to in writing by the department upon receiving the Response Strategy. The report must be reviewed by an independent reviewer within a timeframe determined in agreement with the department prior to being provided to the department.		The requirement for a Temperate Highland Peat Swamps on Sandstone Response Strategy has not been triggered.	Not triggered
18	The person taking the action must, if required in writing by the minister, stop all work associated with the proposed action within sixty days of the date of the letter referred to in condition 12. Work may be resumed if indicated in writing by the minister.		The requirement for a Temperate Highland Peat Swamps on Sandstone Response Strategy has not been triggered.	Not triggered
19	If at any time the minister determines in writing that s/he is not satisfied that adequate financial arrangements are in place to ensure that a Response Strategy (as required under condition 13) could be implemented, the minister may require the person taking the action to provide an arrangement (in the form of a bond, financial guarantee or similar arrangement (in these conditions 'a bond')), as directed by the minister.		Springvale Coal reported that the DoE has not requested a bond in case a Temperate Highland Peat Swamps on Sandstone Response Strategy was required.	Not triggered
20	The value of a bond that may be required by the minister under condition 19 is the amount determined by the minister as required to implement of a		Springvale Coal reported that the DoE has not requested a bond.	Not triggered

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Response Strategy				
21	The minister may increase or decrease the bond amount required where the person taking the action has increased or decreased, respectively, the liability		Springvale Coal reported that the DoE has not requested a bond.	Not triggered
22	In providing for or varying a bond amount in accordance with these conditions, the minister may request the person taking the action to obtain written quotes for the cost of potential actions under the Response Strategy from a third party approved by the minister within a timeframe determined in agreement with the department.		Springvale Coal reported that the DoE has not requested a bond.	Not triggered
23	The bond is to remain in force until the minister is satisfied that no claim is likely to be made on the assurance		Springvale Coal reported that the DoE has not requested a bond.	Not triggered
24	The person taking the action must meet all the charges and costs in obtaining and maintaining the bond		Springvale Coal reported that the DoE has not requested a bond.	Not triggered
25	The person taking the action must meet all the charges and costs associated with independent review of documents required under these conditions		As the requirement for a Temperate Highland Peat Swamps on Sandstone Response Strategy has not been triggered, the requirement to undertake an independent review has also not been triggered	Not triggered
26	The person taking the action must publish all documents required under these conditions on their website, except where agreed in writing with the department on grounds of potentially sensitive commercial information	<ul style="list-style-type: none"> • CC website: <ul style="list-style-type: none"> ◦ <u>Centennial Coal - Springvale Coal - Environment Approvals</u>; and ◦ <u>Centennial Coal - Springvale Coal - Environmental Management Reports</u> • 2015 THPSSMP Annual Report (CC, 03/2016) 	<p>The following documents were sighted on the CC website on 29/08/2016:</p> <ul style="list-style-type: none"> • THPSSMP Annual Report (CC, 03/2015) • EPBC 2011/5949 Annual Report 2013 -2014 (CC, 11/03/2014) • EPBC 2011/5949 Annual Report 20102 -2013 (UQ, 2013) • EPBC 2022/5949 Condition1 Application to allow mining under THPSS - Supplementary Information Volume 1 (CC, 08/2013) • EPBC 2022/5949 Condition1 Application to allow mining under THPSS - Supplementary Information Volume 2 (CC, 08/2013) • EPBC 2022/5949 Condition1 Application to allow mining under THPSS Supplementary Information Volume 3 (CC, 08/2013) • Groundwater mining under THPSS August – September 2013 (Aurecon, 21/10/2013) • THPSSMP (CC, 04/2013) • Subsidence monitoring data and graphs for LW 415 and LW 416 (Aurecon, 2013) • Discussion on the Potential Impacts to Sunnyside East and Carne West Temperate Highland Peat Swamps on Sandstone due to the Proposed Springvale LWs 416 to 417 (Ditton Geotechnical Services, 21/07/2013) • East Wolgan Swamp Remediation proposal (The Bush Doctor, 2011) • The Geology of Shrub Swamps (CC, 07/2013) • EPBC 2011/5949 Case Study Plan Mining LW 415 -417 Kangaroo Creek, Junction Swamp, Sunnyside West Swamp, West Wolgan Swamp, Narrow Swamp East Wolgan Swamp, Sunnyside East Swamp, Carne East Swamp. Carne West Swamp West and Sunnyside Swamp (CC, 02/08/2013) • Investigation of Irregular Surface Movement in East Wolgan Swamp Rev 4 (Aurecon, 09/2009) • Swamp Remediation – How to guide (BMSS, 2009) • Geophysical Survey East Wolgan Swamp (Alpha Geoscience, 21/07/2011) • EPBC 2011/5949 Approval condition 1 LW 415, LW 416 and K LW 417 (DoE: CC, 21/10/2013) • Dyadem Risk Register to prevent impacts to THPSS (CC, 5/12/2012) • Buffer Zone EPBC 2011/5949 Approval (CC: DoE, 08/06/2012) • Investigation into angle of draw (CC:CC, 22/05/2013) • Buffer zone background (CC: DoE, 03/08/2012) • Application to allow mining under THPSS (CC, 03/2013) • Approval for mining under LW 415, LW 416 and LW 417 (DoE, 14/03/2012) <p>These documents were located on the Environment Approvals webpage (<u>Centennial Coal - Springvale Coal - Environment Approvals</u>) with the exception of the 2015 THPSSMP Annual Report (CC, 03/2015) which was located under the 'Environmental Management Plan'</p>	<p>Non-compliant (administrative)</p> <p>EPBC Approval 2011/5949 CoA 26 Recommendation: The following improvements were identified for the CC website:</p> <ol style="list-style-type: none"> a) Locate all documents required under EPBC Approval 2011/5949 in one location on the CC website; b) Standardise document titles to clearly identify document title and purpose of each document (e.g. 2015 THPSSMP Annual Report/ EPBC Approval condition 29); c) Include the document date on the website (not the date uploaded); d) Upload the 2015 THPSSMP Annual Report (CC, 03/2016); and e) Upload annual EPBC 2011/5949 Compliance Reports (2013 to 2016) on the CC website.

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			website Centennial Coal - Springvale Coal - Environmental Management Reports . The 2015 THPSSMP Annual Report (CC, 03/2016) was sighted by the auditors however was not available on the CC website.	
27	Within 30 days after the commencement of the action, the person taking the action must advise the department in writing of the actual date of commencement	<ul style="list-style-type: none"> Letter: (CC: DoE, 29/03/2012) 	A letter was sighted that had been provided to the DoE from CC advising that the action commenced on 15/03/2012.	Compliant
28	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, report, strategy, etc. required by this approval, and make them available upon request to the department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department's website. The results of audits may also be publicised through the general media	<ul style="list-style-type: none"> Audit 5949 2015.xls (CC, 2015) Audit 5949 2013.xls (CC, 2013) THPSSMMP Annual Compliance Report (CC, 15/06/2016) 	Springvale Coal provided an Excel spreadsheet which recorded assessment of compliance for EPBC Approval 2011/5949 conditions for 2013 and 2015. The 2015 audit spreadsheet includes DocOne reference identifiers for key documents supporting compliance with EPBC 2011/5949 conditions. Monitoring records were available for subsidence, flora, surface water and groundwater monitoring, and when THPSSMMP triggers were reached, notifications and investigations. A sample of these references were sighted during the IEA. No audits by the DoE have been undertaken.	Compliant
29	Within three months of every 12-month anniversary of the commencement the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans, report, strategy etc. as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the compliance report is published. The person taking the action must also notify any non-compliance with this approval to the department in writing within two business days of becoming aware of the non-compliance.	<ul style="list-style-type: none"> Audit 5949 2015.xls (CC, 2015) Audit 5949 2013.xls (CC, 2013) THPSSMMP Annual Compliance Report (CC, 15/06/2016) 	The auditors also sighted a THPSSMMP Annual Compliance Report (CC, 15/06/2016) which assessed the compliance status of each EPBC Approval 2011/5949 condition for the period 15/03/2015 to 14/03/2016. This report detailed the following dates of submission of annual THPSSMMP Compliance Reports to the DoE: <ul style="list-style-type: none"> 2013 Compliance Report- submitted on 14/06/2013; 2014 Compliance Report – submitted on 11/03/2014; and 2015 Compliance Report – submitted on 15/06/2015. The 2015 audit spreadsheet included documentary evidence references (i.e. Doc One identifiers) for the 2013, 2014 and 2015 Annual Compliance Reports (i.e. APP111175, APP111176, APP111178). As the 2013 to 2016 Compliance Reports were not sighted on the CC website by the auditors, this condition was assessed as non-compliant.	Non-compliant (administrative) Refer EPBC Approval 2011/5949 CoA 26 (e) Recommendation.
30	Upon the direction of the minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the minister. The independent auditor must be approved by the minister prior to the commencement of the audit. Audit criteria must be agreed to by the minister and the audit report must address the criteria to the satisfaction of the minister.		Springvale Coal reported that there had been no request from the DoE to undertake an independent audit of the EPBC Approval 2011/5949.	Not triggered
31	If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans report, strategy etc, as specified in the conditions, the person taking the action must submit to the department for the minister's written approval a revised version of that management plan, report, strategy etc. The varied activity shall not commence until the minister has approved the varied management plan, report, strategy etc in writing. The minister will not approve a varied management plan, report, strategy etc unless the revised management plan, report, strategy etc would result in an equivalent or improved environmental outcome over time. If the minister approves the revised management plan, report, strategy etc that management plan, report, strategy etc must be implemented in place of the management plan, report, strategy etc originally approved		Springvale Coal reported that activities related to the action have been conducted in accordance with the conditions of the EPBC 2011/5949 approval and associated reports, management plans and strategies. No approvals of revised reports, management plans or strategies have been required.	Not triggered
32	If the minister believes that it is necessary or convenient for the better protection of threatened species and communities to do so, the minister may request that the person taking the action make specified revisions to the management plan, report, strategy etc specified in the conditions and submit the revised management plan, report, strategy etc for the minister's written approval. The person taking the action must comply with any such request.		Springvale Coal reported that there have not been any Ministerial requests for revisions to reports, management plans or strategies.	Not triggered

EPBC Approval 2011/5949

	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	The revised approved management plan, report, strategy etc must be implemented. Unless the minister has approved the revised management plan, report, strategy etc. then the person taking the action must continue to implement the management plan, report, strategy etc. originally approved, as specified in the conditions.			
33	If, at any time after two years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the minister.	<ul style="list-style-type: none"> Letter: Mining of LW 417, LW 416 and LW 417 (CC: DoE, 29/03/2013) 	Springvale Coal informed the DoE in 2012 that the action commenced on 15/03/2012.	Compliant
34	Unless otherwise agreed to in writing by the minister, the person taking the action must publish all management plan, report, strategy etc referred to in these conditions of approval on their website. Each management plan, report, strategy etc must be published on the website within one month of being approved.		<p>The following documents were not available on the website:</p> <ul style="list-style-type: none"> THPSSMMP (04/2016); 2015 THPSSMP Annual Report (CC, 03/2016); Subsidence monitoring data graphs since 02/2014; 2013 THPSSMMP Annual Compliance Report (CC, 2013); 2014 THPSSMMP Annual Compliance Report (CC, 2014); 2015 THPSSMMP Annual Compliance Report (CC, 2015); and 2016 THPSSMMP Annual Compliance Report (CC, 2016). 	<p>Non-compliant (administrative)</p> <p>Refer EPBC Approval 2011/5949 CoA 26 Recommendations.</p>

Appendix G

Environmental Management Plan Implementation Adequacy Review

- Table Appendix G1: Final November 2015 – October 2022 MOP (CC, 03/2016);
- Table Appendix G2: Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016);
- Table Appendix G3: Western Region Noise Management Plan (CC, 07/2016); and
- Table Appendix G4: PIRMP (CC, 2015)

Table Appendix G-1: Mining Operations Plan Implementation Adequacy Review

2015 -2022 Mining Operations Plan (CC, 2015)			
Section	Key Topic	Comment / Finding	Assessment of Adequacy / Recommendation or OFI
General	<p>The MOP is required to meet:</p> <ul style="list-style-type: none"> DA 11/92 CoA S2-19; ML 1303 CoA 3 ML 1323 CoA 3 ML 1326 CoA 2 ML 1537 CoA 2 ML 1588 CoA 2 ML 1670 CoA 3 ML 1727 CoA 3 MPL 314 CoA 3 CCL 377 CoA 2 	<p>The 2015 -2022 MOP was:</p> <ul style="list-style-type: none"> Assessed as compliant with DA 11/92 CoA S2-19 (Refer Appendix A2), ML 1303 CoA 3, ML 1323 CoA 3, ML 1326 CoA 2, ML 1537 CoA 2, ML 1588 CoA 2, ML 1670 CoA 3, ML 1727 CoA 3, MPL 314 CoA 3 and CCL 377 CoA 2 (refer Appendix C). Approved in March 2016 by the DRE. Prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines (DRE 2013) (section 1.2.2). Lodged prior to the commencement of LW 419 mining operations and prior to the expiry of 2009 – 2016 MOP. Varied, and subsequently approved, to accommodate changes such as the booster station (which was not constructed) and construction of the Bore 8 facility. At the time of preparing the IEA, Springvale Coal had not applied for an amendment of the 2015 -2022 MOP. <p>The 2015 -2022 MOP included a schedule of development for 7 years of mine development and reported:</p> <ul style="list-style-type: none"> Area(s) proposed to be disturbed under the Plan (section 2); Mining and rehabilitation method(s) to be used and their sequence (sections 5 and 7); Existing and proposed surface infrastructure (sections 2 and 4); Existing flora and fauna on the site (section 3); Progressive rehabilitation schedules (sections 7 and 8); Areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas (section 7 and associated plans); Water management systems (including erosion and sediment controls) (section 7); Proposed resource recovery (section 5.3 (nutrient only)); and No rehabilitation was undertaken during 2013 -2016 and the status of rehabilitation for Springvale Coal was summarised in the 2013 and 2014 AEMR and the 2015 AR. Springvale Coal reported in the 2015 AR that as Springvale Coal is an underground mine, major rehabilitation of the pit top and Newnes Plateau infrastructure is not anticipated until site closure. <p>A high level review of plans within the MOP and site inspection identified that mining sequence and production was observed to be in accordance with the approved MOP (CC, 2015).</p>	Adequate
1.2	Consents, Leases and Licences	The MOP identifies the Development Consents, Leases and Licences that are applicable to the Springvale Coal operations (including the SMEP).	Adequate
1.4	Consultation	The MOP consultation log is included in Table 5	Adequate
3.3.1	Air Quality	<ul style="list-style-type: none"> The auditor sighted evidence of implementation of the following management and mitigation measures (as listed in the WRAQGHGMP): <ul style="list-style-type: none"> Dust deposition monitoring; No exceedances of SSD-5594 air quality criteria; Use of mobile watering units for laydown and roadway areas and fixed spray systems for stockpiles; Use of road sweeper on sealed roadways and laydown areas; Speed limit enforced on all roadways; Transported loads to be covered; and Conveyors enclosed or shielded. <p>The 2015 -2022 MOP identifies that dust controls used on unsealed or dirty traffic areas include the use of water carts, water cannons/sprinklers and regular road sweeping (section 3.3.1). Water sprinklers were not commissioned at the time of the site inspection (refer SSD-5594 CoA S2-19).</p> <p>Opportunities for improvement in mitigation of dust were identified for SSD-5594 CoA S2-14, CoA S4-6 and CoA S4-7.</p>	Refer to SSD-5594 CoA S2-14, S4-6, S4-7 OFIs
3.3.2	Erosion and sedimentation	<ul style="list-style-type: none"> The auditor sighted evidence of implementation of some of the sediment and erosion source controls identified in Section 3.2.2 including: <ul style="list-style-type: none"> Diversion of upslope “clean” run-on water around the sites; Maintaining sediment control devices such as siltation fences in drains and outlets; and Development of sedimentation basins. <p>Recommendations for management of erosion and sediment control were identified for SSD-5594 CoA S4-12 and an opportunity for improvement was identified in CoA S2-14 OFI.</p>	Refer to SSD-5594 CoA S4-12 Recommendation and CoA S2-14 OFI
3.3.3	Surface Water	The 2015 – 2022 MOP references the Water Management Plan which was in Draft at the time of the IEA.	Not verified (pending finalisation)

2015 -2022 Mining Operations Plan (CC, 2015)			
Section	Key Topic	Comment / Finding	Assessment of Adequacy / Recommendation or OFI
		<p>The auditor sighted evidence of controls to meet the objectives of the plan.</p> <ul style="list-style-type: none"> • Surface water quality monitoring at LDP 001 and LDP 009. • Monthly surface quality and discharge volume monitoring; • Background monitoring has been undertaken; and • Results (including trends) are published in the AEMR and AR. 	of the Water Management Plan)
3.3.4	Groundwater	<ul style="list-style-type: none"> • The MOP references the Water Management Plan which was in Draft at the time of the IEA and includes a groundwater monitoring program; • Background monitoring has been undertaken; and • Results are published in the AEMR and AR. 	Adequate
3.3.5	Contaminated Land	<p>A Phase 1 Assessment for the Springvale Mine was carried out in December 2010. In 2012 AECOM conducted a Targeted Phase 2 Environmental Site Assessment (Phase 2 ESA) at Springvale to assess the presence of contamination. The Phase 2 ESA identified on-site soil and groundwater contamination at a number of sites. The report concluded that the lateral and vertical extent of the soil and sediment contamination was not comprehensively evaluated due to the widespread distribution of sampling locations, and that further delineation sampling in each of the areas where contamination was identified would be required to confirm the extent of impact. Further studies will be continued during the MOP term. The report concluded that the lateral and vertical extent of the soil and sediment contamination was not comprehensively evaluated due to the widespread distribution of sampling locations, and that further delineation sampling in each of the areas where contamination was identified would be required to confirm the extent of impact. The MOP reports that further studies will be continued during the MOP term consequently progress against this action will require assessment in future IEAs.</p>	Adequate
3.3.7	Flora and Fauna	<p>Detailed surveys of terrestrial vertebrate fauna populations have been undertaken on an annual basis, in spring, autumn and summer.</p> <p>A current THPSSMMP is in place for LW 418 and an annual compliance report has been submitted in 2014 and 2015.</p>	Adequate
3.3.8	Weeds and Pests	<p>The MOP identifies the most prominent weed species as Blackberry (<i>Solanum nigrum</i>), Scotch Thistle (<i>Cirsium vulgare</i>) and St Johns Wort (<i>Hypericum perforatum</i>). These weeds were not sighted in Bore 8 compound, ventilation shaft No.3 compound and a rehabilitated exploration sites (eg SPR 1101).</p>	Adequate
3.3.10	Noise	<p>The MOP references the WRNMP.</p> <ul style="list-style-type: none"> • The auditor sighted evidence of implementation of the WRNMP including: <ul style="list-style-type: none"> ○ Quarterly attended noise monitoring; and ○ Corrective actions implemented in response to one exceedance of noise criteria in March 2016. ○ Noise attenuating mufflers on the stockpile dozer; ○ Installation of 'quacker' reverse alarms on the stockpile dozer during the daytime ○ Cladding on the southern wall of the ROM conveyor drive building. 	Adequate
3.3.11	Visual and Lighting	<ul style="list-style-type: none"> • No complaints were recorded on the Environment and Community Database regarding light spill. 	Adequate
3.3.12	Cultural Heritage	<ul style="list-style-type: none"> • The MOP references the WRACHMP; and • No clearing was undertaken during period of the IEA 	Adequate
3.3.14	Bushfire	<ul style="list-style-type: none"> • The auditor sighted evidence of the following preventative management actions: <ul style="list-style-type: none"> ○ Managing potential sources of ignition via a "Hot Works Permit"; ○ Firefighting equipment at operations; ○ Trained and competent personnel on-site who can conduct fire-fighting if required; and ○ APZs observed at Bore 8 and Ventilation Shaft No.3 compounds 	Adequate
3.2.15	Subsidence	<ul style="list-style-type: none"> • The MOP references SMP Approval LW 411- 418 • The auditor sighted evidence of implementation of SMPs and associated management plans (Refer Appendix D). 	Adequate
4.2	Post mining Landuse and Landscape Goals	<ul style="list-style-type: none"> • Post mining land use consistent with SMEP EIS 	Adequate
4.3	Rehabilitation Objectives	<ul style="list-style-type: none"> • Preliminary objectives and success criteria have been developed. • As Springvale Mine is an underground mine, no major rehabilitation of the pit top and Newnes Plateau infrastructure is anticipated until site closure. The MOP describes a progressive approach to rehabilitation. 	Adequate

2015 -2022 Mining Operations Plan (CC, 2015)			
Section	Key Topic	Comment / Finding	Assessment of Adequacy / Recommendation or OFI
8	Rehabilitation Monitoring, Research and Reporting	<ul style="list-style-type: none"> Monitoring of rehabilitation was reported in the 2015 AR. <p>Opportunities for improvement in management of rehabilitation were identified SSD-5594 S4-32.</p>	Refer to SSD-5594 S4-32 OFIs
9	Intervention and Adaptive Management	<ul style="list-style-type: none"> Risks to reaching rehabilitation objectives have been identified; and TARPS developed for unexpected variations or impacts to rehabilitation outcomes 	Adequate
10	AEMR / AR	<ul style="list-style-type: none"> 2013 and 2014 AEMRs and 2015 AR provide an annual summary of rehabilitation of disturbed lands, rehabilitation monitoring and rehabilitation research trials. 	Adequate
11	Plans	<ul style="list-style-type: none"> Plans were referenced to support the MOP 	Adequate
12	Review and Implementation	<ul style="list-style-type: none"> The MOP had been revised and approved in 2015 Responsibilities for implementation of the MOP are provided 	Adequate

Table Appendix G-2: Air Quality Management Plan Implementation Adequacy Review

Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016);			
Section	Requirement	Comment / Finding	Compliance Assessment & Recommendation or OFI
1.2	Objectives	The objectives of the WRAQGHGMP were assessed as compliant with the conditions relating to air quality in DA 11/92 CoA S2-19 (Refer Appendix A2) and EPL 3607 (refer Appendix B).	Adequate
3	Management and Mitigation Measures	The following mitigation measures, that were identified in the WRAQGHGMP, were observed during the site inspection: <ul style="list-style-type: none"> Dust deposition, PM 10, and TSP monitoring had been undertaken; Operators have been trained in remedial actions on observation of visible dust; Mobile water carts were reportedly used (but not sighted during site inspection); Road sweeper had been used on sealed roadways in the Pit Top area; Speed limit was observed; A checklist has been developed to assess that transport loads are covered; Conveyors were closed or shielded; There is a non-compliance notification procedure in the WRAQGHGMP for an exceedance of air quality criteria; and There was no observable dust during the site inspections undertaken for the IEA, however the inspections were undertaken in winter and following rain. 	Adequate
1.7 and Appendix E	Consents, Leases and Licences	The WRAQGHGMP (CC, 2016) was approved by the DPE and was assessed in Appendix A of this IEA to have met the requirements of SSD-5594 CoA S4-5,6,7 & 8 and Appendix 3 CoA 10; and in Appendix B EPL 365 Conditions P1.1, O3.1 to O3.2, M2.3 and M5.1 to M5.4. Opportunities for improvement have been identified and are included in Appendix A and Appendix B .	Adequate
Appendix E	Sensitive Receivers	Sensitive receivers are clearly identified in WRAQGHGMP Appendix E Figures 1 and 2	Adequate
1.8	Air Quality Criteria	Air Quality criteria from the SSD-5594 and EPL 3607 are listed in the WRAQGHGMP.	Adequate
3.1	National Greenhouse and Energy Reporting Act, 2007	The WRAQGHGMP identifies the requirement to report under the NGER Act 2007.	Adequate
3.1.2	Greenhouse Gas and Energy Monitoring Program	Centennial Coal exceeds the controlling corporation emissions threshold (50,000 CO ₂ eT) and is required to report its greenhouse gas (GHG) emissions, energy used and produced from all facilities in accordance with the NGER Act. The auditor sighted that energy and greenhouse gas is measured and tracked (as reported in the 2013 and 2014 AEMR).	Adequate
4	Monitoring Program	Dust deposition and particulate monitoring required by SSD-5594 and EPL 3607 are included in the WRAQGHGMP. Springvale Coal dust monitoring includes two dust gauges, a HVAS (PM10 and TSP) monitor and one meteorological station. The dust deposition monitoring undertaken during the period of the IEA (summarised in monthly environmental monitoring reports) was assessed as adequate to measure emissions by the Springvale Mine, and monitoring results demonstrated that the SSD-5594 CoA S4-5 criteria for particulate matter and deposited dust was not exceeded. The EIS (CC, 2014) included a commitment that "an additional TEOM will be installed as part of a regional air quality monitoring programme that is currently being developed by Centennial Coal." A recommendation has been included in Appendix A to assess if the additional TEOM, referenced in SSD-5594 CoA SOC A3-10, will be installed as part of a regional air quality monitoring programme that is currently being developed by CC. If not, undertake corrective actions to avoid future non-compliances with this commitment. There were no records of community complaints for dust during the period of the IEA and there was no observable dust during the site inspection undertaken for the IEA, however the inspections were undertaken in winter and following rain. The equipment storage areas and access roads adjacent to the stockpile area were mainly unsealed and water sprinklers for some areas of the coal stockpile had been decommissioned during works undertaken on roads to improve surface water management and reduce sediment load in the primary and secondary ponds. Consequently, there was potential for dust generation during dryer periods in the stockpile area, equipment storage areas and associated access roads. Refer SSD-5594 CoA S4-6 OFI. The auditor sighted the following practices that demonstrate effective implementation of the WRAQGHGMP monitoring program: <ul style="list-style-type: none"> No visible air pollution or new surface disturbance was observed during the site visit; No complaints relating to visible air pollution were recorded in the Environment and Community database for the period of the IEA; Minimal surface disturbance activities were undertaken during the period of the IEA (no exploration); Monthly inspections of environmental controls undertaken by the Environment Coordinator; Calibration of monitoring equipment is scheduled in Pulse and/or Compliance database; and Meteorological data is available to indicate a high wind event. 	Adequate

Western Region Air Quality and Greenhouse Gas Management Plan (CC, 07/2016);

Section	Requirement	Comment / Finding	Compliance Assessment & Recommendation or OFI
		<ul style="list-style-type: none"> Some hard stand areas and laydown areas are sealed; Vegetation was present around the site boundary, Ventilation Shaft No.3 compound and Bore 8 compound; Rehabilitation of disturbed areas had been undertaken on Bore 8 compound; Receipts for spraying by a water cart; Road sweepers had been in use on sealed roadways; Signage to display speed limits on all unsealed roads; and Enclosed conveyors. <p>A selection of five monthly monitoring reports from across the period of the IEA, and the air quality results within the 2013 and 2014 AEMR and 2015 AR, were reviewed and assessed against the air quality criteria in SSD-5594 CoA S4-5 with the following results:</p> <ul style="list-style-type: none"> The rolling annual average for each of the dust gauges were below the 4 g/m²/month criteria; The dust deposition rate was less than the maximum increase in deposited dust level of 2 g/m²/month; The annual average (long term) for TSP was below the average criteria of 90 µg/m³; The annual average (long term) for PM₁₀ was below the average criteria of 30 µg/m³; and The 24-hour average (short term) for PM₁₀ was below the average criteria of 50 µg/m³. 	
5.1	Unpredicted Impacts	The WRAQGHGMP includes actions to be undertaken during adverse meteorological conditions and extraordinary events (Section 5.1);	Adequate
6.2	Complaints Handling	There is a complaints handling section in the WRAQGHGMP which references Community Complaints and Enquiries Procedure. Springvale Coal reported that the requirement for complaint handling resulting from air quality issues was not triggered during the period of the IEA.	Adequate
6.3	Reporting	The auditor sighted the following evidence regarding the reporting requirements in the WRAQGHGMP: <ul style="list-style-type: none"> Trends of 12-month dust deposition results in the monthly Environmental Monitoring Reports; and 2013 and 2014 AEMR and the 2015 AR. 	Adequate
6.3	Non-compliances	The WRAQGHGMP includes a non-compliance notification procedure, performance criteria and TARP for air quality.	Adequate
9	Review	Following receipt of approval from the DRE for a regional approach to management plans, the WRAQGHGMP was developed in 2015. A review has not been undertaken.	Adequate

Table Appendix G-3: Noise Monitoring and Management Plan Implementation Adequacy Review

Western Region Noise Management Plan (CC, 07/2016);			
Section	Requirement	Comment / Finding	Compliance Assessment & Recommendation or OFI
1.7	Development Consent Conditions	<p>The WRNMP was assessed as compliant with SSD-5594 CoA S4-1, 2, 3, and 4 and Appendix 5 (Refer Appendix A) and EPL 3607 (refer Appendix B).</p> <p>The WRNMP identifies:</p> <ul style="list-style-type: none"> ○ Operator attended noise monitoring is undertaken at the noise receiver locations specified in SSD-5594 CoA S4-2 and EPL condition L4.2 to L4.3; and ○ The noise monitoring is guided by the requirements of AS 1055 -1997 Acoustics –Description and Measurement of Environmental Noise and the NSW Industrial Noise Policy. <p>Springvale Coal has implemented the WRNMP requirements during the period of the IEA, including:</p> <ul style="list-style-type: none"> ● Operator attended noise monitoring has been undertaken at the noise receiver locations specified in CoA S4-2; ● The noise monitoring has been guided by the requirements of AS 1055 -1997 Acoustics Description and Measurement of Environmental Noise and the NSW Industrial Noise Policy (WRNMP Section 6); and ● There were no noise complaints recorded on the Environment and Community database (2013-2016). 	Adequate
Appendix E	Noise Criteria	<p>The noise criteria specified in Appendix E of the WRNMP reflects the criteria in in SSD-5594 CoA S4-2.</p> <p>The noise criteria in Appendix E of the WRNMP does not specifically refer to the receptors and limits specified in EPL 3607 P1.4 and L4.1 respectively. As the SSD-5594 CoA S4-2 criteria and EPL 3607 L4.1 limits are identical, if Springvale Coal were meeting the noise criteria specified in SSD-5594 CoA S4-2, then the noise limit specified in EPL 3607 L4.1 would also be met. Refer to Appendix B EPL 3607 condition L4.4 where an OFI has been made for the WRNMP (Appendix E) to be revised to reference the requirements of EPL 3607 conditions L4.1 to L4.3 in addition to SSD-5594.</p> <p>The quarterly attended noise monitoring results for 31/032016 were provided to Springvale Coal on 12/04/2016, were sighted in the April 2016 Springvale Environmental Monitoring Report and were available on the Centennial Coal website. The results identified that the attended noise monitoring undertaken in March 2016 by SLR, recorded a 2 dBA exceedance of the evening noise criteria at Receptor S2. The exceedance was recorded on the Environment and Community Database Ref No. 4/2016/ccapp1000311. No regulatory action has been taken by the DPE and/or the EPA with respect to this noise criteria exceedance.</p>	Refer to EPL 3607 condition L4.4 OFI
Section 3 and Appendix E	Noise Management and Mitigation	<p>Evidence of implementation of noise management and mitigation measures identified in the WRNMP sighted by the auditor included:</p> <ul style="list-style-type: none"> ● Quarterly attended noise monitoring reports (March and June 2016); ● No noise complaints were registered on the Environment and Community Database; ● Monthly inspections of environmental controls undertaken by the Environment Coordinator (19/01/2016 and 11/03/2016); ● Additional cladding on the southern wall of the ROM conveyor ● Switching off vehicles and plant when not in use; and ● Speed limit signs limiting vehicle speeds. 	Adequate
6	Noise Monitoring Program	<p>The WRNMP includes a short term (currently undertaken) monitoring program and references a proposed long term monitoring program which will require approval from DPE and EPA (and is currently not approved or implemented).</p> <p>Subject to implementing the OFI for EPL 3607 L4.4 (to revise the WRNMP to reference the requirements of EPL 3607 conditions L4.1 to L4.4), the location of noise monitoring locations and monitoring in the WRNMP was assessed as adequate.</p> <p>The short term monitoring described in the WRNMP identified that quarterly attended noise monitoring is required to be undertaken at two locations. Results of the quarterly monitoring are included in the monthly environmental monitoring reports providing evidence that the required monitoring has been undertaken. The March and June 2016 monthly Springvale Coal Environmental Monitoring Reports, which are available on the CC website, provide the quarterly noise monitoring results for S1, S2, S3, S4 and S5.</p> <p>The WRNMP states that attended noise monitoring will be conducted in accordance with NSW Industrial Noise Policy guidelines and AS 1055.1-1997: Acoustics – Description and measurement of environmental noise – General procedures. The quarterly noise monitoring report (SLR, 12/04/2016) was reviewed and identified that noise from Springvale Coal was measured or computed at the nearest or most affected residence. The attended noise monitoring report (SLR, 12/04/2016) did not state that attended noise was measured in accordance with the Industrial Noise Policy and consequently, a recommendation was made (Appendix A1 SSD-5594 CoA S4-1) to address this issue.</p> <p>As stated in Appendix A1 SSD-5594 CoA S4-4, the 2016 WRNMP (Appendix E) identifies that Springvale Coal is required to include an investigation into the generation and perception of low frequency noise by the project and references. As the low frequency investigations were not included in the 2016 WRNMP, this condition has been assessed as non-compliant. In feedback received from the DPE prior to this IEA, the DPE requested that this IEA include an update on progress and outcomes of low frequency noise investigations. Springvale Coal reported that investigations had been undertaken and the issue resolved with Springvale Coal Services however; a recommendation has been made for the findings of the low frequency investigations, referenced in Appendix E of the 2016 WRNMP, to be provided to the DPE and included in the revised 2016 WRNMP (refer Appendix A1 SSD-5594 CoA S4-4).</p>	Refer to SSD-5594 CoA S4-4 Recommendation

Western Region Noise Management Plan (CC, 07/2016);			
Section	Requirement	Comment / Finding	Compliance Assessment & Recommendation or OFI
6.2	Complaints Handling	There is a complaints handling section in the WRNMP which references Community Complaints and Enquiries Procedure. Springvale Coal reported that the requirement for complaint handling resulting from noise issues was not triggered during the period of the IEA.	Adequate
10	Reporting	<ul style="list-style-type: none"> The 2013 and 2014 AEMR summarise annual operator attended noise monitoring results and actions taken by management in response to monitoring results; The 2014 AEMR and 2015 AR provided a summary of noise monitoring results and comparison with EPL 3607 noise limits and SSD-5594 noise criteria. The 2016 WRNMP (sections 5 and 6) identifies processes for managing incidents, complaints and noise limit exceedances, and for notifying the DPE and stakeholders. Following the noise exceedance (31/03/2016), this process was implemented and the DPE and landowner were notified in accordance with section 6.2. 	Adequate
12	Review	A Noise Management Plan was prepared in 2014. Following receipt of approval from the DRE for a regional approach to management plans, the Noise Management Plan was incorporated into the WRNMP in 2015. A review has not been undertaken.	Adequate
13	Responsibility	The WRNMP describes that implementation of management plans is the responsibility of the Environment and Community Coordinator.	Adequate

Table Appendix G-4: Pollution Incident Response Management Plan: Brief Implementation Adequacy Review

Pollution Incident Response Management Plan (Rev 4)		
Section	Comment / Finding	Compliance Assessment & Recommendation or OFI
PIRMP (Rev4)	<p>The auditor undertook a high-level, summary assessment of adequacy against the content of the PIRMP, as outlined at Clause 98C of the Protection of the Environment (General) Regulation 2009. The PIRMP was assessed as compliant with the requirements identified in the Regulation. The following observations are made regarding the PIRMP (dated 14/12/2015):</p> <ul style="list-style-type: none"> • The PIRMP was updated in 2015 to include references to the SMEP and immediate notification to the DRE; • Each of the requirements of Clause 98C of the POEO Regulation 2009 had been addressed; • The PIRMP includes a procedure (SV-SWP 1727) for the notification of Environmental Regulatory Authority which clearly identifies the reporting requirements; • The PIRMP was available on the CC website; • Springvale Coal reported that no incidents caused or threatened to cause material environmental harm triggered the PIRMP during the period of the IEA. • The PIRMP was last tested on 14/12/2014. • Figures provided in the PIRMP clearly showed the location of pit top work areas, site infrastructure (including firefighting equipment) and clean and dirty drainage systems. <p>The list of appropriate regulatory authorities provided in the PIRMP meets the requirements of the POEO Regulation 2009 however the list does not include the DPE or DRE. As SSD-5594 S6-10 requires immediate notification of incidents to the DPE Secretary and any other relevant agencies, an OFI has been identified in EPL 3607 condition R2.2 to include the DPE (and the DRE) contact details as appropriate regulatory authorities for reporting pollution incidents from Springvale (i.e. Table 7 of the PIRMP).</p>	<p>Adequate</p> <p>Refer to EPL 3607 condition R2.2 OFI</p>



Appendix H Auditor Approval





Mr Jacques Le Roux
Mine Manager
Springvale Coal Pty Limited
PO Box 198
WALLERAWANG NSW 2845

Dear Mr Le Roux

**Springvale Extension Project
Independent Environmental Audit**

I refer to your correspondence dated 19 May 2016 seeking the Secretary's endorsement of a team to undertake an Independent Environmental Audit required under condition 13 of Schedule 6 of the development consent for the Springvale Mine Extension Project (SSD_5594).

The Department is satisfied that the proposed audit team is suitably qualified, experienced and independent. Accordingly, the Secretary has endorsed the following persons to undertake the audit:

- Michael Woolley – Lead auditor;
- Jenny McMahon – Auditor;
- Nick Ballard – Auditor; and
- Helen Onus – Auditor.

If you wish to discuss the matter further, please call Paul Freeman on (02) 9228 6587.

Yours sincerely

 15/6/16

Clay Preshaw
A/Director
Resource Assessments
as the Secretary's nominee