

2023 INDEPENDENT ENVIRONMENTAL AUDIT

Duralie Coal Mine



Duralie Coal Mine
29 July 2024

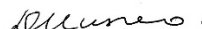
REPORT

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29 July 2024

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LIMITATIONS OF REPORT

In preparing this IEA report, RPS has assessed all activities appropriate and necessary to evaluate the environmental status of the site and operations undertaken within the audit period. RPS has addressed all technical matters which might reasonably be considered to be relevant to such an assessment conducted to standards which apply in NSW. Based on observations of the site, interviews with appropriate staff and a review of available documentation, it is RPS's opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, RPS can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues. The conclusions presented in this report are professional opinions based solely upon RPS's visual observations of the site and the immediate site vicinity, and review of available documentation, interviews and conversations with personnel knowledgeable about the site and other available information, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated.

Opinions presented in this report apply to the site's conditions and features as they existed at the time of RPS' site inspections on 12 – 13 December 2023, and those areas accessible. They necessarily cannot apply to conditions and features which RPS is unaware of and has not had the opportunity to evaluate.

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

1 INTRODUCTION

1.1 BACKGROUND

RPS AAP Consulting (RPS) was commissioned by Yancoal Australia Pty Ltd (Yancoal) to conduct an Independent Environmental Audit (IEA) of the Duralie Mine Extension (Duralie). This IEA includes an assessment of compliance against Development Consent PA 08_0203 and is the third IEA conducted.

The auditing period for this IEA is from 2 December 2020 (day after the previous site inspection) to 13 December 2023 (last day of site inspection (audit period)).

Project Approval (PA) 08_0203 approves mining operations (coal extraction, processing, handling, storage and transportation). PA 08_0203 expired during the IEA period on 31 December 2021. From 1 January 2022, relevant conditions pertain to rehabilitation activities only.

The Shuttle Train was in operations for four months in 2021 during the audit period. The Rail Haulage Audit component of this IEA addresses compliance in relation to the operation of the railway.

This IEA consisted of a desktop review of documentation, interviews with key Yancoal Australia staff and a site inspection of inactive mining operations area, key rehabilitation areas, waste storage areas, site office area, accessible creek lines and primary dams.

The general IEA Itinerary is presented in **Appendix A**.

The IEA was conducted by Dianne Munro (Lead Auditor – Exemplar Global Certified Auditor 107622) (see **Appendix B** for the Independent Audit Certification Form) and Jessica Robinson (Audit Assistant) from RPS.

The audit team for Duralie also consisted of Clayton Richards (Minesoils) as a rehabilitation specialist as requested by Department of Planning and Environment in its letter dated 11 July 2023 (see **Appendix E**). An Independent Audit Certification Form for Minesoils is also provided in **Appendix B**.

The IEA was conducted generally consistent with *'ISO 19011 - Guidelines for Auditing Management Systems' and the 'Independent Audit Post Approval Requirements May 2020'* (Audit Guidelines) (DPE, 2020). Risk rankings from the *'Independent Audit Guideline'* (DPE, 2015) (IEA Guideline 2015) have been included for identified non-compliances at the request of Yancoal.

Key documents reviewed during the IEA included:

- PA 08_0203 (as modified);
- Duralie Extension Project Environmental Assessment (Resource Strategies) (2010 EA);
- Duralie Extension Project Modification Environmental Assessment (Resource Strategies) (2014 EA);
- Environment Impact Statement (EIS);
- Environmental Management Plans (EMP);
- Environmental Protection Licence (EPL) and;
- Mining Leases (ML); and
- Mining Regulation 2016 Schedule 8A (MR).

The field inspection was conducted on 12 December and 13 December 2023 by Dianne Munro and Jessica Robinson. Additionally, Clayton Richards inspected the rehabilitation areas and biodiversity offset areas on 12 December 2023. Observations from the site inspection and site interviews were noted in conjunction with evidence in **Appendix C** which includes compliance tables for SSD-4966, EPL, MR and ML. Each table presents each condition and describes evidence in support of the status (shown as compliant, not compliant or not triggered).

The weather conditions at the time of the inspection at the Lostock Bureau of Meteorology (BoM) station (located 46 km to the west of Duralie) consisted of east north-easterly winds up to 41 km/h and a maximum temperature of 31.3°C. 0 millimetres of rainfall occurred during the preceding week.

Opening and closeout meetings held with key Yancoal staff in attendance which included:

- Thomas Kirkwood (TK) – Yancoal Australia, Environment and Community Superintendent;
- John Cullen (JC) – Yancoal Australia, Operations Manager
- Nathan Vaughan (NV) – Yancoal, Technical Services Superintendent;
- Micheal Bird (MB) – Yancoal, Production Superintendent;
- Leonnie Taylor (LT) – Yancoal, HST Superintendent;
- William Arnold (WA) – Yancoal, Drill and Blast Superintendent;
- Don Cant (DC) – Yancoal, Maintenance Superintendent;
- Lauren Whitelaw (LW) - Yancoal Australia, Environment and Community Advisor;
- Dianne Munro (DM) – RPS, Lead Auditor;
- Jessica Robinson (JR) – RPS, Audit Assistant; and
- Clayton Richards (CR) – Minesoils, Rehabilitation Specialist (opening meeting, and site visit Day 1 end of day meeting).

1.2 FINDINGS OVERVIEW

A high level of compliance was noted in this IEA and any issues were well understood by the auditees with actions being taken to address any non-compliances where practical. Significant planning actions are being taken to prepare for closure in relation to key higher risk activities including rehabilitation of reject emplacement areas in particular, waste management, water management, and rehabilitation in general.

Operation and significant quantity of materials to be disposed or of recycled at the surface. These were orderly stored. Photos from the field inspection are shown in **Appendix D**.

A Section 240 Notice was provided to Yancoal in 2021 by the Resources Regulator due to inadequate planning for closure. All directives given by the Resources Regulator were responded to in a comprehensive manner. Progressive rehabilitation of the site was observed being implemented during site inspection by Clayton Richards, including landform shaping, soil placement and revegetation. Evidence of supplemental planting, erosion and sediment control, weed management and signage was also observed. Inspection of offset areas confirmed the active management has been implemented to continue towards meeting objectives. Rehabilitation is being implemented and progressing as planned.

There were no exceedances in relation to air quality, noise and blasting during the audit period. There was a minor non-compliance due to a cracked sample bottle at EPL Point 32. Less than required water monitoring under the EPL occurred in 2023 due to progressive backfilling within the pit footprint.

Spill kits, segregated waste bins and skips were readily available, managed and documented.

As Duralie has been in closure phase as of 1 January 2022, the number of complaints received in the audit period was very low. One complaint was received in the audit period.

Four incidents occurred in the audit period. In 2021, an uncontrolled discharge of mine related water occurred from sediment dam VC1, and a marginal exceedance of pH levels were recorded at Point 36 and Point 27. In 2022, an uncontrolled discharge of mine related water occurred from sediment dam RS1 and two pH results were marginally outside of the pH criteria at Point 36. All incidents were reported to the relevant regulators. No follow up reports were requested for the incidents.

As the site moves to closure in the next audit periods, Yancoal will continue to plan and document Closure Plans for implementation as discussed at this IEA. No documentation in this regard was viewed during this IEA.

Site record keeping in the form of registers and corrective actions, along with environmental systems were very good. Management plans are contemporary and were reviewed in the audit period.

At the time of the audit, Duralie Coal staff were aware of most of the identified non-compliances against Development Consent conditions, licences and approvals and were actively working to address a number of the issues identified in this IEA. This audit has concluded that a good standard of environmental management is generally being applied in Duralie Coal Mine Operations.

1.3 ENVIRONMENTAL PERFORMANCE

A review of the Duralie Coal Mine EA predictions was undertaken to determine the environmental performance of Duralie Coal Mine activities during the audit period.

It considered the EA predictions in relation to activities actually undertaken including reducing coal mining operations for 12 months in 2021 and shuttle train activities for four months in 2021. The remainder of the audit period considered rehabilitation activities only. Actual impacts for all environmental impact areas were generally consistent with EA predictions (where they were available).

For further detail on environmental performance, refer to detail in **Appendix C**.

1.3.1 Noise and Blasting

The 2010 EA describes noise and blasting at section 4.5. Noise was modelled up to year 8 only where up to 32 receivers were predicted to exceed project specific noise criteria. No exceedances of blast criteria at non-associated receivers or heritage sites was predicted.

No exceedances of noise or blast criteria occurred in the audit period.

In terms of the four monitoring locations, predicted mine contributed noise emissions were consistent with measured values for all locations during the audit period, factoring reduced fleet and reduced operating hours.

1.3.2 Air Quality

The 2010 EA assesses air quality at section 4.6. PM10 (24 hr), PM10 (cumulative), and depositional dust (DD) and TSP was modelled for up to year 8 (including mining in the northern extremity of the Clareval North West open pit). No exceedances of relevant criteria were predicted and no exceedances or non-compliances have occurred during the audit period.

1.3.3 Surface Water

Actual surface water impacts (including in relation to local streams and mine water) were generally consistent with the 2010 EA predictions at Section 4.4 as stipulated in Section 7.3.3 of the 2023 Annual Review.

The 2010 EA stated:

- Catchments of Coal Shaft Creek and the unnamed tributary to Mammy Johnsons River would be progressively reinstated as the waste rock emplacements are rehabilitated and become free draining. Catchments will be reinstated as part of the rehabilitation process.
- Incident rainfall runoff rates from Project irrigation areas would increase as a result of higher antecedent moisture conditions in the irrigated soils. No irrigation occurred in the audit period.
- Reduction of surface water quality due to uncontrolled runoff from disturbed areas and/or release of contaminants, saline runoff from Project irrigation areas and groundwater contamination. There was no overflow from the MWD and open pits during the 1,000 climatic sequences simulated. Four exceedances relating to surface water occurred within the audit period. Exceedances were not a result of DCM operations (refer to Schedule 3, Condition 25 in **Appendix C**).
- During post-mining is discussed at section 4.4.3 and states that the final voids would not overflow to downstream watercourses. No overflow from final voids has occurred during the audit period.

- Section 4.4.3 also states that without the application of management measures, the reconstructed section of Coal Shaft Creek that would overly the waste rock emplacement could lose water into the waste rock material. Coal Shaft creek reinstatement has not yet been completed.
- Section 4.4.3 also states the existing sediment dams downstream of the waste rock emplacement would be retained until the revegetated surface of the waste rock emplacement is stable and runoff water quality is acceptable, at which time the sediment dams would be removed and these areas would be free-draining. The removal of these dams will occur as part of the rehabilitation process.

1.3.4 Groundwater

The 2010 EA at section 4.4 states there is not expected to be any changes in the quality of groundwater as a consequence of mining and therefore there would be negligible impact on water quality in the Mammy Johnsons River.

Annual Review (2023) at Section 7.4.2 describes in significant detail a comparison to EA predictions. Further review in line with the GWMP where inflows to pits and water levels within bores were consistent with modelled predictions and indicators as per the GWMP. No trigger levels or exceedance of performance measures were identified during the audit period.

1.3.5 Rehabilitation

The 2014 Rehabilitation Strategy was reviewed as part of the audit to ensure predicted impacts in the 2014 EA were assessed against observed outcomes from the site inspection undertaken by Clayton Richards. Rehabilitation areas were inspected and it was noted that adequate measures of surface cover, vegetation establishment, landform design and erosion and sediment control have been (and continue to be) implemented as predicted in the EIS, MOP and RMP. The previous MOP, current RMP and forward work plan is currently deemed adequate to address the rehabilitation requirements of the site. Closure planning is currently underway to ensure the rehabilitation strategy remains adequate for the next phase of the project into closure. Significant detail on rehabilitation is provided in **Appendix C**.

1.4 ACTIVITIES WITHIN THE AUDIT PERIOD

In accordance with Schedule 2, Condition 5 of PA 08_0203 (as modified), mining operations ceased on 31 December 2021. Prior to the ceasing of operations, the Duralie Shuttle Train was in operation between 11 August 2021 – 9 December 2021.

As of 1 January 2022, Duralie has been in the closure phase. Activities within the audit period include:

- The last coal extraction in Weismantel Pit occurred on 8 December 2021 at Weismantel pit;
- Physical and noise generation operations did not occur between 9 December 2021 to 15 October 2022;
- The PAF rehandling process occurred from PAF rehandle area into the Weismantel Pit between October 2022 and September 2023;
- September 2023 to the end of the audit period included monitoring and maintenance activities, drilling for material testing purposes, general clean up, preparation for relinquishment and the dewatering of auxiliary dams and the main water dam; and
- Updating of management plans to reflect the closure phase.

1.5 REPORT STRUCTURE

This report is generally structured as follows:

Section 1 provides an introduction, describes the requirement for the IEA, activities conducted during the audit period and provides a guide to the structure of this report;

Section 2 provides a description and layout of the site and a summary of environmental approvals and management documents;

Section 3 outlines the requirements for this IEA, where each has been addressed in this report and details regulatory consultation;

Section 4 lists any non-compliances identified; and

Section 5 provides a list of recommendations for any identified non-compliances and continuous improvement and the status of previous audit recommendations.

2 SITE DESCRIPTION

2.1 DEVELOPMENT CONSENT

PA 08_02023 for Duralie Coal Mine was granted November 2010 and allows the development described in the 'Environmental Assessment for Duralie Extension Project' (EIS) (Gloucester Coal, 2010) as follows:

- The Proponent may carry out mining operations on site until 31 December 2021;
- The extension of current operations for nine years;
- Continued development of open pit mining operations to facilitate a ROM coal production rate of up to approximately 3 million tonnes per annum, including extension of the existing approved open pit in the Weismantel Seam (Weismantel Extension open pit) to north-west within Mining Lease 1427 and Mining Lease Application 1 and open pit mining operations in the Clareval Seam (Clareval North West open pit) within ML1427 and MLA1;
- Ongoing exploration activities within existing exploration tenements;
- Progressive backfilling of the open pits with waste rock as mining develops, and continued and expended placement of waste rock in out-of-pit waste rock emplacements;
- Increased ROM coal rail transport movements on the North Coast Railway between the DCM and SCM in line with increase ROM coal production;
- Continued disposal of excess water through irrigation (including development of new irrigation areas within ML1427 and MLA1);
- Raising of the approved Auxiliary Dam No. 2 from relative level (RL) 81 metres (m) to approximately RL 100m to provide significant additional on-site storage capacity to manage excess water on-site; and
- Progressive development of dewatering bores, pumps, dams, irrigation infrastructure and other water management equipment and structures.

PA 08_0203 has been modified on two occasions as follows:

- MOD 1 – Approved on 1 November 2012 (Rail hours); and
- MOD 2 – Approved on 5 December 2014 (Open Cut variations).

Figure 1 shows the general layout of Duralie as approved in PA 08_0203.

2.2 MANAGEMENT PLANS, PROGRAMS AND STRATEGIES

PA 08_0203 requires the preparation of a series of management plans. All currently approved management plans for the operation and rehabilitation (as relevant) phases were reviewed during this IEA, including the:

- 'Environmental Management Strategy' (approved December 2021);
- 'Air Quality and Greenhouse Gas Management Plan' (approved December 2021);
- 'Blast Management Plan' (approved December 2021);
- 'Biodiversity Management Plan' (approved February 2023);
- 'Giant Barred Frog Management Plan' (updated August 2017);
- 'Heritage Management Plan' (approved August 2022);
- 'Noise Management Plan' (approved December 2021);
- 'Pollution Incident Response Management Plan' (updated October 2022);
- 'Rehabilitation Management Plan' (updated October 2023);
- 'Waste Management Plan' (approved December 2021); and

- 'Water Management Plan' (approved December 2021).

Management plans, programs and strategies for Duralie Coal Mine are generally adequate and effective in mitigating environmental impacts. Each is comprehensive has been reviewed at least two times during Duralie's operational life.

Mining ceased operations on 31 December 2021. In response to this, management plans were being updated for closure during the audit period. As per **Table 4**, recommendations have been provided where plans are updated for detailed closure planning during the next audit period.

2.2.1 Environmental Management Strategy

The Environmental Management Strategy dated December 2021 was reviewed as part of this audit. No recommendations have been provided (refer to Appendix C).

2.2.2 Air Quality and Greenhouse Gas Management Plan

The Air Quality and Greenhouse Gas Management Plan dated December 2021 was reviewed as part of this audit. No recommendations have been provided (refer to Appendix C).

2.2.3 Blast Management Plan

The Blast Management Plan dated December 2021 was reviewed as part of this audit. As indicated in Table 4, the Blast Management Plan was updated to reflect mining closure planning as per the previous audit recommendation. No recommendations have been provided during this audit period (refer to Appendix C).

2.2.4 Biodiversity Management Plan

The Biodiversity Management Plan dated February 2023 was reviewed as part of this audit. No recommendations have been provided (refer to Appendix C).

2.2.5 Giant Barred Frog Management Plan

The Giant Barred Frog Management Plan dated August 2017 was reviewed as part of this audit. It was noted that a revised management plan was provided to DCCEE in August 2023. No recommendations have been provided (refer to Appendix C).

2.2.6 Heritage Management Plan

The Heritage Management Plan dated August 2022 was reviewed as part of this audit. No recommendations have been provided (refer to Appendix C).

2.2.7 Noise Management Plan

The Noise Management Plan dated December 2021 was reviewed as part of this audit. Two recommendations were provided in this audit to incorporate into the next revision of the management plan (refer to Table 4). There was one non-compliance in relation to the implementation of the management plan during the audit period (refer to Table 3).

2.2.8 Pollution Incident Response Management Plan

The Pollution Incident Response Management Plan dated October 2022 was reviewed as part of this audit. No recommendations have been provided (refer to Appendix C).

2.2.9 Rehabilitation Management Plan

The Rehabilitation Management Plan (RMP) dated October 2023 was reviewed as part of this audit and found to be adequate. The RMP has been recently reviewed and approved by relevant regulators and replaces the previously approved MOP. One recommendation was provided (refer to Table 4).

The evidence that the RMP is being implemented was observed during the site inspection by Clayton Richards and photos provided. The 'on ground' results, and documentation of those results within the Annual Reviews, rehabilitation monitoring reports and annual inspections provides the evidence that the RMP is being adequately implemented. Refer to (at least) conditions 53, 55 and 56 of Appendix C and photographs in **Appendix D** for detail on rehabilitation progress.

2.2.10 Waste Management Plan

The Waste Management Plan dated December 2021 was reviewed as part of this audit. No recommendations have been provided (refer to **Appendix C**).

The WMP is appropriate for the status of the operation. It identifies the following waste streams: waste rock, workshop/operational waste, general recyclables; sewage. It appropriately identifies that the operation is in mine closure phase and as such general recyclables, non-recyclables and sewage would be significantly reduced. Waste rock generation cessation would also occur. Section 5 identifies the waste hierarchy to be utilised when considering closure waste. Segregation was noted during the site visit.

A contaminated land assessment, hazardous materials assessment, mine closure waste management strategy Waste Stream Analysis, Decommissioning and Demolition Plan will be prepared in the next audit period. Reporting and monitoring are addressed in Annual Reviews.

2.2.11 Water Management Plan

The Water Management Plan dated December 2021 was reviewed as part of this audit. As stated in Table 5, the Water Management Plan has been updated in the audit period to satisfy previous audit recommendations. One recommendation was provided (refer to Table 4 and Appendix C).

2.2.11.1 Surface Water Management Plan

The Surface Water Management Plan (including the Irrigation Management Plan and the Potentially Acid Forming (PAF) Material Management Plan) dated September 2021 was reviewed as part of this audit. One recommendation was provided in relation to the SWMP (refer to Table 4).

Irrigation is reported on in Section 7.5 of Annual Reviews. The SWMP was revised in 2021 (during the audit period) to reflect the cessation of irrigation activities. Duralie's irrigation system has been decommissioned and removed.

PAF material management is reported on in Section 6 of Annual Reviews. During the audit period, PAF materials have been appropriately managed to minimise the potential of any short-term or long-term effects of drainage. PAF rehandle activities were ongoing to place all identified PAF material in pit below the predicted post-mining groundwater table level. No events of spontaneous combustion occurred during the audit period.

2.2.11.2 Groundwater Management Plan

The Groundwater Management Plan dated September 2021 was reviewed as part of this audit. No recommendations have been provided (refer to Appendix C).

Annual Review (2023) at Section 7.4.2 describes in that inflows to pits and water levels within bores were consistent with modelled predictions and indicators as per the GWMP. No trigger levels or exceedance of performance measures were identified during the audit period.



Figure 1 – Duralie Coal Mine Layout

3 IEA REQUIREMENTS

3.1 DEVELOPMENT CONSENT

This IEA report has been compiled pursuant to PA 08_02023 (as modified) and the ‘DPE Audit Guidelines’ (DPE, 2020) (discussed in **Section 3.2**).

Requirements for independent auditing under Schedule 5, Conditions 8, 9, 9A and 9B of PA 08_0203 (as modified) and are listed in **Table 1** which also lists where each is addressed in this document.

Table 1 Independent Environmental Audit Requirements

Description	Where Addressed
PA 08_0203 Schedule 5 Conditions 8 and 9	
8. By the end of December 2011, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:	This IEA
a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	Section 1.1 Appendix B Appendix C
b) include consultation with the relevant agencies;	Section 3.3 Appendix E
c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);	Appendix C
d) review the adequacy of strategies, plans or programs required under the approvals in (c) above; and	Section 4 Appendix C
e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the approvals in (c) above.	Section 5 Appendix C
<i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary</i>	Section 1.1 Appendix C
9. Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Responsibility of Yancoal
PA 08_0203 Schedule 5 Conditions 9A and 9B	
9A. By the end of December 2013, and with every Independent Environmental Audit thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of a Rail Haulage Audit of the project. This audit must:	This IEA
a) be conducted by a suitably qualified, experienced and independent experts whose appointment has been endorsed by the Secretary;	Section 1.1 Appendix B Appendix C
b) review the existing rail haulage operations and determine whether all reasonable and feasible measures are being implemented to minimise the: <ul style="list-style-type: none"> • noise and dust impacts of these operations; • use of the shuttle train during the approved night-time hours; • dispatch of trains from the site between 9.25pm and 1am the following day; and 	Section 4 Appendix C
c) recommend appropriate measures or actions to improve the efficiency of these rail haulage operations and minimise their associated impacts; and	Section 5 Appendix C

Description	Where Addressed
d) evaluate the use of the exceptional circumstances provision in condition 8 of schedule 2, and the associated reporting on any use of this provision on the Proponent’s website (see condition 8A in schedule 2).	
9B. Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Responsibility of Yancoal

3.2 AUDIT GUIDELINES

This IEA report has also been prepared in accordance with the Audit Guidelines (DPE, 2020). **Appendix F** lists key requirements and sections of the Audit Guidelines and indicates where each is addressed in this report.

3.3 AGENCY CONSULTATION

The following agencies were approached directly by RPS in November 2023 for input as part of the scoping phase of this IEA (see **Appendix E**).

- Department of Planning and Environment (DPE);
- Duralie Community Consultative Committee (CCC);
- Environmental Protection Agency (EPA);
- MidCoast Council; and
- Resources Regulator.

Where specific issues were raised during consultation, these are listed in **Table 2** along with a section on where each has been addressed in this IEA report.

Table 2 Agency Requirements

Regulator	Date of Response	Feedback	Where Addressed
Department of Planning and Environment (DPE)	8/12/2023	DPE requests that the audit focus on the implementation of the approved Waste Management Plan and the Rehabilitation Management Plan, including but not limited to the following – <ul style="list-style-type: none"> • management of wastes associated with the mine closure • management of residual wastes stored on site • monitoring and management of PAF (potentially acid forming) material and spontaneous combustion, and • assessment of contaminated land 	Appendix C Section 1.3.5 Section 2.2.10
Duralie Coal Community Consultative Committee (CCC)	4/12/2023	In response to your request for stakeholder comment within the scope of the IEA, I confirm I referred this to the Duralie CCC for information and any comment back to me by today’s date. I advise I haven’t received any comments or areas of concern raised by the Committee. Thank you for the opportunity to comment.	N/A
Environmental Protection Agency (EPA)	22/12/2023	The EPA has no comment to provide for this request but directs you to the EPA’s public register at https://apps.epa.nsw.gov.au/prpoeoapp/ to view the Licence associated notices.	N/A

Regulator	Date of Response	Feedback	Where Addressed
MidCoast Council	22/11/2023	I believe this report will be the shortest report that you will have to undertake, the rehabilitation is looking fantastic and the last inspection the railway line has been removed.	N/A
Resources Regulator	5/12/2023	<p>Thank you for your email dated 27 November 2023 requesting consultation on the independent environmental audit to be undertaken of the Duralie Coal Mine which is covered by mining leases ML1427 (1992) and ML1646 (1992).</p> <p>The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including the mining operations plan.</p> <p>From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 2 mining leases that comprise the Duralie Coal Mine have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.</p> <p>The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.</p> <p>It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.</p>	Appendix C consistent with previous audit

4 NON-COMPLIANCES AND RECOMMENDATIONS

A summary of the 10 non-compliances against each condition of PA 08_0203, EPL11701, Mining Regulation 2016 Schedule 8A and Mining Lease 1646 is summarised in **Table 3**.

Recommendations arising from the non-compliances are included in **Section 5**. Conditions around Rail Haulage are also included.

Appendix C provides a complete tabulated list of conditions of PA 08_0203, EPL11701, Mining Regulation 2016 Schedule 8A and Mining Lease 1646 with the compliance status, comments and evidence provided against each.

Table 3 Identified Non-Compliances

Ref	Non-Compliance
PA 08_0203 Schedule 2, Condition 8 EPL 11701 O7.3	A shuttle train was dispatched from Duralie at 5:55 am on Wednesday 27 October 2021 which is outside the approved hours (between 6am and 10pm). Reported to the EPA and DPE on 29 October 2021. No further actions are required.
PA 08_0203 Schedule 3, Condition 7	Annual mobile plant sound power monitoring was not undertaken at Duralie during the 2021 reporting period. This was due to the reduced fleet, reduced operating periods and no evening or night-time operations. No adverse effects were anticipated resulting from the noncompliance and no noise complaints were received. Sound power monitoring was conducted in September 2021. The NMP has been revised to reflect monitoring requirements during periods of reduced operations. The NMP was revised in October 2021. No further actions are required.
PA 08_0203 Schedule 3, Condition 19 EPL 11701 M2.2	Cracked sample bottle at EPL Point 32 causing failure to monitor (Depositional Dust Gauge 8) which resulted in less than required depositional dust monitoring. Table 6.5 in the AR shows a “no result” reading for gauge D8 in April 2022. Dust monitor has been effective after this date. No further actions are required.
PA 08_0203 Schedule 3, Condition 25 EPL 11701 L1.1	Uncontrolled discharge of mine related water (rehabilitated area runoff) on 21 March 2021 from sediment dam VC1 south of established rehab area (EPL Monitoring Point 27) reporting to Coal Shaft Creek as a result of significant rainfall event exceeding design capacity. Reported to the EPA on 26 March 2021 Pumping of sediment dam was undertaken and water samples were collected from monitoring sites upstream, downstream and at point of discharge and sent for analysis. It was concluded that no material harm resulted from the discharge. No further actions are required.
PA 08_0203 Schedule 3, Condition 25 EPL 11701 L1.1 L2.2 L2.4	Two pH results outside of the 100 percentile concentration limit at point 36 on 28 February 2021 and point 27 on 21 March 2021. Marginal exceedance with downstream monitoring point 35 within 100 percentile concentration limits on all dates the results are outside the 100 percentile. No further actions are required.
PA 08_0203 Schedule 3, Condition 25 EPL 11701 L1.1	Uncontrolled discharge of mine related water (rehabilitated area runoff) from sediment dam RS1 (EPL Point 15) near rail sighting on 4 March 2022. Reported to DPE and EPA on 4 March 2022. Pumping of sediment dam was undertaken and water samples were collected from monitoring sites upstream, downstream and at point of discharge and sent for analysis. It was concluded that no material harm resulted from the discharge. No further actions are required.
PA 08_0203 Schedule 3, Condition 25	Two pH results (Point 36 - North Drain) during the audit period were marginally outside the pH criteria. Recorded pH value of 6.05 (below the range of 6.5 - 8.5). This is negligible in the context of the monitoring undertaken and was not determined to be related to operational impacts. No further directives were received from regulators.

Ref	Non-Compliance
<p>EPL 11701 L1.1 L2.2 L2.4</p>	<p>No further actions are required.</p>
<p>PA 08_0203 Schedule 3, Condition 45</p>	<p>The bond is required to be reviewed after each Independent Environmental Audit. The review of the bond has commenced but has not been completed in the audit period.</p> <p>No revised bond has been submitted to DPE during the audit period. Yancoal is anticipating the bond will decline in value and therefore presents a low risk. This was a non compliance at the previous audit.</p> <p>Recommend bond provided to DPE asap for approval and ensure undertaken in next audit period.</p>
<p>EPL11701 M2.3</p>	<p>Less than required monitoring undertaken as per EPL 11701 - M2.3 Water and or Land Monitoring Requirements – Point 4.</p> <p>A sample is required once a month (min. of 4 weeks) and was not sampled on 31 January 2023, 27 April 2023, 31 May 2023, 29 June 2023, 31 July 2023 and 28 August 2023. Access to Point 4 (Weismantel Open Cut Pit) on these dates was not achieved due to progressive backfilling within the pit footprint. As water is contained in the pit no adverse effects resulted from the non-compliance.</p> <p>DCM investigated alternative methods to complete monitoring at unsafe locations. WMP to be updated to include finalised methods.</p>
<p>ML1646 Condition 3</p>	<p>Alleged failures to conduct mining operations in compliance with the DCM Mining Operations Plan (MOP). Specifically, the commitments set out in Table 13 in Section 8 of the MOP were not completed in the required timeframe.</p> <p>Official Caution Notice issued by Resources Regulator on 20 August 2021 and Section 240 notice issued on 31 August 2021. Section 240 requests were completed.</p> <p>No further actions are required.</p>

5 CONTINUOUS IMPROVEMENT AND RECOMMENDATIONS

5.1 Continuous Improvement Recommendations

Table 4 includes a consolidated list of continuous improvement recommendations from this IEA. These are recommendations for consideration only and are not mandatory to ensure compliance with conditions of consent.

Table 4 IEA Recommendations

Ref	Recommendation
PA 08_0203 Schedule 3, Condition 7	Consider whether variation to EPL is required for revised noise monitoring requirements.
PA 08_0203 Schedule 3, Condition 29	All plans will be updated for detailed closure planning in the next audit period.
PA 08_0203 Schedule 3, Condition 29	Ensure completion of removal of declared dam status for rehabilitated declared dam, AD2.
PA 08_0203 Schedule 3, Condition 57	Update RMP to specifically indicate if new scientific knowledge is gained during rehabilitation monitoring programs to be made publicly available and include information at public location (e.g. website).
PA 08_0203 Schedule 5, Condition 9A	Seek confirmation from DPE that the Rail Haulage Audit can be excluded from future audits as rail haulage complete.
EPL 11701 A1.1	Consider whether a licence variation to reduce the scale of the activities is appropriate (currently includes coal works, extractive activities and mining for coal).
EPL 11701 L4.2	NMP should be updated at new review to include discussion for each monitoring location's relationship to the 30 m condition.
EPL 11701 L4.7	At next review of NMP that condition details are specifically described (i.e. for the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used).
EPL 11701 P1.2	Request this condition deleted in next variation as it has no content. The condition states "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" however does not contain a table of values.
EPL 11701 P1.3	At next variation, the figure dated '20 October 2017' should be updated to current version reference.

5.2 Previous Audit Recommendations

Status of previous audit recommendations were examined in this IEA. **Table 5** includes recommendations made within the previous 2020 IEA Report (Barnett & May) and the status of each at the time of the site inspection on 12-13 December 2023.

Table 5 2020 Previous Audit Recommendations Status

Cond no.	Requirement/Condition	2020 Audit Recommendation	2023 Status
2020 Non-Compliance Recommendations			
Schedule 2, Condition 8(b)	The proponent shall:(b) only receive shuttle trains on site between 6am and midnight; and	Prior to recommencement of Shuttle Train Operations, ensure that train operators are made aware of their obligations under this Condition.	Viewed Environmental Awareness Training package for Rail Operations dated September 2017. The 2017 training package was still relevant to the audit period and no updates were required. Complete.
Schedule 2, Condition 8(c)	The proponent shall:(c) only operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition.	Viewed Environmental Awareness Training package for Rail Operations dated September 2017. The 2017 training package was still relevant to the audit period and no updates were required. Complete.
Schedule 2, Condition 8A	Within 12 hours of operating shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances, the Proponent shall provide a detailed explanation of the exceptional circumstances on its website.	Ensure that the reasons for operating trains on the North Coast Railway between midnight and 1am are published on the Duralie Website.	No trains were in operation between 12-1 am during the audit period. Complete.
Schedule 3, Condition 17	The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	DCPL has responded to the odour incidents and no further actions have been identified during this IEA.	No odour related complaints have been received and no odour related incidents have occurred during the audit period. Complete.
Schedule 3, Condition 22	The Proponent shall:(a) implement best practice air quality management on site, including all reasonable and feasible measures to minimize the off-site odour, fume and dust emissions generated by the project, including any emissions from spontaneous combustion;	DCPL has responded to the odour incidents and no further actions have been identified during this IEA.	No odour related complaints have been received and no odour related incidents have occurred during the audit period. Complete.
Schedule 3, Condition 23(b)	The Air Quality & Greenhouse Gas Management Plan for the project shall:(b) describe the measures that would be implemented to ensure compliance with conditions	Revise the AQGGMP to include odour risks and management.	Odour risks and management is located in Section 6.3 of the Air Quality & Greenhouse Gas Management Plan dated October 2021.

Cond no.	Requirement/Condition	2020 Audit Recommendation	2023 Status
	17-22 of Schedule 3 of this approval, including the proposed real-time		Complete.
Schedule 3, Condition 23 (note)	Note: The effectiveness of the Air Quality & Greenhouse Gas Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).	Revise the AQGGMP to include odour risks and management.	Odour risks and management is located in Section 6.3 of the Air Quality & Greenhouse Gas Management Plan dated October 2021. Complete.
Schedule 3, Condition 25	The Proponent shall ensure that:(b) all surface water discharges from the site comply with section 120 of the POEO Act or, if an EPL has been issued regulating water discharges from the site, the discharge limits (both volume and quality) set for the project in the EPL.	The exceedances in water quality discharges from the site were a result of environmental factors and not considered to be related to operational impacts of the mine. No actions relating to this noncompliance have been identified.	There were four water related non-compliances in the audit period; two were uncontrolled discharges and two were pH exceedances. Complete.
Schedule 3, Condition 45	After each Independent Environment Audit (see Condition 8 of Schedule 5), the Proponent shall review and adjust the sum of the (conservation) bond to the satisfaction of the Secretary.	Expediate the finalization of the review of the conservation bond.	The bond was not reviewed in the audit period (see comments in Table 4).
Schedule 3, Condition 57(d)	This Rehabilitation Management Plan must:(d) provide for scientific knowledge gained during the rehabilitation, to be made publicly available;	Update the plan to provide for scientific knowledge gained during the rehabilitation, to be made publicly available. For example, include a process for publication (in appropriate journals) of lessons learned / discoveries related to the rehabilitation works.	Plan not updated in the audit period to provide for scientific knowledge gained during the rehabilitation, to be made publicly available. See comments in Table 4 .
Schedule 5, Condition 4(a)	Within 3 months of:(a) the submission of an annual review under Condition 3 above; the Proponent shall review, and if necessary, revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.	Establish a register that records the reviews of all management plans (as evidence for future audits).	Viewed Duralie Environmental Management Plans Register. Complete.
Schedule 5, Condition 4(b)	b) the submission of an incident report under Condition 67 below; the Proponent shall review, and if necessary, revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.	Ensure that following any reportable incident that the relevant plan is reviewed and if required revised.	Viewed Duralie Environmental Management Plans Register. Complete.

Cond no.	Requirement/Condition	2020 Audit Recommendation	2023 Status
EPL Non-Compliance Recommendations			
L2.2	For each monitoring/discharge point or utilisation area specified in the table 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.	The exceedances in water quality discharges from the site were a result of environmental factors and not considered to be related to operational impacts of the mine. No actions relating to this noncompliance have been identified.	Two pH exceedances occurred within the audit period. Complete.
L6.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises. Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.	DCPL has responded to the odour incidents and no further actions have been identified during this IEA.	No odour related complaints have been received and no odour related incidents have occurred during the audit period. Complete.
O7.3(b)	The licensee shall only: b) receive shuttle trains on site between 6am and midnight;	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition.	One train left at 5:55 am during the audit period. Viewed Environmental Awareness Training package for Rail Operations dated September 2017. The 2017 training package was still relevant to the audit period and no updates were required. Complete.
O7.3(c)	The licensee shall only: c) operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition.	No trains were in operation between 12-1 am during the audit period. Complete.
M2.2	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.	No recommendation required as this was an isolated incident that was immediately rectified.	A cracked sample bottle at EPL Point 32 resulted in less than required monitoring for 2022. No further action required. Complete.

Cond no.	Requirement/Condition	2020 Audit Recommendation	2023 Status
M2.3	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.	No recommendation required as this was an isolated incident that was immediately rectified.	Less than required monitoring was undertaken in 2023 due to progressive backfilling within pit footprint. TK advised that drone sampling was examined as an option but was deemed unfeasible. Monitoring has recommenced as backfilling has ceased and is undertaken via installed safe ramp access. Complete.
M7.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Update the website to specify that the Community Hotline is also the complaints telephone number.	The Duralie website states above the phone number “to make a complaint please contact the Community Information Hotline”. Complete.
Mining Lease Non-Compliance Recommendations			
5	(a) The lease holder must report any environmental incidents. The report must: (i) be prepared according to any relevant Departmental guidelines. (ii) be submitted within 24 hours of the environmental incident occurring:	Ensure that all reportable environmental incidents are included in the reporting of incidents to the Resources Regulator.	Incidents have been reported to the Resources Regulator during the audit period (see comments in Table 4). Complete.
General Recommendations			
Sch 3, C 15	The Proponent shall not carry out blasting within 500 metres of any privately-owned land or land not owned by the Proponent unless: (a) the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Department in writing of the terms of this agreement; or (b) the Proponent has <ul style="list-style-type: none"> demonstrated to the satisfaction of the Secretary that the blasting can be carried out without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and updated the Blast Management Plan to include the specific measures that would be implemented while 	Recommendation for Improvement – If blasting is required in 2021, then it is recommended that attempts be made to contact the relevant landowner again to seek agreement for blasting within 500 metres of that private property.	Viewed Yancoal letter to landowner dated 3 March 2021 stating that Duralie Coal will recommence blasting activities in March 2021, and that “Duralie Road will be closed for approximately 10 minutes for each blasting event”. Complete.

Cond no.	Requirement/Condition	2020 Audit Recommendation	2023 Status
	blasting is being carried out within 500 metres of the land.		
Sch 3, C 16	The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary.	Recommendation for Improvement – If blasting is required in 2021, then it is recommended that the Blast Management Plan be reviewed and revised to ensure that any future blasting is undertaken in accordance with best practice.	Blast Management Plan was updated on December 2021 to reflect mine closure planning and status of DCM. Complete.
Sch 3, C 29	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with EPA and NOW.	Ensure that as part of any future revision of the Water Management Plan that all relevant stakeholders are consulted.	Viewed Section 1.5 of Duralie Coal Mine Water Management Plan dated September 2021 which states that “the original WAMP and all revised versions have been prepared in consultation with the NSW Environment Protection Authority (EPA) and the NSW Office of Water (NOW)”. Viewed consultation letter from EPA dated 22 September 2021 in Attachment A of the report. Complete.
Sch 3, C 29(b)	(b) a Surface Water Management Plan that includes: <ul style="list-style-type: none"> • an irrigation management plan for the irrigation system under the water management system, which includes: - salinity trigger levels for controlling discharges from the irrigation areas. 	The Surface Water Management Plan is attached to Appendix 2 of the Water Management Plan. Table 1 (Section 2) of the Irrigation Management Plan states that details of the salinity trigger values are provided in Section 4.4. Section 4.4 does not detail the salinity trigger values. That information is contained in Section 4.6. Update Table 1 (section 2) of the Irrigation Management Plan to provide the correct reference to the location of the Salinity Trigger Values.	See comments in Table 4 . Complete.

Table Note



Appendix A Audit Itinerary

DURALIE/STRATFORD COAL MINE IEA 12 – 13 DECEMBER 2023

SITE VISIT ITINERARY

Unit 2A, 45 Fitzroy Street
Carrington NSW 2294
T +61 2 4940 4200

Invitees

Name	Company	Title
Thomas Kirkwood (TK)	Yancoal Australia	Environment and Community Superintendent
John Cullen (JC)	Yancoal Australia	Operations Manager
Lauren Whitelaw (LW)	Yancoal Australia	Environment and Community Advisor
Dianne Munro (DM)	RPS	Lead Auditor
Jessica Robinson (JR)	RPS	Assistant Auditor
Clayton Richards (CR)	Minesoils	Principal

Site Inspection Schedule

Day 1 – Tuesday 12 December 2023		
Time	Task	Personnel
6:00 – 8:30 am	Clayton Rehabilitation Site Inspection for Duralie	CR, TK
8:00 – 8:30 am	Arrival on Site <ul style="list-style-type: none"> Visitor induction and set up 	TK, LW, DM, JR
8:30 – 9:00 am	Opening Meeting <ul style="list-style-type: none"> Introductions (TK) IEA scope and purpose (DM) Confidentiality arrangements (DM) IEA process and timing (DM) 	All
9:00 am – 12:00 pm	Compliance Review <ul style="list-style-type: none"> Duralie PA 08_023 Individual Conditions Review (incl. Rail Haulage Audit) EIS / RMP Consistency 	TK, LW, DM, JR
12:00 – 12:30 pm	Lunch Break	All
12:30 – 5:00 pm	Compliance Review (cont.) <ul style="list-style-type: none"> Duralie PA 08_023 Individual Conditions Review (cont.) Stratford SSD 4966 Individual Conditions Review 	TK, LW, DM, JR

Agenda

Day 2 – Wednesday 13 December 2023		
Time	Task	Personnel
8:00 – 8.15 am	Day 2 Overview Meeting <ul style="list-style-type: none"> Confirm arrangements for Day 2 	TK, LW, DM, JR
8:15 – 10:45 am	Site Inspection <ul style="list-style-type: none"> Open cut and waste emplacement Workshop Chemical storage areas Waste storage Sewage treatment system Pit top area (general) Wash bay and CHPP 	TK, DM, JR
10:45 am – 1:00 pm	Compliance Review <ul style="list-style-type: none"> SSD 4966 Individual Conditions Review (cont.) EIS / MOP Consistency Mining Leases EPL Management Plans review 	TK, LW, DM, JR
1:00 – 1.15 pm	Lunch Break	All
1:15 – 3:00 pm	Compliance Review (cont.)	TK, LW, DM, JR
3:00 – 3:30 pm (TBC)	Closeout Preparation Auditor preparation for Closeout Meeting	TK, DM, JR
3:30 – 4:00 pm (TBC)	Close out Meeting <ul style="list-style-type: none"> Overview of findings Confirmation of outstanding documents Confirmation IEA completion process 	All



Appendix B
Independent Audit
Certification Form

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name Duralie/Stratford Extension Projects 2023 Independent Environmental Audit

Consent Number PA 08_2023 and SSD-4966

Description of Project 2023 Independent Environmental Audits for Duralie/Stratford Mining Complex

Project Address Duralie: 1164 Bucketts Way South, Strout Road NSW 2415 Stratford: 3364 The Bucketts Way, Stratford NSW 2422

Proponent Yancoal Australia Pty Ltd

Date 20 November 2023

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

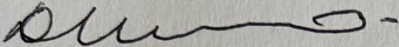
Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Dianne Munro

Signature 

Qualification Certified Auditor #107622, Environmental Management, Compliance, EMS, ISO14001:2015 Audit Exemplar Global

Company RPS AAP Consulting Pty Ltd

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

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Consent Number PA 08_2023 and SSD-4966

Description of Project 2023 Independent Environmental Audits for Duralie/Stratford Mining Complex

Project Address Duralie: 1164 Bucketts Way South, Strout Road NSW 2415 Stratford: 3364 The Bucketts Way, Stratford NSW 2422

Proponent Yancoal Australia Pty Ltd

Date 20 November 2023

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.


Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Jessica Robinson

Signature 

Qualification Master of Sustainable Development

Company RPS AAP Consulting Pty Ltd

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name Duralie/Stratford Extension Projects 2023 Independent Environmental Audit

Consent Number PA 08_2023 and SSD-4966

Description of Project 2023 Independent Environmental Audits for Duralie/Stratford Mining Complex

Project Address

Duralie:	Stratford:
1164 Bucketts Way South, Strout Road NSW 2415	3364 The Bucketts Way, Stratford NSW 2422

Proponent Yancoal Australia Pty Ltd

Date 20 November 2023

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Clayton Richards

Signature *Clayton Richards*

Qualification B. Natural Resources & CPSS

Company Minesoils Pty Ltd



Appendix C Compliance Tables

DA Table PA 08_0203

Cond. no	Requirement/Condition	Status	Evidence
Schedule 2, Condition 1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the project.	Compliant	All reasonable and feasible measures are being implemented to minimise the potential for environmental harm with regards to rehabilitation (Minesoils site visit). During the site inspections undertaken on 12-13 December the Auditor did not identify any circumstances where reasonable and feasible environmental controls were not being implemented.
Schedule 2, Condition 2	The Proponent shall carry out the project generally in accordance with the: (a) EA; (a1) EA (Mod 1); (a2) EA (Mod 2); (b) statement of commitments; and (c) conditions of approval <i>Notes:</i> <ul style="list-style-type: none"> <i>The general layout of the project is shown in Appendix 2; and</i> <i>The statement of commitments is reproduced in Appendix 9</i> 	Compliant	Viewed Appendix 2 in PA 08_0203. Viewed Figure 2-7 in the Duralie Extension Project Environmental Assessment. There are minor differences in the layout between these figures including the Weismantel Open Pit in the Consent is shown as an in-pit water storage area in the EIS, and the Clareval Open Pit water storage in the Consent is shown as the Clareval North West Open Put in the EA. However, layout is consistent with the RMP.
Schedule 2, Condition 3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Not Triggered	Not triggered as no inconsistency was found within the above documents (TK pers comms).
Schedule 2, Condition 4	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these documents.	Compliant	No requests additional to those related to plans and reports as described below have been made by the Secretary during the audit period (TK pers comms).
Schedule 2, Condition 5	The Proponent may carry out mining operations on site until 31 December 2021. <i>Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to</i>	Compliant	Date has expired, no mining operations can occur after end 2021. Viewed Duralie Coal website on 16 January 2024 at 4:15 pm. Viewed Duralie Fact Sheet dated January 2023 which states that "coal operations finished at Duralie in 2021".

Cond. no	Requirement/Condition	Status	Evidence
	<i>the satisfaction of both the Secretary and the Director-General of DTIRIS. Consequently, this approval will continue to apply in all other respects – other than the right to conduct mining operations – until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.</i>		
Schedule 2, Condition 6	The Proponent shall not extract more than 3 million tonnes of coal from the site in a calendar year.	Compliant	Viewed Annual Reviews. Production summary as follows: 2021 AR = 44,953 Tonnes 2022 AR = 177,099 Tonnes 2023 = 0 Tonnes (TK pers comms)
Schedule 2, Condition 7	The Proponent shall ensure that: (a) all coal is transported from the site by rail; (b) no more than 5 laden trains leave the site each day; and (c) no more than 4 laden trains leave the site each day, when averaged over a 12-month period.	Compliant	Viewed Duralie Coal website on 5 December 2023 at 12:30 pm. Viewed 'Shutte Train Performance Summary'. The Duralie Shuttle Train recommenced operation within the audit period on 11 August 2021 and ceased on 31 December 2021. a) Viewed 2021 Annual Review. Section 4.4.4 states that "all ROM coal is transported from site to the SMC (Stratford Mining Complex) by rail". b) Viewed Duralie Shuttle Train Performance Summary dated 21 December 2021. A total of 94 train movements occurred within the operational period. c) Viewed 2022 Annual Review. Section 4.3.5 states that "there was a maximum daily movement of 4 trains".
Schedule 2, Condition 8	The Proponent shall: (a) only dispatch shuttle trains from the site between 6am and 10pm; (b) only receive shuttle trains on site between 6am and midnight; and (c) only operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	Not Compliant	a) Viewed 2021 – 2022 Annual Review. "A shuttle train was dispatched from Duralie at 5:55 am on Wednesday 27 October 2021. Reported to the EPA and DPE on 29 October 2021". No further actions required. b) No shuttle trains were received outside of the permitted time period. c) Viewed Duralie Shuttle Train Performance Summary dated 12 December 2021. No instances where trains were operating between midnight and 1 am.
Schedule 2, Condition 8A	Within 12 hours of operating shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances, the Proponent shall provide a detailed explanation of the exceptional circumstances on its website.	Not Triggered	Viewed Shuttle Train Performance Summary on Duralie website on 22 January 2023 at 11:45 am. Not triggered as no trains were in operation between 12 – 1 am during the audit period.
Schedule 2, Condition 9	By the end of December 2011, or as otherwise agreed by the Secretary, the Proponent shall surrender all existing development consents for the site in accordance with Section 104A of the EP&A Act.	Compliant	Viewed 2020 Previous Audit report. Condition was fulfilled in the 2014 IEA.

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Cond. no	Requirement/Condition	Status	Evidence
Schedule 2, Condition 10	Prior to the surrender of these consents, the conditions of this approval shall prevail to the extent of any inconsistency with the conditions of these consents.	Note	Noted.
Schedule 2, Condition 11	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are connected in accordance with the relevant requirements of the BCA. <i>Notes:</i> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent 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 project. 	Not Triggered	Viewed 2021, 2022 and 2023 Annual Reviews. Not triggered as no construction works were undertaken during the audit period. No new structures have been built in the audit period (TK pers comms).
Schedule 2, Condition 12	The Proponent shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Compliant	Viewed Work Methodology Statement dated 6 February 2023. Demolition in the period was a train loader bin and the rail siding. Mound of soil is still present, contaminated land survey is currently being completed. No earthworks have been undertaken to date (TK pers comms). Viewed letter from 31 January 2023 which indicated that Wellinbah undertook demolition of train loader, coal crusher and associated conveyor, small loader crib hut, and rail tracks and sleepers in accordance with the standards required in this condition.
Schedule 2, Condition 13	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	There is very little plant and equipment operating on site. Approximately Two trucks and a front loader still present on site (see Plate 8 and Plate 16). Maintenance schedule for trucks is the same as Stratford (TK pers comms). Viewed the following YPM3 Routine Work Order Maintenance Documents for: <ul style="list-style-type: none"> Dump Truck – CAT 785C dated 4 December 2023. The Work Order was stated as complete. Water Cart – CAT 777F dated 1 November 2023. The Work Order was stated as complete.

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Cond. no	Requirement/Condition	Status	Evidence
Schedule 2, Condition 14	<p>With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.</p> <p><i>Note: While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the operations on site are covered by suitable strategies, plans or programs at all times.</i></p>	Not Triggered	Not triggered as no strategies, programs or plans have been submitted during the audit period (TK pers comms).
Schedule 2, Condition 15	<p>Until they are replaced by an equivalent strategy, plan or program approved under this approval, the Proponent shall continue to implement the existing strategies, plans or programs that apply to any development on site.</p>	Note	<p>Most documents have been updated to closure, with the Detailed Closure Plan to be updated.</p> <p>All Plans have been updated in the audit period, aside from the Giant Barred Frog Management Plan (which does not require update for closure phase).</p>
Schedule 2, Condition 16	<p>For the period from the end of December 2010 until the completion of mining operations on site, the Proponent shall pay GLC the following contributions each year:</p> <p>(a) \$59,688.09 for the maintenance of The Bucketts Way;</p> <p>(b) \$11,022.58 for a structural inspection of the bridges on The Bucketts Way (between its intersection with Clarence Town Road and the mine access road);</p> <p>(c) \$120,000 for the Karuah Catchment Management Program; and</p> <p>(d) \$100,000 for the provision of community infrastructure.</p> <p>These contributions must be indexed according to the CPI at the time of each payment.</p> <p>If no mining operations occur on site in a calendar year, then the Proponent is not required to pay these contributions.</p>	Compliant	<p>Viewed Annual Contribution FR2021 invoice calculation spreadsheet.</p> <p>Viewed Tax Invoice to MidCoast Council dated 8 June 2022 incorporating payments required by this condition.</p> <p>No payments required in 2022 or 2023 following closure in 2021 (TK pers comms).</p>
Schedule 2, Condition 17	<p>For the period from the end of December 2010 until the completion of mining operations on site, the Proponent shall pay GSC the following contributions each year:</p> <p>(a) \$15,000 for specified community works that have been agreed to between GSC and the Proponent;</p> <p>(b) \$15,000 for the GSC Community Education Fund for an annual trade apprenticeship, traineeship, scholarship or equivalent; and</p> <p>(c) \$10,000 for the provision of community infrastructure.</p> <p>These contributions must be indexed according to the CPI at the time of each payment.</p>	Compliant	<p>Viewed Annual Contribution FR2021 invoice calculation spreadsheet.</p> <p>Viewed Tax Invoice to MidCoast Council dated 8 June 2022 incorporating payments required by this condition.</p> <p>No payments required in 2022 or 2023 following closure in 2021 (TK pers comms).</p>

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Schedule 3, Condition 1	<p>Upon receiving a written request for acquisition from an owner of the land listed in Table 1, the Proponent shall acquire the land in accordance with the procedures in Conditions 5-6 of Schedule 4.</p> <p><i>Table 1: Land subject to acquisition upon request</i></p> <table border="1"> <tr> <td>117 - Holmes</td> <td>125 (1) - Zulumovski</td> </tr> <tr> <td>118 - Moylan</td> <td>125 (2) - Zulumovski</td> </tr> <tr> <td>122 - White</td> <td>128 - Hare Scott</td> </tr> </table> <p><i>Note: To identify the locations referred to in Table 1, see the figure in Appendix 3.</i></p>	117 - Holmes	125 (1) - Zulumovski	118 - Moylan	125 (2) - Zulumovski	122 - White	128 - Hare Scott	Not Triggered	No requests for acquisition of land were received during the audit period (TK pers comms).																																																																				
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Schedule 3, Condition 2	<p>Except for the land referred to in Table 1, the Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 2 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.</p> <p><i>Table 2: Noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq(15 minute)}</th> <th>L_{Aeq(15 minute)}</th> <th>L_{Aeq(15 minute)}</th> <th>L_{A(1/1 minute)}</th> </tr> </thead> <tbody> <tr> <td>172 - Lyall</td> <td>35</td> <td>39</td> <td>40</td> <td>45</td> </tr> <tr> <td>126 - Hamann Pixalu PL</td> <td>35</td> <td>35</td> <td>39</td> <td>45</td> </tr> <tr> <td>123 - Oleksiuk & Camody</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>173 - Trigg & Holland</td> <td>35</td> <td>36</td> <td>37</td> <td>45</td> </tr> <tr> <td>116 - Weismantel</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>127 - Fisher-Webster</td> <td>35</td> <td>35</td> <td>37</td> <td>45</td> </tr> <tr> <td>131(1) - Relton</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>180 (1) - Thompson</td> <td>35</td> <td>36</td> <td>36</td> <td>45</td> </tr> <tr> <td>95 - Smith & Ransley</td> <td>35</td> <td>35</td> <td>36</td> <td>45</td> </tr> <tr> <td>144 - Wielgosinski</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>169 - Williams</td> <td>35</td> <td>36</td> <td>35</td> <td>45</td> </tr> <tr> <td>177 - Thompson</td> <td></td> <td></td> <td></td> <td></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>Notes:</p> <ul style="list-style-type: none"> To identify the locations referred to in Table 2, see the figure in Appendix 3; and Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the</p>	Location	Day	Evening	Night		L _{Aeq(15 minute)}	L _{Aeq(15 minute)}	L _{Aeq(15 minute)}	L _{A(1/1 minute)}	172 - Lyall	35	39	40	45	126 - Hamann Pixalu PL	35	35	39	45	123 - Oleksiuk & Camody					173 - Trigg & Holland	35	36	37	45	116 - Weismantel					127 - Fisher-Webster	35	35	37	45	131(1) - Relton					180 (1) - Thompson	35	36	36	45	95 - Smith & Ransley	35	35	36	45	144 - Wielgosinski					169 - Williams	35	36	35	45	177 - Thompson					All other privately-owned land	35	35	35	45	Compliant	<p>Viewed Noise Management Plan dated 23 December 2021. Quarterly noise monitoring is required at NM1, NM4, NM4 and NM6 as per the Noise Monitoring Program.</p> <p>Viewed Noise Monitoring Survey Reports within the audit period.</p> <p>All Noise Monitoring Survey Reports viewed within the audit period (dated February 2021, June 2021, August 2021, October 2021, December 2022, February 2023, June 2023 and August 2023) were found to be compliant with requirements within this condition.</p> <p>Operations temporarily ceased in October 2021 and recommenced on 15 October 2022. Therefore, only one noise monitoring report was required in 2022.</p>
Location	Day		Evening	Night																																																																									
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Cond. no	Requirement/Condition	Status	Evidence								
	criteria, and the Proponent has advised the Department in writing of the terms of this agreement.										
Schedule 3, Condition 3	<p>If the noise generated by the project exceeds the criteria in Table 3 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the landowner, the Proponent shall acquire the land in accordance with the procedures in Conditions 5-6 of Schedule 4.</p> <p><small>Table 3: Noise acquisition criteria dB(A) L_{max}(15 min)</small></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>40</td> <td>40</td> <td>40</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy; and For this condition to apply, the exceedances of the criteria must be systemic. 	Location	Day	Evening	Night	All privately-owned land	40	40	40	Not Triggered	No requests for acquisition of land were received during the audit period (TK pers comms).
Location	Day	Evening	Night								
All privately-owned land	40	40	40								
Schedule 3, Condition 4	<p>Upon receiving a written request from the owner of any residence:</p> <p>(a) On the land listed in Table 1;</p> <p>(b) On the land listed as 123, 126 and 172 on the figure in Appendix 3;</p> <p>(c) On the land listed as R2, R4-R12 on the figure in Appendix 3;</p> <p>(d) On privately-owned land where subsequent noise monitoring shows that noise generated by the project is greater than or equal to LAeq (15 min) 38 dB(A); or</p> <p>(e) On privately-owned land between the Stratford and Duralie mines where the maximum passby rail traffic noise from the Project exceeds 85 dB(A),</p> <p>the Proponent shall implement additional noise mitigation measures (such as double glazing, insulation and/or air</p>	Not Triggered	No requests for acquisition of land were received during the audit period (TK pers comms).								

Cond. no	Requirement/Condition	Status	Evidence
	conditioning) at the residence in consultation with the owner. These measures must be reasonable and feasible. If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.		
Schedule 3, Condition 5	By the end of December 2011, or as otherwise agreed by the Secretary, the Proponent shall only use locomotives that are approved to operate on the NSW rail network in accordance with the noise limits in the ARTC's EPL (No. 3142).	Compliant	Viewed Duralie 2020 IEA Report. Compliance was achieved in previous audit.
Schedule 3, Condition 6	The Proponent shall: (a) implement best practice noise management, including all reasonable and feasible noise mitigation measures to minimise the operational, low frequency and rail noise generated by the project; and (b) regularly assess the real-time noise monitoring and meteorological forecasting data and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Secretary	Compliant	a) Viewed updated Noise Management Plan dated 23 December 2021. The Plan addresses noise mitigation measures for operational and low-frequency noise (Section 6) and rail noise (Section 6.2.3). Viewed approval letter DPE 23 December 2021 for the approval of NMP. b) Viewed updated Noise Management Plan dated 23 December 2021. Real time noise monitoring, including of meteorological data is discussed in Section 7.3. Duralie Real Time Noise Monitor was removed from site on 2 November 2023 (TK pers coms) following cessation of PAF material rehandle activities.
Schedule 3, Condition 7	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with EPA, and submitted to the Secretary for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary; (b) describe the noise mitigation measures that would be implemented to ensure compliance with conditions 2-6 of Schedule 3 of this approval, including: <ul style="list-style-type: none"> a real-time noise management system that employs both reactive and proactive mitigation measures; a detailed program for the replacement and attenuation of existing plant on site; and 	Not Compliant	Viewed Noise Management Plan dated 23 December 2021. a) Viewed DPE approval letter dated 23 December 2021. Viewed EPA advice letter dated 7 October 2021. EPA recommended that upon determination of PAE-28660473 and prior to reducing the noise monitoring undertaken at the premises, that consultation is undertaken with the EPA regarding review of the noise monitoring and variation of EPL to reflect any agreed changes. Recommend that after closure, EPL is modified as appropriate. b) Noise Management Plan includes the following: <ul style="list-style-type: none"> real-time noise monitoring is located in Section 7.3. a detailed program for the replacement and attenuation of existing plant on site is located in Section 6.2.2. the specific measures that would be implemented to minimise the rail noise impacts of the project, and in particular: <ul style="list-style-type: none"> the braking and train horn impacts of the project; (Section 6.2.3).

Cond. no	Requirement/Condition	Status	Evidence																				
	<ul style="list-style-type: none"> the specific measures that would be implemented to minimise the rail noise impacts of the project, and in particular: <ul style="list-style-type: none"> the braking and train horn impacts of the project; the use of the shuttle train during the approved night-time hours; the construction of earth bund walls around evaporative fan units located on the waste rock emplacement area; and <p>(c) include a noise monitoring program that:</p> <ul style="list-style-type: none"> uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project; includes a program to evaluate the effectiveness of the noise mitigation measures referred to in 7(b) above; includes a protocol for determining exceedances of the relevant conditions of this approval; and includes a program to monitor the actual sound power levels of the plant on site, compare it with the benchmark levels used in the EA, and evaluate the effectiveness of any attenuation. <p><i>Note: The effectiveness of the Noise Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit, the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).</i></p>		<ul style="list-style-type: none"> the use of the shuttle train during the approved night-time hours; (Section 6.2.3). the construction of earth bund walls around evaporative fan units located on the waste rock emplacement area is located in Section 6.2.2. <p>c) include a noise monitoring program that:</p> <ul style="list-style-type: none"> uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project is located in Section 7.3 and 7.3; includes a program to evaluate the effectiveness of the noise mitigation measures referred to in 7(b) above is located in Section 7.7; includes a protocol for determining exceedances of the relevant conditions of this approval is located in Section 7.5; and includes a program to monitor the actual sound power levels of the plant on site, compare it with the benchmark levels used in the EA, and evaluate the effectiveness of any attenuation is located in Section 9.2. <p>Viewed 2021, 2022 and 2023 Annual Reviews. 2021: “Annual mobile plant sound power monitoring not undertaken at Duralie” on 30 June 2021 “due to the reduced fleet, reduced operating periods and no evening or night-time operations”. However, no written approval received from the regulator. “No adverse effects would be anticipated resulting from the noncompliance and no noise complaints have been received. Sound power monitoring is scheduled to be conducted in September 2021. The NMP has been revised to reflect monitoring requirements during periods of reduced operations. The NMP is expected to be submitted in September 2021”. No further actions required.</p>																				
<p>Schedule 3, Condition 8</p>	<p>The Proponent shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 4.</p> <p><small>Table 4: Blasting criteria</small></p> <table border="1" data-bbox="371 1171 848 1326"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>Residence on privately owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td></td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>Mammy Johnson's Grave</td> <td>-</td> <td>5</td> <td>0%</td> </tr> <tr> <td>Former Weismantel's Inn</td> <td>-</td> <td>10</td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately owned land	115	5	5% of the total number of blasts over a period of 12 months		120	10	0%	Mammy Johnson's Grave	-	5	0%	Former Weismantel's Inn	-	10	0%	<p>Compliant</p>	<p>Viewed the updated Blast Management Plan dated 16 December 2021. Blasting at sites of significance (Mammy Johnsons Grave and the Former Weismantel's Inn) is discussed in Section 3.4 and the monitoring methods and program is in Section 5.1.</p> <p>Viewed 2021, 2022, 2023 Annual Reviews. Section 6.7.1 of 2021 Annual Review notes that blasting activities at Duralie recommenced in February 2021 after ceasing in August 2018.</p> <p>No blast events exceeded overpressure criteria limit (115/120 dBL). No blasts where ground vibration exceed 5 mm/s and no fume was recorded from any blasts. Seven blasts were recorded in the audit period and were all located at Weismantel Strip. There were no blasts in 2022 or 2023.</p>
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																				
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Cond. no	Requirement/Condition	Status	Evidence
	criteria, and the Proponent has advised the Department in writing of the terms of this agreement.		
Schedule 3, Condition 9	The Proponent shall only carry out blasting on site between 9am and 5pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approved of the Secretary.	Compliant	Viewed 2021, 2022 and 2023 Annual Reviews. Blasts were undertaken within the permitted hours.
Schedule 3, Condition 10	The Proponent shall not carry out more than: (a) 1 blast a day on site, unless an additional blast is required following a blast misfire; and (b) 3 blasts a week on site, averaged over any 12 month period.	Compliant	Viewed 2021, 2022 and 2023 Annual Reviews. Timing of blasts are compliant with condition requirements. Blasts are dated as follows: <ul style="list-style-type: none"> • 17 March 2021 • 31 March 2021 • 30 April 2021 • 19 May 2021 • 13 July 2021 • 25 August 2021 • 9 September 2021
Schedule 3, Condition 11	If the Proponent receives a written request for the owner of any privately owned land within 2 kilometres of the approved open cut mining pit on site for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent shall: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: <ul style="list-style-type: none"> • establish the baseline condition of the buildings and/or structures on the land, or update the previous property inspection report; • identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and (b) give the landowner a copy of the new or updated inspection report	Not Triggered	Viewed 2021, 2022 and 2023 Annual Reviews. No building inspections of private residences was undertaken during the audit period.

Cond. no	Requirement/Condition	Status	Evidence
Schedule 3, Condition 12	<p>If the owner of any privately-owned land claims that the buildings and/or structures on his/her land have been damaged as a result of blasting on site, then within 2 months of receiving this claim, the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to investigate the claim; and</p> <p>(b) give the landowner a copy of the property inspection report.</p> <p>If this independent property investigation confirms the landowner’s claim, and both parties agree with these findings, then the Proponent shall repair the damages to the satisfaction of the Secretary.</p> <p>If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.</p>	Not Triggered	<p>Viewed 2021, 2022 and 2023 Annual Reviews.</p> <p>2022: One complaint was made on 24 March 2022 listing multiple complaints including cracking at their property. Duralie offered to arrange a property inspection to investigate. However, as this is outside of the 2km radius of the mine site, action is not triggered (TK pers comms).</p>
Schedule 3, Condition 13	<p>The Proponent shall:</p> <p>(a) implement best blasting practice on site to:</p> <ul style="list-style-type: none"> protect the safety of people and livestock in the surrounding area; protect public or private property in the surrounding area; and minimise the dust and fume emissions from blasting on site; and <p>(b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.</p>	Compliant	<p>Viewed 2021, 2022 and 2023 Annual Reviews.</p> <p>a) No blast exceedances occurred in the audit period. No complaints relating to blasting within the audit period. No fume was recorded from any blasts.</p> <p>Viewed updated Blast Management Plan dated 16 December 2023.</p> <ul style="list-style-type: none"> Safety of people and livestock and protecting the public or property in the surrounding area is addressed in Sections 4.1 and 4.2. Minimisation of dust and fume emissions are addressed in Sections 3.6 and 3.7. Site inspection revealed minimal dust (see Plate 15). <p>b) Viewed updated Blast Management Plan dated 16 December 2023. The system to notify the public of blasting events is discussed in Section 3.2.</p>
Schedule 3, Condition 14	<p>The Proponent shall not carry out any blasting within 500 metres of:</p> <p>(a) a public road without the approval of Council; and</p> <p>(b) the North Coast Railway without the approval of ARTC.</p>	Not Triggered	<p>Not triggered as no blasting within 500 metres of a) and b) occurred within the audit period (TK pers comms).</p>
Schedule 3, Condition 15	<p>The Proponent shall not carry out blasting within 500 metres of any privately-owned land or land not owned by the Proponent unless:</p> <p>(a) the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the</p>	Compliant	<p>Viewed 2020 Previous Audit report which states that this condition was verified in the 2017 IEA report.</p> <p>There are no private properties within 500 m of blasting in audit period.</p> <p>Viewed Yancoal letter to tenant dated 3 March 2021 stating that Duralie Coal will recommence blasting activities in March 2021, and that “Duralie Road will be closed for approximately 10 minutes for each blasting event”.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>land, and the Proponent has advised the Department in writing of the terms of this agreement; or</p> <p>(b) the Proponent has:</p> <ul style="list-style-type: none"> • demonstrated to the satisfaction of the Secretary that the blasting can be carried out without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and • updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land. 		
<p>Schedule 3, Condition 16</p>	<p>The Proponent shall prepare and implement a Blast Management Plan for the project 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 3 months of the date of this approval, unless otherwise agreed by the Secretary;</p> <p>(b) describe the blast mitigation measures that would be implemented to ensure compliance with conditions 8-15 of this Schedule;</p> <p>(c) describe the measures that would be implemented to ensure the public can get up-to-date information on the proposed blasting schedule on site or any road closures; and</p> <p>(d) include a blast monitoring program to evaluate the performance of the project.</p> <p><i>Note: The effectiveness of the Blast Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).</i></p>	<p>Compliant</p>	<p>Viewed Blast Management Plan dated December 2021.</p> <p>a) Section 2.5 states that the Plan “was provided to the EPA for consultation purposes in September 2021. The EPA requested that prior to cessation of blasting and blast monitoring, DCPL (Duralie Coal Mine Pty Ltd), consult with the EPA”. Viewed Appendix A. EPA recommended that “upon determination of PAE-28527236, DCM review the current licence and, if necessary, submit a licence variation application that clearly outlines each of the amendments required”. Viewed Appendix B containing DPE approval letter dated 16 December 2021.</p> <p>Viewed EPA consultation dated 23 September 2021.</p> <p>b) Blast Management Measures are located in Section 3.</p> <p>c) Methods of public notification are located in Section 3.2.1.</p> <p>d) The Blast Monitoring Program is located in Section 5.</p>
<p>Schedule 3, Condition 17</p>	<p>The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.</p>	<p>Compliant</p>	<p>Viewed Blast Management Plan dated December 2023. Fume management is detailed in Section 3.6.</p> <p>Viewed 2021, 2022 and 2023 Annual Reviews. No complaints relating to fumes were made during the audit period.</p>

Cond. no	Requirement/Condition	Status	Evidence																							
Schedule 3, Condition 18	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary.	Compliant	Viewed updated Air Quality and Greenhouse Gas Management Plan dated December 2022. Section 6.2 describes reasonable and feasible measures prescribed to minimise the release of greenhouse gas emissions. Site inspection revealed little plant and equipment on site (see Plate 8 and Plate 16).																							
Schedule 3, Condition 19	<p>The Proponent shall ensure that particulate matter emissions generated by the project do not exceed the criteria listed in Tables 5, 6 or 7 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.</p> <p><i>Table 5: Long term criteria for particulate matter.</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^a 90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 6: Short term criterion for particulate matter.</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 7: Long term criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table> <p><i>Notes to Tables 5-7:</i></p> <p><i>a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources);</i></p> <p><i>b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air – Determination of Particulate Matter – Deposited Matter – Gravimetric Method.</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with EPA.</i></p>	Pollutant	Averaging Period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging Period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	Not Compliant	<p>Viewed 2021, 2022 and 2023 Annual Returns. No exceedances occurred within the audit period.</p> <p>Viewed 2022 Annual Review which states: Cracked sample bottle at EPL Point 32 causing failure to monitor (Depositional Dust Gauge 8). Table 6.5 in the AR shows a “no result” reading for gauge D8 in April 2022. Monitor has been effective after this date. No further actions required.</p>
Pollutant	Averaging Period	^d Criterion																								
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																								
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^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																							

Cond. no	Requirement/Condition	Status	Evidence																										
Schedule 3, Condition 20	<p>If particulate matter emissions generated by the project exceed the criteria in Tables 8, 9 or 10 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the landowner the Proponent shall acquire the land in accordance with the procedures in Conditions 5-6 of Schedule 4.</p> <p><i>Table 8: Long term acquisition criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^a 90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 9: Short term acquisition criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 150 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 10: Long term acquisition criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes to Tables 8-10:</p> <p><i>a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources);</i></p> <p><i>b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);</i></p> <p><i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</i></p> <p><i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with EPA.</i></p>	Pollutant	Averaging Period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 150 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	Not Triggered	Viewed 2021, 2022 and 2023 Annual Reviews. Not triggered as no dust exceedances occurred during the audit period.
Pollutant	Averaging Period	^d Criterion																											
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																											
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^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																										
Schedule 3, Condition 21	<p>Upon receiving a written request from the owner of any residence:</p> <p>(a) on the land listed as 125(1) and 125(2) in the figure in Appendix 3; or</p> <p>(b) on privately-owned land where subsequent air quality monitoring shows that the dust generated by the project is</p>	Not Triggered	Not triggered as no written requests in relation to dust mitigation measures were received during the audit period (TK pers comms).																										

Cond. no	Requirement/Condition	Status	Evidence
	<p>greater than or equal to the applicable criteria in Tables 5, 6 or 7 on a systemic basis, the Proponent shall implement additional dust mitigation measures (such as a first flush roof system, 11 internal or external air filters, and/or air conditioning) at the residence in consultation with the owner. These measures must be reasonable and feasible.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p>		
<p>Schedule 3, Condition 21A</p>	<p>Within 3 months of the date of this approval, the Proponent shall submit a study of the dust emissions from the laden trains associated with the Project to the Secretary.</p> <p>This study must:</p> <ul style="list-style-type: none"> (a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary; (b) include consultation with the EPA, the Department and the residents in close proximity to the railway line; (c) assess the scale, nature and significance of the dust emissions of the laden trains; (d) identify any reasonable and feasible mitigation measures that could be implemented to reduce the dust emissions from these trains; (e) recommend the implementation of any specific measures; and (f) be accompanied by the Proponent's response to any recommendations in the study. <p>If, following review of the study, the Secretary directs the Proponent to implement additional mitigation measures to reduce the dust emissions of the laden trains associated with the Project, then the Proponent shall implement these measures to the satisfaction of the Secretary and, within one month of such direction, update the Air Quality & Greenhouse Gas Management Plan for the Project to</p>	<p>Not Triggered</p>	<p>Viewed 2020 Previous IEA report. Compliance with this condition was stated in the 2014 IEA.</p>

Cond. no	Requirement/Condition	Status	Evidence
	include a detailed program for the implementation of these measures and monitoring of compliance.		
Schedule 3, Condition 22	<p>The Proponent shall:</p> <p>(a) implement best practice air quality management on site, including all reasonable and feasible measures to minimize the off-site odour, fume and dust emissions generated by the project, including any emissions from spontaneous combustion;</p> <p>(b) minimize any visible air pollution generated by the project;</p> <p>(c) regularly assess the real-time air quality monitoring and meteorological forecasting data and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Secretary.</p>	Compliant	<p>a) Viewed Air Quality and Greenhouse Gas Management Plan dated December 2021. Best practice air quality management is located in Section 6.1.</p> <p>Viewed the following YPM3 Routine Work Order Maintenance Documents for:</p> <ul style="list-style-type: none"> • Dump Truck – CAT 785C dated 4 December 2023. The Work Order was stated as complete. • Water Cart – CAT 777F dated 1 November 2023. The Work Order was stated as complete. – <p>b) Viewed Air Quality and Greenhouse Gas Management Plan dated December 2021. Minimisation strategies to minimise visible air pollution is located in Section 7.1</p> <p>c) Viewed Air Quality and Greenhouse Gas Management Plan dated December 2021. Real time air quality monitoring is discussed in Sections 7.3, 7.4 and 8.</p> <p>Viewed 2021, 2022 and 2023 Annual Reviews. One complaint related to dust and other matters was received on 24 March 2022 via the Community Hotline. As part of the complaint, the complainant mentioned dust as an issue on their property. The complainant stated that specific dates would be provided for dust concerns. The complainant has not contacted Duralie on this issue since (TK pers comms).</p>
Schedule 3, Condition 23	<p>The Proponent shall prepare and implement an Air Quality & Greenhouse Gas Management Plan for the project 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 3 months of the date of this approval, unless otherwise agreed by the Secretary; and</p> <p>(b) describe the measures that would be implemented to ensure compliance with conditions 17-22 of Schedule 3 of this approval, including the proposed realtime air quality management system; and</p> <p>(c) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • uses a combination of real-time monitors, high volume samplers and dust deposition gauges to evaluate the performance of the project; and 	Compliant	<p>Viewed Air Quality and Greenhouse Gas Management Plan dated December 2021.</p> <p>a) Section 2.1.3 states that the Plan was prepared in consultation with the EPA. Viewed Appendix B. EPA provided recommendations dated 6 October 2021 including “the cessation of real-time TEOM monitoring following the completion of bulk earthworks (anticipated by the end of 2023) and that dust deposition and HVAS monitoring would cease upon completion of revegetation (anticipated by end 2024)”. It was also advised that “the rationalisation of air quality monitoring will need to be considerate of current air emissions at the time and must be undertaken in consultation with the EPA”. EPA also recommended that “upon determination of PAE-29194277, and prior to reducing the air quality monitoring undertaken at the premises, that consultation is undertaken with the EPA regarding rationalisation of the air quality monitoring and variation of EPL 11701 to reflect any agreed changes”.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<ul style="list-style-type: none"> includes a protocol for determining exceedances with the relevant conditions of this approval. <p><i>Note: The effectiveness of the Air Quality & Greenhouse Gas Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5.</i></p> <p><i>Following this review and audit the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).</i></p>		<p>Viewed Attachment 1 containing DPE approval letter dated 23 December 2021.</p> <p>b) Measures implemented to ensure compliance and located within Sections 4-9.</p> <p>c) The Air Quality Monitoring Program is located in Section 7 and includes a combination of real-time monitoring (Section 7.3), HVAS (Section 7.2), dust deposition gauges (Section 7.1) and protocol for determining exceedances (Section 7.6).</p> <p>Confirmed that Section 6.3 updated to address odour issues as required at last audit.</p>
Schedule 3, Condition 24	<p>During the life of the project, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the site that:</p> <p>(a) complies with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and</p> <p>(b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy.</p>	Compliant	<p>a) Viewed Duralie daily monitoring summary spreadsheet 2023.</p> <p>b) Viewed updated Air Quality and Greenhouse Gas Management Plan dated 23 December 2023. Section 7.4 states that “DCPL has installed appropriate equipment to measure temperature lapse rates in accordance with Condition 24, Schedule 3 of PA 08_0203”. Viewed Field Calibration Reports dated 18 October 2022 and 17 October 2023 for weather station which includes temperate data.</p>
Schedule 3, Condition 25	<p>The Proponent shall ensure that:</p> <p>(a) mine water or runoff from the irrigation area is not discharged directly into Mammy Johnsons River; and</p> <p>(b) all surface water discharges from the site comply with section 120 of the POEO Act or, if an EPL has been issued regulating water discharges from the site, the discharge limits (both volume and quality) set for the project in the EPL.</p>	Not Compliant	<p>a) Not triggered as irrigation stopped in previous audit period (TK pers comms).</p> <p>b) Four water related incidents occurred within the audit period. Viewed 2021, 2022 and 2023 Annual Reviews.</p> <p>1. 2021 Annual Review:</p> <p>“Uncontrolled discharge of mine related water (rehabilitated area runoff) on 21 March 2021 from sediment dam VC1 south of established rehab area (EPL Monitoring Point 27) reporting to Coal Shaft Creek as a result of significant rainfall event exceeding design capacity”.</p> <p>Viewed email to EPA with Incident Report attached dated 26 March 2021.</p> <p>“Pumping of sediment dam was undertaken and water samples were collected from monitoring sites upstream, downstream and at point of discharge and sent for analysis”.</p> <p>It was concluded that no material harm resulted from the discharge. No further action required.</p> <p>2. Viewed 2021 Annual Return:</p> <p>“pH result outside of the 100 percentile concentration limit at point 36 and point 27. Marginal exceedance with downstream monitoring point 35 within 100 percentile concentration limits on all dates the results are</p>

Cond. no	Requirement/Condition	Status	Evidence
			<p>outside the 100 percentile”.</p> <p>“The Duralie Water Management Plan and the Duralie Irrigation Management Plan have been revised for the closure phase. Further assessment of the first flush system is required prior to decommissioning, however potential impact pathways have now ceased”.</p> <p>3. Viewed 2022 Annual Review. Viewed sediment dam RS1 at site inspection (see Plate 12).</p> <p>2022 Annual Review:</p> <p>“Uncontrolled discharge of mine related water (rehabilitated area runoff) from sediment dam RS1 (EPL Point 15) near rail sighting on 4 March 2022. Reported to DPE and EPA on 4 March 2022”. “Pumping of sediment dam was undertaken and water samples were collected from monitoring sites upstream, downstream and at point of discharge and sent for analysis”. It was concluded that no material harm resulted from the discharge, no further actions required.</p> <p>Viewed incident report dated 10 March 2022. Viewed response dated 5 April 2022 from Planning stating that no further information is required.</p> <p>4. Viewed 2022 Annual Return:</p> <p>“Two pH results (Point 36 - North Drain) during the audit period were marginally outside the pH criteria. This is negligible in the context of the monitoring undertaken and was not determined to be related to operational impacts”. No further actions required.</p> <p>Viewed 2023 Annual review. No incidents occurred in 2023.</p>
<p>Schedule 3, Condition 26</p>	<p>The Proponent shall offset the loss of any base flow to Mammy Johnsons River.</p> <p>This condition does not apply if the Secretary determines this loss to be negligible.</p>	<p>Not Triggered</p>	<p>Viewed 2021, 2022 and 2023 Annual Reviews. Annual reviews stated that that “no more than a negligible impact on stream baseflow as a result of the Duralie Project”.</p> <p>Viewed Groundwater Management Plan dated December 2021.</p> <p>A plan to offset the base flow of Mammy Johnson’s River is contained in Section 7. A contingency plan in the unlikely event of baseflow loss is contained in Section 8.</p>
<p>Schedule 3, Condition 27</p>	<p>The Proponent shall provide compensatory water supply to any landowner of privately-owned land whose water licence entitlements are impacted (other than an impact that is negligible) as a result of the project, in consultation with NOW, and to the satisfaction of the Secretary.</p> <p>The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must</p>	<p>Not Triggered</p>	<p>Not triggered as no requests for compensatory water supply were received during the audit period TK pers comms).</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>be provided (at least on an interim basis) within 24 hours of the loss being identified.</p> <p>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.</p> <p>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.</p>		
<p>Schedule 3, Condition 28</p>	<p>The Proponent shall carry out irrigation:</p> <p>(a) only in the irrigation area; and</p> <p>(b) in accordance with the irrigation system, including the irrigation management plan, in the approved Surface Water Management Plan under Condition 29 of Schedule 3</p>	<p>Not Triggered</p>	<p>Viewed 2021, 2022 and 2023 Annual Reviews. Not triggered as irrigation did not occur during the audit period.</p>
<p>Schedule 3, Condition 29</p>	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with EPA and NOW by suitably qualified and experienced persons whose appointment has been approved by the Secretary, and submitted to the Secretary within 3 months of the date of this approval.</p> <p>In addition to the standard requirements for management plans (see Condition 2 of Schedule 5), this plan must include:</p> <p>(a) a Site Water Balance that:</p> <ul style="list-style-type: none"> • includes details of: <ul style="list-style-type: none"> - sources of water supply; - water use on site; - water management on site; and - reporting procedures; and • describes what measures would be implemented to minimise potable water use on site; and <p>b) a Surface Water Management Plan that includes:</p> <ul style="list-style-type: none"> • a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> - clean water diversion systems; - erosion and sediment controls; - water storages; and 	<p>Compliant</p>	<p>Viewed Water Management Plan dated 11 March 2022.</p> <p>a) a Site Water Balance that:</p> <ul style="list-style-type: none"> • includes details of: <ul style="list-style-type: none"> - sources of water supply (Section 5); - water use on site (Section 6); - water management on site (Section 6); and - reporting procedures (Section 10); and • describes what measures would be implemented to minimise potable water use on site is located in Section 6.5; and <p>b) a Surface Water Management Plan that includes:</p> <ul style="list-style-type: none"> • a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> - clean water diversion systems (Section 5.1); - erosion and sediment controls (Section 7.1); - water storages (Section 5.2); and - irrigation system (Section 6); • an irrigation management plan for the irrigation system under the water management system, which includes (Attachment A): <ul style="list-style-type: none"> - salinity trigger levels for controlling discharges from the irrigation areas to Coal Shaft Creek and the unnamed tributary, representing the 80th percentile value of the relevant data set for the creek/unnamed tributary and Mammy Johnsons River in accordance with the methodology in ANZECC/ARMCANZ (2000), Australian

Cond. no	Requirement/Condition	Status	Evidence
	<ul style="list-style-type: none"> - irrigation system; • an irrigation management plan for the irrigation system under the water management system, which includes: <ul style="list-style-type: none"> - salinity trigger levels for controlling discharges from the irrigation areas to Coal Shaft Creek and the unnamed tributary, representing the 80th percentile value of the relevant data set for the creek/unnamed tributary and Mammy Johnsons River in accordance with the methodology in ANZECC/ARMCANZ (2000), Australian Water Quality Guidelines for Fresh and Marine Water Quality, National Water Quality Management Strategy; and - provision of an automated first flush system for the additional irrigation areas (Northern Areas) shown in the figure in Appendix 4; • a plan for identifying, extracting, handling, and the long-term storage of potentially acid forming material on site; • detailed plans, including design objectives and performance criteria, for: <ul style="list-style-type: none"> - the reconstruction of Coal Shaft Creek; - design and management of the final voids; - reinstatement of drainage lines on the rehabilitated areas of the site; and - control of any potential water pollution from the rehabilitated areas of the site; • performance criteria, including trigger levels for investigating any potentially adverse impacts, for the following: <ul style="list-style-type: none"> - the water management system; - surface water quality of the Unnamed Tributary, Coal Shaft Creek and Mammy Johnsons River; - the stream and vegetation health of the Unnamed Tributary, Coal Shaft Creek and Mammy Johnsons River; and - channel stability of the reconstructed Coal Shaft Creek; • performance criteria for surface water quality attributes relevant to water quality impacts on biological diversity and aquatic ecological integrity, including salinity, heavy 		<p>Water Quality Guidelines for Fresh and Marine Water Quality, National Water Quality Management Strategy; and</p> <ul style="list-style-type: none"> - provision of an automated first flush system for the additional irrigation areas (Northern Areas) shown in the figure in Appendix 4; • a plan for identifying, extracting, handling, and the long-term storage of potentially acid forming material on site is located in Section 7.2; • detailed plans, including design objectives and performance criteria, for: <ul style="list-style-type: none"> - the reconstruction of Coal Shaft Creek (Section 7.3 and 9); - design and management of the final voids (Section 7.5 and 9); - reinstatement of drainage lines on the rehabilitated areas of the site (Section 7.4 and 9); and - control of any potential water pollution from the rehabilitated areas of the site (Section 7.4 and 9); • performance criteria, including trigger levels for investigating any potentially adverse impacts, for the following is located in Section 9: <ul style="list-style-type: none"> - the water management system; - surface water quality of the Unnamed Tributary, Coal Shaft Creek and Mammy Johnsons River; - the stream and vegetation health of the Unnamed Tributary, Coal Shaft Creek and Mammy Johnsons River; and - channel stability of the reconstructed Coal Shaft Creek; • performance criteria for surface water quality attributes relevant to water quality impacts on biological diversity and aquatic ecological integrity, including salinity, heavy metals, sediment load, pH, hardness and biological oxygen demand is located in Section 9; • trigger levels representing the 80th percentile value of the relevant reference data set in accordance with the methodology in ANZECC/ARMCANZ (2000), Australian Water Quality Guidelines for Fresh and Marine Water Quality, National Water Quality Management Strategy, to determine the levels for investigating any potentially adverse impacts is located in Section 9, Attachment B; • a program to monitor: <ul style="list-style-type: none"> - the effectiveness of the water management system (Section 8); - surface water flows and quality in the Unnamed Tributary, Coal Shaft Creek and Mammy Johnsons River, including utilization of existing monitoring sites together with an additional monitoring site in Mammy Johnsons River immediately downstream of the mixing zone of the

Cond. no	Requirement/Condition	Status	Evidence
	<p>metals, sediment load, pH, hardness and biological oxygen demand;</p> <ul style="list-style-type: none"> • trigger levels representing the 80th percentile value of the relevant reference data set in accordance with the methodology in ANZECC/ARMCANZ (2000), Australian Water Quality Guidelines for Fresh and Marine Water Quality, National Water Quality Management Strategy, to determine the levels for investigating any potentially adverse impacts; • a program to monitor: <ul style="list-style-type: none"> - the effectiveness of the water management system; - surface water flows and quality in the Unnamed Tributary, Coal Shaft Creek and Mammy Johnsons River, including utilization of existing monitoring sites together with an additional monitoring site in Mammy Johnsons River immediately downstream of the mixing zone of the confluence of Coal Shaft Creek and Mammy Johnsons River; - the stream and riparian vegetation health of the unnamed tributary, Coal Shaft Creek and Mammy Johnsons River; and - a channel stability of the reconstructed Coal Shaft Creek; • a program of ecotoxicity testing of water in water storages on-site and at selected water monitoring sites in Mammy Johnsons River and macroinvertebrate sampling at selected monitoring sites in Mammy Johnsons River; • a plan to respond to any exceedances of the performance criteria and mitigate and/or offset any adverse surface water impacts of the project; and <p>(c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> • a groundwater assessment criterion, including trigger levels for investigating any potentially adverse groundwater impacts; • a program to monitor; <ul style="list-style-type: none"> - groundwater inflows to the open cut mining operations; - the impacts of the project on: 		<p>confluence of Coal Shaft Creek and Mammy Johnsons River (Section 8.5);</p> <ul style="list-style-type: none"> - the stream and riparian vegetation health of the unnamed tributary, Coal shaft Creek and Manny Johnsons River (Section 8.6 and 8.8); and - a channel stability of the reconstructed Coal Shaft Creek (Section 8.8); <ul style="list-style-type: none"> • a program of ecotoxicity testing of water in water storages on-site and at selected water monitoring sites in Mammy Johnsons River and macroinvertebrate sampling at selected monitoring sites in Mammy Johnsons River (Section 8.7); • a plan to respond to any exceedances of the performance criteria and mitigate and/or offset any adverse surface water impacts of the project (Section 9 and 10); <p>c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> • a groundwater assessment criterion, including trigger levels for investigating any potentially adverse groundwater impacts is located in Section 7; • a program to monitor (Section 6.1); <ul style="list-style-type: none"> - groundwater inflows to the open cut mining operations is located in Section 6.1; - the impacts of the project on: <ul style="list-style-type: none"> ○ the alluvial aquifers including investigating the potential for direct interface between mine spoil and alluvium and assessment of any consequential impact on alluvial and surface water is located in Section 6.2; ○ base flows to Mammy Johnsons River is located in Section 6.3; ○ any groundwater bores on privately owned land is located at Section 6.4; and - the seepage/leachate from water storages or backfilled on site is located at Section 6.5; and • a program to validate the groundwater model for the project, and calibrate it to site specific conditions is located in Section 5.2; and • a plan to respond to any exceedances of the assessment criteria, including,

Cond. no	Requirement/Condition	Status	Evidence
	<ul style="list-style-type: none"> ○ the alluvial aquifers including investigating the potential for direct interface between mine spoil and alluvium and assessment of any consequential impact on alluvial and surface water; ○ base flows to Mammy Johnsons River; ○ any groundwater bores on privately owned land; and - the seepage/leachate from water storages or backfilled voids on site; and • a program to validate the groundwater model for the project, and calibrate it to site specific conditions; and • a plan to respond to any exceedances of the assessment criteria, including, <ul style="list-style-type: none"> - if a direct interface between mine spoil and alluvium is identified, development of a trigger action response plan (TARP) for potential salinity impacts on alluvial and surface water sources; and - a plan to offset the loss of any base flow to Mammy Johnsons River caused by the project. <p><i>Note: The effectiveness of the Water Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).</i></p>		<ul style="list-style-type: none"> - if a direct interface between mine spoil and alluvium is identified, development of a trigger action response plan (TARP) for potential salinity impacts on alluvial and surface water sources; and - a plan to offset the loss of any base flow to Mammy Johnsons River caused by the project is located in Sections 7 and 8. <p>Viewed 2021, 2022 and 2023 Annual Reviews). The 2021 Annual Review states two non-compliance in relation to less than required ecotoxicity and riparian vegetation monitoring. Viewed Show Cause from DPE dated 13 August 2021 stating that non-compliance applies to the period between 1 July 2019 and 30 June 2020.</p> <p>These related to the previous audit period.</p> <p>All plans will be updated for detailed closure planning in next audit period. The presence of monitoring aligns with operations and currently going through the process of ceasing monitoring (TK pers comms). Site inspection noted that AD1 is dewatered and rehabilitated, AD2 has been completely dewatered in audit period (see Plate 4) and the commencement of the dewatering process for Main Water Dam (MWD) occurred during the audit period. Three dams on site have declared status with Dam Safety NSW (DSNSW), application to de-declare AD1 is with Dams Safety NSW. AD2 will be removed from the declared dams register following removal of the dam structure. Ensure completion of removal of declared dam status.</p> <p>MWD are currently being pumped into the Clareval Pit, which is the main water storage for closure. The Weismantel Pit also contains minor water volumes pers comms).</p> <p>Water monitoring is triggered as per Special Frequency 1. Monitoring requirements to be reconsidered in the closure phase (TK pers coms).</p>
Schedule 3, Condition 30	The Proponent shall ensure that the project has no more than a negligible impact on the local Giant Barred Frog population.	Compliant	<p>The study area for the Giant Barred Frog Population is around the irrigation area. Monitoring has been completed prior to the audit period however irrigation has not commenced at Duralie Coal Mine and therefore no further monitoring has been required.</p> <p>Viewed Giant Barred Frog Management Plan dated August 2017. Associated water management measures continue to be undertaken.</p> <p>Viewed email of receipt from DCCEEW for the Revised Giant Barred Frog Management Plan dated 22 August 2023.</p> <p>Viewed Review: Duralie Coal Mine Giant Barred Frog Management Plan 2023 by Dr Arthur White dated 10 June 2023. The plan is deemed to be “a very good summary and highlights major finding of the studies”. It is also noted that “this Plan lists the measures that will be undertaken by the mine</p>

Cond. no	Requirement/Condition	Status	Evidence
			<p>during closure to help minimize or negate any potential impacts should irrigation activity resume”.</p> <p>No further monitoring is required under this condition or EPBC requirements as irrigation has not commenced (TK pers comms).</p>
<p>Schedule 3, Condition 31</p>	<p>The Proponent shall prepare a Giant Barred Frog Study to the satisfaction of the Secretary. This study must:</p> <p>a) be prepared, in consultation with OEH, by a suitably qualified and experienced person, whose appointment has been endorsed by the Secretary;</p> <p>b) be submitted to the Secretary for approval within 2 months of this approval;</p> <p>c) investigate the extent of the Giant Barred Frog population in the Mammy Johnsons River Catchment;</p> <p>d) assess the condition of the Giant Barred Frog habitat where it is recorded within the Catchment, including the presence of any Chytrid fungus;</p> <p>e) analyse the age structure of the frog population and the health of tadpoles; and</p> <p>f) document the relevant hydrological conditions both prior to and during the study, including rainfall, water flows and quality in Mammy Johnsons River, both upstream and downstream of the confluence of Mammy Johnsons River and Coal Shaft Creek, and in Coal Shaft Creek.</p>	<p>Compliant</p>	<p>Viewed 2020 Previous IEA report.</p> <p>“DP&E approved the latest revision of the study on 5/09/17 (verified in the 2017 IEA). The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval”.</p> <p>A revised Giant Barred Frog Management Plan was received by Federal DCCEEW on 22 August 2023 for review (viewed email).</p> <p>Viewed internal email from Yancoal dated 22 August 2023 stating that the GBFMP has been lodged onto the Major Projects portal.</p> <p>Viewed response letter from BCD dated 7 September 2023 which states that “the Giant Barred Frog Management Plan and associated monitoring program is not considered relevant as the anticipated irrigation of the mine did not eventuate. However, BCD supports the implementation of the recommendations in the post mine closure Management Plan provided by the ecological consultant, Dr Arthur White”.</p> <p>The Plan has not been re-approved by DPE to date (TK pers comms).</p> <p>Recommend approval is pursued in next audit period and monitoring / management measures implemented.</p>
<p>Schedule 3, Condition 31A</p>	<p>The Proponent shall review and expand the Giant Barred Frog Study approved under Condition 31 into a longitudinal study of the life cycle of the ‘population’ of the Giant Barred Frog over the lifetime of the mine and for a 5-year period after the mine ceases to operate (the Giant Barred Frog Long-term Study). The Giant Barred Frog Long-term Study must include to include:</p> <p>(a) clarification as to what exactly constitutes ‘the population’ of the Giant Barred Frog for the purposes of monitoring, and that this is the population at the location most susceptible to impacts from the mine;</p> <p>(b) baseline data collected for sites (transects) below and above the site to be used for comparison with data collected in</p>	<p>Compliant</p>	<p>Consistent with previous audit findings.</p> <p>Viewed 2021, 2022 and 2023 Annual Reviews. Section 6.5 in 2023 Annual Review states that as “DCPL did not commence irrigation of the Additional Irrigation Areas ... therefore the requirement for preparation of the Long-term GBF Study was not triggered”. However, a GBF Review Report has been prepared which captures all monitoring and baseline data between 2011 and 2016. “The results will be submitted to DPE and DCCEEW in support of DCPL’s proposal seeking redundancy of the GBFMP within the next reporting period”. Submitted 22 August 2023.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>the future;</p> <p>(c) testing to determine if any changes to Giant Barred Frog populations identified downstream of the site on the monitoring transects are a result of impacts from the mining operation;</p> <p>(d) a requirement for detailed capture/recapture studies using 'Pollocks robust design' at sites above and below the confluence of Coal Shaft Creek and Mammy Johnsons River, and at a series of control sites in the upper reaches of the catchment;</p> <p>(e) a requirement that individual frogs encountered during the study should be tagged (or scanned);</p> <p>(f) a requirement that transects be of a fixed length (at least 200m), and that the area searched on each occasion be the same;</p> <p>(g) a requirement that transects are to be randomly selected;</p> <p>(h) a requirement that testing be conducted on a minimum of three nights, on four occasions per season (12 visits to each transect in each season) over the life of the mine, and for a 5 year period after the mine ceases to operate;</p> <p>(i) a requirement that individual frogs encountered during the study be swabbed for the presence of the Chytrid fungus;</p> <p>(j) a requirement that weather conditions and search effort should be recorded during each census at the transect site.</p>		
<p>Schedule 3, Condition 32</p>	<p>The Proponent shall prepare and implement a Giant Barred Frog Management Plan to the satisfaction of the Secretary.</p> <p>(a) be prepared in consultation with OEH by a suitably qualified and experienced person, whose appointment has been endorsed by the Director-General;</p> <p>(b) be submitted to the Secretary for approval within 3 months of the date of this approval;</p> <p>(c) include a summary of the Giant Barred Frog Study;</p> <p>(d) establish performance measures for evaluating the impact of the project on the local Giant Barred Frog population;</p> <p>(e) describe the measures that would be implemented to minimise the potential spread of Chytrid fungus, including training of staff in site hygiene management in accordance</p>	<p>Compliant</p>	<p>See response to Schedule 3, Condition 31.</p>

Cond. no	Requirement/Condition	Status	Evidence								
	<p>with the NPWS Hygiene Protocol for the Control of Disease in Frogs 2001;</p> <p>(f) include a program to monitor the potential impact of the project on the local frog population, which includes:</p> <ul style="list-style-type: none"> • detailed performance indicators for the project, with reference to the performance measures established in (d) above; • annual monitoring of the frog population and its habitat during the breeding season along Mammy Johnson River both upstream and downstream of the confluence of Mammy Johnsons River and Coal Shaft Creek; • trigger levels for further investigation; and <p>g) a contingency plan that would be implemented if monitoring suggests the frog population downstream of the confluence of Mammy Johnsons River and Coal Shaft Creek is declining due to the project, which may include a revision of the first flush salinity trigger or the implementation of additional water quality controls.</p>										
<p>Schedule 3, Condition 33</p>	<p>The Proponent shall implement the offset strategy and achieve the broad completion criteria in Table 11 (below) to the satisfaction of the Secretary.</p> <table border="1" data-bbox="376 896 855 1152"> <caption>Table 11: Offset Strategy Completion Criteria</caption> <thead> <tr> <th>Domain</th> <th>Completion Criteria</th> </tr> </thead> <tbody> <tr> <td>Enhancement Areas (i.e. existing remnant vegetation)</td> <td>Areas of existing remnant vegetation within the offset area (299 ha) have been conserved and enhanced.</td> </tr> <tr> <td>Revegetation Areas</td> <td>357.5 ha of revegetated woodland/open woodland habitat areas and 36 ha of revegetated forest habitat areas as a self-sustaining ecosystem. The methodology for determining a self-sustaining ecosystem shall be to the satisfaction of the Secretary.</td> </tr> <tr> <td>Direct links between the Offset Area and Rehabilitation Area</td> <td>Woodland/open woodland and forest revegetation areas that provide habitat resources for the threatened species by including the flora species referred to in approval conditions 35 to 38. Native vegetation has been established which directly links vegetation areas of the offset area with the Rehabilitation area.</td> </tr> </tbody> </table>	Domain	Completion Criteria	Enhancement Areas (i.e. existing remnant vegetation)	Areas of existing remnant vegetation within the offset area (299 ha) have been conserved and enhanced.	Revegetation Areas	357.5 ha of revegetated woodland/open woodland habitat areas and 36 ha of revegetated forest habitat areas as a self-sustaining ecosystem. The methodology for determining a self-sustaining ecosystem shall be to the satisfaction of the Secretary.	Direct links between the Offset Area and Rehabilitation Area	Woodland/open woodland and forest revegetation areas that provide habitat resources for the threatened species by including the flora species referred to in approval conditions 35 to 38. Native vegetation has been established which directly links vegetation areas of the offset area with the Rehabilitation area.	<p>Compliant</p>	<p>Minesoils review: Summary of biodiversity management in Section 6.4 of the Annual Review 2023, and Table 3 of the Biodiversity Management Plan (BMP) conclude that the site is tracking to compliance with this condition. Site inspection of Offset areas confirmed the active management has been implemented to continue towards meeting objectives in Table 11 of this condition. Evidence of supplemental planting, and weed management was observed (see Plate 5 and Plate 7).</p>
Domain	Completion Criteria										
Enhancement Areas (i.e. existing remnant vegetation)	Areas of existing remnant vegetation within the offset area (299 ha) have been conserved and enhanced.										
Revegetation Areas	357.5 ha of revegetated woodland/open woodland habitat areas and 36 ha of revegetated forest habitat areas as a self-sustaining ecosystem. The methodology for determining a self-sustaining ecosystem shall be to the satisfaction of the Secretary.										
Direct links between the Offset Area and Rehabilitation Area	Woodland/open woodland and forest revegetation areas that provide habitat resources for the threatened species by including the flora species referred to in approval conditions 35 to 38. Native vegetation has been established which directly links vegetation areas of the offset area with the Rehabilitation area.										
<p>Schedule 3, Condition 34</p>	<p>The Proponent shall ensure that the offset area:</p> <p>(a) provides suitable habitat for all the threatened fauna species recorded in the surface development area, namely the Swift Parrot, Brown Treecreeper (eastern subspecies), Speckled Warbler, Grey- crowned Babbler (eastern subspecies), Varied Sittella and Squirrel Glider; and</p> <p>(b) includes the following habitat types:</p> <ul style="list-style-type: none"> • Woodland/open woodland; • Forest; and 	<p>Compliant</p>	<p>Minesoils review: a) Table 10 of the BMP provides the biodiversity value of the vegetation in the Offset Areas for the threatened fauna species. Table 3 provides the areas and habitat resources of the biodiversity offsets for the different species. b) The BCM Table 3 states the Offset areas includes the following habitat types:</p> <ul style="list-style-type: none"> • Woodland/open woodland (approximately 354 ha); 								

Cond. no	Requirement/Condition	Status	Evidence
	<ul style="list-style-type: none"> Riparian forest. 		<ul style="list-style-type: none"> Forest (approximately 305 ha); and Riparian forest (approximately 20 ha). <p>It notes that the proportion of these habitat types are likely to change over time as the Offset areas are vegetated and considers that this condition has been met. (Areas of habitat confirmed in Appendix C).</p> <p>Most recent Annual Biodiversity Report on website is the year ending 30 June 2022. Also viewed Biodiversity Management Plan, and Duralie Coal Mine Biodiversity Offsets Monitoring Report 2021.</p>
<p>Schedule 3, Condition 35</p>	<p>The Proponent shall ensure that the offset area:</p> <p>(a) provides appropriate habitat resources for the Swift Parrot, Brown Treecreeper and Grey Crowned Babbler;</p> <p>(b) contains a total of 174ha of the following vegetation types:</p> <ul style="list-style-type: none"> Spotted Gum – Grey Ironbark forest dry open forest of the lower foothills of the Barrington Tops, North Coast; Grey Box – Forest Red Gum – Grey Ironbark open forest of the hinterland ranges of the North Coast; and Sydney Peppermint – Smooth-barked Apply shrubby open forest on coastal hills and plains of the southern North Coast and northern Sydney Basin; and <p>(c) the revegetation areas within the offset area contains:</p> <ul style="list-style-type: none"> Winter flowering eucalypts (such as Spotted Gum [Corymbia maculata], Narrow-leaved Ironbark [Eucalyptus crebra], White Stringybark [Eucalyptus globoidea]) as habitat resources for the Swift Parrot. Species typical of open eucalypt woodlands (such as Spotted Gum [Corymbia maculata], Red Ironbark [Eucalyptus fibrosa], Grey Ironbark [Eucalyptus siderophloia] as habitat resources for the Grey-crowned Babbler; and Appropriate understorey species (such as tussock grasses). 	<p>Compliant</p>	<p>Minesoils review:</p> <p>a) Table 3 of the BMP provides the areas and habitat resources of the biodiversity offsets for the different species, confirmed in Biodiversity MP appendices- Appendix A (previous Biodiversity Offsets Monitoring Reports), and Appendix C (vegetation summaries of the offset areas).</p> <p>b) Appendices B and C of the Biodiversity MP confirm the occurrence of the listed veg types, and area above the required 174ha.</p> <p>c) Appendix E of the Biodiversity MP lists the dominant species of the site surveys and includes winter flowering eucalypts for the Swift Parrot and grey-crowned babbler. BMP states that almost all the offset areas with remnants have an understorey of native grasses and shrubs intact.</p>
<p>Schedule 3, Condition 36</p>	<p>The Proponent shall ensure that the offset area:</p> <p>(a) provides appropriate habitat resources for the Speckled Warbler:</p> <p>(b) contains a total of 126ha of Spotted Gum - Grey Ironbark forest dry open forest of the lower foothills of the Barrington Tops, North Coast; and</p>	<p>Compliant</p>	<p>Minesoils review:</p> <p>a) Table 3 of the Biodiversity MP provides the areas and habitat resources of the biodiversity offsets for this species, confirmed in Biodiversity MP appendices- Appendix A (previous Biodiversity Offsets Monitoring Reports), and Appendix C (vegetation summaries of the offset areas).</p> <p>b) Appendices B and C of the BMP confirm the occurrence of the listed veg</p>

Cond. no	Requirement/Condition	Status	Evidence
	(c) the revegetation areas within the offset area includes Eucalyptus species, tussock grasses and shrub species as habitat resources for the Speckled Warbler.		types, and area above the required area. c) Appendix E of the BMP lists the dominant species of the site surveys, including numerous eucalypts. BMP states that almost all the offset areas with remnants have an understory of native grasses and shrubs intact. Site inspection revealed supplemental planting in biodiversity conservation area was establishing well (see Plate 5).
Schedule 3, Condition 37	<p>The Proponent shall ensure that the offset area:</p> <p>(a) provides appropriate habitat resources for the Varied Sittella;</p> <p>b) contains a total of 172ha of the following vegetation types¹:</p> <ul style="list-style-type: none"> • Spotted Gum – Grey Ironbark forest dry open forest of the lower foothills of Barrington Tops, North Coast; and • Sydney Peppermint – Smooth-barked Apple shrubby open forest on coastal hills and plains of the southern North Coast and northern Sydney Basin. <p>(c) the revegetation areas within the offset area includes species typical of eucalypt forests and woodlands, especially rough-barked species, smooth- barked gums and Acacia species as habitat resources for the Varied Stilleta.</p>	Compliant	<p>Minesoils review:</p> <p>a) Table 3 of the BMP provides the areas and habitat resources of the biodiversity offsets for this species, confirmed in BMP appendices- Appendix A (previous Biodiversity Offsets Monitoring Reports), and Appendix C (vegetation summaries of the offset areas).</p> <p>b) Appendices B and C of the BMP confirm the occurrence of the listed veg types, and area above the required area.</p> <p>c) Appendix E of the BMP lists the dominant species of the site surveys, including numerous eucalypts.</p>
Schedule 3, Condition 38	<p>The Proponent shall ensure that the offset area:</p> <p>(a) provides appropriate habitat resources for the Squirrel Glider;</p> <p>(b) contains a total of 128ha of the following vegetation types¹:</p> <ul style="list-style-type: none"> • Spotted Gum - Grey Ironbark forest dry open forest of the lower foothills of the Barrington Tops, North Coast; and • Sydney Peppermint - Smooth-barked Apple shrubby open forest on coastal hills and plains of the southern North Coast and northern Sydney Basin. <p>(c) the revegetation areas within the offset area includes species typical of woodland/forest (such as Spotted Gum [Corymbia maculata], Red Ironbark [Eucalyptus fibrosa], Grey Ironbark [Eucalyptus siderophloia]) as habitat resources for the Squirrel Glider.</p>	Compliant	<p>Minesoils review:</p> <p>a) Table 3 of the BMP provides the areas and habitat resources of the biodiversity offsets for this species, confirmed in BMP appendices- Appendix A (previous Biodiversity Offsets Monitoring Reports), and Appendix C (vegetation summaries of the offset areas).</p> <p>b) Appendices B and C of the BMP confirm the occurrence of the listed veg types, and area above the required area.</p> <p>c) Appendix E of the BMP lists the dominant species of the site surveys, including spotted gum and numerous eucalypts.</p>

Cond. no	Requirement/Condition	Status	Evidence
Schedule 3, Condition 39	Hollow bearing habitat features must be introduced into the areas of habitat resources and the revegetation areas identified in approval condition 38. <i>Note: For clarity, the total areas included in approval conditions 35-38 are not cumulative, whereby the area of habitat resources provided for one of the fauna species identified in approval condition 35 may be the same for all species mentioned in approval conditions 35 to 38.</i>	Compliant	Minesoils review: Latest Annual Biodiversity Report (2023) Section 4 details the nest box program, including key findings from the Nest Box Programme for the Duralie Offset Area, Annual Report 2022. 269 boxes have been installed.
Schedule 3, Condition 40	The Proponent shall ensure that the offset area contains at least: <ul style="list-style-type: none"> 2 ha of Freshwater Wetlands on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions. 10 ha of River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregions (Cabbage Gum Floodplain Forest). 19 ha of Lowland Forest on Floodplain in the NSW North Coast Bioregion. <i>Note: See the mapped areas in the figure in Appendix 5.</i>	Compliant	Minesoils review: BMP Table 3 confirms the listed areas are contained within the offsets. Areas mapped in Figure 6. Confirmed in Biodiversity monitoring report (Appendix A of BMP)
Schedule 3, Condition 41	The Proponent must: <ol style="list-style-type: none"> not destroy, damage, remove or harm any native flora or fauna in the offset area; or not carry out in the offset area or the vicinity of the offset area any activity that may cause, or is likely to result in, or will or might threaten the viability of, native flora or fauna in the offset area, or threaten the success of the offset strategy; and ensure that its agents, contractors, licensees and invitees (and use best endeavours to ensure that any other persons) also comply with condition 41(a) and (b). 	Compliant	Minesoils review: Section 6.13 of the BMP describes measures to minimise harm to native flora and fauna within the offset areas. No evidence of damage or harm to, or removal of, native flora/fauna was noted during site inspection. No complaints related to biodiversity were received during the last Annual Return reporting period.
Schedule 3, Condition 42	Within 12 months of the date of this approval, unless otherwise agreed by the Secretary, the Proponent shall either: <ol style="list-style-type: none"> enter into a conservation agreement pursuant to s 69B of the National Parks and Wildlife Act 1974 relating to the offset area, recording the obligations assumed by the Proponent under the conditions of this approval in relation to the offset area, and register that agreement pursuant to s 69F of the National Parks and Wildlife Act 1974; or 	Compliant	Minesoils review: The actions of this Condition were completed prior to this audit period and found compliant in previous audit. Condition met. 2017 and 2020 Independent Environmental Audits are available on the website.

Cond. no	Requirement/Condition	Status	Evidence
	<p>(b) cause to be registered against the titles of the offset area a public positive covenant and/or restriction on the use of the land, in favour of the Director- General, requiring the proponent to implement and observe the conditions of this approval in relation to the offset area.</p> <p>The conservation agreement or the public positive covenant and/or restriction on the use of the land in relation to the offset area, shall remain in force in perpetuity.</p>		
<p>Schedule 3, Condition 43</p>	<p>The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Secretary.</p> <p>This plan must:</p> <p>(a) be prepared in consultation with OEH by suitably qualified and experienced persons whose appointment has been approved by the Secretary;</p> <p>(b) be submitted to the Secretary for approval within 3 months of the date of this approval;</p> <p>(b1) be approved by the Secretary prior to the commencement of clearing in EA (Mod 2);</p> <p>(c) describe how the offset strategy and its implementation will be integrated with other strategies, plans and programs required under this approval, including the Giant Barred Frog Management Plan, Water Management Plan and Rehabilitation Management Plan, and their implementation;</p> <p>(d) include:</p> <ul style="list-style-type: none"> • a description, based on field surveys, and in consultation with OEH, of the biodiversity values of the vegetation communities in the offset area, including remnant vegetation and derived grasslands, including as habitat for the threatened species that are recorded in the surface development area; • a description of the biodiversity values to be lost through clearing of vegetation communities in the surface development area, including remnant vegetation and derived grasslands, including as habitat for the threatened species that are recorded in the surface development area; • a description of the short-, medium- and long-term measures that would be implemented to: 	<p>Compliant</p>	<p>Minesoils review:</p> <p>This condition was previously compliant, but the BMP was updated during the reporting period to reflect the status of the mine and mine closure planning.</p> <p>a) The original plan was provided to OEH per the condition. The revised plan was provided to BCD, who provided feedback (included in the BMP Attachment 1) and approved by DPE.</p> <p>b) Original plan submitted within 3 months of date of approval. Most recent revision submitted for approval to DPE and approved on 22 February 2023.</p> <p>b1) No new areas of clearing have been undertaken since the cessation of mining in December 2021- not relevant for latest version. Original BMP previously found compliant.</p> <p>c) Section 1.3 details the relationship of the BMP to other management plans, including the Giant Barred Frog MP, the Water MP, and the Rehabilitation MP.</p> <ul style="list-style-type: none"> • Section 4.2 - description of the offset areas, existing vegetation, and habitats. • Section 4.1.8 provides an overview of the biodiversity values lost through clearing of vegetation and habitat (including flora, fauna, threatened species, habitat). • Section 6 for implementation of offset strategy and maintaining biodiversity values. Tabel 3 for suitable areas being offset, and Sections 5 & 6 for managing remnant vegetation. • Detailed completion criteria and performance criteria in section 7 • Section 3.4 describes the measures described in the EA and in the expert report of Dr Goldney. • Section 6 outlines management measures for the offset areas. <ul style="list-style-type: none"> – implementing revegetation and regeneration within the offset area... Sections 6.1-6.3

Cond. no	Requirement/Condition	Status	Evidence
	<ul style="list-style-type: none"> - implement the Offset Strategy; - maintain and enhance biodiversity values in the offset area to offset the loss of biodiversity values in the surface development area; - provide and enhance suitable habitat in the offset area for the threatened species that are recorded in the surface development area; - manage the remnant vegetation and habitat on the site (including in the offset area); • detailed completion criteria, as well as performance criteria for the measuring the short, medium and long term success of the Offset Strategy; • the measures described in the EA and in the expert report of Dr Goldney dated 7 April 2011 in Land and Environment Court proceedings No 10090 of 2011 to avoid or mitigate impacts on biological diversity, native flora and fauna and threatened species; • a detailed description of the measures that would be implemented in the short, medium and long term to implement the Offset Strategy, including the procedures to be implemented for: <ul style="list-style-type: none"> - implementing revegetation and regeneration within the offset area, including establishment of canopy, understory and ground strategy; - the introduction of hollow bearing habitat features; - controlling weeds and feral pests, including the engagement of appropriately qualified contractors; - managing grazing and agriculture, including provision to exclude livestock grazing from existing treed areas and Endangered Ecological Communities within the offset area; - controlling vehicular access to minimise the potential for vehicle strike of native fauna; and - bushfire management; • a description of the measures that would be implemented in the short, medium and long term to manage the remnant vegetation and habitat on site, including the procedures to be implemented for: <ul style="list-style-type: none"> - protecting vegetation and soil outside the disturbance 		<ul style="list-style-type: none"> - the introduction of hollow bearing habitat features...Section 6.4 - controlling weeds and feral pests...Section 6.5 - managing grazing and agriculture... Section 6.6 - vehicular access... Section 6.7 - bushfire management... Section 6.9 • a description of the measures that would be implemented in the short, medium and long term to manage the remnant vegetation and habitat on site, including the procedures to be implemented for.... Sections 5.1 - 5.12 • vegetation clearing plan included in Section 5.4 • a description of the contingency measures that would be implemented to improve the performance... Section 9. • details of who would be responsible for monitoring, reviewing, and implementing the plan - Sections 8 and 10 • program to monitor and report on the effectiveness of the measures in the Biodiversity Management Plan... Section 8 <p>The site inspection undertaken by Clayton Richards viewed several Biodiversity Offset areas looking for evidence of the implementation of the Plan, on the ground. Evidence of implementation included supplemental planting to enhance offset outcomes as per the BMP, weed management included on ground evidence of herbicide treatments, clear signage of biodiversity offset areas including locked gates. Overall the observed healthy state of the offset areas indicated effective implementation of the BMP. Further evidence within the Biodiversity Offset Monitoring Program demonstrates the implementation of the BMP.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>areas;</p> <ul style="list-style-type: none"> - rehabilitating creeks and drainage lines on the site (both inside and outside the disturbance areas), to ensure no net loss of stream length and aquatic habitat; - managing salinity; - undertaking pre-clearance surveys including for threatened species; - if pre-clearance surveys identify any breeding pair of threatened species, including the Varied Sittella, deferral of clearing of their habitat until the breeding site is vacated; - managing impacts on fauna; - landscaping the site, and particularly the land adjoining public roads, to minimise visual and lighting impacts; - collecting and propagating seed; - salvaging and reusing material from the site for habitat enhancement; - controlling weeds and feral pests, including the engagement of appropriately qualified contractors; - controlling vehicular access to minimise the potential for vehicle strike of native fauna; and - bushfire management; • a Vegetation Clearing Plan (VCP) that must include the following: <ul style="list-style-type: none"> - clear delineation of disturbance areas and restriction of clearing to the minimum area necessary to undertake the approved activities; - a methodology for recording the approximate size and number of hollow bearing trees to be removed and their replacement with the same number of nesting boxes of appropriate sizing within similar vegetation within the Project site or offset lands; - a methodology for the management of hollow bearing trees during vegetation clearing to minimize impacts on hollow dependent fauna which may be present; - provision for a suitably trained or qualified person to the satisfaction of the Director-General to be present 		

REPORT

Cond. no	Requirement/Condition	Status	Evidence
	<p>during the felling of identified hollow bearing trees to provide assistance with the care of any injured fauna;</p> <ul style="list-style-type: none"> - provision for the checking of any animals found and recording of the species, number and condition (age class, pregnant or lactating females etc) and for details to be provided to the National Parks and Wildlife Service and Department within 3 months of the clearing event; • a description of the contingency measures that would be implemented to improve the performance of the offset strategy and the detailed performance criteria that are not being met in any given year; and • details of who would be responsible for monitoring, reviewing, and implementing the plan; • a program to monitor and report on the effectiveness of the measures in the Biodiversity Management Plan and conditions 33–43 of this approval, and the performance of the Offset Strategy, with summary reporting to be carried out annually and comprehensive reporting every three years following the independent environmental audit (see condition 8 of Schedule 5). 		
Schedule 3, Condition 44	<p>Within 6 months of the approval of the Biodiversity Management Plan, the Proponent shall lodge a conservation bond with the Department to ensure that the offset strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan. The sum of the bond shall be determined by:</p> <p>(a) calculating the full cost of implementing the offset strategy; and</p> <p>(b) employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the Secretary.</p> <p>If the offset strategy is completed to the satisfaction of the Secretary, the Secretary will release the conservation bond. If the offset strategy is not completed to the satisfaction of the Secretary, the Secretary will call in all or part of the conservation bond and arrange for the satisfactory implementation of the offset strategy.</p>	Compliant	Confirmed in previous audit.

Cond. no	Requirement/Condition	Status	Evidence
Schedule 3, Condition 45	After each Independent Environment Audit (see Condition 8 of Schedule 5), the Proponent shall review and adjust the sum of the bond to the satisfaction of the Secretary.	Not Compliant	<p>The review of the bond has commenced but has not been completed in the audit period.</p> <p>No revised bond has been submitted to DPE during the audit period. Yancoal is anticipating the bond will decline in value. Viewed Duralie Bond Calculation Spreadsheet 2023. Recommend finalised and submitted asap as was also a non compliance at last audit.</p>
Schedule 3, Condition 46	<p>The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH, the Aboriginal community, Heritage Branch, Council, and any local historical organisations;</p> <p>(b) be submitted to the Secretary for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary;</p> <p>(c) describe the program/procedures that would be implemented for:</p> <ul style="list-style-type: none"> • recording, salvaging and/or managing the Aboriginal sites and potential archaeological deposits within the project disturbance area; • conserving, managing and monitoring Aboriginal sites DM2, DM4, DM6, DM 9, DM 10 and 38-1-0033; • minimising the potential impacts of the project on Aboriginal site 38-1-0034, DM7 and DM8; • responding to the discovery of any new Aboriginal objects or skeletal remains during the project; • enabling the Aboriginal community to access the archaeological sites on site; and • involving the Aboriginal community in the conservation and management of Aboriginal cultural heritage on the site. <p>(d) include the following for the Weismantel Inn:</p> <ul style="list-style-type: none"> • a baseline dilapidation survey; • photographic and archival recording; • a program to monitor the effects of the project on the inn; and • a contingency plan that would be implemented if the monitoring indicates that the project is adversely affecting the condition of the inn. 	Compliant	<p>Viewed Heritage Management Plan dated August 2022.</p> <p>a) Section 2.1.2 outlines parties consulted including Heritage NSW and Aboriginal Stakeholders listed in Section 3.1 were consulted in the development of this Plan. Viewed DPE approval letter in Appendix A dated 3 November 2021 and provided no recommendations.</p> <p>Viewed Duralie Heritage Management Plan Consultation register dated 17 February 2022.</p> <p>OEH, Heritage NSW (viewed on Major Projects portal) and MidCoast council (viewed letter) received request for consultation 2 November 2021. Heritage provided a response on 3 November 2021 stating satisfaction with the Heritage Management Plan.</p> <p>b) Not triggered as checked at previous audit.</p> <p>c) The management measures for Aboriginal sites are detailed in Section 5.1 and Table 4. Monitoring is outlined in Section 6.</p> <p>The Aboriginal Stakeholder Access Protocol is outlined in Section 3.2.</p> <p>d) Baseline survey, photograph and monitoring requirements are located in Section 5.4. Contingency plan is detailed in Section 7.</p> <p>Viewed Heritage Site Monitoring report dated 15 December 2022. Undertaken annually.</p> <p>Viewed 'Aboriginal and European Heritage Sites Identified in the Study Area and Surrounds' figure in Heritage Management Plan dated March 2022.</p> <p>Sites for particular attention in closure are DMA 9, 10, 1, 6, and 38-1-003. Sites 1, 6 and 10 are a reasonable distance from the project boundary, 9 is sign posted and 38-1-003 incorporates a fence sign in reasonable condition (TK pers comms).</p> <p>Former Weismantel Inn will require minor work to refurbish as a result of the age of the property (TK pers comms).</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p><i>Notes:</i></p> <ul style="list-style-type: none"> To identify the heritage sites referred to in this condition, see the figure in Appendix 6. The effectiveness of the Heritage Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit the plan is to be revised to ensure it remains up to date (see Condition 4 in Schedule 5) 		
Schedule 3, Condition 47	Prior to the closure of Cheerup Road and the portion of Duralie Road within the project area, the Proponent shall construct a suitable access road to property No. 143 (Madden) to the satisfaction of the Secretary. However, this condition does not apply if the Proponent purchases the property.	Not Triggered	Viewed Previous 2020 IEA report. The report states that the condition was fulfilled and compliant in the 2014 IEA report.
Schedule 3, Condition 48	<p>The Proponent shall keep accurate records of:</p> <p>(a) the amount of coal transported from the site each month and make these records publicly available on its website at the end of each calendar year; and</p> <p>(b) the:</p> <ul style="list-style-type: none"> number of train movements to and from the site each day; date and time of each train movement to the site between 10pm and midnight; and instances when the shuttle train is operated on the North Coast railway between midnight and 1am in exceptional circumstances. <p>and make these records publicly available on its website on a fortnightly basis</p>	Compliant	<p>a) Viewed Duralie website on 4 November 2023 at 3:45 pm. Coal transported via shuttle train is located under 'Shuttle Train Coal Transported'.</p> <p>b) Viewed Duralie website on 4 November 2023 at 3:45 pm. Shuttle train data pertaining to this condition is located in the 'Shuttle Train Performance Summary' spreadsheet dated 09 December 2021. No train movements since this date (TK pers comms).</p>
Schedule 3, Condition 49	<p>The Proponent shall:</p> <p>(a) minimise visual impacts, and particularly the off-site lighting impacts, of the project; and</p> <p>(b) ensure that all external lighting associated on site complies with Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting, to the satisfaction of the Secretary.</p>	Compliant	<p>a) Viewed 2021, 2022 and 2023 Annual Reviews. No complaints relating to visual impact occurred within the audit period.</p> <p>b) Viewed 2020 Previous Audit report. This was confirmed in 2012 audit.</p>

Cond. no	Requirement/Condition	Status	Evidence
Schedule 3, Condition 50	<p>Upon receiving a written request from the owner of:</p> <p>(a) the land listed as 125(1), 125(2), and 116 on the figure in Appendix 3; or</p> <p>(b) any residence on privately-owned land which has, or would have, significant direct views of the mining operations on site, the Proponent shall implement visual mitigation measures (such as landscaping treatments or perimeter bunding) on the land in consultation with the owner.</p> <p>These measures must be reasonable and feasible, and directed toward minimising the visibility of the mining operations from the residence on the land.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p>	Not Triggered	<p>Not triggered as no requests were received during the audit period (TK pers comms).</p> <p>Viewed 2021, 2022 and 2023 Annual Reviews. No complaints relating to visual amenity were received during the audit period.</p>
Schedule 3, Condition 51	<p>Unless the Secretary agrees otherwise, the Proponent shall:</p> <p>(a) screen the views of the project as far as is practicable from the section of Bucketts Way marked in red on the figure in Appendix 7 within 6 months of the date of this approval, in consultation with the RTA, Council and any relevant landowners;</p> <p>(b) maintain the screen and associated vegetation during the life of the project; and to the satisfaction of the Secretary</p>	Compliant	<p>a) Viewed visual mitigation screen at site inspection (see Plate 14). Viewed Appendix 7 in PA 08_0203 Conditions of Consent.</p> <p>b) Viewed 2023 Annual Review, which states that “during the reporting period, 1,200 native trees and shrubs were planted in rural lease property near the corner of The Bucketts Way and Duralie Road. The addition of the new tree screens would help reduce impacts to visual amenity for road users of The Bucketts Way, Duralie Road and Martins Crossing Road. Once the tree screen is matured and established, DCM would remove the existing visual screen originally installed as part of the Project Approval”.</p>
Schedule 3, Condition 52	<p>The Proponent shall:</p> <p>(a) minimise the waste generated by the project; and</p> <p>(b) ensure that the waste generated by the project is appropriately stored, handled and disposed of, to the satisfaction of the Secretary</p>	Compliant	<p>a) Viewed Waste Management Plan (WMP) dated December 2021. Section 5 includes waste management and minimisation strategies. Viewed 2021, 2022 and 2023 Annual Reviews. Waste minimisation and performance is reported on in every annual review.</p> <p>b) Waste is managed by JR Richards. Site inspection revealed good waste management practices (see Plate 13, Plate 17 and Plate 18).</p>
Schedule 3, Condition 53	<p>The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must be submitted to the Secretary within 3 months of the date of this approval, unless otherwise agreed by the Secretary.</p>	Compliant	<p>Previous audit confirmed original compliance.</p> <p>Viewed Waste Management Plan dated December 2021.</p> <p>Viewed DPE approval letter dated 23 December 2021.</p> <p>The WMP is appropriate for the status of the operation. It identifies the following waste streams: waste rock, workshop/operational waste, general recyclables; sewage. It appropriately identifies that the operation is in mine closure phase and as such general recyclables, non-recyclables and</p>

Cond. no	Requirement/Condition	Status	Evidence
			<p>sewage would be significantly reduced. Waste rock generation cessation would also occur. Section 5 identifies the waste hierarchy to be utilised when considering closure waste. Segregation was noted during the site visit (see other comments at condition 53).</p> <p>Section 5.5 commits to the contaminated land assessment during the closure phase and 5.8.5 to a hazardous materials assessment. This assessment was completed after the audit period and would be reviewed at the next audit (TK pers comms).</p> <p>Section 5.8 describes the mine closure waste management strategy and commits to updating the update the Waste Stream Analysis and prepare a Decommissioning and Demolition Plan.</p> <p>Demolition of the Duralie train loader and associated infrastructure was completed during the audit period. Larger scale waste stream analysis and Decommissioning and Demolition Plan will be completed as part of the detailed mine closure plan in the next audit period (TK pers comms).</p> <p>Section 6 reporting and monitoring is addresses in Annual Reviews as per comments at condition 53.</p> <p>Rehabilitation related sections were considered as part of the rehabilitation conditions.</p>
Schedule 3, Condition 54	<p>The Proponent shall</p> <p>a) ensure that the project is suitably equipped to respond to any fires on site; and</p> <p>b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the surrounding area</p>	Compliant	<p>a) Water carts are available for fire on site and there is an onsite fire trailer (TK pers comms).</p> <p>b) No bushfires where assistance was required occurred during the audit period Bushfire commenced on day 2 of the audit inspection in property nearby the Duralie Coal Mine. DCM provided support to the RFS in the form of machinery to slash fire breaks, reinstate bushfire access tracks on private property and remove fences for access (TK pers comms). See Plate 8.</p>
Schedule 3, Condition 55	<p>The Proponent shall rehabilitate the site to the satisfaction of the Secretary of DTIRIS. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA and comply with the objectives in Table 12 (below).</p>	Not Triggered	<p>Minesoils review:</p> <p>Not triggered as rehabilitation is in progress (see Plate 1 – Plate 4, Plate 5 and Plate 6), however rehabilitation is being implemented in line with the EIS rehabilitation Strategy, RMP and forward work plan, and progressing as planned/Compliant.</p> <p>This condition was previously met with the MOP, which has now been replaced with the Rehabilitation Management Plan (RMP).</p> <p>Section 4, Table 5 of the RMP describes the rehabilitation completion criteria for the features from PA 08_0203 Table 12, summarised below.</p> <ul style="list-style-type: none"> • Mine site (as a whole of the disturbed land and water): safe, stable, non-polluting, fit for purpose. Site Inspection: The rehabilitation areas were inspected and it was noted that adequate measures of surface cover, vegetation establishment, landform design and erosion and sediment

Cond. no	Requirement/Condition	Status	Evidence																														
	<table border="1"> <thead> <tr> <th data-bbox="367 274 577 296">Feature</th> <th data-bbox="577 274 779 296">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="367 296 577 319">Mine site (as a whole of the disturbed land and water)</td> <td data-bbox="577 296 779 319">Safe, stable & non-polluting, fit for the purpose of the intended post-mining land use(s).</td> </tr> <tr> <td data-bbox="367 319 577 341">Surface infrastructure</td> <td data-bbox="577 319 779 341">To be decommissioned and removed, unless the Secretary agrees otherwise.</td> </tr> <tr> <td data-bbox="367 341 577 363">Coal Shaft Creek Diversion</td> <td data-bbox="577 341 779 363">Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than prior to mining.</td> </tr> <tr> <td data-bbox="367 363 577 386">Landforms</td> <td data-bbox="577 363 779 386">Final landforms sustain the intended land use for the post-mining domain(s).</td> </tr> <tr> <td data-bbox="367 386 577 408"></td> <td data-bbox="577 386 779 408">Final landforms are consistent with and complement the topography of the surrounding region to minimise the visual prominence of the final landforms in the post-mining landscape.</td> </tr> <tr> <td data-bbox="367 408 577 430"></td> <td data-bbox="577 408 779 430">Final landforms incorporate design relief patterns and principles for consistent with natural drainage.</td> </tr> <tr> <td data-bbox="367 430 577 453">Other land affected by the project</td> <td data-bbox="577 430 779 453">Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of:</td> </tr> <tr> <td data-bbox="367 453 577 475"></td> <td data-bbox="577 453 779 475"> <ul style="list-style-type: none"> • local native plant species; and • a landform consistent with the surrounding environment. </td> </tr> <tr> <td data-bbox="367 475 577 497">Water quality</td> <td data-bbox="577 475 779 497">Water retained on site is fit for the intended land use(s) for the post-mining domain(s).</td> </tr> <tr> <td data-bbox="367 497 577 520"></td> <td data-bbox="577 497 779 520">Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance. Water management is consistent with the regional catchment management strategy.</td> </tr> <tr> <td data-bbox="367 520 577 542">Native flora and fauna habitat and corridors</td> <td data-bbox="577 520 779 542">Size, locations and species of native tree IDs and corridors are established to sustain biodiversity habitats. Species are selected that re-establishes and complements regional and local biodiversity.</td> </tr> <tr> <td data-bbox="367 542 577 564">Final void</td> <td data-bbox="577 542 779 564">Safe, stable and non-polluting.</td> </tr> <tr> <td data-bbox="367 564 577 587">Post-mining agricultural pursuits</td> <td data-bbox="577 564 779 587">The land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting of vegetation).</td> </tr> <tr> <td data-bbox="367 587 577 609">Community</td> <td data-bbox="577 587 779 609">Minimise the adverse socio-economic effects associated with mine closure.</td> </tr> </tbody> </table>	Feature	Objective	Mine site (as a whole of the disturbed land and water)	Safe, stable & non-polluting, fit for the purpose of the intended post-mining land use(s).	Surface infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise.	Coal Shaft Creek Diversion	Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than prior to mining.	Landforms	Final landforms sustain the intended land use for the post-mining domain(s).		Final landforms are consistent with and complement the topography of the surrounding region to minimise the visual prominence of the final landforms in the post-mining landscape.		Final landforms incorporate design relief patterns and principles for consistent with natural drainage.	Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of:		<ul style="list-style-type: none"> • local native plant species; and • a landform consistent with the surrounding environment. 	Water quality	Water retained on site is fit for the intended land use(s) for the post-mining domain(s).		Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance. Water management is consistent with the regional catchment management strategy.	Native flora and fauna habitat and corridors	Size, locations and species of native tree IDs and corridors are established to sustain biodiversity habitats. Species are selected that re-establishes and complements regional and local biodiversity.	Final void	Safe, stable and non-polluting.	Post-mining agricultural pursuits	The land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting of vegetation).	Community	Minimise the adverse socio-economic effects associated with mine closure.		<p>control have been (and continue to be) implemented as predicted in the EIS, MOP and RMP.</p> <ul style="list-style-type: none"> • Surface infrastructure: all infrastructure will be decommissioned & removed, unless justification has been provided for retention in post-mining land use. <u>Site Inspection:</u> Dam Aux 1 is decommissioned, Dam Aux 2 is in process, currently dewatering. The remainder of the site is in closure for the majority of the audit period and is currently progressing through the detailed closure phase. • Coal Shaft Creek Diversion: hydraulically and geomorphologically stable with riparian veg same or better than prior to mining. Draining which generally replicates the original geometry of coal shaft creek. <u>Site Inspection:</u> Material from Aux2 Dam to be used for diversion enhancement, progressing as planned. • Landforms: final landforms safe, stable, adequately drained, visually consistent with surrounding. Geomorphic stability of drainage features. <u>Site Inspection:</u> Underway, central area still active, mine area active. Once haul road is decommissioned the land is to be shaped. The remainder of the rehabilitated area is shaped and in accordance with proposed landforms in the approval documents. • Other Land affected by the project: Ecosystem function restored, including maintaining or establishing self-sustaining ecosystems comprised of local native plant species and consistent with the surrounding environment. <u>Site Inspection:</u> Rehabilitation is tracking towards targets according to site monitoring data and in accordance with predicted rehabilitation strategy. Observed management actions included weed, grass thickness control, supplemental planting and sign posting. • Water quality: retained water infrastructure is stable, safe and operating effectively, water retained on-site is fit for the intended post-mining land use(s), water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance. • Native flora and fauna habitat and corridors: Ecosystem function restored, including maintaining or establishing self-sustaining ecosystems comprised of local native plant species and consistent with the surrounding environment, native ecosystem areas on trajectory towards self-sustaining ecosystem and/or measures of ecosystem function equivalent to unmined reference sites. <u>Site Inspection:</u> Indicated the monitoring undertaken by site is based on 'on-ground' assessment and reflective of actual results in the rehabilitation. Whilst this is progressing
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Water quality	Water retained on site is fit for the intended land use(s) for the post-mining domain(s).																																
	Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance. Water management is consistent with the regional catchment management strategy.																																
Native flora and fauna habitat and corridors	Size, locations and species of native tree IDs and corridors are established to sustain biodiversity habitats. Species are selected that re-establishes and complements regional and local biodiversity.																																
Final void	Safe, stable and non-polluting.																																
Post-mining agricultural pursuits	The land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting of vegetation).																																
Community	Minimise the adverse socio-economic effects associated with mine closure.																																

Cond. no	Requirement/Condition	Status	Evidence
			<p>towards meeting completion criteria, continued work is underway during the detailed closure phase.</p> <ul style="list-style-type: none"> Final void: approp. security measures to avoid risk to public safety, landforms established to minimise size and depth and confirmed safe and stable, final voids are sinks or flow through for the local groundwater system confirmed by predictive post-mining groundwater model, water quality in approved final voids does not pose a risk to final land use, receiving ecosystems, or private properties, risk of flood interaction is negligible. <u>Site Inspection</u>: Final void still active and detailed design for closure is underway. Post mining agricultural pursuits: The land capability and agricultural suitability classification for the relevant nominated agricultural pursuit for each domain is established. (Section 8.2 RMP, Completion criteria for these areas will also be assessed by undertaking an assessment of the Agricultural Suitability class by a suitably qualified specialist or agronomist.). <u>Site Inspection</u>: the post mining grazing areas were inspected, however a complete assessment of land capability/Agricultural Suitability is yet to be undertaken and will be included in the detailed closure phase. Community: Socio-economic effects associated with mine closure has been minimised. The RMP establishes performance indicators and completion criteria for each of the key criteria established above in Table 6. These indicators were brought across from the EIS and will continue to be revised to ensure suitability during the detailed closure phase. Viewed Duralie Coal Mine Rehabilitation Management Plan, Version 3, October 2023, and assessed against the predicted impacts noted in the EIS Rehabilitation Strategy as per Schedule 5 Condition 8c. Annual Reviews, including latest Annual Review (2023) include a summary on rehabilitation progress (Sections 8- 8.5, Table 25). The Duralie Coal Mine Forward Program provides the proposed rehabilitation schedule.
Schedule 3, Condition 56	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	Compliant	<p>Minesoils review: Rehabilitation works are underway, and continuing as forecast as per the previous MOP, the current RMP, and the Forward Program. Section 1.1.3, and plates 1-12 of RMP provides a summary of rehabilitation to date. Annual Reviews also include a rehabilitation summary, including most recent</p>

Cond. no	Requirement/Condition	Status	Evidence
			<p>2023 Annual Review (Section 8). Progressive rehabilitation of the site was observed during site inspection, including landform shaping and revegetation. The areas not currently active were either rehabilitated or scheduled for rehabilitation. Existing rehabilitation is actively monitored, managed and maintained to ensure the criteria targets are achievable and on track towards meeting the criteria.</p>
<p>Schedule 3, Condition 57</p>	<p>The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Secretary of DTIRIS. This plan must: a) be prepared in consultation with the Department, OEH, NOW, Council and the CCC; b) be prepared in accordance with any relevant DRE guideline; (c) build, to the maximum extent practicable, on the other management plans required under this approval; c1) address all aspects of mine closure and rehabilitation, including post-mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management; (d) provide for scientific knowledge gained during the rehabilitation, to be made publicly available; (e) be submitted to the Secretary of DTIRIS for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary.</p>	<p>Compliant</p>	<p>Minesoils review: RMP prepared and implemented. a) The RMP states it was provided to all agencies listed in the Condition (Section 4.2), with comments received from BCD, DPE-Water, Council and the CCC. b) Section 1.1.1, RMP prepared in accordance with the new standard rehabilitation conditions on mining leases imposed through an amendment to the Regulation under the Mining Act 1992. c) Noted c1) Table 6 of the RMP describes the rehab objectives, and proposed completion criteria. d) No mention in RMP of making scientific knowledge gained during the rehabilitation publicly available. Yancoal advised that there is no new knowledge to be gained. Viewed Annual Rehabilitation Report and Forward Program dated July 2022 which states that “amendments to the monitoring programs during the post-closure phase, following identification of any rehabilitation performance issues or knowledge gaps in the Annual Rehabilitation Report, will be reflected in the relevant environmental management plan revisions as well as future iterations of the ARRFP”. Recommend RMP updated at next update to include this statement to address condition. Rehabilitation monitoring programs are reported on in the Annual Review, which is published on the website. e) Previously compliant. RPS Review: Viewed updated RMP Post Approval Form dated 27 February 2023. The evidence that the RMP is being implemented was observed during the site inspection by Clayton Richards and photos provided. The ‘on ground’ results, and documentation of those results within the Annual Reviews, rehabilitation monitoring reports and annual inspections provides the evidence that the RMP is being implemented in accordance with the condition S3C57. The details of the site inspection are provided in S3C55 and S3C56 and photos provided.</p>

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Cond. no	Requirement/Condition	Status	Evidence
Schedule 4, Condition 1	<p>Within 1 month of the date of this approval, the Proponent shall notify in writing the owners of:</p> <p>(a) the land listed in Table 1 in Condition 1 of Schedule 3 that they have the right (under Condition 1 of Schedule 3) to require the Proponent to acquire their land at any stage during the project;</p> <p>(b) any residence on the land listed in Table 1 in Condition 1 or in Condition 4(b) or (c) of Schedule 3 that they are entitled (under Condition 4 of Schedule 3) to ask for additional noise mitigation measures to be implemented at their residence at any stage during the project;</p> <p>(c) any privately-owned land within 2 kilometres of the approved open cut mining pit on site that they are entitled (under Condition 11 of Schedule 3) to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous inspection report updated;</p> <p>(d) any residence on the land listed as 125(1) and 125(2) on</p>	Not Triggered	Not triggered as not required in the audit period (TK pers comms).

Cond. no	Requirement/Condition	Status	Evidence
	<p>the figure in Appendix 3 that they are entitled (under Condition 21 of Schedule 3) to ask for additional dust mitigation measures to be implemented at their residence at any stage during the project; and</p> <p>(e) the owner the land listed as 125(1), 125(2), and 116 on the figure in Appendix 3 or any residence on privately-owned land which has (or would have) significant direct views of the mining operations on site, that they are entitled (under Condition 50 of Schedule 3) to ask for additional visual mitigation measures to be implemented on their land at any stage during the project</p>		
<p>Schedule 4, Condition 1A</p>	<p>Within 1 month of the approval of the first modification to the conditions of this approval, the Proponent shall prepare a Consultation Plan for the implementation of additional noise mitigation measures at the residences listed in Condition 4(c) of Schedule 3. This plan must provide for:</p> <p>(a) notifying the land owners of these residences that they are entitled to ask for additional noise mitigation measures to be implemented at their residence at any stage during the project;</p> <p>(b) explaining the sorts of mitigation measures that could be implemented to these residences;</p> <p>(c) following up the initial notification of these owners with detailed discussions about the potential implementation of suitable mitigation measures;</p> <p>(d) explaining to these landowners that they have the right to refer the matter to the Secretary for resolution if there is a dispute about what measures should be implemented or the implementation of any agreed measures.</p> <p>The Plan is to be made publicly available on the Proponent's website and the plan shall be implemented to the satisfaction of the Secretary.</p>	<p>Not Triggered</p>	<p>Not triggered as no modifications of the approval occurred during the audit period (TK pers comms).</p>
<p>Schedule 4, Condition 2</p>	<p>Within 2 weeks of obtaining monitoring results showing:</p> <p>(a) an exceedence of the relevant criteria in any condition in Schedule 3, the Proponent shall notify the affected landowner and tenants in writing of the exceedence, and provide monitoring results to each of these parties until the project is complying with the relevant criteria again;</p>	<p>Not Triggered</p>	<p>Viewed 2021, 2022 and 2023 Annual Reviews. Not triggered as no exceedences occurred within the audit period.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>(b) an exceedence of the relevant noise acquisition criteria in Condition 3 of Schedule 3, the Proponent shall notify the relevant owner in writing that they have the right (under Condition 3 of Schedule 3) to require the proponent to acquire their land;</p> <p>(c) an exceedence of the relevant noise mitigation criteria in Condition 4(d) or (e) of Schedule 3, the Proponent shall notify the relevant owner in writing that they are entitled (under Condition 4 of Schedule 3) to ask for additional noise mitigation measures to be installed at their residence;</p> <p>(d) an exceedence of the relevant air quality criteria in Schedule 3, the Proponent shall send the affected landowners and tenants (including the tenants of any mine-owned land) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and an</p> <p>(e) exceedence of the relevant air quality criteria in Condition 20 of Schedule 3, the Proponent shall notify the relevant owner in writing that they have the right (under Condition 20 of Schedule 3) to require the Proponent to acquire their land; and</p> <p>(f) an exceedence of the relevant dust mitigation criteria in Condition 21 of Schedule 3, the Proponent shall notify the relevant owner in writing that they are entitled (under Condition 21 of Schedule 3) to ask for additional dust mitigation measures to be implemented at their residence.</p>		
<p>Schedule 4, Condition 3</p>	<p>If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the project 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 Proponent 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 project is complying with the relevant criteria in Schedule 3; and 	<p>Not Triggered</p>	<p>Viewed 2021, 2022 and 2023 Annual Reviews. Not triggered as no exceedances occurred within the audit period. No independent reviews were requested in the audit period (TK pers comms).</p>

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Cond. no	Requirement/Condition	Status	Evidence
	<ul style="list-style-type: none"> if the project is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review.</p>		
Schedule 4, Condition 4	<p>If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant criteria in Schedule 3, then the Proponent shall:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant acquisition criteria in Schedule 3, then upon receiving a written request from the landowner, the Proponent shall acquire all or part of the landowner's land in accordance with the procedures in Conditions 5–6 below.</p>	Not Triggered	Not triggered as no requests for independent reviews occurred during the audit period (TK pers comms).
Schedule 4, Condition 5	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:</p> <p>(a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the:</p> <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and presence of improvements on the land and/or any approved building or structure which has been physically commenced on the land at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any 	Not Triggered	Not triggered as no requests for acquisition were received during the audit period (TK pers comms).

Cond. no	Requirement/Condition	Status	Evidence
	<p>improvements that have resulted from the implementation of any additional noise mitigation measures under Condition 4 of Schedule 3;</p> <p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> • relocating within the Great Lakes or Gloucester local government areas, or to any other local government area determined by the Secretary; and • obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> • consider submissions from both parties; • determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above; • prepare a detailed report setting out the reasons for any determination; and • provide a copy of the report to both parties. <p>Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair</p>		

Cond. no	Requirement/Condition	Status	Evidence
	<p>and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report disputing the independent valuer's determination, and any other relevant submissions.</p> <p>Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.</p> <p>If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land shall cease, unless the Secretary determines otherwise.</p>		
Schedule 4, Condition 6	The Proponent shall pay all reasonable costs associated with the land acquisition process described in Condition 5 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	Not Triggered	Not triggered as no requests for acquisition were received during the audit period (TK pers comms).
Schedule 5, Condition 1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary;</p> <p>(b) provide the strategic framework for the environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</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 about the operation and environmental performance of the project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the project; • respond to any non-compliance; • respond to emergencies; and 	Compliant	<p>Viewed Environmental Management Strategy dated 2021.</p> <p>a) Viewed DPE approval letter dated 23 December 2021.</p> <p>b) provide the strategic framework for the environmental management of the project is located throughout the document;</p> <p>c) identify the statutory approvals that apply to the project is located in Section 3;</p> <p>d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project is located in Section 5;</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 about the operation and environmental performance of the project (Section 9 and 10); • receive, handle, respond to, and record complaints (Section 10); • resolve any disputes that may arise during the course of the project (Section 10); • respond to any non-compliance (Section 12); • respond to emergencies (Section 13); and <p>f) include:</p>

Cond. no	Requirement/Condition	Status	Evidence
	(f) include: <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this approval; and a clear plan depicting all the monitoring required to be carried out under the conditions of this approval. 		<ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this approval (Appendix C); and a clear plan depicting all the monitoring required to be carried out under the conditions of this approval (Appendix C and Section 6).
Schedule 5, Condition 2	The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: <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 exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements</i></p>	Compliant	Viewed Water Management Plan dated 11 March 2022. <p>a) detailed baseline data is contained in the SWB, SWMP and GWMP;</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) (Section 2, SWB, SWMP, GWMP); any relevant limits or performance measures/criteria (SWMP, GWMP); 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 (SWMP, GWMP); <p>c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria is located in the SWB, SWMP and GWMP;</p> <p>d) a program to monitor and report on</p> <ul style="list-style-type: none"> impacts and environmental performance of the development; effectiveness of any management measures (see c above) (SWMP and GWMP); <p>e) a contingency plan to manage any unpredicted impacts and their consequences is located in the SWMP and GWMP;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the development over time is located in Section 4, SWB, SWMP and GWMP;</p> <p>g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> incidents (Section 5); complaints (Section 5); non-compliances with statutory requirements (Section 5); and exceedances of the impact assessment criteria and/or performance criteria (SWMP and GWMP); and <p>(h) a protocol for periodic review of the plan is located in Section 4, SWB, SWMP and GWMP.</p> Viewed Biodiversity Management Plan dated February 2023. <p>a) detailed baseline data is contained in Section 4;</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p><i>if they are unnecessary or unwarranted.</i></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) (Section 3); • any relevant limits or performance measures/criteria (Section 3 and 7); • 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 (Section 3 and 7); <p>c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria is located in Sections 5-8;</p> <p>d) a program to monitor and report on</p> <ul style="list-style-type: none"> • impacts and environmental performance of the development; • effectiveness of any management measures (see c above) (Section 8); <p>e) a contingency plan to manage any unpredicted impacts and their consequences is located in Section 9;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the development over time is located in Section 8 and 10.</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 • exceedances of the impact assessment criteria and/or performance criteria (Section 10); and <p>(h) a protocol for periodic review of the plan is located in Section 10.</p>
<p>Schedule 5, Condition 3</p>	<p>By the end of December 2011 and annually thereafter, the Proponent shall review the environmental 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 year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • the relevant statutory requirements, limits or 	<p>Compliant</p>	<p>Minesoils review:</p> <p>a) 2020, 2021, and 2022 Annual Reviews available on website. 2023 Annual review not yet published on website but completed and provided to auditor. Operations Summary- Section 4, rehabilitation summary - Section 8.</p> <p>b) Complaints summary provided in Table 27. Reviews of monitoring results in Section 6, and Section 7, along with relevant statutory requirements/limits/performance measures for each.</p> <p>Monitoring results from previous years included for: deposited dusts, HVAS, GHG emissions.</p> <p>Assessment of monitoring results against EA predictions included in Sections 6 and 7.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>performance measures/criteria;</p> <ul style="list-style-type: none"> • the monitoring results of previous years; and • the relevant predictions in the EA; <p>(c) identify any non-compliance over the last 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>c) Incidents and non-compliances captured in Section 11. Status of previous IEA non-compliances referenced in Section 10, and Appendix 8 (Appendix 8 not attached to document). Statement of compliance included in Section 1.</p> <p>d) Analysis of data trends included in sections 6.3.4, 6.7.3, 7.3.3, 7.3.4, 7.4.3.</p> <p>e) Limited analysis of discrepancies between predicted and actual impacts provided in Annual Review.</p> <p>f) Very limited description of actual measures to be implemented over the next year to improve environmental performance, however Section 12 details the activities intended to be completed in the following year, including additional rehabilitation activities.</p>
<p>Schedule 5, Condition 4</p>	<p>Within 3 months of:</p> <p>(a) the submission of an annual review under Condition 3 above;</p> <p>b) the submission of an incident report under Condition 6 below;</p> <p>(c) the submission of an audit report under Condition 8 below; or</p> <p>(d) any modification to the conditions of this consent, (unless the conditions require otherwise); or</p> <p>(e) prior to the commencement of clearing in EA (Mod 2), the Proponent shall review, and if necessary, revise, the strategies, plans, and programs required under this approval to the satisfaction 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 project.</i></p>	<p>Compliant</p>	<p>a) Viewed Annual Reviews. Three Annual Reviews were submitted within the audit period.</p> <p>b) Five incidents occurred within the audit period (see response to Schedule 3, Condition 25).</p> <p>c) The previous IEA has been submitted within the audit period. Previous 2020 IEA Report is dated 16 February 2021.</p> <p>d) No modifications have occurred to the consent during the audit period (TK pers comms).</p> <p>e) Viewed 2020 Previous Audit report. This was verified in 2017 IEA. Viewed Duralie Environmental Management Plans register.</p>
<p>Schedule 5, Condition 5</p>	<p>The Proponent shall operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. This CCC must be operated in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version). This CCC must be operating within 3 months of the</p>	<p>Compliant</p>	<p>Viewed Duralie Coal website on 16 January 2024 at 10:45 am. All information on the CCC can be found under 'Community Consultative Committee'. Meeting times during the audit period have ranged from twice yearly and quarterly.</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>date of this approval.</p> <p><i>Note:</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 Proponent complies with this approval;</i> <i>In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community; and</i> <i>• With the approval of the Secretary, this CCC may be combined with the current CCC for the Stratford coal mine.</i> 		
Schedule 5, Condition 6	The Proponent shall notify the Secretary and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.	Compliant	See response to Schedule 3, Condition 25. Incidents were reported within 7 days to the regulator and any relevant agencies.
Schedule 5, Condition 7	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Secretary.	Compliant	Viewed Duralie website on 18 January 2024 at 2:30 pm. Noise monitoring reports and EPL monitoring data can be found under 'Monitoring Results'. See response to Schedule 3, Condition 2 for explanation on noise monitoring frequency in the audit period.
Schedule 5, Condition 8	<p>Prior to December 2011, 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 approvals, relevant EPL/s and/or Mining Lease/s (including any assessment, plan or program required under these approvals);</p> <p>d) review the adequacy of any approved strategy, plan or</p>	Compliant	<p>Viewed 2020 Previous Audit report.</p> <p>a) The 2020 IEA was undertaken by Barnett and May. The audit team is contained in Section 4.3.1. The DPE approval letter dated 23 October 2020 is contained in Appendix C.</p> <p>b) Section 4.2 summarises consultation with relevant agencies.</p> <p>c) The 2020 IEA assessed the environmental performance of the development. Appendix A contains compliance tables stating compliance against relevant approvals.</p> <p>The 2014 Rehabilitation Strategy was reviewed as part of the audit to ensure predicted impacts were assessed against observed outcomes from the site inspection undertaken by Clayton Richards. The key outcomes from the 2014 Rehabilitation Strategy were accounted for in Schedule 3 Conditions 55, 56 and 57 of PA 08_0203. The audit site inspection and assessment reviewed these items and provided detailed comments within</p>

Cond. no	Requirement/Condition	Status	Evidence
	<p>program required under the abovementioned approvals; and</p> <p>(e) recommend 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 noise, blasting, air quality, ecology, and any other fields specified by the Secretary.</i></p>		<p>each of the conditions above in this Table.</p> <p>d) A summary of relevant plan compliance is located in Section 7.5. The previous MOP, current RMP and forward work plan is currently deemed adequate to address the rehabilitation requirements of the site under closure, notwithstanding the detailed closure planning is currently underway to ensure the rehabilitation strategy remains adequate for the next phase of the project into closure.</p> <p>e) Recommendations is located in Section 6.</p>
Schedule 5, Condition 9	<p>Within 6 weeks of commissioning 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>	Compliant	<p>Viewed DPE Audit Approval letter dated 23 October 2020 stating that the Duralie IEA and the Rail Haulage Audit may be submitted simultaneously within three months of commencing the audit.</p>
Schedule 5, Condition 9A	<p>By the end of December 2013, and with every Independent Environmental Audit thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of a Rail Haulage Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent experts whose appointment has been endorsed by the Secretary;</p> <p>(b) review the existing rail haulage operations and determine whether all reasonable and feasible measures are being implemented to minimise the:</p> <ul style="list-style-type: none"> • noise and dust impacts of these operations; • use of the shuttle train during the approved night-time hours; • dispatch of trains from the site between 9.25pm and 1am the following day; and <p>(c) recommend appropriate measures or actions to improve the efficiency of these rail haulage operations and minimize their associated impacts; and</p> <p>(d) evaluate the use of the exceptional circumstances provision in condition 8 of schedule 2, and the associated reporting on any use of this provision on the Proponent's website (see condition 8A in schedule 2).</p>	Compliant	<p>a) The rail haulage audit is located in Section 8 of the audit report. The DPE approval letter dated 23 October 2020 is contained in Appendix C.</p> <p>b) Section 8.3 contains rail haulage compliance table and conditions are discussed in Section 8.4.</p> <p>c) Section 6.2 contains audit recommendations including for the rail haulage audit component.</p> <p>d) This condition was assessed in the audit along the other conditions.</p> <p>Recommend to seek confirmation from DPE that this can be excluded from future audits as rail haulage complete.</p>

REPORT

Cond. no	Requirement/Condition	Status	Evidence
Schedule 5, Condition 9B	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Compliant	See response to Schedule 5, Condition 9.
Schedule 5, Condition 10	<p>Within 1 month of the date of this approval, the Proponent shall:</p> <p>make the following information publicly available on its website:</p> <ul style="list-style-type: none"> the documents referred to in Condition 2 of Schedule 2; all relevant statutory approvals for the project; all approved strategies, plans, programs and studies required under the conditions of this approval; the monitoring results of the project, reported in accordance with the specifications in any approved strategies, plans, programs or studies required under the conditions of this or any other approval; a complaints register, which is to be updated on a monthly basis; the agenda papers and minutes of CCC meetings; the annual reviews required under this approval; any audit of the project required under this approval, and the Proponent's response to the recommendations in any audit report; any other matter required by the Secretary; and <p>(b) keep this information up to date, to the satisfaction of the Secretary.</p>	Compliant	<p>Viewed Duralie website on 18 January 2024 at 3:30 pm.</p> <ul style="list-style-type: none"> Documents in Schedule 2, Condition 2 are located under 'Duralie Environmental Assessment. Documents' and 'Duralie Extension Project Approvals'. Plans are located under 'Environmental Management Plans, Strategies and Programs'. Monitoring results are located under 'Monitoring Results'. Complaints in 2023 are uploaded under 'Complaints Register'. Details of the CCC including minutes and agendas are located under 'Community Consultative Committee'. Annual reviews are located under 'Annual Reviews'. Audits are located under 'Environmental Audit'.

EPL Licence Table 11701

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings												
1 Administrative Conditions																
A1 What the licence authorises and regulates																
EPL01	A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <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>0 - 2000000 T annual handling capacity</td> </tr> <tr> <td>Extractive activities</td> <td>Land-based extractive activity</td> <td>0 - 30000 T annual capacity to extract, process or store</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>0 - 500000 T annual production capacity</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	0 - 2000000 T annual handling capacity	Extractive activities	Land-based extractive activity	0 - 30000 T annual capacity to extract, process or store	Mining for coal	Mining for coal	0 - 500000 T annual production capacity	<p>See response to Schedule 2, Condition 6 of PA 08_0203.</p> <p>Recommend the Licence holder consider whether a licence variation to reduce the scale of the activities is appropriate.</p>	Compliant
Scheduled Activity	Fee Based Activity	Scale														
Coal works	Coal works	0 - 2000000 T annual handling capacity														
Extractive activities	Land-based extractive activity	0 - 30000 T annual capacity to extract, process or store														
Mining for coal	Mining for coal	0 - 500000 T annual production capacity														
EPL02	A1.2	<p>The development consent for the premises notes that the licensee must not extract more than 3 million tonnes of ROM coal at the premises. For the purposes of this licence, the licensee must not:</p> <ol style="list-style-type: none"> 1. Handle more than 2,000,000 tonnes of coal within any 12 month period. 2. Produce more than 500,000 tonnes of coal within any 12 month period. A separate licence variation application will be required to vary the licence to increase production to greater than 500,000 tonnes within any 12 months period. 	<p>See response to Schedule 2, Condition 6 of PA 08_0203.</p>	Compliant												
A2 Premises or plant to which this licence applies																
EPL03	A2.1	<p>The licence applies to the following premises:</p> <table border="1"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>DURALIE COAL MINE</td> </tr> <tr> <td>DEPARTMENT OF INDUSTRY & INVESTMENT MINING LEASE 1427, DATED 6/4/98 & MINING LEASE 1646 DATED 4/1/11</td> </tr> <tr> <td>STROUD ROAD</td> </tr> <tr> <td>NSW 2415</td> </tr> </tbody> </table>	Premises Details	DURALIE COAL MINE	DEPARTMENT OF INDUSTRY & INVESTMENT MINING LEASE 1427, DATED 6/4/98 & MINING LEASE 1646 DATED 4/1/11	STROUD ROAD	NSW 2415	Noted.	Note							
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NSW 2415																
A3 Information supplied to the EPA																

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
EPL04	A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Noted.	Note

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

EPL05	P1.1	<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> <table border="1"> <thead> <tr> <th colspan="4">Air</th> </tr> <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>Air Quality Monitoring</td> <td></td> <td>Hi-Volume Air Sampler identified as "Point 8" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>9</td> <td>Air Quality Monitoring</td> <td></td> <td>Hi-Volume Air Sampler identified as "Point 9" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>24</td> <td>Air Quality Monitoring</td> <td></td> <td>Dust Deposition Gauge identified as "Point 24" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>25</td> <td>Air Quality Monitoring</td> <td></td> <td>Dust Deposition Gauge identified as "Point 25" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>26</td> <td>Air Quality Monitoring</td> <td></td> <td>Dust Deposition Gauge identified as "Point 26" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>32</td> <td>Air Quality Monitoring</td> <td></td> <td>Hi-Volume Air Sampler and dust deposition gauge identified as "Point 32" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>33</td> <td>Air Quality Monitoring</td> <td></td> <td>TEOM identified as "Point 33" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>34</td> <td>Air Quality Monitoring</td> <td></td> <td>Hi-Volume Air Sampler and dust deposition gauge identified as "Point 34" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> </tbody> </table>	Air				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	8	Air Quality Monitoring		Hi-Volume Air Sampler identified as "Point 8" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	9	Air Quality Monitoring		Hi-Volume Air Sampler identified as "Point 9" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	24	Air Quality Monitoring		Dust Deposition Gauge identified as "Point 24" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	25	Air Quality Monitoring		Dust Deposition Gauge identified as "Point 25" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	26	Air Quality Monitoring		Dust Deposition Gauge identified as "Point 26" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	32	Air Quality Monitoring		Hi-Volume Air Sampler and dust deposition gauge identified as "Point 32" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	33	Air Quality Monitoring		TEOM identified as "Point 33" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	34	Air Quality Monitoring		Hi-Volume Air Sampler and dust deposition gauge identified as "Point 34" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	<p>Confirmed each site is correct and currently monitored (TK pers comms). See response to Schedule 3, Condition 23 of PA 08_0203.</p>	Note
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EPL06	P1.2	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.	No table within this condition. Recommended to request this condition deleted in next variation.	Note																																																
EPL07	P1.3	<p>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.</p> <table border="1"> <thead> <tr> <th colspan="4">Water and land</th> </tr> <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>3</td> <td>Discharge quality monitoring</td> <td></td> <td>Mine Water Dam identified as "Point 3" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017. EPA reference DOC17/526704.</td> </tr> <tr> <td>4</td> <td>Discharge quality monitoring</td> <td></td> <td>Water quality monitoring point identified as "Point 4" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017. 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EPL07	P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.	Noted.	Compliant																																																

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings																					
		<p style="text-align: center;"><i>Noise/Weather</i></p> <table border="1"> <thead> <tr> <th>EPA Identification no.</th> <th>Type of monitoring point</th> <th>Location description</th> </tr> </thead> <tbody> <tr> <td>38</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Monitoring location identified as "Point 38 (AB1)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>39</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Monitoring location identified as "Point 39 (AAAB3)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>40</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Monitoring location identified as "Point 40 (AAAB4)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>41</td> <td>Meteorological Station</td> <td>Monitoring location identified as "Point 41 (Weather Station)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>42</td> <td>Meteorological Station</td> <td>Monitoring location identified as "Point 42 (TLR1)" on plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> <tr> <td>43</td> <td>Meteorological Station</td> <td>Monitoring location identified as "Point 43 (TLR2)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.</td> </tr> </tbody> </table>	EPA Identification no.	Type of monitoring point	Location description	38	Air blast overpressure & ground vibration peak particle velocity monitoring	Monitoring location identified as "Point 38 (AB1)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	39	Air blast overpressure & ground vibration peak particle velocity monitoring	Monitoring location identified as "Point 39 (AAAB3)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	40	Air blast overpressure & ground vibration peak particle velocity monitoring	Monitoring location identified as "Point 40 (AAAB4)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	41	Meteorological Station	Monitoring location identified as "Point 41 (Weather Station)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	42	Meteorological Station	Monitoring location identified as "Point 42 (TLR1)" on plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	43	Meteorological Station	Monitoring location identified as "Point 43 (TLR2)" on the plan titled "Duralie Coal Mine EPL 11701 - Environmental Monitoring Locations", dated 20 October 2017, EPA reference DOC17/526704.	Viewed Duralie Coal Mine EPL 11701 – Environmental Monitoring Locations dated 27 September 2017. See response to Schedule 3, Condition 7 of PA 08_0203.	
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3 Limit Conditions																									
L1 Pollution of waters																									
EPL08	L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	See response to Schedule 3, Condition 25 of PA 08_0203 due to various reported water incidents.	Not Compliant																					
L2 Concentration limits																									
EPL09	L2.1	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.	Noted.	Note																					
EPL10	L2.2	For each monitoring/discharge point or utilisation area specified in the table\ 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.	See response to Schedule 3, Condition 25 of PA 08_0203 referring to pH exceedances.	Not Compliant																					
EPL11	L2.3	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Noted.	Note																					
EPL12	L2.4	Water and/or Land Concentration Limits	See response to Schedule 3, Condition 25 of PA 08_0203 referring to pH exceedances.	Not Compliant																					

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings																																										
		<p>POINT 27</p> <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>Electrical conductivity</td> <td>microsiemens per centimetre</td> <td></td> <td></td> <td></td> <td>1326</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5-8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>30</td> </tr> </tbody> </table> <p>POINT 36,37</p> <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>Electrical conductivity</td> <td>microsiemens per centimetre</td> <td></td> <td></td> <td></td> <td>1326</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5-8.5</td> </tr> </tbody> </table> <p>Note: The electrical conductivity limit shown for Points 27, 36 and 37 is reflective of Project Approval 08_0203.</p>	Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Electrical conductivity	microsiemens per centimetre				1326	pH	pH				6.5-8.5	Total suspended solids	milligrams per litre				30	Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Electrical conductivity	microsiemens per centimetre				1326	pH	pH				6.5-8.5	<p>Point 36 and 37 are discharge points for north and south drain. Deemed compliant as discharge points are controlled by automatic switch which prevents contaminated water going offsite (TK pers comms).</p> <p>Viewed Surface Water Monitoring EPL Monitoring Results. The discharge refers to Point 36 and 37, which is under special frequency 1.</p>	
Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																																									
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L3 Waste																																														
EPL13	L3.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	Waste generated outside the premises was not received for storage during the audit period (TK pers comms).	Not Triggered																																										
EPL14	L3.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.	Noted.	Note																																										
EPL15	L3.3	Except as provided by any other condition of this licence, only the hazardous waste listed below may be generated at and/or stored at the premises. Waste oil generated at and stored on the premises not exceeding 30,000 litres at any time.	TK notes that no waste oil was stored on site at the time of inspection. Waste oil storage will be reinstated when final works commence in accordance with this requirement (TK pers comms).	Compliant																																										
L4 Noise limits																																														
EPL16	L4.1	Operational noise from the premises must not exceed:	See response to Schedule 3, Condition 2 of PA 08_0203.	Compliant																																										

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		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">Location</th> <th style="background-color: #d3d3d3;">Day LAEQ (15 minute)</th> <th style="background-color: #d3d3d3;">Evening LAEQ (15 minute)</th> <th style="background-color: #d3d3d3;">Night LAEQ (15 minute)</th> <th style="background-color: #d3d3d3;">Night LA1 (1 minute)</th> </tr> </thead> <tbody> <tr><td>172 - Lyall</td><td>35</td><td>39</td><td>40</td><td>45</td></tr> <tr><td>126 - Harrmann Pixalu PL</td><td>35</td><td>35</td><td>39</td><td>45</td></tr> <tr><td>123 Oleksuk & Carmody</td><td>35</td><td>35</td><td>39</td><td>45</td></tr> <tr><td>176 Trigg & Holland</td><td>35</td><td>36</td><td>37</td><td>45</td></tr> <tr><td>116 - Weismantel</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>127 - Fisher-Webster</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>131(1) - Relton</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>180(1) - Thompson</td><td>35</td><td>36</td><td>36</td><td>45</td></tr> <tr><td>95 - Smith & Ransley</td><td>35</td><td>35</td><td>36</td><td>45</td></tr> <tr><td>144 - Wiegosiński</td><td>35</td><td>36</td><td>35</td><td>45</td></tr> <tr><td>169 - Williams</td><td>35</td><td>36</td><td>35</td><td>45</td></tr> <tr><td>177 - Thompson</td><td>35</td><td>36</td><td>35</td><td>45</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 identify the locations referred to in the above table see figure titled 'Figure 5: Land Ownership Plan' and associated list in Appendix 3 – Land Ownership Plan, of the Department of Planning's Project Approval for project 08_0203 dated 26 November 2010. A copy of this plan and list of properties has been filed on EPA file LIC07/10-10.</p>	Location	Day LAEQ (15 minute)	Evening LAEQ (15 minute)	Night LAEQ (15 minute)	Night LA1 (1 minute)	172 - Lyall	35	39	40	45	126 - Harrmann Pixalu PL	35	35	39	45	123 Oleksuk & Carmody	35	35	39	45	176 Trigg & Holland	35	36	37	45	116 - Weismantel	35	35	37	45	127 - Fisher-Webster	35	35	37	45	131(1) - Relton	35	35	37	45	180(1) - Thompson	35	36	36	45	95 - Smith & Ransley	35	35	36	45	144 - Wiegosiński	35	36	35	45	169 - Williams	35	36	35	45	177 - Thompson	35	36	35	45	All other privately owned land	35	35	35	45		
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EPL17	L4.2	<p>To determine compliance:</p> <p>a) with the Leq(15 minute) noise limits in condition L4.1, the noise measurement equipment must be located:</p> <ul style="list-style-type: none"> • approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or • within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable • within approximately 50 metres of the boundary of a National Park or a Nature Reserve. <p>b) with the LA1(1 minute) noise limits in condition L4.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.</p> <p>c) with the noise limits in condition L4.1, the noise measurement equipment must be located:</p> <ul style="list-style-type: none"> • at the most affected point at a location where there is no dwelling at the location; or • at the most affected point within an area at a location prescribed by conditions L4.2(a) or L4.2(b). 	<p>Viewed Duralie website on 19 January 2024 at 12 pm. Noise monitoring reports are available under 'Monitoring Results'. Noise monitoring is undertaken by SLR.</p> <p>Viewed Q3 2023 Quarterly Compliance Monitoring Report dated October 2023. Section 3.2 states that noise monitoring is undertaken in accordance with the Noise Management Plan.</p> <p>Viewed Noise Management Plan dated December 2021. Section 7 details the monitoring program.</p> <p>Noise monitoring was conducted guided by the requirements of the NMP and EPL11701. Operator-attended noise measurements were conducted during the day, evening and night-time periods for 15 minutes per period at each of the four nominated noise monitoring locations.</p> <p>Recommend NMP be updated at new review to include discussion for each</p>	Compliant																																																																						

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
			monitoring location relationship to the 30 m condition.	
EPL18	L4.3	For the purpose of condition L4.1; <ul style="list-style-type: none"> Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays. Evening is defined as the period 6pm to 10pm. Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays. 	Noted.	Compliant
EPL19	L4.4	A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured: <ul style="list-style-type: none"> at a location other than an area prescribed by conditions L4.2(a) and L4.2(b); and/or at a point other than the most affected point at a location. 	See response to Schedule 3, Condition 2 of PA 08_0203.	Compliant
EPL20	L4.5	For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.	Viewed example Q3 2023 Quarterly Compliance Monitoring Report dated October 2023. "Appropriate modifying factors such as low frequency noise have been assessed against Npfl requirements. At all locations DCM was found to not trigger any modification factors, was not audible or significantly below the relevant noise criteria and modification factors are therefore not addressed further in this report".	Compliant
EPL21	L4.6	The noise limits listed in L4.1 do not apply if the Licensee has a written agreement with the relevant landowner to exceed these limits, and the Licensee has provided written evidence of this to the EPA.	Not triggered as no exceedances occurred during the audit period.	Not Triggered
EPL22	L4.7	For the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used.	Viewed Noise Management Plan (NMP) dated December 2021. Viewed Appendix B Record of Consultation with EPA dated 7 October 2021. Recommend at next review of NMP that this condition is specifically described.	Compliant
EPL23	L4.8	The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following: <ol style="list-style-type: none"> Wind speeds greater than 3 metres/second at 10 metres above ground level; or Temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or 	Viewed NMP dated December 2021. Section 7.2.4 discusses the compliance assessment protocol relating to wind speeds and temperature inversion.	Compliant

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		c) Temperature inversion conditions greater than 3°C/100m.		
EPL24	L4.9	Temperature inversion conditions (vertical temperature gradient in degrees C) are to be determined by direct measurement over a minimum 50m height interval as referred to in Part E2 of Appendix E to the NSW Industrial Noise Policy.	Viewed NMP dated December 2021. Section 5.2 states that “temperature lapse rates will be continuously measured over a minimum vertical height interval of 50 m”	Compliant
L5 Blasting				
EPL25	L5.1	The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 38, 39 or 40 in Condition P1.4.	See response to Schedule 3, Condition 8 of PA 08_0203	Compliant
EPL26	L5.2	The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 38, 39 or 40 in Condition P1.4.	See response to Schedule 3, Condition 8 of PA 08_0203	Compliant
EPL27	L5.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring point 38, 39 or 40 in Condition P1.4.	See response to Schedule 3, Condition 8 of PA 08_0203	Compliant
EPL28	L5.4	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 10 mm/second at any time; at either monitoring point 38, 39 or 40 in Condition P1.4.	See response to Schedule 3, Condition 8 of PA 08_0203	Compliant
EPL29	L5.5	Blasting operations at the premises may only take place between 9:00am to 5:00pm Monday to Saturday. (Where compelling safety reasons exist, the Authority may permit a blast to occur outside the abovementioned hours. Prior written (or facsimile) notification of any such blast must be made to the Authority).	See response to Schedule 3, Condition 9 of PA 08_0203.	Compliant
EPL30	L5.6	Offensive blast fume must not be emitted from the premises. Definition: Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances: 1) Are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or 2) Interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.	See response to Schedule 3, Condition 17 of PA 08_0203	Not Triggered
L6 Potentially offensive odour				
EPL31	L6.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises. <i>Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but</i>	Viewed Annual Reviews 2021, 2022 and 2023. No complaints relating to fume occurred in the audit period.	Not Triggered

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<i>provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</i>		
4 Operating Conditions				
O1 Activities must be carried out in a competent manner				
EPL32	O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	See response to Schedule 3, Condition 52 of PA 08_0203.	Compliant
O2 Maintenance of plant and equipment				
EPL33	O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Example equipment maintenance records viewed as per Schedule 2, Condition 13 of PA 08_0203. Site inspection revealed that the minimal equipment sighted was on standby to be utilised in rehabilitation (see Plate 8 and Plate 16).	Compliant
O3 Dust				
EPL34	O3.1	Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind blown or traffic generated dust	Viewed 2021, 2022 and 2023 Annual Review. No dust exceedances or dust related complaints occurred during the audit period. See response to Schedule 3, Condition 55 for rehabilitation-related progress during the audit period. Site visit revealed dust control measures occurring and minimal dust from minimal activities (see Plate 15).	Compliant
EPL35	O3.2	The licensee must implement best practice air quality management on site, including regularly assessing the real-time air quality monitoring and meteorological forecasting and implementing all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions generated from the premises. Note: This condition has been added to be consistent with Project Approval 08_0203.	See response to Schedule 3, Condition 22 of PA 08_2023.	Compliant
O4 Effluent application to land				

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
EPL36	O4.1	Waste water utilisation areas must effectively utilise the waste water applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the EPA.	Not triggered as wastewater not used in the audit period (TK pers comms).	Not Triggered
EPL37	O4.2	Runoff from Irrigation Areas Runoff from irrigation areas must not be permitted to run to either Coal Shaft Creek downstream of operations or to Mammy Johnsons River if it has an electrical conductivity of greater than 1326 uS/cm or if the electrical conductivity in Mammy Johnsons River at "High Noon" (EPA point 35) is greater than 400 uS/cm. Note: Project Approval 08_0203 also allows for runoff from irrigation areas that drain to the unnamed creek north of the premises but only at a salinity level less than the 80th percentile electrical conductivity value for this unnamed creek (prior to irrigation commencing) and if salinity in Mammy Johnsons River is less than 400 uS/cm. There must be no discharge from this irrigation area until this licence has been varied to allow such a discharge.	Viewed 2021 Annual Review. Not triggered as no irrigation has occurred since 2018 which is outside of the audit period.	Not Triggered
EPL38	O4.3	The licensee must keep records showing each occasion that runoff from the irrigation areas was discharged to Coal Shaft Creek and/or Mammy Johnsons River and the corresponding monitoring data recorded at Points 27, 35, 36 and 37 (as is appropriate for each individual discharge point). These records must be tabulated and show the maximum salinity value for each individual discharge event. These tabulated results must be supplied to the EPA annually with the Annual Return.	Viewed 2021 Annual Review. Not triggered as no irrigation has occurred since 2018 which is outside of the audit period.	Not Triggered
O5 Emergency response				
EPL39	O5.1	The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.	Viewed Duralie Coal website on 19 January 2024 at 2:15 pm. Viewed Pollution Incident Response Management Plan dated November 2023. Section 1.2 states that an objective of the PIRMP is to communicate "a system designed to manage and report any potential pollution incidents to which EPL11701 relates". Viewed PIRMP test scenario dated 4 May 2023 which was the spill of AD2 after large rainfall event noticed during routine site inspection.	Compliant
O6 Process and management				
EPL40	O6.1	The licensee must ensure any hazardous and/or restricted and/or liquid waste is not mixed with any other type of waste or with any other material.	JR Richards manages Duralie waste (see Plate 13).	Compliant

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
			Viewed 1 November 2023 JR Richards waste report. Reported on waste class and recycling.	
EPL41	O6.2	A wastewater management system must be constructed and utilised to manage the collection, storage, treatment, use and disposal of sewage effluent and other wastewater.	Effluent system for sewage with transpiration area. No issues or incidents with relation to wastewater management has occurred within the audit period (TK pers comms). Viewed invoice for Yancoal yearly servicing fee from Tanks2Go dated 13 December 2022.	Compliant
EPL42	O6.3	An area must be provided for the use of effluent from the sewage treatment plant. The design of the system must be in accordance with the EPA's Guideline "Utilisation of Treated Effluent by Irrigation."	Viewed 2020 Previous Audit report which states that "the irrigation system for the treated effluent is consistent with the EPA Guidelines". Area still utilised (TK pers comms). Viewed invoice for Yancoal yearly servicing fee from Tanks2Go dated 13 December 2022.	Compliant
O7 Other operating conditions				
EPL43	O7.1	<p>Giant Barred Frog Protection from Water Pollution</p> <p>Background</p> <p>Concern has been expressed about the quality of runoff from irrigation areas having an adverse affect on the "Endangered" Giant Barred Frog population within Mammy Johnsons River. Project Approval 08_0203 Condition 30 requires the licensee "shall ensure that the (Duralie Mine Extension) Project has no more than a negligible impact on the local Giant Barred Frog population". Project Approval 08_0203 required a Giant Barred Frog study, to determine baseline information on the local frog population. The Project Approval also required the preparation of a Giant Barred Frog Management Plan which includes the requirement to monitor the local frog population annually and determine if the requirements of condition 30 are being met and a contingency plan if monitoring suggests the Giant Barred Frog population downstream of the confluence of Mammy Johnsons River and Coal Shaft Creek is declining due to the project, which may include a revision of the first flush salinity limits detailed at Condition L2 of this licence. In order to assess potential impacts of the irrigation activities conducted on the premises, the EPA requires copies of frog monitoring survey reports.</p> <p>Deliverables</p> <p>The licensee must provide with the Annual Return each year a summary of the annual Giant Barred Frog survey compared to previous year's surveys. This summary must be in the form of a</p>	See response to Schedule 3, Conditions 30 - 32 of PA 08_0203.	Compliant

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<p>table and must aggregate frog numbers for "control sites", "upstream sites in Agricultural Areas", and "downstream sites" for each year and in the same cell provide a +/- percentage value indicating how the frog numbers have compared to the previous years data. The summary must also include statements from the frog expert employed by the licensee:</p> <ul style="list-style-type: none"> * as to how the age class structure of the frog population downstream of operations compares to the age class structure found in 2011/2012 baseline study, * as to how the juvenile or sub-adult recruitment rates compare to those found in the 2011/2012 baseline study, * if irrigation activities at the premises have caused more than a negligible impact on the local Giant Barred Frog population. 		
EPL44	O7.2	<p>Bunding All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternate spill containment system in place.</p>	<p>Single tank, 95,000 litres, self-bunded tank containing diesel (TK pers comms). Viewed representative YPM3 Routine Work Order (Maintenance) dated 23 January 2024 (outside of audit period) and representative CHPP Fuel Farm Inspection sheet which includes the tank dated 23 January 2024 (outside of audit period).</p>	Compliant
EPL45	O7.3	<p>Noise from Trains The licensee shall only:</p> <ul style="list-style-type: none"> a) dispatch shuttle trains from the site between 6am and 10pm; b) receive shuttle trains on site between 6am and midnight; and c) operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances. <p>The licensee must keep records of the:</p> <ul style="list-style-type: none"> a) number of train movements to and from the site each day; b) date and time of each train movement to the site between 10pm and midnight; and c) instances when the shuttle train is operated on the North Coast railway between midnight and 1am in exceptional circumstances, including the reasons for the exceptional circumstances. <p>Note: This condition has been added to be consistent with the Modification of Project Approval 08_0203 issued on 1 November 2012.</p>	<p>See response to Schedule 2, Condition 8 of PA 08_0203.</p>	Not Compliant
5 Monitoring and Recording Conditions				
M1 Monitoring records				
EPL46	M1.1	<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>	Noted.	Note

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EPL47	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Viewed Duralie website on 19 January 2024 at 2:45 pm. Viewed EPL11701 Duralie Monitoring data. a) Spreadsheet data is legible. b) Data is available from 2012 onwards. c) Monitoring data is available on the Duralie website.	Compliant																																				
EPL48	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Viewed August 2022 monitoring summary. Viewed sample surface sheets for water dated 29/8/22 and 30/6/23. a) Dates of samples were present in sheets. b) Times of collected samples were recorded. c) EPL points recorded. d) Name of sample collector was recorded.	Compliant																																				
M2 Requirement to monitor concentration of pollutants discharged																																								
EPL49	M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Noted.	Note																																				
EPL50	M2.2	<p>Air Monitoring Requirements</p> <p>POINT 8,9</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>24 hour composite sample</td> </tr> </tbody> </table> <p>POINT 24,25,26</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Once a month (min. of 4 weeks)</td> <td>AM-19</td> </tr> </tbody> </table> <p>POINT 32</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Once a month (min. of 4 weeks)</td> <td>AM-19</td> </tr> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>24 hour composite sample</td> </tr> </tbody> </table> <p>POINT 33</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Continuous</td> <td>AM-22</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Every 6 days	24 hour composite sample	Pollutant	Units of measure	Frequency	Sampling Method	Particulates - Deposited Matter	grams per square metre per month	Once a month (min. of 4 weeks)	AM-19	Pollutant	Units of measure	Frequency	Sampling Method	Particulates - Deposited Matter	grams per square metre per month	Once a month (min. of 4 weeks)	AM-19	PM10	micrograms per cubic metre	Every 6 days	24 hour composite sample	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	See response to Schedule 3, Condition 19 of PA 08_0203.	Not Compliant
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EPL51	M2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 3,4</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Once a month (min. of 4 weeks)</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Once a month (min. of 4 weeks)</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Once a month (min. of 4 weeks)</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 15</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Each overflow event</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 20</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Each overflow event</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 27,30,31</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 35,36,37</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Electrical conductivity</td> <td>microsiemens per centimetre</td> <td>Continuous</td> <td>Probe</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table> <p>Note: For the purposes of the tables above: Special frequency 1 means: a) A sample taken monthly from points 27, 30, 31 and 35; and b) A sample taken on the first day of any discharges (overflows) from points 27, 36 and 37.</p>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample	pH	pH	Once a month (min. of 4 weeks)	Grab sample	Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Total suspended solids	milligrams per litre	Each overflow event	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Total suspended solids	milligrams per litre	Each overflow event	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 1	Grab sample	pH	pH	Special Frequency 1	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Electrical conductivity	microsiemens per centimetre	Continuous	Probe	pH	pH	Special Frequency 1	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample	<p>Viewed EPL 11701 Monitoring Data on Duralie website on 24 January 2024.</p> <p>Point 3,4 Point 3 - Parameters contained in the table were sampled at minimum on a monthly basis and when discharges occurred. Point 4 incurred a non-compliance for less than required monitoring (see below).</p> <p>Point 15 (RS1) Viewed Certificate of Analysis dated 9 March 2022 with TSS results.</p> <p>Point 20 (RS6) TSS was not measured as Point 20 is only monitored in overflow events.</p> <p>Point 27 (VC1), 30,31 Parameters contained in the table were sampled at minimum on a monthly basis and if discharges occurred. Viewed sample report by ALS Environmental dated 21 March 2021 of VC1.</p> <p>Point 35,36,37 Parameters contained in the table were sampled at minimum on a monthly basis and when discharges occurred. Viewed 2021, 2022 and 2023 Annual Returns. 2023 Annual Return: “Less than required monitoring undertaken as per EPL 11701 - M2.3 Water and or Land Monitoring Requirements</p>	<p>Not Compliant</p>
Pollutant	Units of measure	Frequency	Sampling Method																																																																	
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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
			<p>- Point 4.” “A sample is required once a month (min. of 4 weeks) and was not sampled on 31 January 2023, 27 April 2023, 31 May 2023, 29 June 2023, 31 July 2023 and 28 August 2023. Access to Point 4 (Weismantel Open Cut Pit) on these dates was not achieved due to progressive backfilling within the pit footprint.” “As water is contained in the pit no adverse effects resulted from the non-compliance.” “DCM to investigate alternative methods to complete monitoring at unsafe locations.” Viewed SW6 at site inspection (see Plate 11).</p>	
M3 Testing methods – concentration limits				
EPL52	M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place. Note: The <i>Protection of Environment Operations (Clean Air) Regulation 2010</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the public “Approved Methods for the Sampling and Analysis of Air Pollutants in NSW”.	Viewed CBased Monthly dust deposition, HVAS, surface and groundwater monitoring report dated April 2022, February 2023 and November 2023. Section 1.2 states that dust deposition sampling and analysis is in accordance with AS3580.9.6 “Methods for Sampling and Analysis of Ambient Air. Determination of Suspended Particulates—PM10 High Volume Air sampler with size selective inlet - Gravimetric method (equivalent to EPA AM-18)”.	Compliant
EPL53	M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Viewed CBased reports dated May 2021, September 2022 and May 2023. It is stated within the reports that samples are collected under the Approved Methods.	Compliant
M4 Environmental monitoring				
EPL54	M4.1	To determine compliance with the Noise Limits conditions shown in this licence attended monitoring must be undertaken in accordance with the Noise Limits conditions of this licence and	Viewed Quarterly Noise Monitoring Report for Q3 dated August 2023 by SLR.	Compliant

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings																																			
		<p>a) At the four (4) nearest non mine owned noise affected premises listed in the Noise Limits conditions of this licence, (not subject to a private agreement) where agreement between the licensee and the affected landowner to carry out noise monitoring is possible.</p> <p>b) At each one of the locations listed in the Noise Limits conditions of this licence if a complaint is received by the licensee, or the EPA regarding noise and an authorised officer of the EPA requests monitoring at that site;</p> <p>c) Quarterly beginning 1 January each year, during each evening and night period as defined in the Noise Limits conditions of this licence</p>	<p>a) Section 3.2 states that monitoring is being taken at four residences at NM1, NM4, NM5 and NM6.</p> <p>b) Viewed 2023 Annual Review. No noise complaints were made during the audit period.</p> <p>c) Monitoring occurs in the evening and at night. Viewed Duralie coal website on 24 January 2024 at 2:45 pm. Noise monitoring was not conducted when operations were ceased. This in line with the Noise Management Plan.</p> <p>Viewed Noise Management Plan dated October 2021. The Plan states “After the cessation of key noise generating activities (i.e. mining operations, rail movements and bulk rehabilitation earthworks), the requirement for noise controls, management measures and noise monitoring would cease and the requirement for this Noise Management Plan would become redundant as the potential impact pathway no longer exists.”</p>																																				
M5 Weather monitoring																																							
EPL55	M5.1	<p>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 41</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Sampling method</th> <th>Units of measure</th> <th>Averaging period</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td>Temperature at 10 metres</td> <td>AM-4</td> <td>degrees Celsius</td> <td>1 hour</td> <td>Continuous</td> </tr> <tr> <td>Wind Direction at 10 metres</td> <td>AM-2 & AM-4</td> <td>Degrees</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Wind Speed</td> <td>AM-2 & AM-4</td> <td>metres per second</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Sigma Theta</td> <td>AM-2 & AM-4</td> <td>Degrees</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Rainfall</td> <td>AM-4</td> <td>millimetres</td> <td>15 minutes</td> <td>Continuous</td> </tr> <tr> <td>Relative humidity</td> <td>AM-4</td> <td>percent</td> <td>1 hour</td> <td>Continuous</td> </tr> </tbody> </table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous	Wind Speed	AM-2 & AM-4	metres per second	15 minutes	Continuous	Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous	Rainfall	AM-4	millimetres	15 minutes	Continuous	Relative humidity	AM-4	percent	1 hour	Continuous	<p>Noise monitoring was halted in the periods Q1, Q2 and Q3 of 2022 and Q4 of 2023 (TK pers comms).</p> <p>Viewed letter on 7 October 2021 which EPA considers the review for noise monitoring as reasonable.</p> <p>Duralie has interpreted EPA approval of NMP as approval to cease noise monitoring (TK pers comms).</p> <p>Viewed DPE approval letter dated 23 December 2021 which does not raise cessation of monitoring as an issue.</p>	Compliant
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																			
Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous																																			
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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings										
EPL56	M5.2	<p>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 42, 43</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Temperature lapse over a minimum vertical height interval of 50m</td> <td>degrees celsius</td> <td>continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Temperature lapse over a minimum vertical height interval of 50m	degrees celsius	continuous	1 hour	AM-4	Viewed screenshot of interface dated 7 March 2024 (consistent with system during audit period) demonstrating inversion.	Compliant
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method										
Temperature lapse over a minimum vertical height interval of 50m	degrees celsius	continuous	1 hour	AM-4										
M6 Recording of pollution complaints														
EPL57	M6.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Viewed 2021, 2022 and 2023 Annual Reviews. 2022 Annual Review: "One complaint was received during the 2021/22 reporting period relating to the DCM operations. The one complainant listed multiple concerns including dust, lighting, noise and blasting". Viewed this complaint stored in Intelix system.	Compliant										
EPL58	M6.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Viewed 2022 Complaints Register. a) Date and time of complaint was recorded. b) Method of complaint was recorded. c) Personal details are not disclosed as complaints are displayed on public register. d) Nature of complaint was disclosed. e) Investigation/outcome was recorded. f) Not triggered.	Compliant										
EPL59	M6.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Viewed Duralie website on 24 January 2024 at 3 pm. Complaints are contained in annual reviews. The last four annual reviews are present on the website.	Compliant										
EPL60	M6.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered as EPA officer has not requested records during the audit period (TK pers comms).	Not Triggered										

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings												
M7 Telephone complaints line																
EPL61	M7.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Viewed telephone complaints line on Duralie website on 19 January 2024 at 3:45 pm. It states above the phone number “to make a complaint please contact the Community Information Hotline”.	Compliant												
EPL62	M7.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	See response to M6.1.	Compliant												
EPL63	M7.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Noted.	Note												
M8 Blasting																
EPL64	M8.1	All blast shots must be recorded on video from a position allowing the collars of the shot, and where possible, any face, and/or toe, to be seen on the video. The licensee must retain a copy of this video for at least 12 months after the blast was initiated.	See response to Schedule 3, Condition 8 of PA 08_0203. Viewed video of blasts dated 25 May 2022 and 10 October 2023.	Compliant												
EPL65	M8.2	To determine compliance with conditions L5.1, L5.2, L5.3 and L5.4: a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 38, 39 and 40 for the parameters specified in Column 1 of the table below; and b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.	a) Viewed Blast Monitoring data in EPL 11701 Monitoring Data. Points AB1, AAAB3 and AAAB4 were measured for airblast overpressure and ground vibration levels. b) Viewed Blast Management Plan dated December 2021. Section 5.1 states that blast monitoring is done in accordance with AS2187.2-2006.	Compliant												
<table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Airblast Overpressure</td> <td>Decibels (Linear Peak)</td> <td>All Blasts</td> <td>Australian Standard AS 2187.2-2006</td> </tr> <tr> <td>Ground Vibration Peak Particle Velocity</td> <td>millimetres/second</td> <td>All Blasts</td> <td>Australian Standard AS 2187.2-2006</td> </tr> </tbody> </table>					Parameter	Units of Measure	Frequency	Sampling Method	Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006	Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006
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Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006													
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M9 Other monitoring and recording conditions																
EPL66	M9.1	A Noise Compliance Assessment Report must be submitted to the EPA within 30 days of the completion of the quarterly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant which: a) Assesses compliance with the noise limits included in this licence; and b) Outlines any management actions taken within the monitoring period to address any exceedances of the noise limits contained in this licence.	No monitoring since Q3 August 2023 which marked the end of the PAF rehandling process (TK pers comms). See response to M5.1 above.	Compliant												
Reporting Conditions																

REPORT

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
R1 Annual return documents				
EPL67	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Viewed 2021, 2022 and 2023 Annual Returns. All Annual Returns contain the required components in this condition.	Compliant
EPL68	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. 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.	Viewed screenshot of EPA website. All Annual Returns were submitted during the audit period.	Compliant
EPL69	R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	Not triggered as licence has not been transferred during the audit period (TK pers comms).	Not Triggered
EPL70	R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not triggered as licence has not been surrendered or revoked during the audit period (TK pers comms).	Not Triggered
EPL71	R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Viewed EPA Annual Returns dated 2021, 2022 and 2023.	Compliant

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
			Viewed example submission email of 2023 Annual Return dated 1 November 2023.	
EPL72	R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Copies of Annual Returns were kept for four years. Viewed 2020, 2021, 2022 and 2023 Annual Return.	Compliant
EPL73	R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Viewed 2020, 2021 and 2022 Annual Returns. All Annual Reviews were signed by two Directors.	Compliant
R2 Notification of environmental harm				
Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.				
EPL74	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	See response to Schedule 3, Condition 25 of PA 08_0203.	Compliant
EPL75	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	See response to Schedule 3, Condition 25 of PA 08_0203	Compliant
R3 Written report				
EPL76	R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Not triggered as written reports have not been requested by the EPA during the audit period (TK pers comms).	Not Triggered
EPL77	R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not triggered as EPA has not made inquiries on events during the audit period (TK pers comms).	Not Triggered
EPL78	R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;	Not triggered as EPA have not requested reports during the audit period (TK pers comms).	Not Triggered

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<p>e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</p> <p>f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and</p> <p>g) any other relevant matters.</p>		
EPL79	R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not triggered as no written requests have been made during the audit period (TK pers comms).	Not Triggered
7 General Conditions				
G1 Copy of licence kept at the premises or plant				
EPL80	G1.1	A copy of this licence must be kept at the premises to which the licence applies	Viewed Duralie website on 24 January 2024 at 3:30 pm. A copy of the licence is available under 'Duralie Extension Project Approvals'.	Compliant
EPL81	G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	The EPA licence is available on the website (see G1.1). The licence is also available within Intellex (TK pers comms)	Compliant
EPL82	G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	See G1.1.	Compliant

Mining Regulation 2016 – Schedule 8A

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
PART 2 STANDARD CONDITIONS				
Division 1 – Protection of the Environment and Rehabilitation				
4 Must prevent harm to environment				
MR01	1)	The holder of a mining lease must take all reasonable measures to prevent, or if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease.	See response to Schedule 2, Condition 1 of PA 08_0203.	Compliant
MR02	2)	In this clause-- "harm" to the environment has the same meaning as in the Protection of the Environment Operations Act 1997.	Noted.	
5 Rehabilitation to occur as soon as reasonably practicable after disturbance				
MR03	1)	The holder of a mining lease must rehabilitate land and water in the mining area that is disturbed by activities under the mining lease as soon as reasonably practicable after the disturbance occurs.	See response to Schedule 3, Condition 56 of PA 08_0203.	Compliant
6 Rehabilitation must achieve final land use				
MR04	1)	The holder of a mining lease must ensure that rehabilitation of the mining area achieves the final land use for the mining area.	See response to Schedule 3, Condition 55 of PA 08_0203.	Not Triggered
MR05	2)	The holder of the mining lease must ensure any planning approval has been obtained that is necessary to enable the holder to comply with subclause (1).	See response to Schedule 3, Condition 55 of PA 08_0203.	Not Triggered
MR06	3)	The holder of the mining lease must identify and record any reasonably foreseeable hazard that presents a risk to the holder's ability to comply with subclause (1). Note--: Clause 7 requires a rehabilitation risk assessment to be conducted whenever a hazard is identified under this subclause.	Risks are summarised in Section 3 of the Rehabilitation Management Plan dated October 2023. Critical controls and associated actions are specified in Attachment A.	Compliant
MR07	4)	In this clause— "final land use" for the mining area means the final landform and land uses to be achieved for the mining area-- (a) as set out in the rehabilitation objectives statement and rehabilitation completion criteria statement, and	Viewed Rehabilitation Management Plan dated October 2023. a) Rehabilitation objectives and rehabilitation completion criteria are located in Section 4 of the RMP. b) Final landform features (Plan 1) and final landform contours (Plan 2) are contained within the RMP. c) Noted.	Compliant

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(b) for a large mine--as spatially depicted in the final landform and rehabilitation plan, and (c) if the final land use for the mining area is required by a condition of development consent for activities under the mining lease--as stated in the condition. "planning approval" means-- (a) a development consent within the meaning of the Environmental Planning and Assessment Act 1979, or (b) an approval under that Act, Division 5.1.		
Division 2 – Risk Assessment				
7 Rehabilitation risk assessment				
MR08	1)	The holder of a mining lease must conduct a risk assessment (a "rehabilitation risk assessment") that-- (a) identifies, assesses and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease-- (i) the rehabilitation objectives, (ii) the rehabilitation completion criteria, (iii) for large mines--the final land use as spatially depicted in the final landform and rehabilitation plan, and (b) identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks.	Viewed Rehabilitation Management Plan dated October 2023. a) i) and ii) Rehabilitation objectives and proposed completion criteria are located in Table 6 of the RMP. iii) Final land use is spatially depicted in Plan 1 – Final Landform Features and Plan 2 – Final Landform Contours. b) Section 3 of the RMP summarises rehabilitation risks and critical controls and actions for risks listed are examined in the Closure & Rehabilitation Risk Assessment in Attachment A.	Compliant
MR09	2)	The holder of the mining lease must implement the measures identified.	Noted.	Note
MR10	3)	The holder of a mining lease must conduct a rehabilitation risk assessment-- (a) for a large mine--before preparing a rehabilitation management plan, and (b) for a small mine--before preparing the rehabilitation outcome documents for the mine, and (c) whenever a hazard is identified under clause 6(3)--as soon as reasonably practicable after it is identified, and (d) whenever given a written direction to do so by the Secretary.	Viewed Rehabilitation Management Plan dated October 2023. The risk assessment is located in Section 3 of the RMP.	Compliant
Division 3 – Rehabilitation Documents				

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
8 Application of division				
MR11		This Division does not apply to a mining lease unless-- (a) the security deposit required under the mining lease is greater than the minimum deposit prescribed under the Act, section 261BF in relation to that type of mining lease, or (b) the Secretary gives a written direction to the holder of the mining lease that this Division, or a provision of this Division, applies to the mining lease.	Noted. a) Does apply (TK pers comms). b) No written directions have been given in the audit period (TK pers comms) and therefore this is not triggered.	
9 General requirements for documents				
MR12		A document required to be prepared under this Division must-- (a) be in a form approved by the Secretary, and Note--: The approved forms are available on the Department's website. (b) include any matter required to be included by the form, and (c) if required to be given to the Secretary--be given in a way approved by the Secretary.	Viewed Rehabilitation Management Plan dated October 2023. Section 4.2 states that "in accordance with Clause 9, Schedule 8A of the Mining Regulation 2016, this RMP has been prepared in a form as specified by the Secretary using the Form and Way – Rehabilitation Management Plan for Large Mine (the Form and Way Guidelines) (NSW Resources Regulator, 2021)". Rehabilitation supporting documents include the Approved Rehabilitation Objectives Statement (approved by Resources Regulator, viewed approval email dated 22 August 2023), Final Landform and Rehabilitation Plan (located in Section 5 of the RMP, approved on 22 August 2023), Annual Rehabilitation Report (reports against objectives and forward program, located under 'Annual Review' on Duralie website) and Forward Program (located under 'Environmental Management Plans, Strategies and Programs' on Duralie website). The Rehabilitation Cost Estimate is reviewed annually (TK pers comms).	Compliant
10 Rehabilitation management plans for large mines				
MR13	1)	The holder of a mining lease relating to a large mine must prepare a plan (a "rehabilitation management plan") for the mining lease that includes the following-- (a) a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area, (b) a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation,	Viewed Rehabilitation Management Plan dated October 2023. a) a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area is located in Section 6.2. b) a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation is located in Section 5. c) a summary of rehabilitation risk assessments conducted by the holder is located in Section 3.	Compliant

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(c) a summary of rehabilitation risk assessments conducted by the holder, (d) the risk control measures identified in the rehabilitation risk assessments, (e) the rehabilitation outcome documents for the mining lease, (f) a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored.	d) the risk control measures identified in the rehabilitation risk assessments are located in Section 3. e) the rehabilitation outcome documents for the mining lease are located in Sections 4 and 5. f) a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored is located in Section 4.	
MR14	2)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must include a proposed version of the document.	Not triggered as ROBS have been approved. Viewed Rehabilitation Management Plan 2023. Section 4.1 states that ROBS have been approved. Viewed approval letter dated 22 August 2023. Other associated rehabilitation documents include: <ul style="list-style-type: none"> Final Landform and Rehabilitation Plan (viewed Section 5 of the Rehabilitation Management Plan dated October 2023) Annual Rehabilitation Report, which reports against objectives and forward program is located on Stratford website (viewed 25 January 2024 at 11:30 am) under 'Annual Reviews'. Annual Forward Program located on Stratford Coal website (viewed 25 January 2024 at 11:30 am) under 'Environmental Management Plans, Strategies and Programs'. 	Not Triggered
MR15	3)	A rehabilitation management plan is not required to be given to the Secretary for approval.	Noted.	Note
MR16	4)	The holder of the mining lease-- (a) must implement the matters set out in the rehabilitation management plan, and (b) if the forward program specifies timeframes for the implementation of the matters--must implement the matters within those timeframes.	a) Noted. b) Noted. To be checked at the next audit as only commenced 1 July 2023.	Not Triggered
11 Amendment of rehabilitation management plans				
MR17		The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows-- (a) to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary--within 30 days after the document is approved,	Not triggered as amendments were not required during the audit period due to the reasons outlined (TK per comms).	Not Triggered

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<p>(b) as a consequence of an amendment made under clause 14 to a rehabilitation outcome document--within 30 days after the amendment is made,</p> <p>(c) to reflect any changes to the risk control measures in the prepared plan that are identified in a rehabilitation risk assessment--as soon as practicable after the rehabilitation risk assessment is conducted,</p> <p>(d) whenever given a written direction to do so by the Secretary--in accordance with the direction.</p>		
12 Rehabilitation outcome documents				
MR18	1)	<p>The holder of a mining lease must prepare the following documents (the "rehabilitation outcome documents") for the mining lease and give them to the Secretary for approval--</p> <p>(a) the "rehabilitation objectives statement", which sets out the rehabilitation objectives required to achieve the final land use for the mining area,</p> <p>(b) the "rehabilitation completion criteria statement", which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives,</p> <p>(c) for a large mine, the "final landform and rehabilitation plan", showing a spatial depiction of the final land use.</p>	<p>a) See response to MR14</p> <p>b) Rehabilitation completion criteria statement has not required to have been submitted during the audit period due to cl 15(1b) and 15(3) of Schedule 8A).</p> <p>c) Viewed Rehabilitation Management Plan dated October 2023 containing final landform and rehabilitation plans.</p>	Compliant
MR19	2)	<p>If the final land use for the mining area is required by a condition of development consent for activities under the mining lease, the holder of the mining lease must ensure the rehabilitation outcome documents are consistent with that condition.</p>	<p>Viewed Rehabilitation Management Plan dated October 2023. Section 2.2 provides the final land use options assessment. Approved final land uses include "agricultural – grazing, native ecosystem, water management areas, water storage areas (excluding final voids) and final void)". Section 2.3 states that final landform and land uses are generally in accordance with the EA and PA 08_0203.</p>	Compliant
13 Forward program and annual rehabilitation report				
MR20	1)	<p>The holder of a mining lease must prepare a program (a "forward program") for the mining lease that includes the following--</p> <p>(a) a schedule of mining activities for the mining area for the next 3 years,</p> <p>(b) a summary of the spatial progression of rehabilitation through its various phases for the next 3 years,</p>	<p>Viewed Forward Program dated 1 July 2023 – 30 June 2026 available on the Duralie website.</p> <p>a) A schedule of mining activities is located the forward program.</p> <p>b) A forecast of rehabilitation activities over three years is located in the forward program. Spatial data is uploaded on the Regulator's online portal.</p> <p>c) Active disturbance areas required for rehabilitation are located on Page 14.</p>	Compliant

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(c) a requirement that the rehabilitation of land and water disturbed by mining activities under the mining lease must occur as soon as reasonably practicable after the disturbance occurs.		
MR21	2)	The holder of a mining lease must prepare a report (an "annual rehabilitation report") for the mining lease that includes-- (a) a description of the rehabilitation undertaken over the annual reporting period, (b) a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the reporting period, (c) a report demonstrating progress made towards the achievement of the following-- (i) the objectives set out in the rehabilitation objectives statement, (ii) the criteria set out in the rehabilitation completion criteria statement, (iii) for large mines--the final land use as spatially depicted in the final landform and rehabilitation plan.	Viewed 2021, 2022 and 2023 Annual Reviews which previously met this requirement. Rehabilitation status and progress is incorporated throughout annual reviews. Annual Rehabilitation Report will be required under new guidelines in 2024. Viewed Forward Program submission email notification from Resources Regulator dated 29 September 2023.	Compliant
MR22	3)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must rely on a proposed version of the document.	See response to MR21.	Not Triggered
MR23	4)	The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.	See response to MR21.	Not Triggered
MR24	5)	In this clause-- "annual reporting period" means each period of 12 months commencing on-- (a) the date on which the mining lease is granted, or (b) if the Secretary approves another date in relation to the mining lease--the other date.	Noted.	Note
14 Amendment of rehabilitation outcome documents and forward program				
MR25	1)	This clause applies to-- (a) a rehabilitation outcome document if it has been approved by the Secretary, and (b) a forward program if it has been given to the Secretary.	Noted.	Note
MR26	2)	The holder of a mining lease must not amend a document to which this clause applies that relates to the mining lease unless--	Not triggered as amendments have not occurred during the audit period (TK pers comms).	Not Triggered

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(a) the Secretary gives the holder a written direction to do so, or (b) the Secretary, on written application by the holder, gives a written approval of the amendment.		
MR27	3)	The holder of the mining lease must amend the document in accordance with the Secretary's direction or approval.	Not triggered as amendments have not occurred during the audit period (TK pers comms).	Not Triggered
MR28	4)	Nothing in this clause prevents the holder of a mining lease preparing a draft amendment for submission to the Secretary for approval.	Not triggered as amendments have not occurred during the audit period (TK pers comms).	Not Triggered
15 Times at which documents must be prepared and given				
MR29	1)	The holder of a mining lease must do the following before the end of the initial period-- (a) prepare a rehabilitation management plan, and (b) prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and (c) prepare a forward program and give it to the Secretary.	a) Viewed Rehabilitation Management Plan dated October 2023. b) See response to MR21. c) See response to MR 21.	Compliant
MR30	2)	The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before-- (a) 60 days after the last day of each annual reporting period, commencing with the annual reporting period in which the forward program was given to Secretary under subclause (1)(c), or (b) a later date approved by the Secretary.	See response to MR20.	Compliant
MR31	3)	A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary.	See response to MR18 and MR20.	Not Triggered
MR32	4)	The holder of the mining lease must prepare updated rehabilitation outcome documents for the mining lease and give them to the Secretary for approval before-- (a) 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or (b) a later date approved by the Secretary.	Not triggered as updates have not been required due to modifications during the audit period (TK pers comms).	Not Triggered
MR33	5)	A rehabilitation completion criteria statement is not required to be given to the Secretary under subclause (4) unless a rehabilitation	See response to MR18.	Not Triggered

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		completion criteria statement has already been given to the Secretary under subclause (3).		
MR34	6)	The Secretary may, by written notice, direct the holder of a mining lease to prepare, or give to the Secretary, a document required to be prepared under this Division at a time other than that specified in this clause.	Not triggered as no written notices have been issued by the Secretary during the audit period (TK pers comms).	Not Triggered
MR35	7)	The holder of the mining lease must comply with the direction.	Noted.	Note
MR36	8)	In this clause-- "initial period" means the period commencing when the mining lease is granted and ending-- (a) 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or (b) if this Division applies to the mining lease because of an increase in the required security deposit-- (i) when the surface of the mining area is disturbed by activities under the mining lease, or (ii) at a later date approved by the Secretary.	Noted.	Note
16 Certain documents to be publicly available				
MR37	1)	This clause applies to the following documents-- (a) a rehabilitation management plan, (b) a forward program, (c) an annual rehabilitation report.	Viewed Duralie website on 25 January 2024 at 3:15 pm. a) The Rehabilitation Management Plan dated October 2023 is located under 'Environmental Management Plans, Strategies and Programs' b) The Forward Program from 1 July 2023 to 30 June 2026 is located under 'Environmental Management Plans, Strategies and Programs' c) The Annual Rehabilitation Report is located within the Annual Reviews located under 'Annual Review'.	Compliant
MR38	2)	The holder of a mining lease must make a document to which this clause applies publicly available by-- (a) publishing it on its website in a prominent position, or (b) if the holder does not have a website-- providing a copy of it to a person-- (i) on the written request of a person, and (ii) without charge, and (iii) within 14 days after the request is received.	a) Documents are published in easy to access locations on the Stratford website. See response to MR37. b) Not triggered.	Compliant
MR39	3)	If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published--	Viewed Duralie website on 25 January 2024 at 3:30 pm. The website specifies when documents were published.	Compliant

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(a) for a rehabilitation management plan--within 14 days after it is prepared or amended, or (b) for a forward program or an annual rehabilitation report--within 14 days after it is given to the Secretary or amended,	a) The Rehabilitation Management Plan amended 24 October 2023 was published 31 October 2023, within 14 days of amendment. b) The Forward Program from 1 July 2023 to 30 June 2026 was amended 29 September 2023 and published on 29 September 2023, within 14 days of amendment. The forward program was republished on 16 October 2023 to include attachment., c) No annual rehabilitation report was required during the audit period. See response to MR18.	
MR40	4)	Personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a document made available to a person under this clause.	Noted.	Note
Division 4 – Records, reporting and notification				
17 Records demonstrating compliance				
MR41	1)	The holder of a mining lease must create and maintain records of all actions taken that demonstrate compliance with each of the conditions set out in this Part. Note--: The Act, sections 163D and 163E provide for the form in which records must be kept and the period for which they must be retained.	Actions will be put in Intellex or spreadsheet. No actions to document within the audit period (TK pers comms).	Compliant
18 Report on non-compliance				
MR42	1)	The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with-- (a) a condition of the mining lease, or Note--: The Act, section 364A contains provisions relating to the use and disclosure of information provided under this condition. (b) a requirement of the Act or this Regulation relating to activities under the mining lease.	Not triggered as request was not under s364A.	Not Triggered
MR43	2)	The holder of the mining lease must provide the report within 7 days after becoming aware of the non-compliance.	See response to MR42.	Not Triggered
MR44	3)	The holder of the mining lease must ensure the report-- (a) identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and	See response to MR42.	Not Triggered

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<p>(b) describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and</p> <p>(c) describes the causes or likely causes of the non-compliance, and</p> <p>(d) describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance.</p>		
19 Nominated contact person				
MR45	1)	<p>The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary can communicate in relation to the mining lease for the purposes of the Act.</p> <p>Note--: The Act, section 383 sets out the ways in which notices or other documents may be issued or given to, or served on, a person for the purposes of the Act.</p>	<p>Viewed letter to the Department of Regional NSW dated 21 December 2022 stating details of nominated contact person.</p> <p>Viewed notification email from Resources Regulator dated 21 March 2023 for submission of contact person on the Resources Regulator Portal.</p> <p>Viewed email confirmation from Resources Regulator of nominated contact person dated 21 March 2023 which includes postal address, email address and phone number.</p>	Compliant
MR46	2)	<p>The holder of the mining lease must give written notice to the Secretary of--</p> <p>(a) the full name and contact details of the nominated person--within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and</p> <p>(b) any change in nomination or in the nominated person's contact details--within 28 days after the change occurs.</p>	See response to MR 45 above.	Compliant
MR47	3)	<p>The holder of the mining lease must ensure that the contact details for the nominated person include the person's phone number and postal and email addresses.</p>	See response to MR 45 above.	Compliant
20 Additional requirements—application for or to modify development consent				
MR48	1)	<p>The holder of a mining lease must give written notice to the Secretary within 10 days after--</p> <p>(a) making an application for development consent that relates to the mining area, or</p> <p>(b) making an application for modification of a development consent--</p>	Not triggered as development is State significant.	Not Triggered

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Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(i) under the Environmental Planning and Assessment Act 1979, section 4.55(2), and (ii) that proposes to modify a condition of the consent that relates to rehabilitation of the mining area in a way that may affect an obligation under the mining lease relating to rehabilitation of the mining area.		
MR49	2)	This clause does not apply if the development is State significant development.	Not triggered as development is State significant.	Not Triggered

Mining Lease 1646

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
1 Notice to Landholders				
ML01	1	<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>	<p>Viewed Mining Lease 1646 on Duralie website on 24 January 2024 at 3:45 pm.</p> <p>Not triggered as lease has not been renewed in the audit period.</p>	Not Triggered
2 Environmental Harm				
ML02	2	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.	See response to Schedule 2, Condition 1 of PA 08_0203.	Compliant
3 Mining Operations Plan				
ML03	3	<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> <ul style="list-style-type: none"> (i) identify areas that will be disturbed by mining operations; (ii) detail the staging of specific mining operations; (iii) identify how the mine will be managed to allow mine closure; (iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment; (v) reflect the conditions of approval under: <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 • have regard to any relevant guidelines adopted by the Director-General. <p>The lease holder may apply to the Minister to amend an approved MOP at any time. It is not a breach of this condition if: the operations constituting the breach</p>	<p>a) Viewed Section 240 Notice NTCE0008933 issued to CIM Duralie Pty Ltd and Section 240 Notice NTCE0008934 issued to CIM Services Pty Ltd issued in 2021 by the Resources Regulator due to inadequate planning for closure. The Resources Regulator stated that response studies were not completed in the required timeframe and there was no indication of if they will be completed when required. Eight directions were provided to CIM Duralie Pty Ltd and CIM Services Pty Ltd to undertake following the notice. View Regulator responses to directions below.</p> <p>Directions 1,2 and 3:</p> <p>Viewed email to Resources Regulator dated 11 October 2021. Viewed attached DCM Mine Closure Planning Program dated 11 October 2021 to address Direction 3:to prepare a Mine Closure Base Plan, which incorporates components required in Directions 1 and 2.</p>	Not Compliant

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<p>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 Work Health and Safety (Mines and Petroleum Sites) Act 2013 and Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 or the Work Health and Safety Act 2011; and Work Health and Safety Regulation 2011 (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.</p> <p>c) A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General.</p>	<p>Complete, Mine closure base plan was submitted to the Resource regulator 11/10/2024.</p> <p>Direction 4: Viewed Regulatory Update Closure Planning Progress Report dated 11 January 2022 which addresses Direction 4: to prepare a mine closure progress report “which describes the progress of the Final DCM Closure Plan and encompasses the DCM Mine Closure Base Plan and its associated feedback from the Regulator”.</p> <p>Complete, Mine closure progress report was submitted to the Resource Regulator 11/1/2022.</p> <p>Direction 5: Viewed Closure Planning Progress Report dated 11 April 2022 which addresses Direction 5: to “prepare a mine closure progress report which describes the progress of the Final DCM Closure Plan”.</p> <p>Complete, Mine closure progress report was submitted to the Resource Regulator 11/4/2022.</p> <p>Direction 6: Viewed Closure and Rehabilitation Risk Assessment: Summary of Key Risks and Controls dated 2021 which addresses Direction 6: Engage a suitably qualified person (or team) ... to undertake an assessment of risks to rehabilitation with regard to AS NZS ISO 31000:2009 Risk Management - Principles and Guidelines (or equivalent) to identify and evaluate all potential risks to achieving the final land use”.</p> <p>Complete, Closure Risk Assessment was submitted to the Resource Regulator 22/06/2022. Direction 7: Viewed Duralie Coal Mine: Mine Closure Plan and Schedule dated June 2022 to address Direction 7: to “prepare the Final DCM Closure Plan which encompasses the Rehabilitation and Closure Risk Assessment (as described in Direction 6) and associated feedback from the Regulator from Direction 5”.</p>	

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
			<p>Complete, Mine closure plan and schedule were submitted to the Resource Regulator 29/06/2022.</p> <p>Direction 8:</p> <p>Viewed Open Cut Summary Rehabilitation Cost Estimation dated 30 June 2022 which addressed Direction 8: “prepare a Rehabilitation Cost Estimate (RCE) for the Authorisations in accordance with Guideline: Rehabilitation Cost Estimate (August 2021).</p> <p>Responses to directions were done within the required timeframe.</p> <p>Viewed Resources Regulator Quarterly Update dated July 2023.</p> <p>Resources Regulator did not respond to meeting request for Q4 2023 (TK pers comms).</p> <p>Internal planning for rehabilitation due to commence in Q3 2024 to include in updated RMP and a version of a detailed and complete Mine Closure Plan. Primary risks likely to impact closure are PAF water management, dust, noise and community (TK pers comms).</p> <p>Viewed PAF pumping area at site inspection (see Plate 9 and Plate 10).</p> <p>Complete, Rehabilitation Cost Estimate was submitted to the Resource Regulator 30/06/2022.</p> <p>b) See response to Schedule 3, Condition 55 in PA 08_0203.</p> <p>c) RMP replaces the MOP (TK pers comms). Viewed Rehabilitation Management Plan dated October 2023.</p>	
4 Environmental Management Report				
ML04	4	<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> <p>(i) report against compliance with the MOP;</p> <p>(ii) report on progress in respect of rehabilitation completion criteria;</p> <p>(iii) report on the extent of compliance with regulatory requirements; and</p>	<p>Viewed 2021, 2022 and 2023 Annual Reviews.</p> <p>a) Annual Reviews are submitted which contain environmental performance for the reporting period.</p> <p>b) Annual reviews contain the required components.</p>	Compliant

REPORT

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		(iv) have regard to any relevant guidelines adopted by the Director-General.		
5 Environmental Incident Report				
ML05	5	<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 environmental 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 and 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. 	Incident reports were submitted in accordance with this condition, See response to Schedule 3, Condition 25 of PA 08_0203 for details on incidents.	Compliant
6 Additional Environmental Reports				
ML06	6	Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.	Not triggered as environmental reports were not requested during the audit period (TK pers comms).	Not Triggered
7 Rehabilitation				
ML07	7	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	See response to Schedule 3, Condition 55 of PA 08_0203.	Not Triggered
8 Subsidence Management				
ML08	8	<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 Applications for Subsidence Management Approvals guidelines (EDG17)</p>	No underground mining has occurred at Duralie (TK pers comms).	Not Triggered

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		<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 Mine Health & Safety Act 2002, or the document New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09).</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 3 and will be subject to the Environmental Management Report process as set out under Condition 4. 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>		
9 Working Requirement				
ML09	9	<p>The Lease Holder must:</p> <p>a) Ensure that at least eight competent persons are efficiently employed in relation to the mining process or the mining operations on the lease area, 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 \$140,000 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>	<p>Viewed 2021, 2022 and 2023 Annual Reviews.</p> <p>a) 2021 – 38 FTEs. 2022 – 10 FTEs. 2023 – 16 FTEs.</p> <p>b) Expenditure on operation is estimated based on employment numbers and is over \$140,000 (TK pers comms).</p>	Compliant
10 Blasting				
ML10	10	<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</p>	<p>See response to Condition 3, Schedule 6 of PA 08_0203.</p>	Compliant

REPORT

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
		determined otherwise by the Department of Environment, Climate Change and Water.		
11 Safety				
ML11	11	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.	The site is fenced, and public access is not permitted. A security company is present on the premises during office hours. No incidents of unlawful entry have occurred within the audit period. The entirety of the site is fenced and public access is not permitted (TK pers comms).	Compliant
12 Prevention of soil erosion and pollution				
ML12	12	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.	Viewed 2021, 2022 and 2023 Annual Reviews. No exploration has been undertaken during the audit period.	Not Triggered
13 Transmission lines, communication lines and pipelines				
ML13	13	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.	Operations did not interfere with utilities during the audit period (TK pers comms).	Compliant
14 Roads and tracks				
ML14	14	(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. (b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track. (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. (d) Temporary access tracks must be rehabilitated and revegetated to the satisfaction of the Director-General as soon as reasonably practicable after they are no longer required under this lease.	Not triggered as no damage to roads have occurred during the audit period (TK pers comms). See response to Schedule 2, Conditions 16 and 17 for contributions during the audit period.	Not Triggered
15 Trees and vegetation				

REPORT

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
ML15	15	<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>a) Viewed 2021, 2022 and 2023 Annual Reviews. No vegetation clearance was undertaken during the audit period.</p> <p>b) No timber taken from any crown land (TK pers comms).</p>	Not Triggered
16 Not used				
17 Resource recovery				
ML17	17	<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, notice in writing to the lease holder may be given 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>	No notices to recover minerals have been received during the audit period (TK pers comms).	Not Triggered
18 Indemnity				
ML18	18	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.	No claims or actions made in audit period (TK pers comms).	Not Triggered

Ref No.	Cond No.	Condition Details	Comments & Evidence	Audit Findings
19 Security				
ML19	19	A security in the sum of \$500,000 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 this lease.	Viewed Resources Regulator Notification of assessment for security deposit dated 23 November 2022. The deposit is higher than the amount required within this condition. The assessed deposit is \$20,535,000.	Compliant
20 – 22 Not used				
23 Suspension of mining operations				
ML23	23	The holder of a mining lease may not suspend mining operations in the mining area other than in accordance with the consent of the Minister.	Operations expired on 31 December 2021 as per the consent condition (see response to Schedule 2, Condition 5 of PA 08_0203).	Compliant
24 Cooperation agreement				
ML24	24	<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 • Operational interaction procedures • Dispute resolution • Information exchange • Well location • Timing of drilling • Potential resource extraction conflicts and • Rehabilitation issues 	Not triggered as no cooperation agreements were issued during the audit period (TK pers comms).	Not Triggered



Appendix D Site Inspection Plates



Plate 1 – Rehabilitation for agricultural land use (foreground) and forest rehabilitation (background) (Minesoils, 2023)



Plate 2 – Established rehabilitation (Minesoils, 2023)



Plate 3 – Auxiliary Dam 1 decommissioned and rehabilitated (Minesoils, 2023)



Plate 4 – Auxiliary Dam 2 undergoing decommissioning (Minesoils, 2023)



Plate 5 – Biodiversity offset area supplemental planting establishing well (Minesoils, 2023)



Plate 6 – Haul road bund with rehabilitation self-establishing



Plate 7 – Rehabilitation progress at Coal Shaft Creek Diversion Drain



Plate 8 – Dump trucks remaining on site for potential use in rehabilitation (bushfire in background)



Plate 9 – PAF pumping area in Weismantel pit



Plate 10 – Inactive pit area



Plate 11 – Surface monitoring point SW6 and Mammy Johnson’s river sign



Plate 12 – Sediment dam RS1 with FarmBot in Offset Area



Plate 13 – Segregated waste bins near site office



Plate 14 – Green visual mitigation screen from Bucketts Way



Plate 15 – Haul road view with temporary vegetation




Plate 16 – Excavator in pit to be decommissioned



Plate 17 – Oily water separator and storage at pit top



Plate 18 – Minimal waste stored near site office requires minimal housekeeping



Appendix E Regulatory Correspondence

Our ref: SSD-4966-PA-27

Thomas Kirkwood
Environment and Community Advisor
Stratford Coal Pty Ltd
Worimi Country
PO Box 168
GLOUCESTER NSW 2422

21/11/2023

Sent via the Major Projects Portal only

Subject: Stratford and Duralie Coal Mines - Independent Audit proposal

Dear Mr Kirkwood,

I refer to your letter, SSD-4966-PA-27, submitted to the NSW Department of Planning and Environment (NSW Planning) on 2 November 2023 requesting the Planning Secretary's approval of suitably qualified, experienced and independent person/s to conduct an Independent Environmental Audit of the Stratford Coal Mine, as well as an Independent Environmental Audit and Rail Haulage Audit of Duralie Coal Mine, as required by development consent SSD-4966 as modified (the consent) and project approval 08_0203 as modified (the approval) respectively.

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

In accordance with Schedule 5, Condition 9 of the consent for Stratford Coal Mine, and Schedule 5, Conditions 8 and 9A of the approval for Duralie Coal Mine, as nominee of the Planning Secretary I endorse the following independent audit team:

- Diane Munro, lead auditor
- Jessica Robinson, audit support
- Ian Richardson, air quality specialist
- Tara Boreham, biodiversity specialist
- Dale Redwood, noise and blasting specialist
- Clayton Richards, rehabilitation

Please ensure this correspondence is appended to the independent environmental and rail haulage audit reports mentioned above.

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

Should you wish to discuss this matter, please contact Jennifer Sage, Senior Compliance Officer on 0400 245 170 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Thomas Kirkwood
Senior Environment & Community Advisor
Stratford Coal Pty Ltd
Worimi Country
PO Box 168
Gloucester NSW 2422

05/07/2023

Dear Mr Kirkwood

Duralie Coal (MP08_0203) – Extension of Time for Independent Environmental Audit

I refer to your letter dated 29 June 2023 (MP08_0203-PA-23) requesting an extension of time to submit the Independent Environmental Audit (IEA) report, Response to Audit Recommendations (RAR) and Rail Haulage Audit report as required under Project Approval 08_0203 as modified (the approval) for the Duralie Extension Project.

I note that the following audit reports, which are all required to be commissioned prior to 31 December 2023, have varying submission timeframes –

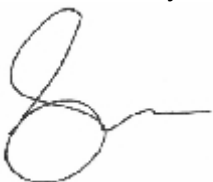
- The IEA report and RAR for the Stratford Extension Project, required by Schedule 5 condition 10 of development consent SSD 4966 as modified, is required to be submitted to the Secretary within 3 months of commissioning the audit.
- The IEA report and the RAR for the Duralie Extension Project is required to be submitted within 6 weeks of completing the audit.
- A Rail Haulage Audit report for Duralie Extension Project is required to be submitted to the Secretary within 6 weeks of completing the audit.

I also note that Stratford Coal Pty Ltd and Duralie Coal Pty Ltd intend to conduct the three abovementioned audits simultaneously.

The department considers it is reasonable to carry out the abovementioned audits and associated reporting simultaneously. Accordingly, the Planning Secretary agrees that the IEA and Rail Haulage Audit reports and RAR for Duralie Extension Project are submitted to the department within 3 months of commissioning the audits.

If you wish to discuss the matter, please contact Jennifer Sage, Senior Compliance Officer on 0400 245 170 or compliance@planning.nsw.gov.au

Yours sincerely



James Epstein



Department of Planning and Environment

A/ Team Leader
Compliance

As nominee of the Planning Secretary

Jessica Robinson

From: mmacdonald-hill@bigpond.com
Sent: Monday, 4 December 2023 7:38 AM
To: Jessica Robinson
Cc: Dianne Munro
Subject: Duralie Coal Mine IEA

CAUTION: This email originated from outside of RPS.

Hi Jessica,

In response to your request for stakeholder comment within the scope of the IEA, I confirm I referred this to the Duralie CCC for information and any comment back to me by today's date. I advise I haven't received any comments or areas of concern raised by the Committee.

Thank you for the opportunity to comment.

Margaret MacDonald-Hill
0448 414 888

Jessica Robinson

From: Jennifer Sage <jennifer.sage@dpie.nsw.gov.au>
Sent: Friday, 8 December 2023 11:31 AM
To: Jessica Robinson
Cc: Dianne Munro
Subject: RE: Duralie Coal Mine Independent Environmental Audit - Regulatory Engagement Request

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of RPS.

Hello Jessica

Thanks for your email requesting from DPE input to issues to be considered in the 2023 Independent Audit for Duralie Coal Mine.

My apologies for my late response.

DPE requests that the audit focus on the implementation of the approved Waste Management Plan and the Rehabilitation Management Plan, including but not limited to the following –

- management of wastes associated with the mine closure
- management of residual wastes stored on site
- monitoring and management of PAF (potentially acid forming) material and spontaneous combustion, and
- assessment of contaminated land

Please get in touch with any questions or comments.

Regards
Jen

Jennifer Sage

Senior Compliance Officer
Development Assessment

Department of Planning and Environment

M 0400 245 170 **T** (02) 6575 3420 **E** jennifer.sage@dpie.nsw.gov.au

Working days Monday to Thursday



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

From: Jessica Robinson <Jessica.Robinson@rpsgroup.com.au>
Sent: Wednesday, 22 November 2023 3:23 PM
To: Jennifer Sage <jennifer.sage@dpie.nsw.gov.au>

Cc: heidi.watters@dpie.nsw.gov.au; Dianne Munro <Dianne.Munro@rpsgroup.com.au>

Subject: Duralie Coal Mine Independent Environmental Audit - Regulatory Engagement Request

Good afternoon Jennifer,

RPS has been approved by the Department of Planning and Environment to conduct the 2023 Independent Environmental Audit (IEA) for the Duralie Extension Project in accordance with Schedule 8 and 9A of PA 08_0203:

8. By the end of December 2011, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;

(b) include consultation with the relevant agencies;

(c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);

(d) review the adequacy of strategies, plans or programs required under the approvals in (c) above; and

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

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary

9A. By the end of December 2013, and with every Independent Environmental Audit thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of a Rail Haulage Audit of the project. This audit must:

(a) be conducted by a suitably qualified, experienced and independent experts whose appointment has been endorsed by the Secretary;

(b) review the existing rail haulage operations and determine whether all reasonable and feasible measures are being implemented to minimise the:

- noise and dust impacts of these operations;*
- use of the shuttle train during the approved night-time hours;*
- dispatch of trains from the site between 9.25pm and 1am the following day; and*

(c) recommend appropriate measures or actions to improve the efficiency of these rail haulage operations and minimise their associated impacts; and

(d) evaluate the use of the exceptional circumstances provision in condition 8 of schedule 2, and the associated reporting on any use of this provision on the Proponent's website (see condition 8A in schedule 2).

In accordance with Condition (8b) of PA 08_0203 could you please provide comment on any specific environmental issues you would like covered as part of the IEA.

We look forward to your response. If you could respond by **4 December**, it would be appreciated.

Please do not hesitate to call Dianne Munro - Lead Auditor as required on:

Email: Dianne.Munro@rpsgroup.com.au

Phone: 0437 898 884

Regards,

Jessica.

Jessica Robinson

Environmental Consultant
RPS | Australia Asia Pacific

Jessica Robinson

From: Cr Katheryn Stinson <cr.katheryn.smith@midcoast.nsw.gov.au>
Sent: Wednesday, 22 November 2023 3:40 PM
To: Jessica Robinson; Ryan Fenning
Cc: Dianne Munro
Subject: RE: Duralie Coal Mine Independent Environmental Audit - Regulatory Engagement Request

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of RPS.

Hi Jessica,

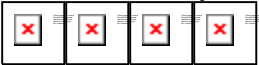
I believe this report will be the shortest report that you will have to undertake, the rehabilitation is looking fantastic and the last inspection the railway line has been removed.

Kind regards

Katheryn

Cr Katheryn Stinson | Councillor

Email Cr.Katheryn.Stinson@midcoast.nsw.gov.au | midcoast.nsw.gov.au



We acknowledge the traditional custodians of the land on which we work and live, the Gathang-speaking people and pay our respects to all Aboriginal and Torres Strait Islander people who now reside in the MidCoast Council area. We extend our respect to Elders past and present, and to all future cultural-knowledge holders.

From: Jessica Robinson <Jessica.Robinson@rpsgroup.com.au>
Sent: Wednesday, November 22, 2023 3:33 PM
To: Ryan Fenning <ryan.fenning@midcoast.nsw.gov.au>
Cc: Cr Katheryn Stinson <cr.katheryn.smith@midcoast.nsw.gov.au>; Cr Paul Sandilands

<cr.Paul.Sandilands@midcoast.nsw.gov.au>; Dianne Munro <Dianne.Munro@rpsgroup.com.au>

Subject: Duralie Coal Mine Independent Environmental Audit - Regulatory Engagement Request

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon Ryan,

RPS has been approved by the Department of Planning and Environment to conduct the 2023 Independent Environmental Audit (IEA) for the Duralie Extension Project in accordance with Schedule 8 and 9A of PA 08_0203:

8. By the end of December 2011, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;

(b) include consultation with the relevant agencies;

(c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);

(d) review the adequacy of strategies, plans or programs required under the approvals in (c) above; and

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

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary

9A. By the end of December 2013, and with every Independent Environmental Audit thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of a Rail Haulage Audit of the project. This audit must:

(a) be conducted by a suitably qualified, experienced and independent experts whose appointment has been endorsed by the Secretary;

(b) review the existing rail haulage operations and determine whether all reasonable and feasible measures are being implemented to minimise the:

- noise and dust impacts of these operations;*
- use of the shuttle train during the approved night-time hours;*
- dispatch of trains from the site between 9.25pm and 1am the following day; and*

(c) recommend appropriate measures or actions to improve the efficiency of these rail haulage operations and minimise their associated impacts; and

(d) evaluate the use of the exceptional circumstances provision in condition 8 of schedule 2, and the associated reporting on any use of this provision on the Proponent's website (see condition 8A in schedule 2).

In accordance with Condition (8b) of PA 08_0203 could you please provide comment on any specific environmental issues you would like covered as part of the IEA.

We look forward to your response. If you could respond by **4 December**, it would be appreciated.

Please do not hesitate to call Dianne Munro - Lead Auditor as required on:

Email: Dianne.Munro@rpsgroup.com.au

Phone: 0437 898 884



DOC23/1023684

RPS AAP Consulting Pty Ltd.
ABN: 97 117 883 173
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294

By email: Jessica.Robinson@rpsgroup.com.au

Attention: Jessica Robinson

22 December 2023

Response to request for consultation as part of Independent Environmental Audit

Dear Ms Robinson,

I refer to your email dated 22 November 2023 to the Environment Protection Authority (EPA) requesting consultation as part of an Independent Environmental Audit for Duralie Coal Mine in accordance with Schedule 8 and 9A of PA 08_0203. I apologise for the delay in responding to your email.

The EPA regulates the premises as given in Environment Protection Licence 11701 (the Licence), as issued to Duralie Coal Pty Ltd.

The EPA encourages the preparation of audits as useful tools for industry to determine how to meet statutory obligations and identify potential or actual risks towards achieving these obligations.

As a regulatory authority, the EPA administers and regulates statutes for environmental management and protection. As such the EPA is not directly involved in the carrying out of audits to achieve those objectives and does not review or comment on such documents.

As a result, the EPA has no comment to provide for this request but directs you to the EPA's public register at <https://apps.epa.nsw.gov.au/prpoeoapp/> to view the Licence associated notices.

If you have any further questions about this issue, please contact Kyera O'Dell on 0457 499 385 or at kyera.odell@epa.nsw.gov.au

Your Sincerely,

A handwritten signature in black ink, appearing to read 'K. Gallagher', with a long horizontal stroke extending to the right.

KAREN GALLAGHER
Unit Head - Operations
environment Protection Authority

Phone 131 555
Phone 02 9995 5555
(from outside NSW)

TTY 133 677, then
ask for 131 155

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AREQ0048039

Ms Dianne Munro
RPS Australia East Pty Ltd
Unit 2A, 45 Fitzroy Street
Carrington NSW 2294

By email: Dianne.Munro@rpsgroup.com.au

Dear Ms Munro,

Subject: Duralie Coal Mine – Independent Environmental Audit

Thank you for your email dated 27 November 2023 requesting consultation on the independent environmental audit to be undertaken of the Duralie Coal Mine which is covered by mining leases ML1427 (1992) and ML1646 (1992).

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

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 2 mining leases that comprise the Duralie Coal Mine have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.

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

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

Yours sincerely

Jenny Ehmsen
Principal Compliance Auditor
5 December 2023



Appendix F Audit Guidelines

AUDIT GUIDELINES

This IEA report has also been prepared in accordance with the Audit Guidelines (DPE, 2020). The table below lists key requirements from the Audit Guidelines, the relevant section of the Guidelines which references the requirement and indicates where each is addressed in this report.

Audit Guideline Requirements

Section	Description	Where Addressed
3.1	<p>Independent Audits must only be undertaken by a suitably qualified, experienced and independent auditor. The independent lead auditor may be supported by a provisional auditor subject to the Planning Secretary’s agreement.</p> <p>Conditions of consent may require Independent Audits to be undertaken by an auditor and one or more technical specialists. The appointment of the auditor and technical experts must be agreed in writing by the Planning Secretary before each audit is commissioned. Each member of the audit team must receive the Department’s agreement.</p> <p>Every audit will require the audit team to be endorsed, unless otherwise agreed by the Planning Secretary ie – this is not a one-off approval.</p>	<p>Appendix B Appendix C Appendix E</p>
3.2	<p>The auditor must consult with the Department, who may request that other parties or agencies are consulted, including the Community Consultative Committee chairperson (if one is required for the project), to obtain their input into the scope of the audit.</p> <p>Comments received during such consultation must be recorded and reported in the Independent Audit Report. Specific environmental issues raised during consultation should be investigated and findings of the investigation must be reported in the Independent Audit Report. There may be instances where the consulted parties requests are not reasonable and are outside of scope. In these situations, the auditor must provide justification of how they have considered the matters raised during consultation in the audit report. This justification may be provided in a table format.</p>	<p>Section 3.3 Appendix E</p>
3.3	<p>An Independent Audit must include:</p> <ol style="list-style-type: none"> 1. an assessment of compliance with: <ol style="list-style-type: none"> (a) all conditions of consent applicable to the phase of the development that is being audited. Should there be any uncertainty to which conditions are to be audited, the auditor can seek clarification during the consultation as per Section 3.2; (b) all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and 	<p>Appendix C</p>
3.3	<ol style="list-style-type: none"> 2. a review of the environmental performance of the development, including but not necessarily limited to, an assessment of: <ol style="list-style-type: none"> (a) actual impacts compared to predicted impacts documented in the environmental impact assessment; (b) the physical extent of the development in comparison with the approved boundary; (c) incidents, non-compliances and complaints that occurred or were made during the audit period; (d) the performance of the development having regard to 	<p>Appendix C</p>

Section	Description	Where Addressed
	<p>agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and</p> <p>(e) feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period;</p>	
3.3	The status of implementation of previous Independent Audit findings, recommendations and actions (if any);	Section 5 Appendix C
3.3	A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and	This IEA Report
3.3	Any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.	Appendix C
3.3	Audits must commence with an opening meeting and conclude with a closing meeting. The meetings must be attended by a representative of the proponent at manager level or above, the auditor and technical specialists (if any). During the opening meeting the objectives of the audit, the scope of the audit, the resources required and methodology to be applied must be discussed. At the closing meeting, preliminary audit findings must be presented, recommendations (if appropriate) must be made, and any post-audit actions must be confirmed. A register of attendees (including their name and position title) for the opening and closing meetings is to be recorded and a copy of the registers provided with the audit report	Appendix A
3.5	Independent Audits must include interviews with key personnel involved in project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. However, note that interviews are generally not sufficient evidence to verify compliance with a condition of consent and additional supporting evidence should be provided. Auditors must be provided with reasonable access to the key site personnel as required by an Independent Audit scope.	Appendix A Appendix C
3.6	Independent Audits must include a physical site inspection. The site inspection must cover all development areas and environmental aspects that form part of the scope of the audit. The proponent must provide the auditor with reasonable access to all requested development areas and activities, understanding that the inspections must be accompanied by the designated site representative and that some areas may not be physically accessible for safety or operational reasons. If the auditor considers restricted access has limited their ability to adequately undertake the audit as scoped, it must be noted in the Independent Audit Report. Recommendations to overcome the restricted access (where feasible) must be proposed for subsequent independent audits	Appendix C Appendix D