

Appendix 3: Compliance Review

PA 08_0144 MOD 2 (Table A3-1)

EPL 12789 (Table A3-2)

ML 1609 (Table A3-3)

TABLE A3-1

Compliance Review – Project Approval 08_0144 MOD 2

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
Schedule 2: Administrative Conditions			
1	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	Yes	As per condition.
2	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) statement of commitments (see Appendix 3); (c) the modification application 08_0144 MOD 1 and accompanying letter prepared by Narrabri Coal Operations Pty Ltd; (d) the modification application 08_01 44 MOD 2 and accompanying letter dated 12 December 2011, prepared by Whitehaven Coal Mining Limited; and (e) conditions of this approval.	Yes	As per 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.	Yes	As per condition.
4	The Proponent shall comply with any reasonable and feasible requirements of the Director-General arising from the Department's assessment of: (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and (b) the implementation of any actions or measures outlined in these reports, plans, programs, strategies or correspondence.	Yes	As per condition.
5	The Proponent may undertake mining operations on the site for 21 years from the date of this approval.	Yes	As per condition.
6	The Proponent shall not extract more than 8.0 million tonnes of ROM coal from the site per calendar year.	Yes	Coal extracted for the 2014 calendar year was 5,225,083t.
7	The Proponent shall transport all coal from the site by rail.	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
7A	The Proponent may undertake a one off transport of coal by road of an approximate 600 tonne bulk sample of coal in accordance with the procedures, vehicle traffic route and transport operating hours as specified in the modification application 08_0144 MOD 2 and accompanying letter dated 12 December 2011 from Whitehaven Coal Mining Limited.	Yes	As per condition.
8	The Proponent shall not transport any coal reject from the site.	Yes	As per condition.
9	Within 6 months of this approval, the Proponent shall enter into planning agreements with Narrabri Shire Council (NSC), Gunnedah Shire Council (GSC) and the Minister in accordance with....	Yes	As per condition.
10	Within 12 months of the date of this approval, the Proponent shall surrender its previous project approval for the Narrabri Coal Mine to the satisfaction of the Director-General, in accordance with section 75YA of the EP&A Act. Prior to the surrender of the Stage 1 approval, if there is any inconsistency between the Stage 1 and Stage 2 approvals, the conditions of the Stage 2 approval shall prevail to the extent of any inconsistency.	Yes	Stage 1 relinquishment approved August 2011.
11	With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	Yes	As per condition.
12	Stage 1 strategies, plans or programs continue to have effect until replaced by an equivalent approved strategy, plan or program prepared and approved under this approval.	Yes	As per condition.
13	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.	Yes	As per condition.
14	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.	N/A	No demolition works required.
15	The Proponent shall ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Yes	As per condition.
Schedule 3: Specific Environmental Conditions - Mining Area			

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
1	The Proponent shall ensure that mine subsidence does not cause any exceedances of the performance measures in Table 1, in relation to the Great Artesian Basin and Flora and Fauna.	Yes	As per condition.
2	The Proponent shall ensure that the project does not cause any exceedances of the performance measures in Table 2, to the satisfaction of the Director-General of I&I NSW.	Yes	As per condition.
3	Any dispute between the Proponent and the owner of any built feature over the interpretation, application or implementation of the performance measures is to be settled by the Director-General of I&I NSW.	N/A	No disputes during the reporting period.
4	The Proponent shall prepare and implement Extraction Plans for any second workings to the satisfaction of the Director-General. Each Extraction Plan must....	Yes	As per condition. Extraction Plan for longwall panels 101 to 105 approved by DP&I on 27 March 2012 and DRE on 5 June 2012.
5	The Proponent shall ensure the management plans required by condition 4(h) include....	Yes	As per condition.
6	The Proponent may carry out first workings within the underground mining area, other than in accordance with an approved extraction plan, provided that I&I NSW is satisfied that the workings are designed to remain stable and non-subsiding in the long-term	Yes	As per condition.
7	The Proponent shall pay all reasonable cost incurred by the Department to engage independent experts to review the adequacy of any aspect of the Extraction Plan.	N/A	Extraction Plan not modified during the reporting period.
Schedule 4: Specific Environmental Conditions - Surface Facilities Area and General			
1	The Proponent shall ensure that the noise generated by the project does not exceed the levels set out in Table 1 at any privately-owned residence.	No	One noise exceedance was recorded during the reporting period, refer to Section 3.10 of the 2014/2015 AEMR/Annual Review.
2	If the noise generated by the project exceeds the criteria in Table 2 at any residence on privately-owned land, or on more than 25% of any privately-owned land, then the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5-7 of schedule 7.	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
3	If the noise generated by the project is equal to or exceeds the criteria in Table 3 at any residence on privately-owned land, then the Proponent shall, upon receiving a written request from the landowner, implement reasonable and feasible noise mitigation measures (such as double-glazing, insulation, and/or air conditioning) at the residence in consultation with the landowner.....	Yes	As per condition.
4	The Proponent shall revise the Noise Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with noise management (Stages 1 and 2) and subsequently implement this revised version of the Noise Management Plan to the satisfaction of the Director-General. This Plan shall: (a) be prepared in consultation with DECCW by a suitably qualified expert whose appointment has been approved by the Director-General; (b) be submitted to the Director-General for approval by 30 June 2011; (c) include a Noise Monitoring Program incorporating: - real-time noise and temperature inversion monitoring; and - attended noise monitoring to monitor the performance of the project; (d) include reactive noise control measures to manage noise impacts for sensitive receivers; and (e) include a protocol to establish whether the project is complying with the noise impact assessment criteria in Table 1.	Yes	The revised Noise Management Plan (NMP) was submitted to the Department on 24 June 2011 and approved on 6 December 2011. NMP reviewed during the reporting period but not approved by 31 March 2015.
5	The Proponent shall: (a) implement all reasonable and feasible best practice noise mitigation measures; (b) investigate ways to reduce the noise generated by the project, including off-site road and rail noise and maximum noise levels which may result in sleep disturbance. (c) report on these investigations and the implementation and effectiveness of these measures in the Annual Review; to the satisfaction of the Director-General.	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
6	The Proponent shall ensure that dust emissions generated by the project do not cause additional exceedances of the criteria listed in Tables 4 to 6 at any residence on privately owned land, or on more than 25 percent of any privately-owned land.	Yes	As per condition. Visible dust was generated at the mine during the reporting period however the criteria listed in Tables 4 to 6 were met. The NSW EPA has included additional PRP requirements on the site’s EPL, refer to Section 3.1.4.3 of the 2014/2015 AEMR/Annual Review.
7	The Proponent shall revise the Air Quality Monitoring Program for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with air quality (Stages 1 and 2) and subsequently implement this revised version of the Air Quality Monitoring Program to the satisfaction of the Director-General. This program must: (a) be submitted to the Director-General for approval prior to 30 June 2011; (b) be prepared in consultation with DECCW; and (c) use a combination of high volume samplers and dust deposition gauges to monitor the performance of the project.	Yes	The revised Air Quality Monitoring Program (AQMP) was submitted to the Department on 30 June 2011 and approved on 6 December 2011. AQMP reviewed during the reporting period but not approved by 31 March 2015.
8	During the project, the Proponent shall ensure there is a suitable meteorological station on site that complies with the requirements in <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> (DECC, 2007), or its latest version.	Yes	As per condition.
9	Within 2 years of the commencement of longwall coal extraction, and every 5 years thereafter, the Proponent shall undertake a transient calibration of the groundwater model presented in the EA, in consultation with NOW, and to the satisfaction of the Director-General.....	Yes	Transient calibration commissioned during the reporting period. Results to be reported in the 2015/2016 AEMR/Annual Review.
10	Except as may be expressly provided for by an EPL, the Proponent shall not discharge any waters from the disturbed areas of the site. However, raffinate from the water conditioning plant may be transferred to water users in accordance with an approved Water Management Plan (see below).	Yes	As per condition.
11	Any raffinate from the water conditioning plant discharged to the Namoi River must be discharged in accordance with the conditions of an EPL and meet the following criteria: (a) 50 percentile of all samples (volume based) are below 250mg/l of Total Dissolved Solids; (b) 100 percentile of all samples (volume based) are below 350mg/l of Total Dissolved Solids; and (c) pH values of all sampled water to be between 6.5 and 8.5.	N/A	Not triggered.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
12	Within 3 years of the date of this approval, or otherwise agreed by the Director-General, the Proponent must commission the water conditioning plant identified in the EA, to the satisfaction of the Director-General.	Yes	Water Treatment Plant (WTP) operational during the reporting period. The WTP was commissioned during the 2012-2013 reporting period.
13	Prior to 30 June 2011, the Proponent shall revise the Water Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with water management (Stages 1 and 2) and subsequently implement this revised version of the Water Management Plan to the satisfaction of the Director-General. This revised plan must be produced in consultation with DECCW and NOW by suitably qualified expert/s whose appointments have been approved by the Director-General and include a: (a) Site Water Balance; (b) Erosion and Sediment Control Plan; (c) Surface Water Monitoring Plan; (d) Raffinate Discharge and Transfer Control and Monitoring Plan; (e) Groundwater Monitoring Program; and (f) Surface and Groundwater Response Plan, setting out the procedures for: - investigating, and if necessary mitigating, any exceedances of the surface or groundwater assessment criteria (see conditions 16(b) and 18(c) ; and - responding to any unforeseen impacts of the project.	Yes	The revised Water Management Plan was submitted to the Department on 30 June 2011. NOW approved the plan on 24 April 2012 and DP&I approved the plan on 5 April 2013.
14	The Site Water Balance must.....	Yes	As per condition.
15	The Erosion and Sediment Control Plan must....	Yes	As per condition.
16	The Surface Water Monitoring Plan must include....	Yes	As per condition.
17	The Raffinate Discharge Control and Monitoring Plan must....	Yes	As per condition.
18	The Groundwater Monitoring Program must include....	Yes	As per condition.
19	The Proponent shall ensure that the integrity of the low permeability layers lining the evaporation/storage ponds is maintained and achieves a permeability of less than 1×10^{-14} m/s whenever these ponds are in use for the storage of saline waters and less than 1×10^{-9} m/s when being used to store raffinate or captured surface waters.	Yes	As per condition.
20	The Proponent shall ensure that the integrity of the low permeability layers lining the brine storage ponds is maintained and achieves a permeability of less than 1×10^{-14} m/s whenever these storage ponds are in use.	N/A	Brine storage ponds not constructed.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
21	Within 2 years of commissioning the water conditioning plant, and every 5 years thereafter, unless otherwise directed by the Director-General, the Proponent shall engage suitably qualified experts approved by the Director-General to review brine management and beneficial use options for raffinate, brine and minewater produced by the project...	Yes	Review commissioned during the reporting period. Results to be reported in the 2015/2016 AEMR/Annual Review.
22	The Proponent shall not destroy damage or deface any known Aboriginal objects (as defined in the <i>National Parks and Wildlife Act 1974</i>) without the written approval of the Director-General.	Yes	As per condition.
23	The Proponent shall revise the Aboriginal Cultural Heritage Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with Aboriginal cultural heritage management for the site (Stages 1 and 2) and subsequently implement this revised version of the Aboriginal Cultural Heritage Management Plan to the satisfaction of the Director-General. This plan must: (a) be submitted to the Director-General by 30 June 2011; (b) be prepared in consultation with the DECCW, the Narrabri Local Aboriginal Land Council and the Narrabri Goomerai Aboriginal Corporation; (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and (d) describe the measures that would be implemented to protect Aboriginal sites on the mine site, (in particular all known Aboriginal sites on lands overlying Longwalls 1-3 and sites 10b, 38, 39 and 106-112, or any new Aboriginal objects or skeletal remains that are identified during the project.	Yes	The revised Aboriginal Cultural Heritage Management Plan (ACHMP) was submitted to the Department on 27 June 2011 and approved on 6 December 2011. ACHMP reviewed during the reporting period but not approved by 31 March 2015.
24	Prior to undertaking any activities involving surface disturbance or vegetation removal for the lands overlying Longwalls 8-26, the Proponent shall undertake a detailed Aboriginal cultural heritage survey in consultation with the local Aboriginal community and DECCW, and to the satisfaction of the Director-General. The Director-General may approve this survey being undertaken in several stages, as mining progresses.	Yes	As per condition. LW101 to LW113 area has been surveyed.
25	The Proponent shall maintain the Mine Access Road Intersection with Kurrajong Creek Road and the Kamilaroi Highway in consultation with NSC and to the satisfaction of RTA.	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
26	Prior to using Greylands and Scratch Roads to construct mine-related infrastructure, the Proponent shall enter into an agreement with NSC to: (a) construct watercourse crossings (either culverts or concrete causeways) on those sections of these roads that it uses in a manner that does not restrict fish passage, in consultation with I&I NSW (Fisheries) and to the satisfaction of NSC; and (b) fund the maintenance of those sections of these roads that it uses to an all-weather unsealed road standard.	Yes	Narrabri Mine has applied to NSW Crown Lands to purchase the portion of Greylands Road that traverses the mine lease. A management plan has been developed and implemented to manage the subsidence impacts to Greylands Road in consultation with Narrabri Shire Council (NSC) which was revised during the reporting period, refer to Section 3.16.2.2 of the 2014/2015 AEMR/Annual Review. Scratch Road has not been utilised to date except for environmental monitoring purposes.
27	The Proponent shall contribute, on an equitable basis with other coal project rail users, to the costs of an independent Traffic Management Study analysing the impacts of increased rail traffic on road safety and congestion due to increased closure of rail level crossings within Gunnedah, prepared to the satisfaction of GSC.	Yes	As per condition. Results of Study reported to Gunnedah Shire Council October 2012.
28	The Proponent shall minimise visual impacts of the project to the satisfaction of the Director-General.	Yes	As per condition.
29	The Proponent shall ensure that:(a) no outdoor lights shine above the horizontal; and(b) all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting</i> .	No	One instance occurred during the reporting period where a lighting tower was installed so that the lights were shining above the horizontal.
30	The Proponent shall revise the Energy Savings Action Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with energy management for the site (Stages 1 and 2) and subsequently implement this revised version of the Energy Savings Action Plan to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with DECCW; (b) be prepared in accordance with the Guidelines for Energy Savings Action Plans (DEUS, 2005), or its latest version; (c) be submitted to the Director-General for approval prior to 30 June 2011; and (d) include a program to monitor the effectiveness of measures to reduce energy use on site.	No	The Stage 2 Energy Savings Action Plan was updated during the reporting period and approved by DP&E on 11 August 2014. Refer to Section 3.18.1 of the 2014/2015 AEMR/Annual Review.
31	The Proponent shall implement all reasonable and feasible measures to minimise the greenhouse gas emissions from the underground mining operations to the satisfaction of the Director-General.	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
32	<p>Prior to carrying out longwall coal mining operations, the Proponent shall submit a Greenhouse Gas Minimisation Plan for the approval of the Director-General. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with DECCW; (b) identify options for minimising greenhouse gas emissions from underground mining operations, with a particular focus on capturing and/or using these emissions; (c) investigate the feasibility of implementing each option; (d) propose the measures that would be implemented in the short to medium term on site; and (e) include a research program to inform the continuous improvement of the greenhouse gas minimisation measures on site. 	Yes	As per condition. Approved by DP&I on 12 June 2012.
33	<p>The Proponent shall revise the Waste Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with waste management for the site (Stages 1 and 2) and subsequently implement this revised version of the Waste Management Plan to the satisfaction of the Director-General. This plan must be:</p> <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval prior to 30 June 2011; (b) identify the various waste streams of the project; (c) describe what measures would be implemented to reuse, recycle, or minimise the waste generated by the project; (d) ensure irrigation of treated wastewater is undertaken in accordance with Environmental Guidelines: Use of Effluent by Irrigation (DEC, 2004), or its latest version; and (e) include a program to monitor the effectiveness of these measures. 	Yes	The revised Waste Management Plan was submitted to the Department on 27 June 2011 and approved on 6 December 2011. The Waste Management Plan was updated during the reporting period but not approved by DP&E by 31 March 2015.
Schedule 5: Rehabilitation and Offsets			
1	The Proponent shall rehabilitate the site to the satisfaction of the Director-General and I&I NSW.	N/A	Not yet triggered.
2	To the extent that mining operations permit, the Proponent shall carry out rehabilitation progressively, that is, as soon as reasonably practicable following the disturbance.	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
3	<p>The Proponent shall revise the Landscape Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with landscape management for the site (Stages 1 and 2) and subsequently implement this revised version of the Landscape Management Plan to the satisfaction of the Director-General and I&I NSW. This plan must:</p> <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval by 30 June 2011; (b) be prepared by suitably qualified expert/s whose appointment/s have been endorsed by the Director-General; (c) be prepared in consultation with NOW, DECCW and NSC and (d) include a:- Rehabilitation Management Plan; and- Mine Closure Plan. 	Yes	<p>The revised Landscape Management Plan, including the Rehabilitation Management Plan and Mine Closure Plan, was submitted to the Department on 27 June 2011 and was subsequently approved on 6 December 2011. A revision to the Landscape Management Plan, required by the Extraction Plan, this submitted to the Department during November 2012, re-submitted during February 2013 and was subsequently approved on 27 March 2013.</p>
4	The Rehabilitation Management Plan must include....	Yes	Refer to 3 above.
5	The Mine Closure Plan must....	Yes	Refer to 3 above.
6	<p>The Proponent shall provide a suitable biodiversity offset strategy to compensate for the impacts of Stages 1 and 2 of the project. This offset strategy must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with DECCW; (b) be submitted to the Director-General for approval by 31 December 2010, or as otherwise agreed by the Director-General; (c) provide a detailed assessment of offset proposal/s involving the property/ies (agreed to by DECCW) adjoining Mt Kaputar National Park to confirm the ability of either of these property/ies to meet "like for like or better" and "maintain or improve" conservation outcomes; (d) include and assess proposals to offset impacts to the Inland Grey Box EEC, <i>Bertya opponens</i>, and foraging habitat for the Superb Parrot; (e) include proposals on offsetting both direct and indirect impacts (ie. edge effects) of the project; and (f) determine the best overall combination of lands to provide a suitable offset. 	Yes	<p>The Biodiversity Offset Strategy was approved on 11 August 2014. The initial version was first submitted during September 2010.</p>
7	<p>The Proponent shall make suitable arrangements to provide appropriate long-term security for the offset areas by 31 December 2011, or other date agreed by the Director-General, to the satisfaction of the Director-General.</p>	No	<p>While the BOS was approved during the reporting period, the long-term security of the offset areas has not yet been resolved. DP&E authorised an extension to 30 June 2015 to allow for the long-term security of the offset areas once the NSW Government has issued a policy on their preferred method for securing offset areas.</p>

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
Schedule 6: Environmental Management, Monitoring, Auditing and Reporting			
1	<p>The Proponent shall revise the Environmental Management Strategy for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with environmental management for the site (Stages 1 and 2) and subsequently implement this revised version of the Environmental Management Strategy to the satisfaction of the Director-General. This strategy must:</p> <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval prior to 30 June 2011; (b) provide the strategic context for environmental management of the project; (c) identify the statutory requirements that apply to the project; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project (e) describe the procedures that would be implemented to: <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; and - respond to emergencies; and (f) include a clear plan depicting all the monitoring currently being carried out in the project area. 	Yes	<p>The revised Environmental Management Strategy (EMS) was submitted to the Department on 30 June 2011 and was approved on 6 December 2011. The EMS was updated during the reporting period but not approved by DP&E by 31 March 2015.</p>
2	<p>The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include.....</p>	Yes	As per condition.
3	<p>Within 3 months of the submission of an audit, incident report, annual review or any modification to the approval the proponent shall review, and if necessary, revise the strategies, plans, and programs required under this condition...</p>	Yes	As per condition.
4	<p>The Proponent shall notify the Director-General 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 Director-General and any relevant agencies with a detailed report on the incident.</p>	Yes	As per condition.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
5	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 Director-General.	Yes	As per condition.
6	<p>Within 12 months of this approval, and annually thereafter, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:</p> <p>(a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against:</p> <p>the relevant statutory requirements, limits or performance measures/criteria;</p> <p>the monitoring results of previous years; and</p> <p>the relevant predictions in the EA and Extraction Plan;</p> <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 project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measure will be implemented over the next year to improve the environmental performance of the project.</p>	Yes	As per condition.
7	Prior to 13 September 2010, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project (Stages 1 and 2).	Yes	Independent Audit commissioned prior to 13 September 2013, reported during August 2014.
8	Within 6 weeks of the completing of this audit....	Yes	Independent Audit received June 2014 and submitted August 2014.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
9	The Proponent shall maintain a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General, in general accordance with the <i>Guideline for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007)</i> , or its latest version.	Yes	CCC established and operating as per guidelines.
10	The Proponent shall make the following information publicly available on its website:.....	No	Narrabri Mine has added to the company’s website a copy of the Subsidence Management Plan approval as well as documentation in relation to modifications 1 and 2. DP&E audited the website on 30 September 2014 and found it complied with all conditions relating to website content.
Schedule 7: Additional Procedures for Air Quality and Noise Management			
1	If the results of the monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the Director-General, the affected landowners and tenants (including tenants of mine-owned properties) accordingly, and provide quarterly monitoring results to each of those parties until the results show that the project is complying with the criteria in schedule 4.	Yes	Exceedance noted during the reporting period and the required reporting was undertaken by the mine.
2	If the results of monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant air quality impact assessment criteria in schedule 4, then the Proponent shall send the relevant landowners and tenants (including tenants of mine-owned properties) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (and associated updates) in conjunction with the notification required in condition 1.	N/A	No exceedances of the air quality criteria were identified during the reporting period.
3	If a landowner considers the project to be exceeding the impact assessment criteria in schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land. If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 2 months of the Director-General's decision...	N/A	No reviews requested.

Condition	PA 08_0144 MOD 2 – Conditional Requirement	Compliance	Comments
4	<p>If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 4, then the Proponent may discontinue the independent review with the approval of the Director-General.</p> <p>If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 4, and that the project is primarily responsible for this non-compliance, then the Proponent shall...</p>	N/A	No reviews requested.
5	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...	Yes	As per condition.
6	The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 5 above.	N/A	No written requests received.
7	If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.	N/A	No written requests received.

TABLE A3-2

Compliance Review – Environment Protection License (EPL) 12789

Condition	EPL 12789 – Conditional Requirement	Compliance	Comments
A1.1	Carry out Coal Mining > 5,000,000t (handled and produced)	Yes	Coal works (>5,000,000 T handled) – 5,693,316, Mining for coal (>5,000,000 T produced) – 6,121,458 T.
A2.1	Premises or plant to which the licence applies	Yes	Premises details correct
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.	No	Non-compliances outlined below.
P1.3-P1.4	Location of monitoring/discharge points and areas	Yes	As per condition. Refer to Section 3.3 of the 2014/2015 AEMR/Annual Review.
L1.1	Pollution of waters	Yes	As per condition.
L2.1-L2.5	Discharge water quality must not exceed the parameters specified.	Yes	As per condition. Refer to Section 3.3 of the 2014/2015 AEMR/Annual Review.
L3.1-L3.5	Noise Limits	No	Exceeded limit on one occasion. Reported to DP&E, EPA and landowner. Refer to Section 3.10 of the 2014/2015 AEMR/Annual Review.
L4.1-4.8	Blasting	N/A	N/A
O1.1	Carry out licensed activities in a competent manner, i.e. (a) Processing, handling, movement and storage of materials and substances; & (b) Treatment, storage, processing, reprocessing, transport and disposal of generated waste.	Yes	As per condition.
O2.1	Maintain and operate all plant and equipment at premises in proper and efficient condition.	Yes	As per condition.
O3.1	Minimise or prevent emission of dust	Yes	As per condition.
M1.1-M1.3	Record and retain monitoring results required as per this licence.	Yes	As per condition.
M2.1-M2.6	Monitor each monitoring point for pollutants as specified in licence	Yes	As per condition.

Condition	EPL 12789 – Conditional Requirement	Compliance	Comments
M3.1- M3.8	Testing methods – concentrations limits.	Yes	As per condition.
M4.1	Monitor weather parameters specified	Yes	As per condition.
M5.1- M5.4	Recording of pollution complaints	Yes	As per condition.
M6.1- M6.3	Telephone complaints line	Yes	As per condition.
M7.1	To determine compliance with Noise Limits table, monitoring must be undertaken as follows: (a) At each one of the locations listed in the Noise Limits table; (b) Occur quarterly in a reporting period; (c) Occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of: i) 1.5 hours during the day; ii) 30 minutes during the evening; and iii) 1 hour during the night. (d) Occur for three consecutive operating days.	Yes	As per condition. Monitoring at location N6 is undertaken at the boundary with the mine as access has not been granted which the EPA were advised of in the December 2011 variation. All other points monitored as per the condition.
R1.1-R1.7	Annual Return Documents Complete and supply Annual Return to EPA comprising: (a) Statement of Compliance; and (b) Monitoring & Complaints Summary.	Yes	As per condition. 2014/2015 Annual Return submitted by 21 April 2015.
R2.1-R2.2	Notify of environmental harm	N/A	None reported.
R3.1-R3.4	Written report	N/A	No written requests received.
R4.1	Noise compliance assessment report to be submitted within 30 days of the completion of quarterly noise monitoring. The assessment must be prepared by a suitably qualified noise consultant and include: (a) An assessment of compliance with noise limits; and (b) An outline of any management actions taken within the monitoring period to address any exceedances.	Yes	As per condition.

Condition	EPL 12789 – Conditional Requirement	Compliance	Comments
G1.1- G1.3	Copy of licence kept at the premises	Yes	As per condition.
U1.1	Development of TARPs	Yes	As per condition.
U2.1	Install a fully automated water spray system	No	Water spray system not installed by due date, EPA notified of this by the due date but could not issue EPL variation.
U2.2	Must be done by 31 December 2014	No	Water spray system not installed by due date, EPA notified of this by the due date but could not issue EPL variation.
U3.1	Tripper discharge chute redesign	Yes	As per condition.
U3.2	Must be done by 29 August 2014	Yes	As per condition.
E1.1	Prior to the commissioning of the evaporation and storage ponds, the licensee must provide the EPA Armidale office with an “as constructed” report	N/A	Not triggered.
E2.1	Noise impacts where wind speed exceeds 3 meters per second at 10 meters above the ground must be addressed by: (a) Documenting noise complaints received to identify any higher level of impacts or wind patterns where levels of noise complaints indicated a higher level of impact then actions to quantify and ameliorate any enhanced impacts where wind speed exceeds 3 meters per second at 10 meters above the ground should be developed and implemented.	N/A	Noise complaints received during calm conditions generally associated with temperature inversions not wind speeds of >3m/s.

TABLE A3-3

Compliance Review – Mining Lease (ML) 1609

Condition	ML 1609 – Conditional Requirement	Compliance	Comments
1	Within a period of three months from the date of grant/renewal of the lease a notice in writing must be served on each landholder.	Yes	As per condition.
2	All practicable measures to prevent and/or minimise any harm to the environment.	Yes	As per condition.
3	Conduct mining operations in accordance with a MOP.	Yes	As per condition.
4	EMR to be lodged with the DG annually.	Yes	EMR supplied annually. 2013/2014 AEMR submitted 30 June 2014.
7	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the DG.	Yes	Areas disturbed have been rehabilitated to the extent practicable.
8(a)-(d)	Prepare an Extraction Plan prior to commencing any underground mining operations.	Yes	Extraction Plan for LW101 to LW105 approval received from the Department on 5 June 2012.
9(a)	Ensure that at least 212 competent people are efficiently employed on the lease area on each week day except Sunday or Public Holiday; or	Yes	As per condition.
9(b)	Expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$3,710,000 per annum whilst the lease is in force.	Yes	As per condition.
11	Exploration Report to be submitted to the DG each year within 28 days of the anniversary.	Yes	Submitted annually.
15(a)	Monitor ground vibration generated by any blasting that it does not exceed 10mm/second in more than 5% of the total blasts over a period of 12 months.	N/A	No blasting undertaken during reporting period
15(b)	Overpressure noise level generated by any blast is not to exceed 120 dB (linear) and 115 dB (linear) in more than 5% of the total blasts over a period of 12 months.	N/A	No blasting undertaken during reporting period
16	Ensure the safety of persons or stock.	Yes	Safety measures a priority onsite.

Condition	ML 1609 – Conditional Requirement	Compliance	Comments
17(2)	Exploratory drill holes must satisfy the DG: (a) Cored holes surveyed; (b) Cored Holes sealed to prevent collapse; (c) Drill holes permanently sealed with cement plugs; (d) If drill hole meets natural or noxious gases it is plugged or sealed; (e) If drill hole meets an artesian or sub-artesian flow it is effectively sealed. (f) Unused drill holes are to be sealed in accordance with Department guidelines. (g) Once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.	Yes	As per condition.
18	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution or soil contamination or erosion.	Yes	As per condition.
19	Transmission line, communication line, pipeline or any other utility must not be interfered with without permission from DG.	Yes	As per condition.
20	Fences must not be damaged or interfered with. Gates must be closed or left open in accordance with the requirements of the landholder.	Yes	As per condition.
21(a)	Operations must not affect any road.	Yes	No roads affected, unless in consultation with NSC.
21(b)	The cost incurred in fixing any damage to roads must be paid to the designated authority.	N/A	None requested.
22	Access tracks must be kept to a minimum.	Yes	As per condition.
23(a)	The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder.	Yes	As per condition.
23(b)	The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations.	Yes	As per condition.
23(c)	The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	Yes	Crown Lands approval received for timber removal from lease area to allow for exploration activities.

Condition	ML 1609 – Conditional Requirement	Compliance	Comments
27(a)	A security of \$100,000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfillment by the lease holder of obligations under this lease.	Yes	Security in place.
27(b)	Security: Cash or Security Certificate	Yes	Security Certificate in place.
28	A person must not remove, damage, destroy, displace, obliterate or deface any marks in connection with any trigonometrical station, permanent mark or survey mark.	Yes	As per condition.