

BARNETT & MAY

Duralie Coal Mine

Independent Environmental Audit

Prepared for
Duralie Coal Pty Ltd.

Client representative
Michael Plain

Date
17 February 2021

Rev 0



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Prepared by — K. Holmes		Date 17 February 2021
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Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
A	Draft for client Review	K. Holmes	A. Wilkins	K. Holmes	21/1/2021
0	Final Report	K. Holmes	A. Wilkins	K. Holmes	17/2/2021
1					
2					

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1. Introduction

The Duralie Coal Mine, located in the Gloucester Basin NSW, is owned and operated by Duralie Coal Pty Ltd (DCPL), a wholly owned subsidiary of Yancoal.

The purpose of the audit, that was undertaken in accordance with the **Barnett and May's** proposal (dated 22 September 2020), was to determine compliance with the obligations contained in the Project Approval (08_0203). The audit was undertaken in accordance with PA 08_0203 Schedule 5, Conditions 8, 9, 9A and 9B which states:

C8 - "By the end of 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 project.

(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 relevant requirements in this approval and any relevant EPL(s) (including any assessment, plan or program required under these approvals);

(d) review the adequacy of strategies, plans or programs required under the abovementioned approval or licences; and

(e) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or Program required un these consents.

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

C9 – Within 6 weeks of completion of the audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the Audit Report. [Note: DPIE approved a three month reporting timeframe for this IEA to allow this IEA to be undertaken concurrently with the Stratford Coal Mine IEA].

C9A - 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).

C9B. 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. [Note: DPIE approved a three-month reporting timeframe for this IEA to allow this IEA to be undertaken concurrently with the Stratford Coal Mine IEA].

The Audit was commissioned on 10 November 2020 following approval of the audit team by DPIE. The site inspection was undertaken by Ken Holmes (Accredited Lead Auditor) of Barnett & May in December 2020. The audit covered the period from 1 January 2018 to 1 December 2020 (the Audit Period).

1.1 Limitations of this Report

In preparing this Independent Environmental Audit Report, Barnett and May has assessed the activities appropriate and necessary to evaluate the compliance status against the conditions contained in the Auditee's Project Approval. Barnett and May has addressed the general technical matters which might reasonably be considered to be relevant to such an assessment.

The findings of this Independent Environmental Audit are based on observations of the site, interviews with personnel nominated by the Auditee and review of the documentation provided by the Auditee. Barnett and May has relied accuracy and completeness of the documentation and other information provided by the Auditee.

Barnett and May can only advise based on the information provided to them and therefore cannot dismiss the possibility that compliance or environmental performance issues, other than those presented in the report existed at the time of this Audit.

The audit findings presented in this report are professional opinions based solely upon Barnett and May's visual observations of the site, and upon Barnett and May's interpretation of the documentation reviewed, interviews and conversations with personnel nominated by the Auditee, 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 Barnett and May's site visit in December 2020, and those reasonably foreseeable. They necessarily cannot apply to conditions and features which Barnett and May 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.

1.2 The Duralie Coal Mine.

Duralie Coal Mine is located in the Southern part of the Gloucester Basin, approximately 75 kilometres north of Newcastle and 20 kilometres south of the Stratford Mining Complex. Duralie is an open cut coal mining operation which started operations in March 2003 and is owned and operated by DCPL, a wholly owned subsidiary of Yancoal Australia. Mining operations were suspended in October 2018 and at the time of this Independent Environmental Audit (IEA) no coal mining operations were occurring, however progressive rehabilitation and waste rock re-handling had been continuing during the audit period..

The operations at Duralie are conducted in accordance with Project Approval 08_0203, as part of the Duralie Extension Project. The Duralie Extension provides for the continuation of mining and processing until 31 December 2021. The Duralie Extension involves mining in the Weismantel Open Cut and the Clareval Open Cut areas

2. Definitions

Acronyms	Description
ACHMP	Aboriginal Cultural Heritage Management Plan
AER	Annual Environmental Review
AHIP	Aboriginal Heritage Impact Permit
AEMR	Annual Environmental Management Review
AR	Annual Review
AQGMP	Air Quality and Greenhouse Gas Management Plan
BMP	Biodiversity Management Plan
BOS	Biodiversity Off-set Strategy
CC	Construction Certificate
CCC	Community Consultative Committee
CHPP	Coal Handling & Processing Plant
DCPL	Duralie Coal Pty Ltd
DPE	Department of Planning and Environment (former planning department name)
DPI	(former) Department of Primary Industries
DPIE	Department of Planning, Industry and Environment.
EMS	Environmental Management Strategy
EPA	NSW Environment Protection Authority
EP&A Act	NSW Environmental Planning and Assessment Act
EPBC	Environmental Protection and Biodiversity Conservation Act
EPL	Environmental Protection License
GMP	Groundwater Management Plan
IEA	Independent Environmental Audit
MOP	Mining Operations Plan
NOW	DPIE Water (formerly the NSW Office of Water)
NMP	Noise Management Plan

Acronyms	Description
OCE	Open Cut Examiner
OC	Occupation Certificate
OEH	Biodiversity Conservation Division (formerly the NSW Office of Environment and Heritage)
OEMP	Operational Environmental Management Plan
PA	Project Approval
PIRMP	Pollution Incident Response Management Plan
PMHMP	Principal Mine Hazard Management Plan
RAP	Registered Aboriginal Group
REF	Review of Environmental Factors
RMP	Rehabilitation Management Plan
SWB	Site Water Balance
SWMP	Surface Water Management Plan
SWVR	Surface Water Validation Report
TEOM	Tapered Element Oscillating Microbalance (Samplers)
TMP	Traffic Management Plan
TSF	Tailing Storage Facility
WMP	Water Management Plan
WRE	Waste Rock Emplacement

3. Auditor Certification

Independent Audit Certification Form	
Development Name	Duralie Coal Mine
Application Number	08_0203
Description of Development	Coking Coal Mine
Development Address	Gloucester, New South Wales
Proponent	Duralie Coal Pty Limited
Operator Address	1164 Bucketts Way South, Stroud Road NSW 2415
Title of Audit	Duralie Coal Mine Independent Environmental Audit
<p><i>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <ul style="list-style-type: none"> <i>The audit has been undertaken in accordance with relevant approval condition(s) and in general accordance with the auditing standard AS/NZS ISO 19011:2011 and in general conformance with the DPE's Independent Audit Post Approval Requirements (June 2018).</i> <i>The findings of the audit are reported truthfully, accurately and completely;</i> <i>I have exercised due diligence and professional judgement in conducting the audit;</i> <i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i> <i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i> <i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i> <i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i> <i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i> <p><i>Note.</i></p> <p><i>a) The Independent Audit is an 'environmental audit' for the purposes of section 122B (2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead/Principal Auditor	Ken Holmes
Address	4 Baeckea Place, Frenchs Forest, NSW
Email Address	ken@baeckea.com.au
Auditor Certification (if relevant)	Exemplar Global 14065
Date	17 February 2021

3.1 Audit Details

Audit Title:	Duralie Coal Mine Independent Environmental Audit
Site:	Duralie Coal Mine
Client Contact:	Michael Plain
Position:	Environmental & Community Superintendent
Client:	Duralie Coal Pty Ltd
Client Address:	1164 Bucketts Way South, Stroud Road NSW 2415
Client Phone Number	0400 474 126
Client Email:	michael.plain@yancoal.com.au
Audit Team:	Ken Holmes – Certified Lead Auditor Simon Buchanan, Landloch (rehabilitation specialist) Ms Katrina Wolf, Cumberland Ecology (biodiversity specialist) Mr Adam Bishop, Pitt & Sherry (surface water specialist) Mr Doug Ford, Pitt & Sherry (noise specialist)
Auditor's Telephone:	0438 046 261
Auditor's Email:	ken@baeckea.com.au
Date of Site Visit	2 December 2020
Site Audit Completion Date	4 December 2020
Audit Scope:	The audit was undertaken as per the brief outlined in the Barnett and May proposal (dated 22 September 2020). As such, the audit provides an assessment of the compliance of the project with the conditions of Project Approval 08_0203, Environment Protection Licence 11701 and Mining Lease 1646 ¹ . The scope of this Independent Environmental Audit complies with the requirements of the New South Wales Department of Planning, Industry and Environment (DPIE) Independent Audit Post Approval Guidelines May 2020.

Note 1: The Duralie Mine covers two mining leases:

- ML 1427 granted on 6 April 1998; and
- ML 1646 granted on 4 January 2011.

Previous audits have assessed compliance against both mining leases. As the Project Approval and EPL audits substantially cover the issues raised in the Conditions of the mining leases, and the mining operations were for the majority of this Audit Period suspended, this IEA will review compliance against newest **Mining Lease ML 1646** only. Not that the area where mining was undertaken during this Audit Period was covered by ML 1646.

4. Audit process

4.1 Audit Guidelines

This audit report has also been prepared in accordance with the 'Independent Audit Guideline, May 2020 (Audit Guidelines) (DP&E, 2020). *Table 1* 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.

Table 1 - Post Approval Audit Guidelines

Section	Independent Audit Report Requirements	Addressed
4.1	<p>Version Control</p> <ol style="list-style-type: none"> 1) the application number of the project; 2) each version or revision number of the report; 3) the date on which the report was prepared and issued to the Department; and 4) the title and name of the person who certified the Independent Audit Report. 	<p>Section 3</p> <p>Page iii</p> <p>Page iii</p> <p>Section 3.1</p>
4.2	<p>Contents</p>	
4.2.1	<p>Introduction – a brief overview of the audit including:</p> <ol style="list-style-type: none"> 1) background of the project; 2) the audit team (including qualifications and experience); 3) the objectives of the audit; 4) the audit scope; and 5) the temporal period covered by the audit. 	<p>Section 1.2</p> <p>Section 3.1</p> <p>Section 1</p> <p>Section 3.1</p> <p>Section 1</p>
4.2.2	<p>Audit Methodology</p> <ol style="list-style-type: none"> 1) documentation from the Planning Secretary agreeing to the auditor and any technical specialist(s); 2) how the audit scope was developed; 3) a summary of the audit process adopted to determine the compliance status and assess if documents are adequate; 4) site personnel interviewed including their name and position title (and including if access was not granted or possible with any required personnel and why); 5) details of site inspections undertaken (including any areas where access was not granted or possible and why); 6) a summary of the consultation undertaken; and 7) meanings of compliance status descriptors used, as set out in this document. 	<p>Appendix C</p> <p>Section 5</p> <p>Section 4</p> <p>Section 4.5.3</p> <p>Section 4.5.2</p> <p>Section 5</p> <p>Section 4.6</p>
4.2.3	<p>Audit Findings</p> <ol style="list-style-type: none"> 1) a list of the approvals and documents audited; 2) a summary of the assessment of compliance i.e. comparison between the total number of compliance requirements and any non-compliances identified during the reporting period. Graphics can be used to summarise project performance in relation to compliance requirements; 3) a summary of any notices, orders, penalty notices or prosecutions issued in relation to the consent during the audit period; 	<p>Appendix A</p> <p>Section 6.1</p> <p>Section 7.3</p>

Section	Independent Audit Report Requirements	Addressed
	<p>4) exception reporting of all non-compliances identified during the audit period. Details must include the relevant consent condition, the condition reference number, a unique non-compliance identification number, details of the non-compliance and the auditor's recommended actions that are proposed to be taken or have been taken to address the non-compliance;</p> <p>5) a brief discussion or table of the status of actions arising from previous audits and the progress or outcomes of each action. Details must include the source of the action, reference (condition number), action proposed, proposed completion date, the status (date completed, if relevant) and the action complete.</p> <p>6) a brief discussion of whether the Environmental Management Plans, Sub-plans and compliance documents are adequate, implemented and whether there are any opportunities for improvement;</p> <p>7) a discussion of other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance;</p> <p>8) documentation of any feedback received as a result of consultation undertaken with the Department, and other agencies or stakeholders including the community and Community Consultative Committee for the audit and the outcomes of this consultation;</p> <p>9) a summary of complaints, and the adequacy of the response to, and management of complaints;</p> <p>10) details of any incidents (including any enforcement action by any agency) and the adequacy of the response to, and management of such incidents;</p> <p>11) an assessment of the compliance between actual and predicted impacts documented in environmental impact assessment, including an assessment of the physical extent of the development in comparison with the approved boundary and any potential off-site impacts of the development required under the Environmental Planning and Assessment Act 1979;</p> <p>12) evidence collected through site inspections undertaken during the audit;</p> <p>13) evidence to support compliance assessment provided by the personnel interviewed during the audit;</p> <p>14) a brief discussion of any continual environmental management improvement opportunities identified as part of the audit; and</p> <p>15) key strengths of the development's environmental management and performance identified by the auditor.</p>	<p>Section 6.2</p> <p>Section 7.6</p> <p>Section 7.5</p> <p>Section 7.9</p> <p>Section 5</p> <p>Section 7.2</p> <p>Section 7.1</p> <p>Section 7.8</p> <p>Appendix A</p> <p>Appendix A</p> <p>Section 6.2</p> <p>Section 7.4</p>
4.2.4	Recommendations and opportunities for Improvement	Section 6.2
4.2.5	<p>Appendices</p> <p>1) a completed Independent Audit Table with all relevant conditions of consent, identifying each requirement, compliance status</p>	Appendix A

Section	Independent Audit Report Requirements	Addressed
	assessed, documenting verified evidence and providing recommendations for any non-compliance that is identified;	
	2) a copy of documentation from the Planning Secretary agreeing to the auditor and any technical specialist(s);	Appendix C
	3) documentation detailing consultation with the Department, and other agencies or stakeholders including the community and Community Consultative Committee;	Appendix D
	4) completed and signed Independent Audit Declaration Form(s);	Section 3
	5) any reports prepared by the agreed technical specialist(s), as required; and	Appendix F
	6) site inspection photographs.	Appendix B

Note 1: Compliance against the requirements of the Environment Protection Licence (EPL) has been undertaken in this Audit as the scope of the Independent Environmental Audit in the Conditions of Approval relevant to this development specifically includes the EPL.

4.2 Overview

The audit process and methodology are summarised in this section, and comprised the following key undertakings:

- Preliminary planning activities
- Review of information and preparation of a compliance register (audit protocol / checklist)
- Site inspection and interviews:
 - Opening meeting
 - Site inspection
 - Review of relevant records
 - Review of additional information provided after the site inspection
- Preparation of this audit report.

4.3 Preliminary activities

Off-site planning for the site audit comprised:

- Initial discussions with client representative, to organise the site inspection and access to audit documentation
- Prepare the audit compliance checklist
- Completion of a project specific Risk Assessment
- Review of online information
- Submission of a preliminary document / record request
- Consultation with relevant agencies.

4.3.1 Approval of audit teams

Stratford Coal Pty Ltd (SCPL) sought the Secretary's endorsement for the audit team to undertake this Independent Environmental Audit. The Secretary approved the following team on 23 October 2020 (Appendix C):

- Ken Holmes, Barnett & May (lead auditor)
- Mr Simon Buchanan, Landloch (rehabilitation specialist)
- Katrina Wolf, Cumberland Ecology (biodiversity specialist)
- Adam Bishop, Pitt & Sherry (surface water specialist)
- Doug Ford, Pitt & Sherry (noise specialist)

4.3.2 Consultation with Agencies

The Auditor consulted with the following agencies during the audit planning stage:

- Department of Planning, Industry and Environment (DPIE);
- DPIE Resources Regulator (DRE);
- NSW Environment Protection Authority (EPA);
- MidCoast Council (MC)
- Community Consultative Committee (CCC)

Emails were initially sent (via Email) to each of the above agencies advising them of the audit and the scope of the audit and inviting them to provide comments/requirements or specific environmental issues they required the audit to target. Where required (where no response was provided by the nominated stakeholder organisation, a follow up email was sent to repeat the invitation to provide input into the audit. Details of the responses from each group / organisation is provided in Section 5.

4.4 Information Review and Compliance Register

Prior to the site inspection the Auditor prepared a detailed audit checklist (spreadsheet) that was used to assess and track compliance. This spreadsheet formed the basis of the compliance register presented in Appendix A of this report.

4.5 Site audit

The site inspection component of the audit was undertaken on 4 December 2020.

4.5.1 Opening Meeting

Following site inductions, the opening meeting was held on-site. It was attended by the following personnel:

- Michael Plain (Environmental and Community Superintendent)
- Tom Kirkwood (Environment & Community Coordinator)
- Bruce Robinson (CHPP Superintendent)
- Michael Wells (Health & Safety Coordinator)
- Chris Gardener (Health & Safety Superintendent)
- Nathan Vaughan (Mine Planning Superintendent)
- Todd Hutchins (Coal Planning Superintendent)
- Brett Crouch (Maintenance Superintendent)
- Ken Holmes (Lead Auditor) – Barnett and May.

Introductions were made, and the purpose and scope of the audit was outlined. An explanation of the audit process was communicated. That is, a site inspection, site interviews and detailed review of records in order to identify compliance with the approval conditions relevant to the current operations at the site.

4.5.2 Site Inspections

An initial tour of the site was undertaken by the Auditor. Subsequent detailed inspections of specific areas of the operation were subsequently undertaken. The site was not operational at the time of the site inspection, which included observation of:

- Site Access and security;
- Open cut mining areas;
- Rail siding and loading facilities;
- ROM pad and conveyer system;
- Waste storage areas;
- Fuel and dangerous goods storage areas;

- Equipment maintenance area;
- Rehabilitation and biodiversity off-set areas; and
- Surface water management infrastructure

The Auditor was provided with access to all areas of the site.

4.5.3 Site Interviews

Audit interviews comprised of a series of meetings with:

- John Cullen (Operations Manager)
- Michael Plain (Environmental and Community Superintendent)
- Tom Kirkwood (Environment & Community Coordinator)
- Bruce Robinson (CHPP Superintendent)
- Michael Wells (Health & Safety Coordinator)
- Chris Gardener (Health & Safety Superintendent)
- Nathan Vaughan (Mine Planning Superintendent)
- Todd Hutchins (Coal Planning Superintendent)
- Brett Crouch (Maintenance Superintendent)

4.5.4 Document review

Compliance related documents that were not available prior to, and during site discussions of, the audit, were requested to be provided following the audit. The Auditee's personnel assisted with the provision of documentation following the audit, through secure file transfer mechanisms. The key documents reviewed during this audit are listed in the Compliance Registers against specific conditions.

4.6 Reporting

The compliance register was completed using notes and observations recorded during the site inspection / interviews and review of appropriate documentation. The completed compliance register is presented in **Appendix A**. A summary of the non-compliances identified during this audit are provided in Table 5. The audit criteria used to determine compliance for this audit is defined in Table 2.

Table 2 - Compliance Assessment Matrix

Assessment	Criteria
Compliance	<p>Compliance</p> <p>The site complies with the requirements of applicable pre-operational Consent Conditions.</p> <p>A judgment made by an auditor that the activities undertaken, and the results achieved fulfil the specified requirements of the audit criteria. While further improvements may still be possible, the minimum requirements are being met.</p>
Non-Compliance	<p>Non-Compliance</p> <p>Clear evidence has been collected to demonstrate the requirement has not been complied with and is within the scope of the audit.</p> <p>Site displays little or no evidence of compliance with the requirements of the regulatory documentation.</p> <p>Note: Where the auditor has not been able to collect enough verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of enough verification, the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. As the condition cannot be verified it is treated as a non-compliance.</p>
Not Triggered	<p>Not Applicable / Not Triggered</p> <p>The respective condition / requirement was not activated within the scope of the audit.</p>
Noted	<p>A statement or fact, where no assessment of compliance is required.</p>

Risk levels for each non-compliance identified have been assessed in accordance with Table 2.

Table 3 - Risk Assessment Matrix

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

5. Stakeholder Consultation

Table 4 provides a summary of the Stakeholder Consultation undertaken by the Auditor.

Table 4 - Summary of Stakeholder Inputs

Department	Contact	Stakeholder Comments	Auditor Response
NSW Department of Planning, Industry and Environment	Jennifer Sage Senior Compliance Officer	<p>Key issues raised during the audit period are –</p> <ul style="list-style-type: none"> • <u>Air quality</u> Duralie Mine has been the subject of odour complaints during the audit period, which have been attributed to spontaneous combustion in the pits and waste emplacement areas. In 2017, Duralie Mine reported exceedances of dust and PM10 criteria. As such, the audit should address the implementation of the Air Quality & Greenhouse Gas Management Plan to prevent and minimise offsite emissions including dust and odours, and compliance with relevant Operating Conditions in the consent (i.e. Schedule 3 condition 22). • <u>Water quality</u> The 2019 annual review noted exceedances of some of the surface water performance indicators in adjacent surface waters including Coal Shaft Creek and Mammy Johnsons River. The IEA should focus on the management of surface water and mine water, in accordance with the approved Surface Water Management Plan and Irrigation Management Plan. • <u>Rehabilitation</u> <p>Mining operations are approved until 31 December 2021. Rehabilitation activities are required to be carried out progressively and will continue after</p>	<p>A review of these issues and the adequacy of the relevant management plans is provided in Sections 7.4 and 7.5.</p> <p>Note that the 2017 dust exceedance occurred during the previous audit period.</p>

Department	Contact	Stakeholder Comments	Auditor Response
		<p>2021. As such, this audit should address the rehabilitation of the mine including the management and maintenance of the rehabilitated areas, through the implementation of the approved Rehabilitation Management Plan and Biodiversity Management Plan.</p> <p>Please note that the Department has not undertaken any enforcement action for Duralie Coal Mine during the audit period.</p>	
MidCoast Council	Ryan Fenning Team Leader – Environmental Health	<p>I do not have any specific issues in relation to the Stratford and Duralie Coal Mines. I note that Duralie is in the process of closure whereas Stratford operations have increased over recent time.</p> <p>I assume that the audit will include a review of complaints and environmental compliance in relation to these aspects?</p>	Complaints received during the audit period have been reviewed in Section 7.2.
NSW EPA	Emma Coombes – Regional Operations Officer	The EPA declined to provide input into this IEA.	
DPIE Resources Regulator (DRE)	Jenn Werner – Inspection Environment / Peter Ainsworth – Manager Environmental Operations	DPIE Resources declined to provide into this IEA.	
Community Consultative Committee	Margaret Macdonald-Hill	Just confirming I sent a request for any matters the Stratford and Duralie Committees wished to raise with you in relation to the IEA and advise neither have any requests. On behalf of both committees, thank you for the opportunity to consult and have input into the audit	Noted

6. Statutory Compliance and Recommendations

Compliance with the Conditions of Consent and the Environment Protection Licence has been reviewed by assessing compliance against the various documentation related to project approval, as listed in section 3.1 of this report. The Compliance Register presented in Appendix A provides a detailed review of the compliance status of the site, including recommendations to address non-conformances.

6.1 Summary of Compliance Status

A summary of compliance with pre-operations statutory requirements is provided in Table 5 - Summary of Statutory Compliance. The number of conditions include sub-clauses within each approval document.

Table 5 - Summary of Statutory Compliance

Approval/ Licence	No. of Conditions	Compliant	Non- Compliant	Noted	n/a or Not Triggered
Project Approval	245	180	12	10	43
Environment Protection Licence	106	75	7	21	3
Mining Leases	34	15	1	9	9

6.2 Non-Compliances and other recommendations

Non-compliances identified during the site inspection, interviews and document reviews are recorded in detail in the Compliance Registers in **Appendix A** and are summarised in Table 6. Recommendations have been made to address all identified Non-Compliances.

Table 6 - Statutory Non-Compliances

No.	Condition	Observation	Recommendation	Risk Level
Project Approval 08_0203				
Schedule 2 Condition 8b	The proponent shall: (b) only receive shuttle trains on site between 6am and midnight; and	Shuttle train records reviewed indicated that one train was received (22 March 2018) at the site after midnight	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition	Low
Schedule 2 Condition 8c	The proponent shall: (c) only operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	The 2018 Duralie Coal Train Performance spreadsheet indicates that one train (left Duralie at 20:30 on 22 March 2018, arrived back at Duralie at 1am (23 March). No reason for the late arrival of the train was provided on the website. Only 1 train was received between midnight and 1am during the 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. The spreadsheet and website have already been corrected.	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition	Low
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.	The 2018 Duralie Coal Train Performance spreadsheet indicates that one train (left Duralie at 20:30 on 22 March 2018, arrived back at Duralie at 1am (23 March). No reason for the late arrival of the train was provided on the website. Only 1 train was received between midnight and 1am during the 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. The spreadsheet and website have since been corrected.	Ensure that the reasons for operating trains on the North Coast Railway are published on the Duralie Website.	Administrative non-compliance
Schedule 3 Condition	The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Four odour complaints were received. The first complaint was from 28 August 2018 and the other three were via the EPA complaints line relating to odours from the Duralie Mine, over the period of 10 October 2018 to 7 November 2018.	DCPL has responded to the odour incidents and no further actions have been	Low

No.	Condition	Observation	Recommendation	Risk Level
17		DCPL have provide responses to the EPA as requested. No further action has been required by the EPA.	identified during this IEA.	
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;	Air quality monitoring undertaken during the audit period demonstrated compliance with air quality criteria. Mining ceased in 2018 and since that time limited air emission generating activities (rehab related) have been undertaken. However, four odour complaints were received over the audit period relating to PASS management. These complaints covered several months.	DCPL has responded to the odour incidents and no further actions have been identified during this IEA	Low
Schedule 3 Condition 23b	The Air Quality & Greenhouse Gas Management Plan for the project shall: (b) describe the measures that would be implemented to ensure compliance with conditions 17-22 of Schedule 3 of this approval, including the proposed real-time air quality management system; and	While the AQGGMP addresses dust and greenhouse gas management and monitoring, it does not address odour management. The plans should have been reviewed considering the series of odour complaints in 2018.	Revise the AQGGMP to include odour risks and management	Administrative non-compliance
Schedule 3 Condition 23n	<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. 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>	A series of odour complaints, which trigger reporting under Schedule 5 Condition 6 of the Approval to DPIE (and EPA) occurred in 2018. This in turn triggers Schedule 5 Condition 4b.	Revise the AQGGMP to include odour risks and management	Administrative non-compliance
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 review of surface water monitoring results has identified that discharges from the site at the three EPA monitoring points (26, 36 and 37) exceeded discharge quality criteria. For the majority of the audit period, rainfall was well below average (the audit period covered the end of several years of drought conditions). The comparison of upstream water quality and downstream water quality associated with the Duralie Mine indicated that the mine water discharges had no material impact on water quality.	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 non-compliance have been identified.	Low

No.	Condition	Observation	Recommendation	Risk Level
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.	The review of the conservation bond triggered by the 2017 IEA has not be completed.	Expediate the finalization of the review of the conservation bond.	Administrative non-compliance
Schedule 3 Condition 57d	This Rehabilitation Management Plan must: (d) provide for scientific knowledge gained during the rehabilitation, to be made publicly available;	The Mining Operations and Rehabilitation Management Plan does not specify that scientific knowledge gained during the rehabilitation will 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.	Administrative non-compliance
Schedule 5 Condition 4a	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.	There was no evidence available that any Management Plan were reviewed following the submission of the annual reviews.	Establish a register that records the reviews of all management plans (as evidence for future audits).	Administrative non-compliance
Schedule 5 Condition 4b	(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.	Refer to Section 7.4 of this report. After the receipt of a series of odour complaints, no review or revision of the Air Quality & Greenhouse Gas Management Plan was undertaken.	Ensure that following any reportable incident that the relevant plan is reviewed and if required revised.	Administrative non-compliance
ENVIRONMENTAL PROTECTION LICENCE 11701				
L2.2	For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits	The review of surface water monitoring results has identified that discharges from the site at the three EPA monitoring points (26, 36 and 37) exceeded discharge quality criteria. For the majority of the audit period, rainfall was well below average (the audit period covered the end of several years of drought conditions).	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	Low

No.	Condition	Observation	Recommendation	Risk Level
	specified for that pollutant in the table.	The comparison of upstream water quality and downstream water quality associated with the Duralie Mine indicated that the mine water discharges had no material impact on water quality	the mine. No actions relating to this non-compliance have been identified.	
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.	Four odour complaints were received. The first complaint was from 28 August 2018 and the other three were via the EPA complaints line relating to odours from the Duralie Mine, over the period of 10 October 2018 to 7 November 2018. DCPL have provide responses to the EPA as requested. No further action has been required by the EPA.	DCPL has responded to the odour incidents and no further actions have been identified during this IEA.	Low
O7.3b	The licensee shall only: b) receive shuttle trains on site between 6am and midnight; and	Shuttle train records reviewed indicated that one train was received (22 March 2018) at the site after midnight.	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition	Low
O7.3c	The licensee shall only: c) operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	One train (on 22 March 2018 arrived back at Duralie at 1 am and was therefore operating on the North Coast Railway between midnight and 1 am.	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition	Low
M2.2a	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	Samples were collected and analysed monthly as required by this Condition, except for the February 2018 sample for Point 25. The dust deposition broken and subsequently replaced. Note that this incident related to one sample damaged out of	No recommendation required as this was an isolated incident that was immediately rectified.	Low

No.	Condition	Observation	Recommendation	Risk Level
	pollutant specified in Column 1	several hundred sampling events over the three-year audit period. DCPL have endeavoured to meet all monitoring requirements throughout the audit period.		
M2.2b	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	<p>Samples were collected when water was flowing at these surface and groundwater water sampling points. With the exception of the 3 September 2019 sample for Point 27 and the 28 February 2020 groundwater sample that could not be taken because of wet weather access problems.</p> <p>Note that this non-compliance relates to missing a single analyte for one monitoring point during the entire 3-year period. DCPL have endeavoured to meet all monitoring requirements throughout the audit period.</p>	No recommendation required as this was an isolated incident that was immediately rectified.	Low
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.	<p>The Duralie Coal Mine website contacts page contains details of the general phone number and community information hotline but does not provide details of a specific complaints telephone number.</p> <p>The site entry is signposted. The entry sign contains details of the general phone number but does not provide details of a specific complaints telephone number.</p>	Update the website specify that the Community Hotline is the also the complaints telephone number.	Administrative non-compliance
MINING LEASE 1646				
5	<p>(a) The lease holder must report any environmental incidents. The report must:</p> <p>(i) be prepared according to any relevant Departmental guidelines.</p> <p>(ii) be submitted within 24 hours of the environmental incident occurring:</p>	The odour complaints received are classified as incidents, DCPL did not report any incidents to the Resource Regulator during the audit period.	Ensure that all reportable environmental incidents are included in the reporting of incidents.	Administrative non-compliance
General Recommendations				
Schedule 3 Condition 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	<p>Compliance with this condition was verified in the 2017 IEA.</p> <p>It is noted that one unoccupied private property is located within the 500 m blast zone. The Auditor understands that the proponent had attempted to contact the landowner in relation to blasting but</p>	Recommendation for Improvement – If blasting is required in 2021, then it is recommended that attempts	-

No.	Condition	Observation	Recommendation	Risk Level
	<p>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</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>that no response was received from the landowner. 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.</p>	<p>be made to contact the relevant landowner again to seek agreement for blasting within 500 metres of that private property.</p>	
<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.</p>	<p>A Blast Management Plan has been prepared and implemented for the Duralie Mine. It is noted that at the time of this IEA that no blasting had occurred since 2018.c</p>	<p>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.</p>	<p>-</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</p>	<p>While this condition was not triggered during this Audit Period, neither the EPA nor NOW were consulted during the preparation of most recent version of the plan.</p>	<p>Ensure that as part of any future revision of the Water Management Plan that all relevant stakeholders are consulted</p>	<p>-</p>
<p>Schedule 3 Condition 29b</p>		<p>The Surface Water Management Plan is attached to Appendix 2 of the Water Management Plan.</p> <p>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.</p>	<p>Update Table 1 (section 2) of the Irrigation Management Plan to provide the correct reference to the location of the Salinity Trigger Values.</p>	<p>-</p>

7. Independent Audit Post Approval Requirements

This audit focused on the pre-operational compliance requirements established by the Conditions of Approval. While the scope of the audit, as specified in the Conditions of Consent do not refer specifically to the DPIE Independent Audit Post Approval Requirements (DPIE, June 2018), for completeness the Audit has, where possible, made an assessment of the environmental performance of the project.

7.1 Summary of Environmental Incidents

The Auditor was provided with a copy of the Incident Register, an MS Excel spreadsheet titled “2.1 Stratford & Duralie – Environmental Incident Register”. The spreadsheet covered both the Duralie and Stratford mines. Five incidents were recorded on the spreadsheet. Those incidents are summarised in Table 7. It is noted that the complaint received relating to offensive odours (refer Section 7.2) was not registered as an Incident.

Table 7 - Summary of Incidents

Date	Category	Details and SCPL Response	DPIE Report1
19/02/2018	Dust	Duralie Dust Gauge D4 broken - no result. The dust gauge was broken when struck by a tractor. No result was recorded for the month of February 2018. Action Taken 1) Dust deposition gauge was replaced.	No
2/03/2018	Blasting	Blast Fume Rating 2A: Weismantel 2/03/2018 @ 10:38am Action Taken 1) An investigation was undertaken by the blast contractor DBS 2) DBS adopted changes to blast design and use of blast product.	No
3/09/2019	Water	Less than required samples obtained as per M2.3. Water and/or land monitoring requirements for Monitoring point 27. No water was discharged from Monitoring Point 27 during the reporting period. Surface water runoff reporting to Monitoring Point 27 is transferred to the mine water storage dams. Action Taken 1) The environmental monitoring field sheets have been updated. 2) Employees and contractors have been refamiliarised with the environmental monitoring requirements for surface water sampling.	No
15/11/2019	Land / property / access	Bushfire - Duralie Biodiversity Offset Area. A bushfire occurred in the Duralie Coal Mine Biodiversity Offset Area along Johnsons Creek Road on Friday, 15th of November 2019. It is suspected the fire was intentionally started at approximately 5:30pm on 15/11/2019. The fire was notified to emergency services and both the police and RFS attended the scene. Stratford Coal staff attended site to aid RFS and provide access to water for firefighting. Action Taken 1) Incident was the result of external factors. Duralie Coal undertook a post-fire assessment to determine the extent of the impacts and plan remediation and repair works which will be required.	No
28/02/2020	Water	Quarterly groundwater monitoring during February 2020 partially not completed. Groundwater monitoring scheduled for February 2020 was only partially completed due to limited access resulting from wet weather. Action Taken 1) Follow-up monitoring was attempted in March 2020; however ground conditions were still unsuitable to allow safe access to the monitoring sites. 2) Employees and contractors have been refamiliarised with the environmental monitoring requirements for groundwater monitoring. 3) Contractors have been advised if monitoring is not completed it must be reported and rescheduled.	No

Note 1 – Reporting refers to Incident Report in accordance with Schedule 5 Condition 7 of the Planning Approval.

7.2 Summary of Complaints

The Auditor was provided with a copy of the complaints register; an MS Excel spreadsheet titled 2.2 Complaints Register - Community Hotline". The spreadsheet covered both the Duralie and Stratford mines.

Four complaints were recorded over the Audit Period. All of the complaints related to odour from materials (spontaneously combustion) smoldering on the PAF dump at the north end of the site. No complains have been recorded since November 2018. Table 8 provides a summary of complaints received by the mine management over the Audit Period.

Table 8 - Summary of Complaints

Date	Category	Details
10/10/2018 4:00am	Odour	<p>Description of Incident: The caller is affected by strong offensive odour coming from Duralie mining, on 10/10/2018 at about 4am. The issue is ongoing and happens at night. The odour is strongest before dawn at about 4am. The odour was so strong that it woke up the caller to shut down windows. The odour occurs every week - not every day but often most morning. The caller described the odour as the type of smell that that comes of coal. The wind is still. The caller rated odour at 5/6.</p> <p>Notification of complaint received from EPA on 25/10/2018. Response to EPA: Refer to response below.</p>
12/10/2018 9:30hrs	Odour	<p>Description of Incident: Caller is reporting of distinct to strong coal like odour coming from the mine which started around 09:30 am and is continuing. Caller lives approximately 2 km from the mine. There is slight breeze.</p> <p>Notification of complaint received from EPA on 25/10/2018. Response to EPA: Refer to response below.</p>
24/10/2018 8:00hrs	Odour	<p>EPA Hotline Incident Description: Caller is reporting of strong acrid odour coming from the mine which caller noticed at 8 am today and is continuing. Caller said the odour was stronger on Sunday, 21/10/18 and Monday, 22/10/18. Caller gets the odour when the wind blows from South, South-East direction.</p> <p>Response to EPA on 26 Oct 2018: Management of self-heating (potentially acid forming) material on the Weismantel PAF dump has been ongoing in accordance with the Duralie Coal Mine Spontaneous Combustion Principal Mining Hazard Management Plan (PMHMP). Further, DCPL has continued to manage areas with self-heating or spontaneous combustion in accordance with the Duralie Coal Mine Spontaneous Combustion & Hot Material Management Procedure. During August and September 2018 DCPL had identified some areas of increased level of heating and odours on the PAF dump and immediate actions were taken to manage these areas. DCPL has continued to monitor areas with the potential for spontaneous combustion or self-heating.</p> <p>DCPL will continue to treat this matter as a priority and believe appropriate measures have been taken to limit offsite impacts of odours.</p> <p>Additional information on PAF and odour management measures was provided to the EPA.</p>
7/11/2018 12:00hrs	Odour	<p>EPA Hotline Incident Description: <i>Complainant would like to know what's happening at Duralie Coal on Bucketts Way near Stroud. They have driven past a number of times in past weeks and guess its their overburden pile that is smouldering, and water cannons have been trying to put it out. Complainant would like to know if this is safe; what causes it and when should it be under control? How long has it been burning? It is concerning and has many people in the surrounding communities talking.</i></p> <p>Response to EPA: The management of self-heating (potentially acid forming) material has been ongoing during mining operations at the Duralie Coal Mine. We have previously undertaken consultation with both neighbours and community members following receipt of any complaints. DCPL has also had ongoing dialogue through our Community Consultative Committee forums.</p> <p>At the time of this IEA there were no spontaneous combustion outbreaks on the waste emplacements or in the open cut.</p>

7.3 Summary of Notices

One notice was issued to Duralie Coal Pty Ltd in relation to the consent during the audit period:

- EPA Notice of Licence Variation – 24 May 2018
- Request from the EPA for information relating to the odour complaints.

The Auditor is not aware of any penalty notices, notices of breach or show cause notices being issued to Duralie Coal during the audit period.

7.4 Project Environmental Management System

The Duralie Coal Mine operates under a formal site Environmental Management System. The Environmental Management Strategy that was prepared as a requirement of the Planning Approval describes the environmental management elements of the Environmental Management System and is generally consistent with the requirements of ISO 14001:2014. While the HSEC System is not certified to ISO 14001, the level of compliance identified in this audit indicates the system is generally being implemented. However, the following elements of the EMS were not fully implemented during the Audit Period.

Five incidents were recorded for the Audit Period and none of those incidents were considered as “reportable”, that is requiring immediate notification to DPIE or EPA. Three of the incidents related to water sampling (2) and a broken dust deposition gauge (1) were reported to the EPA in the Annual Return and to DPIE in the Annual Review.

Section 8.2 of the Environmental Management Strategy outlines the requirements of the incident management system and references the requirements of Schedule 5 Condition 7 of the Planning Approval. Section 7.1 and 7.2 of the PIRMP provides further detail on incident reporting.

Section 8.3 of the Environmental Management Strategy states that DCPL will report non-compliances (against the Approval or other licences such as the EPL) as soon as practical and then provide a written report to DPIE and other relevant agencies within 7 days of DCPL becoming aware of the incident.

The odour complaints relating to spontaneous combustion events were not recorded in 2018 as Incidents. Odour emissions (impacting off-site) should have triggered an incident (Schedule 5 Condition Incident Reporting, noting that in terms of the Project Approval a non-compliance with the Approval meets the definition of an incident) as Schedule 2 Condition 17 (Offensive Odours) requires that no offensive odours may be emitted from the site. Therefore, the odour complaints should have been reported to DPIE as incidents in accordance with Section 8.3 of the Environment Management Strategy.

The three sampling incidents represent non-compliances with the EPL. Likewise, these should have been reported to DPIE and the EPA as incidents in accordance with Section 8.3 of the Environment Management Strategy.

7.4.1 Environmental Management System Recommendations

In relation to the Duralie Coal Mine’s EMS, it is recommended that the incident reporting requirements of the EMS and PIRMP be communicated to all management personnel and implemented.

7.5 Implementation of the Operational Environmental Management Plan and Sub-plans

The Conditions of Approval required the preparation and implementation of the management plans and program listed in Table 9. During the document review phase of the project the contents of each of the plans were reviewed. Table 9 summarises the findings of that review. In general, the Plans and Programs adequately identified the relevant project risks and proposed appropriate risk management controls.

Table 9 - Management Plan Compliance Summary

Management Plan requirements under Schedule 5 Conditions 2, 4 and 10.	Environmental Management Strategy	Noise Management Plan	Blast Management Plan	Air Quality & Greenhouse Gas Management Plan	Water Management Plan	Giant Barred Frog Management Plan	Biodiversity Management Plan	Heritage Management Plan	Waste Management Plan	Rehabilitation Management Plan
Schedule 5 Condition 10										
Latest version uploaded to website	√	√	√	√	√	√	√	√	√	√
Schedule 5 Condition 2										
Detailed baseline data	-	√	√	√	√	√	√	√	√	√
Statutory requirements	√	√	√	√	√	√	√	√	√	√
Performance measures / criteria / action triggers	-	√	√	√	√	√	√	√	√	√
Management measures / controls	√	√	√	√	√	√	√	√	√	√
Monitoring and reporting	√	√	√	√	√	√	√	√	√	√
Contingency planning	√	√	√	√	√	√	√	√	√	√
Environmental performance improvement	-	√	√	√	√	√	√	√	√	√
Incident management	√	√	√	√	√	√	√	√	√	√
Complaints management	√	√	√	√	√	√	√	√	√	√
Non-compliance management	√	√	√	√	√	√	√	√	√	√
Reporting exceedance of impact assessment or performance criteria.	√	√	√	√	√	√	√	√	√	√
Periodic review and revision	√	√	√	√	√	√	√	√	√	√
Schedule 5 Condition 4										
Review and revision following Annual Review	NT	√	√	NT	NT	NT	√	NT	NT	NT
Review and revision following Incidents	NT	NT	NT	×	NT	NT	NT	NT	NT	NT
Review and revision following IEAs	NT	√	NT	NT	NT	NT	√	NT	NT	NT
Review and revision following modification to the Approval	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT

Notes to Table 9 - Management Plan Compliance Summary:

√ = Complies

× = Does not comply (for details refer to compliance table in Appendix 1)

- = Not applicable

NT = not triggered during this Audit Period

7.5.1 Surface Water Management Plan / Irrigation Management Plan

The Water Management Plan details the requirements for management of surface water (through the Surface Water Management Plan), groundwater and the site water balance. No incidents relating to the discharge of water from the site (in breach of the EPL), or failure of surface water controls were reported.

The 2019 annual review noted exceedances of some of the surface water performance indicators in adjacent surface waters including Coal Shaft Creek and Mammy Johnsons River. A high-level review of the monitoring data and weather for the 2019 year has been undertaken by the Auditor:

- In general, 2019 experienced below average rain fall.
- A high portion of sampling events at Duralie were not completed as there was no water flow at the time of sampling, those that were undertaken were generally in low water flow conditions.
- In general, upstream and downstream water quality were similar indicating that where water quality trigger levels were exceeded, the exceedance is more likely due to the low flow conditions as opposed to discharges from the mine.

Note that Irrigation at Duralie ceased during 2018.

Section 7 of the Surface Water Management Plan (SWMP) describes the surface water management measures to be implemented. The controls described in the SWMP are appropriate for the control of surface water flows.

Section 8.2 of the Surface Water Management Plan sets out the water quality monitoring program. The program meets the requirements of the Approval. Following the incident related to failure to complete all required laboratory testing, SCPL revised the field monitoring sheets and advised contractors and relevant staff of the sampling requirements. The Auditor considers the actions taken to be appropriate, however makes the following recommendation related to internal auditing of environmental sampling, especially those activities undertaken by contractors.

Recommendation: initiate an annual monthly in-field audit / surveillance of field sampling activities to ensure that contract sampling personnel are fully trained in the sampling requirements of SCPL, collecting, handling, and recording all environmental sampling in accordance with EPL requirements.

With the increasing intensity of weather-related events, as a result of climate change, the inspection and maintenance of environmental controls, including surface water controls, is critical. Section 8.4 of the Surface Water Management Plan briefly describes the monitoring (inspection) of sediment control structures and states that inspections will be undertaken quarterly or after significant rainfall events.

Recommendation: revise the Water Management / Surface Water Management Plans to include inspections of surface water management structures and controls **prior** to forecast high rainfall events (>50mm) to ensure that all such controls are sufficient to manage the expected rainfall event. These inspections should be timed to provide adequate time to repair / augment existing controls and should be fully documented.

7.5.2 Air Quality & Greenhouse Gas Management Plan

Four odour complaints were received by DCPL during late 2018. It is noted that since that time, no complaints had been received. The odour complaints were attributed to spontaneous combustion in pits and waste emplacements. No dust related complaints or dust level exceedances were reported during this audit period.

The auditor reviewed the actions taken in relation to the odour complaints. The findings were:

- Duralie had prepared a Spontaneous Combustion PMHMP (Principal Mine Hazard Management Plan) and implemented that plan in relation to the spontaneous combustion incidents related to the odour complaints. Duralie also has a PAF Material Rehandling Procedure which has been implemented where heating has occurred in the PAF waste emplacement.
- Duralie investigated the incidents and meet with the impacted residents to discuss the issues. One compensation agreement was entered into with one of the impacted residents.

The Auditor has concluded that the requirements of the AQGGMP and the Spontaneous Combustion PMHMP were implemented and that no additional actions were warranted in relation to the odour complaints. No further complaints have been received since November 2018. There have been no ongoing issues with dust or odours at Duralie.

7.6 Status of Previous IEA Findings

The previous audit was completed in December 2017. Table 10 lists the status of implementation of the audit recommendations associated with the Approval, relevant licenses and permits identified during the 2017 Audit.

Table 10 - Status of 2017 Audit Findings

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
Planning Approval 08_0203				
Sch 3, Con 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.	Written approval should be obtained from the Secretary for any blasts outside approved hours.	No blasting was undertaken outside of approved hours. This recommendation will remain open until mining is completed in 2021.	Open
Sch 3, Con 17	The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Strict PAF management must be continued to ensure odour events are minimised.	This recommendation will remain open until mining is completed in 2021.	Open
Sch 3, Con 43	The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH by suitably qualified and experienced persons whose appointment has been approved by the Secretary; (b) be submitted to the Secretary for approval within 3 months of the date of this approval;(b1) be approved by the Secretary prior to the commencement of clearing in EA (Mod 2); (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; (d) include: (condition detail has not be reproduced here).	The BMP should be updated to outline how measures relating to rehabilitation of creeks and drainage lines seek to ensure no net loss of stream length and aquatic habitat. The BMP was re-approved close to but after the commencement of clearing for MOD2.DCPL held an approved BMP for the Duralie Coal Mine which included management measures for vegetation clearance approved by DP&E. The revised BMP was submitted to DP&E in June 2015 to include the additional offset areas, and DCPL indicates the management measures remained unchanged. The revised BMP was approved by DP&E in January 2016 (7 months after submission with no issues raised from DP&E). The MOD2 areas were not cleared until end	The biodiversity Plan was revised to address these recommendations and submitted to DPE on 25 December 2017.	Closed

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
		December 2015. Habitat trees cleared on 20 Jan 2016 (after BMP approved).		
Sch 3, Con 48	The Proponent shall keep accurate records of: (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 (b) the: <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. And make these records publicly available on its website on a fortnightly basis 	Times should be recorded and screenshots taken in the future for updating the website on a fortnightly basis to confirm compliance with this condition and request amendment of condition at next modification	A new shuttle train contract has been established with Genesee Wyoming. Training and familiarisation on the shuttle train conditions and requirements was undertaken in September 2017. Trains ceased operating from Duralie in 2018.	Closed
Sch 2, Con 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.	Scheduling of trains should be reviewed to ensure all scheduled train movements occur within the Conditions of Consent. A train was scheduled at 5.50am but did not depart until 6am.	Trains ceased operating from Duralie in 2018	Closed
Sch 2, Con 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.	Recommend that times are recorded in the future with screenshot taken for updating the website within 12 hours of operating shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances to confirm compliance with this condition.	The required report has been uploaded to the Duralie website.	Closed
Sch 3, Con 2	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.	A review of the NMP is required to ensure that it clearly stipulates internal monitoring sites or where a private Agreement to exceed relevant criteria as advised to DP&E applies; and those sites which are representative of private receivers and as such consent criteria does apply. It needs to be confirmed which noise monitoring sites apply to each closest private receiver. Where noise monitoring sites are representative of private receivers, but the noise monitoring is	The Noise Management Plan was revised to address these recommendations and submitted to DPE on 9 May 2018.	Closed

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
		on mine owned land, the relevant criteria the private house should be stipulated (derived from modelling) and approved by DP&E.		
Sch 3, Con 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;	Consultation with the EPA should be undertaken for future updates of the NMP or DP&E approval, particularly where plans are being updated for closure status.	EPA has been offered the opportunity to comment on plans.	Closed
Sch 3, Con 29	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. In addition to the standard requirements for management plans (see Condition 2 of Schedule 5), this plan must include: (b) a Surface Water Management Plan that includes: detailed plans, including design objectives and performance criteria, for:- 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;	Any future updates to the SWMP include additional details on the final void design, Coal Shaft Creek reconstruction, closure objectives and specific performance criteria.	No revisions of the Water Management Plan have been prepared since the 2017 IEA.	Open
Sch 3, Con 32	The Proponent shall prepare and implement a Giant Barred Frog Management Plan to the satisfaction of the Secretary.	Revision status register in the GBFMP to be updated to indicate if the current version is approved by DP&E and evidence of such approval included within the plan	The revision table in latest version of the GBFMP has been updated to include the approval status of the Plan.	Closed.
Sch 3, Con 39	Hollow bearing habitat features must be introduced into the areas of habitat resources and the revegetation areas identified in approval condition 38.	Hollow bearing habitat features should be introduced into revegetated areas.	The revised Biodiversity Management Plan has been updated to address this recommendation.	Closed.
Sch 3, Con 43	The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Secretary. This plan must: (d) include: 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:- protecting vegetation and soil outside the disturbance	The BMP should be updated to outline how measures relating to rehabilitation of creeks and drainage lines seek to ensure no net loss of stream length and aquatic habitat.	The revised Biodiversity Management Plan has been updated to address this recommendation.	Closed.

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
	areas;- 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;			
Sch 3, Con 44	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.	Conservation bond is reviewed and revised as required, due to update of BMP in 2017.	The review of the conservation bond has not been completed.	Open
Sch 3, Con 48	The Proponent shall keep accurate records of: (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 (b) the: <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, and make these records publicly available on its website on a fortnightly basis 	The audit has no means of determining whether the records of exceptional circumstances have been made available on a fortnightly basis on DCPL's website. It is recommended that times and dates are recorded or screenshot taken to demonstrate compliance with this condition.	The required report has been uploaded to the Duralie website.	Closed
Sch 3, Con 55	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 depicted conceptually in the figures in Appendix 7), and comply with the objectives in Table 12.	Recommend Annual Reviews discuss the Rehabilitation objectives in Table 12 of this condition and discuss how each is being met or worked towards	Annual Reviews summarised and includes references to the annual biodiversity and rehabilitation reports.	Closed
ML 1646				
5	The lease holder must report and environmental incidents. The report must: <ul style="list-style-type: none"> (a) Be prepared according to any relevant Department Guideline (b) Be submitted within 24 hours of the environmental incident occurring. 	No incidents as discussed in Section 5.14 were reported to DRG as required by this condition. Recommend that any incidents that meet the definition under this condition are reported to DRG in the future.	Reporting of incidents to the Resource Regulator has not occurred.	Open
EPL 11701				

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
P1	The following points referred to in the table below are identified in this license for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.	Recommend considering justifying and removal of dust gauges and modify commensurate with closure status. AQMP would also require update for consistency	No action taken - the EPL still contains dust deposition sampling.	Open
L4.2	Noise monitoring requirements (refer to licence).	A discussion with the EPA is recommended with the aim of modifying this condition to permit acoustically equivalent locations to be adopted for the noise compliance measurements to minimise disturbance to residents. NMP would also require update.	No action taken	Open
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.	Recommend the last sentence of this condition is removed at next variation request, relating to the development of an emergency response plan as the date has been superseded and is no longer relevant	No action taken	Open
M9	A Noise Compliance Assessment Report must be submitted to the EPA within 30 days of the completion of the quarterly monitoring.	Recommend this condition is removed. Condition relates to submitting a noise compliance report within 30 days of the completion of quarterly monitoring.	No action taken	Open
General Recommendations				
Administration	-	All approval and consultation letters are appended to management plans appendices in the future.	No action taken	Open
Administration	-	It is recommended that consultation is undertaken for any future revisions to management plans or approval from DP&E sought not to consult.	This action is on-going	Open
Air	-	Amend sentence in the AQGGMP Section 3.1.1 that states no PM2.5 criteria in NSW to reflect recent legislative changes at next update.	No action taken	Open

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
Consultation	-	Recommend that consultation with regulatory departments is undertaken for updates of management plans or approval from DP&E is sought to not consult.	This action is on-going	Open
Ecology	-	Table 7 of the BMP contains an incorrect reference to Section 6.13 for a discussion on canopy bridges. This should be updated to Section 6.14 when BMP next revised.	The revised Biodiversity Management Plan has been updated to address this recommendation.	Closed.
Ecology	-	<p>It is recommended that the BMP is updated with the following changes when next revised as suggested by KW:</p> <ul style="list-style-type: none"> •Table 10 of the BMP is updated to include details for the Varied Sittella for consistency. Additionally, given that the BMP addresses multiple offsetting requirements, it is recommended that the BMP includes a summary table indicating the list of threatened fauna species recorded within the surface development area and the areas of habitat (current and future) within each of the different offset areas; •allowance for installation of hollow-bearing habitat features within revegetation areas; •Include clear short, medium and long term measures for the offset areas, or indicate that medium and long term measures have been amalgamated; and •Include the requirement for the submission of records of captured individuals of Threatened species 	The revised Biodiversity Management Plan has been updated to address this recommendation.	Closed.
Rehabilitation	-	<p>The following recommendations were made by CR:</p> <ul style="list-style-type: none"> •Continue rehabilitation techniques along eastern edge of mine area and apply upon the final shaping of the overburden emplacements. Continue to monitor and manage weed species as required; <p>Continue to monitor and manage weed species and species diversity as required in the mine rehabilitation to forest community;</p>	This action is on-going	Open

Condition Number	Detail	2017 Audit Assessment	2020 Audit Assessment	Status
		and •Continue same process of rehabilitation as per previous efforts in shaped and topsoiled areas to ensure consistent results (CR, 2018).		
Spontaneous Combustion	-	Outcomes from the actions in the DCPL response letter (dated 23/09/16) to the Spontaneous Combustion incident on 29 July 2016 should be included in the next Annual Review	Comments on Spontaneous combustion were included in the 2018 Annual Review	Closed
Training	-	Induction (and log on induction) is improved by adding additional detail such as the general management processes used for dust, noise, water, odour and heritage on site as well as identifying any of the sensitive areas in relation to these.	Duralie General Induction contains general management processes used for dust, noise, water, odour and heritage on site.	Closed
Training	-	Recommend that the induction package includes PIRMP (list of inclusions in Section 11) and an assessment of competency.	Duralie Induction was updated to address this recommendation.	Closed
Waste	-	Recommend update contractor to JR Richards in Section 5 of the WaMP.	The revised Waste Management Plan has been updated to address this recommendation.	Closed.
Waste	-	Section 7 of the WaMP references a Community Management and separate Coordinator. Recommend this is updated to current	The revised Waste Management Plan has been updated to address this recommendation.	Closed.
Waste	-	Actions should be taken to ensure any outstanding actions from the dams compliance audit are addressed.	Follow-up on the Dams Compliance Audit actions has been undertaken with the individual departments (EPA, DPE, DIRR).	Closed

7.7 Specialist Auditor Reports

No specialist auditor reports were prepared as part of this audit.

7.8 Operational Environmental Impacts

High level assessment of actual impacts against predicted in Section 4 of the Duralie Extension Project Environmental Assessment that are relevant to the current stage of operation of the mine is provided in Table 11. Actual impacts have been interpreted from the information contained in the Annual Reviews published by DCPL over the audit period.

Table 11 - Predicted vs Actual Impacts

Category	Predicted Impact	Actual Impacts to Date
Noise	There will be a reduction in noise impacts because of the modification, as mobile plant would be operating deeper in the pit.	No noise complaints were received during operations over the audit period. No noise level exceedances were recorded at privately owned properties during the audit period. The operational noise impacts of the mine were consistent with the predictions if the EA during the audit period.
Air Quality	There were no predicted exceedances of the 24-hour average PM10 criteria, or annual average TSP, PM10 or dust deposition criteria, at any privately-owned residence due to emissions from the project.	No dust complaints were received during the audit period. Note that no predictions were made in the EA regarding noxious odours. No exceedances of dust levels (TSP) or PM10 levels were recorded during the audit period. The operational air quality impacts of the mine were consistent with the predictions if the EA during the audit period.
Groundwater	There would be negligible impacts on groundwater or groundwater users as a result of the extension project.	No significant impacts to groundwater were detected during the audit period. No complaints were received relating to groundwater impacts on other groundwater users. The mining operational impacts on groundwater were consistent with the predictions if the EA during the audit period.
Surface Water	No impacts from irrigation areas	No irrigation was occurring at the time of this IEA.
	While the modification predicted a decrease of 0.1 km ² (0.1%) of the catchments of Coal Shaft and Mammy Johnson's Creek, the overall impact on those surface waters would be negligible. No significant impact on water quality was predicted.	Flows in the creek system associated with the mine were impacted by the prevailing weather conditions (low rainfall) during the audit period. No impacts due to mining were reported. No significant difference between upstream and downstream water quality was detected during the audit period. The mining operational impacts on surface water were consistent with the predictions if the EA during the audit period.
Flora	No impacts on native vegetation due to irrigation would occur.	No irrigation was undertaken during the audit period.
	Vegetation Clearing - The mining operational impacts on groundwater were consistent with the predictions if the EA during the audit period.	The vegetation surveys undertaken during the audit period did not identify any significant clearing of native vegetation.
	Given no direct or indirect impacts are expected, the Modification would be unlikely to significantly impact	The vegetation surveys undertaken during the audit period did not identify any significant impacts on

Category	Predicted Impact	Actual Impacts to Date
	any threatened flora species listed under the TSC Act	threatened flora species.
Fauna	The Modification has the potential to cause mortality of some animals through removal of habitat during clearing. However, an established vegetation clearance protocol would continue to be implemented to minimise the impact of vegetation clearance activities on flora and fauna	No incidents involving native fauna were recorded during the audit period.
	The assessments conclude that the Modification would be unlikely to significantly impact any threatened fauna species listed under the TSC Act.	Fauna surveys undertaken during the audit period did not identify any negative impacts on threatened fauna species.
Aboriginal Heritage	There are no known Aboriginal heritage sites located within the Modification disturbance areas. As such, the Modification would not result in the disturbance of any known Aboriginal heritage sites.	No impacts were recorded on any known aboriginal heritage sites. No unexpected heritage finds were reported over the audit period.
Land Disturbance	The Modification would result in the disturbance of approximately 1.8 ha of land potentially available for agriculture located within ML 1646. An additional 0.7 ha of vegetated land (i.e. not agricultural land) would be disturbed as a result of the Modification.	Land disturbance because of the modification was consistent with the predictions in the EA.
Visual	<p>The potential to impact on the visual landscape included:</p> <ul style="list-style-type: none"> modification of topographic features including an increase in the maximum height of the central portion of the waste emplacement to approximately 135 m AHD; and minor changes to the approved Weismantel and Clareval open pit surface development extents, resulting in minor additional surface development/vegetation clearance. The scale and intensity of night-lighting for the Modification would be similar in intensity to the existing night-lighting at the DCM. 	Changes to the visual impact of the mine were consistent with the predictions in the EA.
Blasting	It was predicted the DCM incorporating the Modification could continue to operate in compliance with existing Project Approval blast ground vibration and overpressure limits at privately-owned residences.	<p>No blast related complaints were received during the audit period.</p> <p>Blast monitoring undertaken during the audit period did not detect and exceedances of the blast criteria.</p>
Greenhouse Gas Emissions	The Modification would not change the existing mining fleet or hours of operation and, therefore, no change to greenhouse gas emissions from fuel consumption is expected due the Modification.	No material changes occurred to the mining operations during the audit period that would have resulted in increased production of greenhouse gases.
Non Aboriginal Heritage	The Modification would not disturb the Former Weismantels Inn. Predicted blast levels at the Former Weismantels Inn are predicted to remain below building damage criteria for the Modification.	No impacts on Weismantels Inn were reported during the audit period.
Road Transport	No additional impacts on road transport	No road transport issues or complaints were recorded during the audit period.

8. Rail Haulage Audit

8.1 Introduction

Rail haulage from the Duralie Mine ceased after 4 October 2018. At the time of this audit no trains were located at the site and no operational rail personnel were employed or contracted at the Duralie Coal Mine.

In preparing this Rail Haulage Audit report, the following information was referenced:

- Information contained on the DCPL website (<http://www.duraliecoal.com.au/>);
- Train movement records provided by DCPL; and
- Information from the previous palazzirail audit, conducted in December 2017.

This Rail Haulage audit relied on desktop review of documentation only.

8.2 Rail Haulage Overview

Palazzirail's 2017 audit report on the Duralie Coal Mine shuttle train operation (available at <http://www.duraliecoal.com.au/page/environment/environmental-audit/>) included:

- an overview of the Duralie coal mine operations;
- a description of the operation of the North Coast railway, specifically that component of the railway line used by the shuttle train;
- the operating interface between Duralie's operation and ARTC, the corridor managers;
- the processes applied in planning and operating the shuttle train; and
- the contracted rail operator was Genesee & Wyoming Australia (GWA) – previously the rail operator was Aurizon.

This discussion was relevant while the trains were operating until and will not be repeated here.

The base daily train plan that was in operation in 2018 is provided in Table 12.

Table 12 - Typical Daily Rail Plan 2018

Train Number	Depart Duralie	Arrive Stratford	Train Number	Depart Stratford	Arrive Duralie
DU601	0615	0645	DU602	0805	0847
DU603	1250	1320	DU604	1430	1500
DU605	1710	1740	DU606	1900	1930
DU607	2100	2130	DU608	2300	2330

8.3 Audit Findings

The conditions placed on the operation of the Duralie shuttle train are documented in the Project Approval for the Duralie Coal Mine Extension, issued under Section 75J of the NSW Environmental Planning and Assessment Act 1979. Approval of the Duralie Extension Project was granted in November 2010. On 1 November 2012, the NSW Project Approval (08_0203) was modified as a result of the Duralie Rail Hours Modification. The conditions set out in the approval, as relevant to the operation of the shuttle train and the findings relevant to each of those conditions is provided in Table 13. Further details related to these findings are presented in Section 8.4. Recommendations related to each non-compliance are provided in Section 6.2 above.

Table 13 Rail Haulage Audit Findings

Cond.	Short Title	Condition	Documents Reviewed	Assessment	Compliance Finding
Sch 2 Con 7	Limits on Approval	The Proponent shall ensure that: (a) all coal is transported from the site by rail;	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4	All coal produced at Duralie has been transported by rail.	Complies
		(b) no more than 5 laden trains leave the site each day; and	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4	All coal produced at Duralie during the audit period was transported by rail to Stratford for processing. 365 train movements occurred in 2018 (financial year) and 72 train movements in 2019 (financial year). No trains movements occurred in 2020.	Complies
		(c) no more than 4 laden trains leave the site each day, when averaged over a 12-month period.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4	Duralie coal transport records indicate that a maximum of 4 trains per day were dispatched from the site over the audit period. The daily average over each twelve-month period that coal was exported to Stratford for processing was (calculated by the Auditor): 2018 – less than 1 2019 – zero 2020 - zero	Complies

Cond.	Short Title	Condition	Documents Reviewed	Assessment	Compliance Finding
Sch 2 Con 8	Limits on Approval	The Proponent shall: (a) only dispatch shuttle trains from the site between 6am and 10pm;	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	No trains dispatched after 10pm. A review of the shuttle train records indicates that all shuttle trains were dispatched between 6 am and 10pm.	Complies
		(b) only receive shuttle trains on site between 6am and midnight; and	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	. Shuttle train records reviewed indicated that one train was received (22 March 2018) at the site after midnight.	Non - Compliance
		(c) only operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	The 2018 Duralie Coal Train Performance spreadsheet indicates that one train (left Duralie at 20:30 on 22 March 2018, arrived back at Duralie at 1am (23 March). No reason for the late arrival of the train was provided on the website. Only 1 train was received between midnight and 1am during the 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. The spreadsheet and website have already been corrected.	Non - Compliance
Sch 2 Con 8A	Limits on Approval	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.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	The 2018 Duralie Coal Train Performance spreadsheet indicates that one train (left Duralie at 20:30 on 22 March 2018, arrived back at Duralie at 1am (23 March). No reason for the late arrival of the train was provided on the website.	Non - Compliance

Cond.	Short Title	Condition	Documents Reviewed	Assessment	Compliance Finding
				Only 1 train was received between midnight and 1am during the 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. The spreadsheet and website have already been corrected.	
Sch 3 Cond 48	Monitoring of Coal Transport	The Proponent shall keep accurate records of: (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	http://www.duraliecoal.com.au/page/environment/shuttle-train-coal-transported/	Detailed coal transport records have been maintained.	Complies
		(b) the: <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. and make these records publicly available on its website on a fortnightly basis 	Excel spreadsheet (downloaded from Duralie Coal Mine Website) titled: Shuttle Train Summary – Website”.	Viewed ‘Shuttle Train Coal Transported’ on website containing information on the monthly coal volumes transported in accordance with this condition.	Complies

8.4 Discussion

8.4.1 Schedule 2 Condition 7 Detailed Audit Findings

Data on the number of shuttle trains operated is provided on the DCPL website at <http://www.duraliecoal.com.au/page/environment/shuttle-train-performance-summary/>. Table 14 provides a summary of the number of trains operated per day across the audit period, as well as the average number of trains operated in each year of the audit period. It is noted that the greatest number of laden trains operated in any one day is four.

Table 14 - Daily Train Movements

Trains per day	2018	2019	2020
1	15	0	0
2	24	0	0
3	38	0	0
4	1	0	0
5	0	0	0
Average per day	2.4	0	0

DCPL's records show the following total run-of-mine (ROM) coal railings per year:

- 2018: 446,374 tonnes = 2466 tonnes per train
- 2019: nil
- 2020: nil

8.4.2 Schedule 2 Condition 8: Times of Train Operation

Train Dispatches - No instances have been identified over the audit period where a train was dispatched from Duralie either before 6am or after 10pm. The earliest and latest dispatch times are shown in Table 15, for each of the audit years. The first trains to load at Duralie occurred on 19 January and the last train departed on 4 October.

Table 15 – Earliest and Latest Train Dispatch Time.

Year	Earliest Dispatch	Latest Dispatch	Trains Dispatched After 9.25 pm
2018	06:15	20:50	0
2019	-	-	-
2020	-	-	-

Train Arrivals - The earliest and latest train arrival times are shown in Table 16, for each of the audit years.

Table 16 – Earliest and Latest Train Arrival Time.

Year	Earliest Arrival	Latest Arrival	Trains After Midnight
2018	09:00	01:00	1 (22 March)
2019	-	-	-
2020	-	-	-

8.4.3 Schedule 2 Condition 8A: Reporting of Exceptional Circumstances.

The conditions of consent permit the operation of the shuttle train on the North Coast railway between midnight and 1am only in exceptional circumstances. The definition of exceptional circumstances is:

Circumstances when ARTC determines that the shuttle train must operate on the North Coast railway between midnight and 1am because there have been significant disruptions to the services on the railway over the last 12 hours, or where there have been power outages at either the Stratford or Duralie mines that have materially affected the operation of the shuttle train on the North Coast railway.

One train arrived at Duralie after midnight, hence operating outside the conditions of consent unless exceptional circumstances applied. DCPL maintains a record of the reasons why trains are received after midnight and this is published on the DCPL website at <http://www.duraliecoal.com.au/page/environment/shuttle-train-performance-summary>. Only 1 train was received between midnight and 1am during the entire 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. DCPL has always published the shuttle train summary on the website. DCPL has, however, demonstrated all intentions to comply with this condition throughout the audit period. The spreadsheet and website have already been corrected.

8.4.4 Schedule 3 Condition 48: Keeping and Publishing Records

DCPL keeps records of the amount of coal transported from the site and this data has been used in the foregoing analysis. Records are publicly available on the DCPL website at

<http://www.duraliecoal.com.au/page/environment/shuttle-train-coal-transported/> ,

and in the Duralie Coal Annual Reviews (also available on the DCPL website. The DCPL website also includes data on:

- the number of train movements to and from the site each day;
- the 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 (although this was not provided for the 2018 year).

8.5 Conclusions

As the Rail operations ceases in September 2018, the Auditor did not have the opportunity to assess the efficiency of the road haulage operations. The Auditor understands that rail operations may recommence in 2021 for a short period. DCPL will need to ensure that all Conditions of Approval are complied with during this period and that all information required to be recorded on the Duralie Website is uploaded.

Compliance Table

Appendix A

Project Approval 08_0203									
Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
SCHEDULE 2 ADMINISTRATIVE CONDITIONS									
Schedule 2 Condition 1	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT	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.			During the site inspections undertaken on 3 December the Auditor did not identify any circumstances where reasonable and feasible environmental controls were not being implemented.	All reasonable and feasible measures were being implemented to minimise the potential for environmental harm.	Complies		
Schedule 2 Condition 2	TERMS OF APPROVAL	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					Noted		
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.					Noted		
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.	Letter from DPIE (H Watters) to DCPL (M Plain) titled "Duralie Cal Mine Extension (MP08_0203) Annual Review 2019-2020 – Request of Additional Information", dated 9/12/2020. Letter from DPIE (H Watters) to DCPL (M Plain) titled "Duralie Cal Mine Extension (MP08_0203) Annual Review 2019-2020", dated 9/12/2020. The letter approved the changes be made to the Annual Review in response to the DPE letter of 18/11/2020. Letter from the Resources Regulator (P Ainsworth) to DCPL (J Cullen), titled Duralie Mine, Targeted Assessment Program of Soils and Materials Management, dated 24 September 2020. The letter directed DCPL to undertake rehabilitation management actions as a result of their site inspection.				DPIE requested changes be made to each of the 2017 and 2019-2020 Annual Review. DCPL made the requested changes within the time frames specified by DPIE.	Complies	
Schedule 2 Condition 5		The Proponent may carry out mining operations on site until 31 December 2021.						Noted	
Schedule 2 Condition 6	LIMITS ON APPROVAL	The Proponent shall not extract more than 3 million tonnes of coal from the site in a calendar year.	Spreadsheet titled "8.1 Production Volumes 2021". The spreadsheet detailed monthly production (mining and processing) quantities at both the Duralie and Stratford mines from 2014 to October 2020.	Superintendent Coal Plant – over recent years the mining and processing at both sites have been well below the allowable levels. Neither the Stratford nor Duralie mines have been in full production at any time over the past three years. The Duralie mine is currently in care and maintenance and no coal production is occurring.		There has s no mining at the Duralie mine. Quantity mined in previous years was: 2017/8 - 715,073 Tonnes 2018/9 – 172,170 Tonnes 2019/20 – no mining	Complies		

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 2 Condition 7		The Proponent shall ensure that: (a) all coal is transported from the site by rail;		Environment and Community Superintendent – there was no coal production at Duralie this year. All coal produced at Duralie was transported by rail to Stratford for processing.		All coal produced at Duralie has been transported by rail.	Complies	
		(b) no more than 5 laden trains leave the site each day; and	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4		No coal transport was undertaken during the audit.	All coal produced at Duralie during the audit period was transported by rail to Stratford for processing. 365 train movements occurred in 2018 (financial year) and 72 train movements in 2019 (financial year). No trains movements occurred in 2020.	Complies	
		(c) no more than 4 laden trains leave the site each day, when averaged over a 12-month period.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4		No coal transport was undertaken during the audit.	Duralie coal transport records indicate that a maximum of 4 trains per day were dispatched from the site over the audit period. The daily average over each twelve-month period that coal was exported to Stratford for processing was (calculated by the Auditor): 2018 – less than 1 2019 – zero 2020 - zero	Complies	
Schedule 2 Condition 8		The Proponent shall: (a) only dispatch shuttle trains from the site between 6am and 10pm;	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)			No trains dispatched after 10pm. A review of the shuttle train records indicates that all shuttle trains were dispatched between 6 am and 10pm.	Complies	
		(b) only receive shuttle trains on site between 6am and midnight; and	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)			Shuttle train records reviewed indicated that one train was received (22 March 2018) at the site after midnight.	Non - Compliance	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition
		(c) only operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)			The 2018 Duralie Coal Train Performance spreadsheet indicates that one train (left Duralie at 20:30 on 22 March 2018, arrived back at Duralie at 1am (23 March). No reason for the late arrival of the train was provided on the website. Only 1 train was received between midnight and 1am during the 3-year audit period. This train was not identified in the report due to an error in the spreadsheet	Non - Compliance	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						calculation. Hence, no explanation for the late arrival was provided. The spreadsheet and website have already been corrected.		
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.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	Environment and Community Superintendent – We've reviewed the record of the shuttle train on 22 March 2018. The traco confirms the train arrived back at 1:00am. There was no reason provided by the shuttle train operator. Due to the calculation in our summary spreadsheet, it didn't identify the train arriving at exactly 1:00am, hence this was not reported. The spreadsheet calculation has now been corrected.		The 2018 Duralie Coal Train Performance spreadsheet indicates that one train (left Duralie at 20:30 on 22 March 2018, arrived back at Duralie at 1am (23 March). No reason for the late arrival of the train was provided on the website. Only 1 train was received between midnight and 1am during the 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. The spreadsheet and website have since been corrected.	Non - Compliance	Ensure that the reasons for operating trains on the North Coast Railway are published on the Duralie Website.
Schedule 2 Condition 9	SURRENDER OF CONSENTS	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.	Duralie Coal Mine Project, Independent Environmental Audit December 2014, Trevor Brown & Associates.			This condition was verified in the 2014 IEA.	Complies	
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.					Noted	
Schedule 2 Condition 11	STRUCTURAL ADEQUACY	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.		Infrastructure and Project Supervisor – No construction works were undertaken during the audit period.	No new structures, likely to have been constructed during the audit period, were observed.	No construction works were undertaken during the audit period.	Not Triggered	
Schedule 2 Condition 12	DEMOLITION	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.		Infrastructure and Project Supervisor – No demolition works were undertaken during the audit period. Some demountable buildings were relocated to Stratford.	No evidence of demolitions works were observed.	During the audit period no demolition works were undertaken.	Not Triggered	
Schedule 2 Condition 13	OPERATION OF PLANT AND EQUIPMENT	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.	Maintenance records (sampled) located on the SAP system.	Environment and Community Superintendent – Duralie plant (for example conveyers) are inspected monthly and operated to ensure that they remain serviceable. Maintenance Superintendent – Maintenance at both mines (Duralie and Stratford) is undertaken by the	No operations are occurring at Duralie at the time of the audit. The site was however tidy and appropriately maintained. The workshops at the site were still operational (Photo 3). The Maintenance Superintendent demonstrated the SAP	Duralie operates an appropriate maintenance management, tracking and scheduling system. Minimal plant and equipment were located at the Duralie site at the time of the audit.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
				same team. A comprehensive maintenance management system is in use.	maintenance scheduling and management system.			
Schedule 2 Condition 14	STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM	With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.				All plans required under the Approval have been prepared and approved.	Noted	
Schedule 2 Condition 15		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.					Noted	
Schedule 2 Condition 16	CONTRIBUTIONS TO COUNCIL	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: (a) \$59,688.09 for the maintenance of The Bucketts Way; (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); (c) \$120,000 for the Karuah Catchment Management Program; and (d) \$100,000 for the provision of community infrastructure. These contributions must be indexed according to the CPI at the time of each payment. If no mining operations	MidCoast Council Tax Invoice No. 58052 Karuah Management Program 20190225 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 58055 Community Infrastructure 20190225 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 16001 Gloucester Component Community Enhancement 20190502 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 58053 Bridge Inspections 20190225 – Duralie Coal Contribution			Not that Mid Coast Council was formed in 2016 merging Great Lakes, Greater Taree and Gloucester Shire Councils. Duralie Coal has met its council contribution obligations throughout the Audit Period.	Complies	
Schedule 2 Condition 17		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: (a) \$15,000 for specified community works that have been agreed to between GSC and the Proponent; (b) \$15,000 for the GSC Community Education Fund for an annual trade apprenticeship, traineeship, scholarship or equivalent; and (c) \$10,000 for the provision of community infrastructure. These contributions must be indexed according to the CPI at the time of each payment. If no mining operations occur on site in a calendar year, then the Proponent is not	MidCoast Council Tax Invoice No. 16429 Gloucester Component Community Enhancement 20190429 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 58054 Bucketts Way Maintenance 20190225 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 16291 Gloucester Component Community Enhancement 20191031 – Duralie and Gloucester Contributions					Complies

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		required to pay these contributions.						
SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS								
Schedule 3 Condition 1	ACQUISITION UPON REQUEST	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.		Environment and Community Superintendent – No requests for acquisition were received during the Audit Period.			Not Triggered	
Schedule 3 Condition 2	NOISE Noise Criteria	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. However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.	Duralie Coal Mine Quarterly Compliance Noise Monitoring November 2019 Duralie Coal Mine Quarterly Compliance Noise Monitoring August 2020 Duralie Coal Mine Quarterly Compliance Noise Monitoring May 2020 Duralie Mine Annual Review 2018, Section 6.8.2 Duralie Mine Annual Review 2019, Section 6.8.2	Environment and Community Superintendent – Mining operations ceased Oct 2018. Monday-Friday Day works only during 2020.		All noise monitoring undertaken during the audit period found that the noise emissions from the mine met the relevant noise criteria	Complies	
Schedule 3 Condition 3	Noise Acquisition Criteria	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.		Environment and Community Superintendent – No requests for acquisition were received during the Audit Period.			Not Triggered	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 3 Condition 4	Additional Noise Mitigation Measures	Upon receiving a written request from the owner of any residence: (a) On the land listed in Table 1; (b) On the land listed as 123, 126 and 172 on the figure in Appendix 3; (c) On the land listed as R2, R4-R12 on the figure in Appendix 3; (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 (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), the Proponent shall implement additional noise mitigation measures (such as double glazing, insulation and/or air conditioning) at the residence in consultation with the owner. These measures must be reasonable and feasible.		Environment and Community Superintendent – No requests for additional mitigation measures were received during the Audit Period.			Not Triggered	
Schedule 3 Condition 5	Rail Noise	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).	2013 Rail Audit Report 2017 Independent Environmental Audit Duralie Train Performance 2018 (spreadsheet)			The coal shuttle trains ceased to operate after 4 October 2018. Prior to that time (Rail audit report 2013) Duralie operated approved GL class locomotives.	Complies	
Schedule 3 Condition 6	Noise Operating Conditions	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	Duralie Coal Mine Noise Management Plan revision 6 Complaints Register			Duralie has prepared and implemented a Noise Management Plan that describes the noise management strategies. There have been no noise related complaints during the audit period, the noise monitoring undertaken by independent consultants indicates that the mine is complying with the noise criteria specified in the Approval.	Complies	
		(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	Duralie Coal Mine Quarterly Compliance Noise Monitoring November 2019 Duralie Coal Mine Quarterly Compliance Noise Monitoring August 2020 Duralie Coal Mine Quarterly Compliance Noise Monitoring May 2020 Duralie Mine Annual Review 2018, Section 6.8.2 Duralie Mine Annual Review 2019, Section 6.8.2			Operations at the Duralie Coal Mine ceased in 2018. Noise monitoring and weather monitoring however has continued.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 3 Condition 7	Noise Management Plan	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;	Duralie Coal Mine Noise Management Plan revision 6 Letter from DPE to DCPL approving Revision 6 of the Noise Management Plan.			The Noise Management Plan was revised in 2018 (following the 2017 IEA). That draft revised plan was revised and subsequently approved by DPE in May 2018.	Complies	
		(b) describe the noise mitigation measures that would be implemented to ensure compliance with conditions 2-6 of Schedule 3 of this approval, including: • 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 • the specific measures that would be implemented to minimise the rail noise impacts of the project, and in particular: - 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	Duralie Coal Mine Noise Management Plan revision 6: <ul style="list-style-type: none">Section 7 Noise Monitoring ProgramSection 6.2.2 Additional Mitigation Measures for Mining OperationsSection 6.2.3 Duralie Shuttle Train Operations			The Noise Management Plan contains the detail required by this Condition.	Complies	
		(c) include a noise monitoring program that: • 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.	Duralie Coal Mine Noise Management Plan revision 6: <ul style="list-style-type: none">Section 7 Noise Monitoring Program			The Noise Management Plan contains a Noise Monitoring Program that satisfies the requirements of this Condition.	Complies	
Schedule 3 Condition 8	BLASTING Blasting Criteria	The Proponent shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 4.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast Results".	The last blast at Duralie was on 17 August 2018.		A review of the 2018 blast results indicated that all vibration levels were below the 115db (L Peak) limit.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 3 Condition 9	Blasting Hours	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.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast"			A review of the blast records indicated that all blasts occurred during approved hours.	Complies	
Schedule 3 Condition 10	Blasting Frequency	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.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast"			A review of the blast records indicated that blast frequency met the requirements of this Condition.	Complies	
Schedule 3 Condition 11	Property Inspections	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: • 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 property inspection report.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7	Environment and Community Superintendent – No requests for property inspections were received during the Audit Period.		No requests for property inspections were received during the Audit Period.	Not Triggered	
Schedule 3 Condition 12	Property Investigations	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: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to investigate the claim; and (b) give the landowner a copy of the property inspection report. If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damages	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7	Environment and Community Superintendent – No requests for property investigations were received during the Audit Period.		No requests for property investigations were received during the Audit Period.	Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		to the satisfaction of the Secretary. 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.						
Schedule 3 Condition 13	Blasting Operating Conditions	<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>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017.</p> <p>Spreadsheet titled “4.5 Duralie Blast Results”. The spreadsheet provides details of the blast monitoring undertaken during the audit period.</p> <p>Complaints Register</p> <p>Incident Register</p>	<p>Environment and Community Superintendent – blasting at Duralie ceased in August 2018.</p>		<p>No exceedances of blast criteria were measured during the audit period.</p> <p>No blast related complaints were received during the audit period.</p> <p>One incident relating to blast fume was recorded on 2 March 2018. No other blast related instances were reported.</p> <p>No instances of public infrastructure or private property damage were reported.</p>	Complies	
		<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>	<p>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017, Section 3.2.1.</p>		<p>The Auditor rang the Blast Hotline on 17 December 2020. A recorded message stated that no blasting would be undertaken until further notice.</p>	<p>A blast hotline was operational during the period that blasting was occurring. The blast hotline was advertised in local newspapers during that period.</p>	Complies	
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>	<p>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017, Section 3.2.1.</p> <p>2017 Independent Environmental Audit</p>			<p>Permission has been obtained from the Australian Rail Track Corporation (ARTC) for blasting within 500 m of the North Coast Railway Line.</p> <p>Duralie Road is the only public road that is subject to road closure when blasting occurs. Permission has been obtained from the Great Lakes Council (GLC) for blasting within 500 m of the Duralie Road.</p> <p>Compliance with this condition was verified in the 2017 IEA.</p>	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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 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>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017, Section 3.2.1.</p> <p>2017 Independent Environmental Audit</p>			<p>Compliance with this condition was verified in the 2017 IEA.</p> <p>It is noted that one unoccupied private property is located within the 500 m blast zone. The Auditor understands that the proponent had attempted to contact the landowner in relation to blasting but that no response was received from the landowner. 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.</p>	Complies	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.
Schedule 3 Condition 16	Blast Management Plan	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary.</p>	<p>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017.</p>			<p>A Blast Management Plan has been prepared and implemented for the Duralie Mine. It is noted that at the time of this IEA that no blasting had occurred since 2018.</p>	Complies	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.
		<p>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>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017.</p> <p>2017 Independent Environmental Audit</p>			<p>No revisions of the blast management plan have been prepared since the last audit. The 2017 verified compliance with this Condition.</p>	Complies	
		<p>(b) describe the blast mitigation measures that would be implemented to ensure compliance with conditions 8-15 of this Schedule;</p>	<p>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017.</p>			<p>Section 3 of the Blast Management Plan describes the management measures that were implemented while blasting was being undertaken.</p>	Complies	
		<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>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017.</p>			<p>Section 3.2.1 of eh Blast Management Plan describes how the public can get up-to-date information on the proposed blasting schedule on site or any road closures.</p>	Complies	
		<p>(d) include a blast monitoring program to evaluate the performance of the project.</p>	<p>Duralie Coal Mine Blast Management Plan, Revision D, dated September 2017.</p>			<p>Section 5 of the Blast Management Plan describes the blast monitoring program.</p>	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 3 Condition 17	AIR QUALITY AND GREENHOUSE GAS Odour	The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Complaints Register – three odour complaints were recorded for 2018, relating to odours (from EPA Pollution Line). Email from DCPL (M Plain) to the EPA (E Coombs), titled “RE: Incident Allocated I14944-2018 200 AIR ODOURS - 204 MINE WARDS RIVER”, dated 26 October 2018. The email refers to an odour complaint received in August and the three complaints received via the EPA.	Environment and Community Superintendent - There have been no ongoing instances of odour from the Duralie Mine since November 2018. There have been no further complaints relating to odours since November 2018. Duralie have implemented specific response measures since the first odour complaints to ensure potential odours from the Duralie Mine are controlled.	During the IEA Inspection no offensive odours were detected.	Four odour complaints were received. The first complaint was from 28 August 2018 and the other three were via the EPA complaints line relating to odours from the Duralie Mine, over the period of 10 October 2018 to 7 November 2018. DCPL have provide responses to the EPA as requested. No further action has been required by the EPA.	Non - Compliance	DCPL has responded to the odour incidents and no further actions have been identified during this IEA.
Schedule 3 Condition 18	Greenhouse Gas Emissions	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.	Duralie Coal Mine Air Quality and Greenhouse Gas Management Plan, Revision 3, dated 23 June 2015. Greenhouse Gas Management Plan, Revision 3, dated 23 June 2015.Complaints Register.		Minimal plant and equipment were at the site (as it was no longer in production). Maintenance facilities for plant was still operational at the time of the IEA site inspection. Progressive rehabilitation of the completed mining area was observed.	Plant and equipment used at the mine is appropriately serviced and maintained. Progressive rehabilitation of the site is being undertaken.	Complies	
Schedule 3 Condition 19	Air Quality Assessment Criteria	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.	Complaints Register Duralie Coal Pty Ltd Environmental Monitoring Dust Deposition Gauges, High Volume Samplers and Surface Waters and Ground Water, August 2020 (prepared by CBased Environmental). Duralie Coal Pty Ltd Environmental Monitoring Dust Deposition Gauges, High Volume Samplers and Surface Waters and Ground Water, September 2020 (prepared by CBased Environmental). Duralie Coal Pty Ltd Environmental Monitoring Dust Deposition Gauges, High Volume Samplers and Surface Waters and Ground Water, October 2020 (prepared by CBased Environmental). Spreadsheet titled “4.1 Duralie Dust Monitoring Results”. The spreadsheet provides dust monitoring results for the audit period to 12 October 2020.		No production related activities were occurring at the time of the IEA inspection.	No complaints regarding dust emissions were received during the audit period. Review of the Dust Deposition monitoring results for the audit period indicate compliance with Approval limits. In is noted that a significant number of gauges were impacted by contamination (bird droppings, algae, plant materials). The results from contaminated dust deposition gauges were excluded from the assessment of compliance. Hi Vol (PM ₁₀) sampling undertaken over the audit period indicated compliance with all criteria. Note that exceedances in PM ₁₀ levels were recorded during the bushfires, however these were not attributable to mining operations.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 3 Condition 20	Air Quality Acquisition Criteria	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>Duralie Coal Pty Ltd Environmental Monitoring Dust Deposition Gauges, High Volume Samplers and Surface Waters and Ground Water, August 2020 (prepared by CBased Environmental).</p> <p>Duralie Coal Pty Ltd Environmental Monitoring Dust Deposition Gauges, High Volume Samplers and Surface Waters and Ground Water, September 2020 (prepared by CBased Environmental).</p> <p>Duralie Coal Pty Ltd Environmental Monitoring Dust Deposition Gauges, High Volume Samplers and Surface Waters and Ground Water, October 2020 (prepared by CBased Environmental).</p> <p>Spreadsheet titled "4.1 Duralie Dust Monitoring Results". The spreadsheet provides dust monitoring results for the audit period to 12 October 2020.</p>	Environment and Community Superintendent – No requests for acquisition were received during the audit period.		<p>No exceedances in dust levels were detected during the audit period.</p> <p>No requests for acquisition were received during the audit period.</p>	Not Triggered	
Schedule 3 Condition 21	Additional Dust Mitigation Measures	<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 greater than or equal to the applicable criteria in Tables 5, 6 or 7 on a systemic basis,</p> <p>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>		Environment and Community Superintendent – No requests for additional dust mitigation measures were received during the audit period.		<p>No exceedances in dust levels were detected during the audit period.</p> <p>No requests for additional dust mitigation measures were received during the audit period.</p>	Not Triggered	
Schedule 3 Condition 21A	Additional Dust Mitigation Measures	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.	2014 Independent Environmental Audit			Compliance with this condition was verified in the 2014 IEA.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>This study must:</p> <p>(a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the EPA, the Department and the residents in close proximity to the railway line;</p> <p>(c) assess the scale, nature and significance of the dust emissions of the laden trains;</p> <p>(d) identify any reasonable and feasible mitigation measures that could be implemented to reduce the dust emissions from these trains;</p> <p>(e) recommend the implementation of any specific measures; and</p> <p>(f) be accompanied by the Proponent's response to any recommendations in the study.</p> <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 include a detailed program for the implementation of these measures and monitoring of compliance.</p>						
Schedule 3 Condition 22	Air Quality Operating Conditions	<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>Complaints Register – four complaints were received in 2018 relating to odours.</p> <p>Spreadsheet titled "4.1 Duralie Dust Monitoring Results". The spreadsheet provides dust monitoring results for the audit period to 12 October 2020.</p>	<p>Environment and Community Superintendent - There have been no ongoing instances of odour from the Duralie Mine since November 2018. There have been no further complaints relating to odours since November 2018. DCPL has demonstrated the intent to comply with this condition through the implementation of all reasonable and feasible mitigation measures to control the generation and release of any odours from the Duralie Mine.</p> <p>DCPL identified and implemented the control measures necessary to minimise odours. Odours from Duralie have been appropriately controlled.</p>	<p>During the IEA Inspection no dust, offensive odours or other air quality impacts were detected.</p> <p>No plant or equipment was operating during the IEA site inspection.</p>	<p>Air quality monitoring undertaken during the audit period demonstrated compliance with air quality criteria. Mining ceased in 2018 and since that time limited air emission generating activities (rehab related) have been undertaken. However, four odour complaints were received over the audit period relating to PASS management. These complaints covered several months.</p>	<p>Non - Compliance</p>	<p>DCPL has responded to the odour incidents and no further actions have been identified during this IEA.</p>

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(b) minimize any visible air pollution generated by the project;	Complaints Register – no complaints received relating to visible dust. Four complaints were received in 2018 relating to odours.		During the IEA Inspection no dust, offensive odours or other air quality impacts were detected. No plant or equipment was operating during the IEA site inspection.	Air quality monitoring undertaken during the audit period demonstrated compliance with dust emission criteria. Mining ceased in 2018 and since that time limited dust generating activities (rehab related) have been undertaken.	Complies	
		(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.	Duralie Coal Mine Air Quality and Greenhouse Gas Management Plan, Revision 3, dated 23 June 2015.	Environment and Community Superintendent – The air quality monitoring program consists of networks of dust deposition gauges, HVASs and TEOMs (real time air quality monitoring). Meteorological stations are operating, and the mine operates a predictive weather program. If adverse weather conditions are predicted, the mine operations teams are notified and given directions (including the modification of mining activities).	The Auditor was provided with a demonstration of the air quality monitoring (data assessment and reporting) system. When hi wind events (for example) are predicted.	An appropriate air quality monitoring and predictive dust modelling system has been implemented at DCPL.	Complies	
Schedule 3 Condition 23	Air Quality & Greenhouse Gas Management Plan	The Proponent shall prepare and implement an Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary.	Duralie Coal Mine Air Quality and Greenhouse Gas Management Plan, Revision 3, dated 23 June 2015.			An Air Quality & Greenhouse Gas Management Plan has been prepared and implemented.	Complies	
		(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	2014 Independent Environmental Audit			Compliance with this Condition was verified in the 2014 IEA. There have been no revisions of this plan over the past two audit periods.	Complies	
		(b) describe the measures that would be implemented to ensure compliance with conditions 17-22 of Schedule 3 of this approval, including the proposed real-time air quality management system; and	Complaints Register.			While the AQGGMP addresses dust and greenhouse gas management and monitoring, it does not address odour management. The plans should have been reviewed in light of the series of odour complaints in 2018.	Non - Compliance	Revise the AQGGMP to include odour risks and management.
		(c) include an air quality monitoring program that: • uses a combination of real-time monitors, high volume samplers and dust deposition gauges to evaluate the performance of the project; and • includes a protocol for determining exceedances with the relevant conditions of this approval.	Duralie Coal Mine Air Quality and Greenhouse Gas Management Plan, Revision 3, dated 23 June 2015. Section 7 of the plan describes the air quality management program implemented at DCPL.	Environment and Community Superintendent – The air quality monitoring program consists of networks of dust deposition gauges, HVASs and TEOMs (real time air quality monitoring located in Stratford and near Craven. Meteorological stations are operating, and the mine operates a predictive weather program.	The Auditor was provided with a demonstration of the air quality monitoring (data assessment and reporting) system.	An appropriate air quality monitoring and predictive dust modelling system has been implemented at SCPL.	Complies	
		<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. 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>	Duralie Coal Mine Air Quality and Greenhouse Gas Management Plan, Revision 3, dated 23 June 2015. Complaints Register.			A series of odour complaints, which trigger reporting under Schedule 5 Condition 6 of the Approval to DPIE (and EPA) occurred in 2018. This in turn triggers Schedule 5 Condition 4b.	Non - Compliance	Revise the AQGGMP to include odour risks and management.

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						The AQGGMP has not been revised since 2015.		
Schedule 3 Condition 24	METEOROLOGICAL MONITORING	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: (a) complies with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and	Letter from Envirodata (M Probets) to DCPL (M Plain) titled Quotation: Weather Maestro Weather Station", dated 29 May 2012. The letter contains the quotation for a Maestro weather system, incorporating a 10-channel data logger with EasiAccess data collection, database and graphing software, housed in a weatherproof enclosure which mounts on your existing 2m logger stand.	Environment and Community Superintendent – the weather station was replaced in 2012.	The weather station was sighted during the IEA site inspection.	The specifications of the weather station installed meets the requirements of this Condition.	Complies	
		(b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy.	Spreadsheet titled "Duralie 15 min 2016 – (new station)" Spreadsheet titled "Duralie Daily (new station)"			The meteorological data collected and reported satisfies the requirements of this Condition.	Complies	
Schedule 3 Condition 25	WATER Water Discharges	The Proponent shall ensure that: (a) mine water or runoff from the irrigation area is not discharged directly into Mammy Johnsons River; and	Duralie Coal Mine Water Management Plan Revision 5 dated February 2017. Incident Register	Environment and Community Superintendent – no non-complying mine water discharges have occurred from the site during the audit period.	The IEA site inspection confirmed that mine water and runoff from irrigation areas is controlled in accordance with the Water Management Plan and there was no evidence of discharges directly to Mammy Johnsons River. The former irrigation areas (now rehabilitated) were not operational at the time of the site inspection.	The Water Management Plan and the Irrigation Management Plan describes the mine dirty water control across the DCM site which are: •On site storage of all water to prevent escape to Coal Shaft Creek and Mammy Johnsons River; and •Management of the stored quantity of dirty water by irrigation. No uncontrolled mine surface water discharges have occurred from the site during the audit period.	Complies	
		(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.	Spreadsheet titled "EPL 11701 Monitoring Data – Duralie Coal Pty Ltd (7)". This spreadsheet was downloaded from the Duralie Coal web site. 2018 EPA Annual Return 2019 EPA Annual Return 2020 EPA Annual Return			The review of surface water monitoring results has identified that discharges from the site at the three EPA monitoring points (26, 36 and 37) exceeded discharge quality criteria. For the majority of the audit period, rainfall was well below average (the audit period covered the end of several years of drought conditions). The comparison of upstream water quality and downstream water quality associated with the Duralie Mine indicated that the mine water discharges had no material impact on water	Non-Compliance	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 non-compliance have been identified.

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						quality.		
Schedule 3 Condition 26	Base Flow Offsets	The Proponent shall offset the loss of any base flow to Mammy Johnsons River. This condition does not apply if the Secretary determines this loss to be negligible.	Duralie Mine Annual Review 2018, Section 7.3.2 Duralie Mine Annual Review 2019, Section 7.3.2			The EA reported a 'negligible impact'. Flow monitoring is undertaken on River and daily groundwater loggers DB3W and DB4W. Baseflows reported in the 2019 and 2020 Annual Reviews (Section 7.3.2) reported negligible impact on stream base flows.	Complies	
Schedule 3 Condition 27	Compensatory Water Supply	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. 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 be provided (at least on an interim basis) within 24 hours of the loss being identified. If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution. If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Secretary.		Environment and Community Superintendent – no requests for compensatory water supply have been received at either site.			Not Triggered	
Schedule 3 Condition 28	Irrigation	The Proponent shall carry out irrigation: (a) only in the irrigation area; and		Environment and Community Superintendent – All irrigation at Duralie ceased in Aug 2018.	No irrigation is being undertaken at the mine at the time of the IEA site inspection.	The mining operations ceased in 2018.	Complies	
		(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		Environment and Community Superintendent – All irrigation at Duralie ceased in Aug 2018.	No irrigation is being undertaken at the mine at the time of the IEA site inspection.		Not Triggered.	
Schedule 3 Condition 29	Water Management Plan	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary.	Duralie Coal Mine Water Management Plan Revision 5, dated February 2017.			The original Duralie Coal Mine Water Management Plan approved by DP&I on 2 August 2012. The plan was last revised and approved by DPE in 2017.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		This plan must be prepared in consultation with EPA and NOW		Environment and Community Superintendent – No revisions of the Duralie WMP have been submitted during the audit period (2018-2020). Due to the nature of the revisions in the 2017 WMP, DCPL did not reconsult with the EPA or NOW.		While this condition was not triggered during this Audit Period, neither the EPA nor NOW were consulted during the preparation of most recent version of the plan.	Not Triggered.	Ensure that as part of any future revision of the Water Management Plan that all relevant stakeholders are consulted
		by suitably qualified and experienced persons whose appointment has been approved by the Secretary,	Duralie Coal Mine Water Management Plan Revision 5, dated February 2017.	Environment and Community Superintendent – Revised sections of the Water Management Plan were prepared/reviewed by Lindsay Gilbert (i.e. SWB and SWMP). Relevant sections/appendices of the GWMP were reviewed by Dr Noel Merrick.		The DP&E, as delegate for the Director-General, approved the appointment of Mr Lindsay Gilbert (Gilbert & Associates Pty Limited) and Dr Noel Merrick (Heritage Computing Pty Ltd) as suitably qualified and experienced persons for the preparation of the WAMP on 18 February 2011.	Complies	
		and submitted to the Secretary within 3 months of the date of this approval.	Letter from DPE (H Reed) to DCPL (M Plain) titled "Duralie Extension Project (MP_08_0203) Approval of Biodiversity, Giant Barred Frog and Water Management Plans", dated 5 September 2017.			The latest revision of the plan was approved by the Department on 5 September 2017.	Complies	
		In addition to the standard requirements for management plans (see Condition 2 of Schedule 5), this plan must include: (a) a Site Water Balance that: • includes details of: - 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	Duralie Coal Mine Water Management Plan Revision 5, dated February 2017. Appendix 1			The site water balance is provided in Appendix 1 of the Plan. The Site Water Balance provides details of water use, management, reporting and measures to be taken to minimise the use of potable water. Reporting systems are described in Section 4 of the Plan	Complies	
		b) a Surface Water Management Plan that includes: • 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 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,	Duralie Coal Mine Water Management Plan Revision 5, dated February 2017. Appendix 2			The Surface Water Management Plan is attached to Appendix 2 of the Water Management Plan. Section 5 of the plan describes the water management system. Attachment A to the plan provides the Irrigation 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.	Complies	Update Table 1 (section 2) of the Irrigation Management Plan to provide the correct reference to the location of the Salinity Trigger Values.

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>handling, and the long-term storage of potentially acid forming material on site;</p> <ul style="list-style-type: none"> • 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 metals, sediment load, pH, hardness and biological oxygen demand; • 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 				<p>Section 7.2 of the Surface Water Management Plan describes the PAF management procedures and storage.</p> <p>Section 7.3 of the Surface Water Management Plan describes the plans for reconstruction of Coal Shaft Creek.</p> <p>Section 7.4 of the Surface Water Management Plan describes management of runoff for the rehabilitation areas.</p> <p>Section 7.5 of the Surface Water Management Plan describes the proposed management of final void water.</p> <p>Appendix B of the Surface Water Management Plan describes the development of water quality triggers for the extension project.</p> <p>Section 8 of the Surface Water Management Plan describes the performance criteria and monitoring program for the extension project.</p> <p>An ecotoxicity program is described in section 8.8.</p> <p>Section 9 of the Surface Water Management Plan describes the assessment of performance indicators and Section 10 describes the contingency plan to respond to performance triggers.</p>		

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>Coal Shaft Creek;</p> <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; • 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; - groundwater inflows to the open cut mining operations; - the impacts of the project on: <ul style="list-style-type: none"> o 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; o base flows to Mammy Johnsons River; o 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, - 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>Duralie Coal Mine Groundwater Management Plan, Revision 4B, dated 22 July 2016.</p>			<p>The Groundwater Management Plan is attached as Appendix 3 to the Water Management Plan.</p> <p>Section 7 of the Groundwater Management Plan describes the groundwater assessment criteria and trigger values.</p> <p>Section 6.1 of the Groundwater Management Plan describes the program for monitoring groundwater inflows into the mine.</p> <p>Section 5 of the Groundwater Management Plan describes the program for groundwater modelling validation.</p> <p>Section 7 of the Groundwater Management Plan describes the performance indicators and TARP.</p>	<p>Complies</p>	
		<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>	<p>Duralie Coal Mine Groundwater Management Plan, Revision 4B, dated 22 July 2016.</p>			<p>Section 9 of the Groundwater Management Plan describes the annual review process, plan review process and independent water audit.</p>	<p>Complies</p>	
Schedule 3 Condition 30	BIODIVERSITY Giant Barred Frog	The Proponent shall ensure that the project has no more than a negligible impact on the local Giant Barred Frog population.	<p>Duralie Coal Mine Giant Barred Frog Study, Revision 2, dated 6 March 2012.</p> <p>Giant Barred Frog (<i>Mixophyes iteratus</i>) Monitoring Results September 2012 to</p>	<p>Environment and Community Superintendent - Baseline Giant Barred Frog population monitoring was undertaken between 2011 to 2015.</p> <p>Giant Barred Frog Annual Monitoring</p>		<p>The key risk to the Giant Barred Frog population was deemed to be from irrigation runoff. Duralie has not commenced irrigation of the</p>	<p>Complies</p>	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
			<p>March 2013.</p> <p>Duralie Coal Mine Giant Barred Frog (Mixophyes iteratus) Monitoring Results October 2013 to January 2014.</p> <p>Duralie Coal Mine Giant Barred Frog (Mixophyes iteratus) Monitoring Results October 2014 to February 2015.</p>	<p>Reports were prepared between 2011 and 2015 and provided to DPIE and DOE.</p> <p>DCPL has not commenced irrigation of the additional irrigation areas approved under the DEP and does not intend to commence irrigation.</p>		<p>additional irrigation areas approved under the DEP and does not intend to commence irrigation.</p> <p>No adverse impacts on the frog population have been identified.</p>		
		The Proponent shall prepare a Giant Barred Frog Study to the satisfaction of the Secretary.	<p>Duralie Coal Mine Giant Barred Frog Study, Revision 2, dated 6 March 2012.</p> <p>2017 Duralie Coal Mine Independent Environmental Audit.</p>			<p>DP&E approved the latest revision of the study on 5/09/17 (verified in the 2017 IEA).</p> <p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p>	Complies	
		This study must: (a) be prepared, in consultation with OEH, by a suitably qualified and experienced person, whose appointment has been endorsed by the Secretary;	<p>Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017.</p> <p>Duralie Coal Mine Giant Barred Frog Study, Revision 2, dated 6 March 2012.</p> <p>2017 Duralie Coal Mine Independent Environmental Audit.</p>	<p>Environment and Community Superintendent - The approved GBFMP was prepared by Dr. Arthur White (Biosphere Environmental Consultants) and DCPL, in consultation with the NSW Office of Environment and Heritage (OEH). Dr. Arthur White was endorsed by the Secretary of the NSW Department of Planning and Environment (DP&E) as a suitably qualified and experienced person to prepare the GBFMP.</p>		<p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p>	Complies	
		(b) be submitted to the Secretary for approval within 2 months of this approval;	<p>2017 Duralie Coal Mine Independent Environmental Audit.</p> <p>Letter from DPIE (H Reed) to DCPL (M Plain) titled "Duralie Extension Project (MP_08_0203) Approval of Biodiversity, Giant Barred Frog and Water Management Plans", dated 5 September 2017.</p>			<p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p> <p>The most recent version of the Plan was approved by DPIE on 5 September 2017.</p>	Complies	
		(c) investigate the extent of the Giant Barred Frog population in the Mammy Johnsons River Catchment;	<p>2017 Duralie Coal Mine Independent Environmental Audit.</p>			<p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p>	Complies	
		(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>2017 Duralie Coal Mine Independent Environmental Audit.</p>			<p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p>	Complies	
		(e) analyse the age structure of the frog population and the health of tadpoles; and	<p>2017 Duralie Coal Mine Independent Environmental Audit.</p>			<p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p>	Complies	
		(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	<p>2017 Duralie Coal Mine Independent Environmental Audit.</p>			<p>The 2017 IEA reported that the Giant Barred Frog Study meets all requirements of the Approval.</p>	Complies	
Schedule 3 Condition 31								

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		Creek.						
Schedule 3 Condition 31A		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).	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		The Giant Barred Frog Long-term Study must include to include: (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;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(b) baseline data collected for sites (transects) below and above the site to be used for comparison with data collected in the future;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(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;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(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;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(e) a requirement that individual frogs encountered during the study should be tagged (or scanned);	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(f) a requirement that transects be of a fixed length (at least 200m), and that the area searched on each occasion be the same;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(g) a requirement that transects are to be randomly selected;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(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;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(i) a requirement that individual frogs encountered during the study be swabbed for the presence of the Chytrid fungus;	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
		(j) a requirement that weather conditions and search effort should be recorded during each census at the transect site.	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017	Environment and Community Superintendent - DCPL has not commenced irrigation in the additional irrigation areas approved under the DEP and does not intend to commence irrigation.		Section 5.3 of the (approved) Giant Barred Frog Management Plan states that the long-term study will be initiated within 3 months of the commencement of irrigation activities. Irrigation has not commenced.	Not Triggered	
Schedule 3 Condition 32	Giant Barred Frog	The Proponent shall prepare and implement a Giant Barred Frog Management Plan to the satisfaction of the Secretary.	Duralie Coal Mine Giant Barred Frog Management Plan, Revision 5A, dated August 2017. 2017 Duralie Coal Mine Independent Environmental Audit.			This plan has not been revised since the last IEA. DP&E approved the latest revision of the plan on 5/09/17. The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
		(a) be prepared in consultation with OEH by a suitably qualified and experienced person, whose appointment has been endorsed by the Director-General;	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(b) be submitted to the Secretary for approval within 3 months of the date of this approval;	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
		(c) include a summary of the Giant Barred Frog Study;	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
		(d) establish performance measures for evaluating the impact of the project on the local Giant Barred Frog population;	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
		(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 with the NPWS Hygiene Protocol for the Control of Disease in Frogs 2001;	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
		(f) include a program to monitor the potential impact of the project on the local frog population, which includes: <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 	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
		(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.	2017 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA reported that the Giant Barred Frog Management Plan meets all requirements of the Approval.	Complies	
Schedule 3 Condition 33	Biodiversity Offsets	The Proponent shall implement the offset strategy and achieve the broad completion criteria in Table 11 (below) to the satisfaction of the Secretary.						
		Domain: Enhancement Areas Criteria: Areas of existing remnant vegetation within the offset area (299 ha) have been conserved and enhanced.	Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020. Duralie Coal Mine Annual Review 2019.		A significant bush fire event occurred in November 2019 that has impacted the remnant vegetation areas. The impacts vary depending on the intensity of the fire.	The Annual Reviews summarise the performance against the Biodiversity objectives and the appendices to those reports provide specific details. The existing Biodiversity off-set areas contain greater than 299 ha of remnant bushland vegetation.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>Criteria: 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. 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.</p> <p>Domain: Revegetation Areas</p>	<p>Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.</p> <p>Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.</p> <p>Duralie Coal Mine Annual Review 2019.</p>			<p>The Annual Reviews summarise the performance against the Biodiversity objectives and the appendices to those reports provide specific details. The revegetation areas contain greater than 357.5 ha of revegetated woodland and 36 ha of revegetated forest habitat. The latest biodiversity assessment has concluded that DCPL is on track to achieve its biodiversity objectives.</p>	Complies	
		<p>Criteria: Native vegetation has been established which directly links vegetation areas of the offset area with the Rehabilitation area.</p> <p>Domain: Direct links between the Offset Area and Rehabilitation Area</p>	<p>Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.</p> <p>Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.</p> <p>Duralie Coal Mine Annual Review 2019.</p>			<p>The Annual Reviews summarise the performance against the Biodiversity objectives and the appendices to those reports provide specific details. The latest biodiversity assessment has concluded that DCPL is on track to achieve its biodiversity objectives.</p>	Complies	
Schedule 3 Condition 34	Habitat for Threatened Fauna Species	<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 • Riparian forest. 	<p>Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.</p> <p>Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.</p>			<p>Table 10 of the Biodiversity Management Plan describes the habitat for each of the species identified within the offset areas. Table 3 of the Plan outlines the resources present within the offset areas for these species.</p> <p>Existing Habitat Types: Table 3 of the BMP indicates the presence of woodland/open woodland within the offset areas. The Vegetation Management Units described in Appendix C confirms that these habitats are present within the offset areas.</p> <p>The annual Biodiversity Surveys have confirmed the presence of these habitats.</p>	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 3 Condition 35	Swift Parrot / Brown Treecreeper/ Grey-crowned Babbler	The Proponent shall ensure that the offset area: (a) provides appropriate habitat resources for the Swift Parrot, Brown Treecreeper and Grey Crowned Babbler;	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			Table 3 of the Biodiversity Management Plan outlines the resources present within the offset areas for these species. The Vegetation Management Units described in Appendix C confirms that these habitats are present within the offset areas. The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	
		(b) contains a total of 174ha of the following vegetation types1: • 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	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Vegetation Management Units described in Appendix C of the BMP confirms that greater than 174 ha of remnant vegetation within the offset areas for the extension project comprises these vegetation communities.	Complies	
		(c) the revegetation areas within the offset area contains: • 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).	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Annual Biodiversity Report describes plant palettes for the revegetation area which include Corymbia maculata and Eucalyptus globoidea.	Complies	
Schedule 3 Condition 36	Speckled Warbler	The Proponent shall ensure that the offset area: (a) provides appropriate habitat resources for the Speckled Warbler:	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			Table 3 of the Biodiversity Management Plan outlines the resources present within the offset areas for these species. The Vegetation Management Units described in Appendix C confirms that these habitats are present within the offset areas. The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(b) contains a total of 126ha of Spotted Gum - Grey Ironbark forest dry open forest of the lower foothills of the Barrington Tops, North Coast1; and	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Vegetation Management Units described in Appendix C confirms that greater than 126 ha of remnant vegetation within the offset areas for the extension project comprises these vegetation communities. The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	
		(c) the revegetation areas within the offset area includes Eucalyptus species, tussock grasses and shrub species as habitat resources for the Speckled Warbler.	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Annual Biodiversity Report describes plant palettes for the revegetation area which include Eucalyptus species and shrub species. Table 3 of the BMP notes that tussock grasses already occur within the offset areas. Eucalypt and shrub species are included in the seed list.	Complies	
Schedule 3 Condition 37	Varied Stilleta	The Proponent shall ensure that the offset area: (a) provides appropriate habitat resources for the Varied Stilleta;	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			Table 3 of the Biodiversity Management Plan outlines the resources present within the offset areas for these species. The Vegetation Management Units described in Appendix C confirms that these habitats are present within the offset areas. The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	
		(b) contains a total of 172ha of the following vegetation types1: • 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.	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Vegetation Management Units described in Appendix C confirms that greater than 172 ha of Spotted Gum and Sydney Peppermint vegetation within the offset areas for the extension project comprises these vegetation communities The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	
		(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.	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Annual Biodiversity Report describes plant palettes for the revegetation area which include species typical of eucalypt forests and woodlands, especially rough-barked species, smooth-barked gums and Acacia.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						Smooth barked gums and Acacia species are included in the seed list.		
Schedule 3 Condition 38	Squirrel Glider	The Proponent shall ensure that the offset area: (a) provides appropriate habitat resources for the Squirrel Glider;	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			Table 3 of the Biodiversity Management Plan outlines the resources present within the offset areas for these species. The Vegetation Management Units described in Appendix C confirms that these habitats are present within the offset areas. The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	
		(b) contains a total of 128ha of the following vegetation types1: • 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.	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Vegetation Management Units described in Appendix C confirms that greater than 172 ha of Spotted Gum and Sydney Peppermint vegetation within the offset areas for the extension project comprises these vegetation communities. The annual Biodiversity Surveys have confirmed the presence of these habitats.	Complies	
		(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.	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.			The Annual Biodiversity Report describes plant palettes for the revegetation area which include species typical of woodland/forest (such as Spotted Gum [Corymbia maculata], Red Ironbark [Eucalyptus fibrosa], Grey Ironbark [Eucalyptus siderophloia]) Corymbia maculata and Eucalyptus siderophloia are included in the seed list.	Complies	
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. 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.	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Duralie Coal Mine Annual Biodiversity Report, Year Ending June 2020.		Nest Boxes were observed within the Rehabilitation Areas.	The annual Biodiversity Report (Section 4) reports on the progress of the Nest Box Program. The report confirmed that all actions required are either complete or in-progress.	Complies	
Schedule 3 Condition 40	Endangered Ecological Communities	The Proponent shall ensure that the offset area contains at least: • 2 ha of Freshwater Wetlands on Coastal Floodplains of the NSW North	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018			Table 3 of the Biodiversity Management Plan indicates that the following habitats occur within the offset areas: • 2 ha of Freshwater Wetlands on Coastal	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
		Coast, Sydney Basin and South East Corner Bioregions. <ul style="list-style-type: none"> • 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. 				Floodplains, <ul style="list-style-type: none"> • 10 ha of River-Flat Eucalypt Forest • 19 ha of Lowland Rainforest on Floodplain These areas are mapped in Figure 5. Appendix C of the BMP indicates that there is a total of 20.2 ha of this community within the offset areas (KW, 2018). The Vegetation Management Units described in Appendix C of the Plan confirms that: <ul style="list-style-type: none"> • 2.2 ha of Freshwater Wetlands on Coastal Floodplains occur within the offset areas • 10.1 ha of River-Flat Eucalypt Forest occurs within the offset areas • 20.2 ha of Lowland Rainforest on Floodplain occurs within the offset areas 			
Schedule 3 Condition 41	Operating Conditions	The Proponent must: (a) not destroy, damage, remove or harm any native flora or fauna in the offset area; or	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Incident Register.			During the IEA site inspection, no evidence of native flora / fauna damage or removal was observed.	Section 6.13 of the Biodiversity Management Plan outlines the measures to minimise harm to native flora and fauna within the offset areas. No evidence of native flora / fauna damage or removal was identified during this IEA.	Complies	
		(b) 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	Duralie Coal Mine Annual Review 2020. Duralie Coal Mine Annual Biodiversity Report 2020.			At the time of this IEA no works were being undertaken (other than care and maintenance) on the site.	At the time of this IEA no works were being undertaken (other than care and maintenance) on the site.	Complies	
		(c) 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).				At the time of this IEA no works were being undertaken (other than care and maintenance) on the site.	At the time of this IEA no works were being undertaken (other than care and maintenance) on the site.	Complies	
Schedule 3 Condition 42	Long Term Security of Offset	Within 12 months of the date of this approval, unless otherwise agreed by the Secretary, the Proponent shall either: (a) 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	2017 Duralie Coal Mine Independent Environmental Audit.			The required actions for this Condition were completed prior to this Audit Period. The 2017 IEA that the required Long Term Security requirements have been satisfied.	Complies		

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(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. 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.						
Schedule 3 Condition 43	Biodiversity Management Plan	The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH by suitably qualified and experienced persons whose appointment has been approved by the Secretary;	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018. Email from OEH (S Cox) to DCPL (M Plain) titled "Duralie Coal Mine – Revised Biodiversity Management Plan", dated 29 October 2018.			OEH was provided with a copy of the latest version of the Biodiversity Management Plan, but declined to provide input.	Complies	
		(b) be submitted to the Secretary for approval within 3 months of the date of this approval;	2014 Duralie Coal Mine Independent Environmental Audit. Letter from DPIE (H Reed) to DCPL (M Plain) titled "Duralie Extension Project (MP_08_0203) Approval of Biodiversity, Giant Barred Frog and Water Management Plans", dated 5 September 2017.			The 2014 IEA verified that the original plan was submitted with for 3 months of date of approval. The most recent version of the Plan was approved by DPIE on 21 January 2019.	Complies	
		(b1) be approved by the Secretary prior to the commencement of clearing in EA (Mod 2);	2017 Duralie Coal Mine Independent Environmental Audit.			Clearing of the MOD2 areas commenced at the end December 2015. Habitat trees cleared on 20 Jan 2016 (after BMP approved). The first post Modification revision of the BMP was submitted to DP&E in June 2015. That revised BMP was approved by DP&E in January 2016	Complies	
		(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;	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 1.2 of the BMP outlines the relationship of the plan to other management plans, including the GBFMP, Water Management Plan and Rehabilitation Management Plan.	Complies	
		(d) include: • 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	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 4.2 provides a description of the offset areas, existing vegetation, and habitats. Table 10 of the BMP describes the biodiversity value of habitats within the	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		threatened species that are recorded in the surface development area;				offset areas for each of the threatened fauna species recorded within the surface development area.		
		<ul style="list-style-type: none"> 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; 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 4.1.8 of the BMP provides an overview of the biodiversity values lost through clearing of vegetation and habitat	Complies	
		<ul style="list-style-type: none"> a description of the short-, medium- and long-term measures that would be implemented to: <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); 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 5 of the BMP outlines management measures for the remaining biodiversity at the mine and Section 6 of the BMP outlines management measures for the offset areas.	Complies	
		<ul style="list-style-type: none"> detailed completion criteria, as well as performance criteria for the measuring the short, medium and long term success of the Offset Strategy; 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Sections 8 describes the performance criteria and completion criteria. Detailed performance criteria are provided in Tables 13 to 22 covering: the nest box program, weed control, management of grazing and agriculture, access control, Mammy Johnsons River bank stabilisation, bushfire management, seed collection and tube stock supply, tube stock installation, and direct seeding.	Complies	
		<ul style="list-style-type: none"> 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; 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 3.4 (Table 6) of the BMP describes the measures described in the EA and in the expert report of Dr Goldney.	Complies	
		<ul style="list-style-type: none"> 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; 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 6.1 to 6.9 of the BMP describes the management measures specified in this subclause. Specifically: <ul style="list-style-type: none"> Sections 6.1 to 6.3 - implementing revegetation and regeneration within the offset area, including establishment of canopy, 	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<ul style="list-style-type: none"> - 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; 				<p>understory and ground strategy;</p> <ul style="list-style-type: none"> • Section 6.4 - the introduction of hollow bearing habitat features. • Section 6.5 - controlling weeds and feral pests, including the engagement of appropriately qualified contractors; • Section 6.6 - managing grazing and agriculture, including provision to exclude livestock grazing from existing treed areas and Endangered Ecological Communities within the offset area; • Section 6.7 - controlling vehicular access to minimise the potential for vehicle strike of native fauna; and • Section 6.9 - bushfire management; 		
		<ul style="list-style-type: none"> • 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 areas; - 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 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			<p>Section 5 and 6 of the BMP describes the management measures specified in this subclause. Specifically:</p> <ul style="list-style-type: none"> • Section 5.1 – protecting vegetation and soil outside the disturbance areas; • Section 5.2 – 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; • Section 5.3 – managing salinity; • Section 5.4 – undertaking pre-clearance surveys including for threatened species; • Section 5.4 – 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; • Section 5.5 – managing impacts on fauna; 	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>– bushfire management;</p>				<ul style="list-style-type: none"> • Section 5.6 – landscaping the site, and particularly the land adjoining public roads, to minimise visual and lighting impacts; • Sections 5.7 and 6.10 – collecting and propagating seed; • Section 5.8 – salvaging and reusing material from the site for habitat enhancement; • Section 5.9 and 5.10 – controlling weeds and feral pests, including the engagement of appropriately qualified contractors; • Section 5.11 – controlling vehicular access to minimise the potential for vehicle strike of native fauna; and • Section 5.12 – bushfire management. 		
		<ul style="list-style-type: none"> • 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 during the felling of identified hollow bearing trees to provide assistance with the care of any injured fauna; – 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; – provision for the annual inspection of the nesting boxes for the life of the mine. 	<p>Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.</p>			<p>Section 5.4 of the BMP describes the vegetation clearing plan.</p>	<p>Complies</p>	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		An inspection report shall be prepared and include a review of the condition and use of the nesting boxes; – provision for the checking of vegetation to be cleared for threatened species and recording of the species, number and condition and for details to be provided to the National Parks and Wildlife Service and the Department within 3 months of the clearing event;						
		<ul style="list-style-type: none"> 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 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 9 of the BMP describes contingency measures.	Complies	
		<ul style="list-style-type: none"> details of who would be responsible for monitoring, reviewing, and implementing the plan; 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 10 of the BMP allocates responsibility for monitoring and reporting.	Complies	
		<ul style="list-style-type: none"> 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). 	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Section 7 of the BMP describes monitoring program.	Complies	
Schedule 3 Condition 44	Conservation Bond	<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>	Letter from DPIE (S Brooks) to SCPL (M Plain) titled “Duralie Extension and Bowens Road North Mines – Lodgment of Conservation Bond”, dated 11 December 2013. The letter approves the proposed Conservation Bond for the Duralie Coal Mine.			<p>The original BMP was approved on 23/3/12. The revised BMP was approved in 5/09/17. DPE approved the on 11/12/13.</p> <p>A bank guarantee for conservation bond for \$2,040,000 was issued on 16/12/13.</p>	Complies	
		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.					Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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.		Environment and Community Superintendent - This action was commenced although not completed during the audit period. Kleinfelder was engaged to prepare a revision of the conservation bond. The conservation bond revision has not been finalised or submitted.		The review of the conservation bond triggered by the 2017 IEA has not been completed.	Non-Compliance	Expediate the finalization of the review of the conservation bond.
Schedule 3 Condition 46	HERITAGE	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH, the Aboriginal community, Heritage Branch, Council, and any local historical organisations;	Duralie Coal Mine Biodiversity Management Plan, Revision 3A, dated 23 June 2015. 2017 Duralie Coal Mine Independent Environmental Audit. 2014 Duralie Coal Mine Independent Environmental Audit.			This plan has not been updated since the last IEA. The 2014 IEA verified compliance the with this Condition. Stakeholder consultation was undertaken.	Complies	
		(b) be submitted to the Secretary for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary;	Duralie Coal Mine Biodiversity Management Plan, Revision 3A, dated 23 June 2015. 2017 Duralie Coal Mine Independent Environmental Audit. 2014 Duralie Coal Mine Independent Environmental Audit.			The 2017 IEA verified compliance the with this Condition. DPE approved the Heritage Management Plan on 23 June 2015..	Complies	
		(c) describe the program/procedures that would be implemented for: • 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.	Duralie Coal Mine Biodiversity Management Plan, Revision 3A, dated 23 June 2015. Incident Register.	Environment and Community Superintendent - No adverse impacts on heritage items have occurred during the audit period.		Section 6.1 describes the management and monitoring of indigenous heritage sites, including: • Indigenous stakeholder consultation • Minimization of impacts • a protocol to be followed in the event of an unexpected indigenous heritage find.	Complies	
		(d) include the following for the Weismantel Inn: • 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.	Incident Register. 2017 Duralie Coal Mine Independent Environmental Audit.			DCPL acquired the Inn and leases it to a private operator. Inspections at Weismantel Inn in August 2015 and 27/10/17. Concluded no damage from operations. No damage from blasting has been recorded at the Inn.	Complies	
Schedule 3 Condition 47	TRANSPORT Access	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	2017 Duralie Coal Mine Independent Environmental Audit.			These actions occurred during the 2014 IEA Audit Period. The 2014 IEA verified	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		satisfaction of the Secretary. However, this condition does not apply if the Proponent purchases the property.				compliance.		
Schedule 3 Condition 48	Monitoring Coal Transport	The Proponent shall keep accurate records of: (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	http://www.duraliecoal.com.au/page/environment/shuttle-train-coal-transported/			Monthly coal transport from the site is provided on the Duralie Coal Mine Website.	Complies	
		(b) the: <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. and make these records publicly available on its website on a fortnightly basis 	Excel spreadsheet (downloaded from Duralie Coal Mine Website) titled : Shuttle Train Summary – Website”.			Viewed ‘Shuttle Train Performance Summary’ on website containing information on the number of trains per day and date and time where each train is operated in accordance with this condition.	Complies	
Schedule 3 Condition 49	VISUAL Visual and Lighting	The Proponent shall: (a) minimise visual impacts, and particularly the off-site lighting impacts, of the project; and	Complaints Register	Environment and Community Superintendent - No night-time operations since July 2018. No outdoor lighting required since this time.	The mine is not visible from the public road network.	No lighting complaints received. Viewed bunding and tree screening during audit.	Complies	
		(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.	2014 Duralie Coal Mine Independent Environmental Audit.			A lighting audit dated November 2012 confirmed that the requirements of AS4282-1995 were being met.	Complies	
Schedule 3 Condition 50	Additional Visual Mitigation Measures	Upon receiving a written request from the owner of: (a) the land listed as 125(1), 125(2), and 116 on the figure in Appendix 3; or (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. These measures must be reasonable and feasible, and directed toward minimising the visibility of the mining operations from the residence on the land. 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.	Complaints Register	Environment and Community Superintendent - No requests for visual mitigation measures were received during the Audit Period.		No visual amenity related complaints were received during the Audit Period. No requests for visual mitigation measures were received during the Audit Period.	Not Triggered	
Schedule 3 Condition 51		Unless the Secretary agrees otherwise, the Proponent shall: (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		Environment and Community Superintendent - Visual screen along the Bucketts Wy constructed during previous audits. The visual screen and vegetation have been maintained.	The mine is not visible from the public road network.	A visual screening during audit was undertaken (including trees, bunding and screen) during the 2017 IEA. The site was not visible from	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		consultation with the RTA, Council and any relevant landowners; (b) maintain the screen and associated vegetation during the life of the project; and to the satisfaction of the Secretary				the public road network.		
Schedule 3 Condition 52	WASTE	The Proponent shall: (a) minimise the waste generated by the project; and				While the site was under care and maintenance at the time of this IEA, some wastes were being produced from office and plant maintenance activities. Those wastes were segregated and stored appropriately. Photos 3 and 7 show the waste storage area at the plant maintenance workshops.	All wastes were segregated and stored appropriately.	Complies
		(b) ensure that the waste generated by the project is appropriately stored, handled and disposed of, to the satisfaction of the Secretary		Environment and Community Superintendent - JR Richards is contracted to manage all wastes at Duralie.	JR Richards waste bins were sighted.	All wastes generated are managed by JR Richards and disposed of in accordance with EPA requirements.	Complies	
Schedule 3 Condition 53		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.	Duralie Coal Mine Waste Management Plan Revision 3A, dated 23 June 2015. 2014 Duralie Coal Mine Independent Environmental Audit.			This plan has not been revised since 2015. The 2014 IEA verified that the original WMP was submitted to DPE on 6/03/12. The plan was revised in April 2015 and approved by DPE on 23/06/15	Complies	
Schedule 3 Condition 54	BUSHFIRE MANAGEMENT	The Proponent shall: (a) ensure that the project is suitably equipped to respond to any fires on site; and	Duralie Coal Mine Biodiversity Management Plan, Revision I, dated 27 November 2018.			Emergency equipment is maintained on-site (Photo 8).	Bushfire management is described in Section 5.12 and 6.9 of the Biodiversity Management Plan	Complies
		(b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the surrounding area.		Environment and Community Superintendent - The RFS has been assisted as required. For example, the provision of access to water supplies.			Noted	
Schedule 3 Condition 55	REHABILITATION Rehabilitation Objectives	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).	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress.			Photos 4, 5 and 6 show examples of rehabilitation work undertaken at Duralie.	Section 5.2 of the MOP / Rehabilitation Plan describes the rehabilitation objectives for the project. Specific objectives are summarised below.	Noted
		Mine Site (as a whole) Safe, stable & non-polluting, fit for the purpose of the intended post-mining land use(s).	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress				Section 5.2.1 Infrastructure Areas – Surface infrastructure will be removed, areas decontaminated and revegetated (safety / stability/ non-polluting). Section 5.2.2 Water Areas (minor) – decommissioned, reprofiled, revegetated (safety / stability /non-polluting). Section 5.2.3 Retained Water Management Area – drainage	Complies

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
						<p>established (drainage / safety / stability / non-polluting).</p> <p>Section 5.2.4 Waste Emplacement – reshaping, revegetation (safety / stability / non-polluting)</p> <p>Section 5.2.5 Open Cut Pit - partially backfilled, reshaping, revegetation (drainage / safety / stability / non-polluting)</p> <p>Section 5.2.6 Offset Areas - maintenance (stability / non-polluting.)</p>			
		Surface Infrastructure	To be decommissioned and removed unless the Secretary agrees otherwise.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Section 5.2.1 Infrastructure Areas – Surface infrastructure will be removed, areas decontaminated and revegetated.	Complies	
		Coal Shaft Creek Diversion	Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than prior to mining.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Section 5.2.2 Water Areas, revegetated (stability / biodiversity).	Complies	
		Landforms	<p>Final landforms sustain the intended land use for the post-mining domain(s).</p> <p>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.</p> <p>Final landforms incorporate design relief patterns and principles for consistent with natural drainage.</p>	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			<p>Section 5.2.4 Waste Emplacement – reshaping, revegetation.</p> <p>Section 5.2.5 Open Cut Pit - partially backfilled, reshaping, revegetation.</p>	Complies	
		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. 	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Sections 5.2.1 to 5.1.6 – the objectives established for all areas generally meet these requirements.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		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.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Sections 5.2.1 to 5.1.6 – the objectives established for all areas generally meet these requirements to maximise future water quality by effective stabilisation and revegetation of all disturbed areas.	Complies	
		Native flora and fauna habitat and corridors Size, locations and species of native tree lots and corridors are established to sustain biodiversity habitats. Species are selected that re-establishes and complements regional and local biodiversity.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Sections 5.2.1 to 5.1.6 – the objectives established for all areas generally meet these requirements to maximise future biodiversity by effective maintenance and revegetation of all disturbed areas.	Complies	
		Final Void Safe, stable and non-polluting.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Section 5.2.5 Open Cut Pit - partially backfilled, reshaping, revegetation (safety / stability /non-polluting)	Complies	
		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).	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress			Section 5.2.1 Infrastructure Areas – Haul roads be rehabilitated to Agricultural Land use. Section 5.2.3 Retained Water Management Area – water storages will be available for future agricultural water supply). Section 5.2.4 Waste Emplacement – includes partial agricultural final land use. Section 5.2.5 Open Cut Pit - surrounding areas will include agricultural final land use.	Complies	
		Community Minimise the adverse socio-economic effects associated with mine closure.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019. Annual Reviews include a summary of the rehabilitation progress				Noted	
Schedule 3 Condition 56	Progressive Rehabilitation	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	Annual Reviews.	Environment and Community Superintendent - Annual Reviews include a summary of the rehabilitation progress.	Progressive rehabilitation of the site was observed. Including final landform shaping and revegetation outside of the final areas to be mined.	Rehabilitation works are well progressed and the requirement for progressive rehabilitation has been met.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
Schedule 3 Condition 57	Rehabilitation Management Plan	The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Secretary of DTIRIS. (b) be prepared in accordance with any relevant DRE guideline;	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019.			The current version of the Mine Operations and Rehabilitation Management Plan was finalised in late 2019 and covers the last stage of mining and site rehabilitation.	Complies		
		This plan must: (a) be prepared in consultation with the Department, OEH, NOW, Council and the CCC;	<p>Email from DCPL (M Plain) to OEH (S Cox) titled "Duralie Coal Mine – Mining Operations Plan & Rehabilitation Management Plan (ML1427 & ML 1646", dated 4 December 2019. The Email sought review and comments on the Plan.</p> <p>Email from DCPL (M Plain) to Council (R Flemming) titled "Duralie Coal Mine – Mining Operations Plan & Rehabilitation Management Plan (ML1427 & ML 1646", dated 4 December 2019. The Email sought review and comments on the Plan.</p> <p>Email from DCPL (M Plain) to EPA (E Coombs) titled "Duralie Coal Mine – Mining Operations Plan & Rehabilitation Management Plan (ML1427 & ML 1646", dated 4 December 2019. The Email sought review and comments on the Plan</p> <p>Email from DCPL (M Plain) to DPE titled "Duralie Coal Mine – Mining Operations Plan & Rehabilitation Management Plan (ML1427 & ML 1646", dated 4 December 2019. The Email sought review and comments on the Plan.</p> <p>Email from DCPL (M Plain) to the CCC titled "Duralie Coal Mine – Mining Operations Plan & Rehabilitation Management Plan (ML1427 & ML 1646", dated 4 December 2019. The Email sought review and comments on the Plan</p>			SCPL consulted with all required parties during the preparation of the Rehabilitation Management Plan (as part of the MOP).	Complies		
		(c) build, to the maximum extent practicable, on the other management plans required under this approval;	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019.					Noted	
		c1) address all aspects of mine closure and rehabilitation, including post-mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management;	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019.			Section 8 of the Mining Operations and Rehabilitation Management Plan describes the mine closure planning program.	Section 7 of the Mining Operations and Rehabilitation Management Plan describes rehabilitation planning and implementation.	Section 4 of the Mining Operations and	Complies

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						<p>Rehabilitation Management Plan describes post mining land use.</p> <p>Section 6 of the Mining Operations and Rehabilitation Management Plan presents the rehabilitation performance and completion criteria.</p> <p>Section 9 of the Mining Operations and Rehabilitation Management Plan describes the rehabilitation monitoring program.</p>		
		(d) provide for scientific knowledge gained during the rehabilitation, to be made publicly available;	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019.	<p>Environment and Community Superintendent - Information is available on the Duralie website including:</p> <ul style="list-style-type: none"> EIS rehabilitation assessment MOP and rehabilitation management plan Annual Reviews including rehabilitation progress and reports on rehabilitation methodologies and rehabilitation monitoring results. <p>Information is distributed to the CCC as requested.</p> <p>A community information line is operated to provide information when requested.</p> <p>DCPL has made provisions for rehabilitation knowledge to be made publicly available.</p>		The Mining Operations and Rehabilitation Management Plan does not specify that scientific knowledge gained during the rehabilitation will be made publicly available.	Non-Compliance	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.
		(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.	Letter from the Resources Regulator (P Ainsworth) to DCPL (A Bristrow) titled "ML 1646 (1992), ML 1427 (1992), CIM DURALIE PTY LTD Approval of Mining Operations Plan", dated 27 February 2020. The letter approves the latest version of the Plan.			The Department approved the revised plan (prior to the commencement of the next phase of operations.	Complies	
SCHEDULE 4 ADDITIONAL PROCEDURES								
Schedule 4 Condition 1	NOTIFICATION OF LANDOWNERS	Within 1 month of the date of this approval, the Proponent shall notify in writing the owners of: (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;	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(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;	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
		(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;	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
		(d) any residence on the land listed as 125(1) and 125(2) on 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	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
		(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	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
Schedule 4 Condition 1a		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: (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;	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
		(b) explaining the sorts of mitigation measures that could be implemented to these residences;	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
		c) following up the initial notification of these owners with detailed discussions about the potential implementation of suitable mitigation measures;	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
		(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.	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		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.	2014 Duralie Coal Mine Independent Environmental Audit.			The notification of residents in accordance with this Condition was verified in the 2014 IEA.	Complies	
Schedule 4 Condition 2	NOTIFICATION OF LANDOWNERS	Within 2 weeks of obtaining monitoring results showing: (a) an exceedance of the relevant criteria in any condition in Schedule 3, the Proponent shall notify the affected landowner and tenants in writing of the exceedance, and provide monitoring results to each of these parties until the project is complying with the relevant criteria again;				Refer to Schedule 3 compliance assessment above. No exceedances related to air, noise or blasting were reported.	Not Triggered	
		(b) an exceedance 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;				Refer to Schedule 3 compliance assessment above. No exceedances related to air, noise or blasting were reported.	Not Triggered	
		(c) an exceedance 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;				Refer to Schedule 3 compliance assessment above. No exceedances related to air, noise or blasting were reported.	Not Triggered	
		(d) an exceedance 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				Refer to Schedule 3 compliance assessment above. No exceedances related to air, noise or blasting were reported.	Not Triggered	
		(e) exceedance 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 (f) an exceedance 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.				Refer to Schedule 3 compliance assessment above. No exceedances related to air, noise or blasting were reported.	Not Triggered	
Schedule 4 Condition 3	INDEPENDENT REVIEW	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. If the Secretary is satisfied that an independent review is warranted, then		Environment and Community Superintendent: No requests for Independent Reviews were received during the Audit Period.		Refer to Schedule 3 compliance assessment above. No exceedances related to air, noise or blasting were reported. No requests for Independent Reviews were received during	Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>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 • 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 				the Audit Period.		
		<p>(b) give the Secretary and landowner a copy of the independent review.</p>		<p>Environment and Community Superintendent: No requests for Independent Reviews were received during the Audit Period.</p>		<p>No requests for Independent Reviews were received during the Audit Period.</p>	<p>Not Triggered</p>	
		<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. 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>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for Independent Reviews were received during the Audit Period.</p>	<p>Not Triggered</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>		<p>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for Independent Reviews were received during the Audit Period.</p>	<p>Not Triggered</p>	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Schedule 4 Condition 5	LAND ACQUISITION	<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 improvements that have resulted from the implementation of any additional noise mitigation measures under Condition 4 of Schedule 3; 		<p>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for acquisition were received during the audit period.</p>	Not Triggered	
		<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>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for acquisition were received during the audit period.</p>	Not Triggered	
		<p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p>		<p>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for acquisition were received during the audit period.</p>	Not Triggered	
		<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>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for acquisition were received during the audit period.</p>	Not Triggered	
		<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 		<p>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period</p>		<p>No requests for acquisition were received during the audit period.</p>	Not Triggered	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>parties. 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 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>						
		<p>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.</p>		<p>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period.</p>		<p>No requests for acquisition were received during the audit period.</p>	<p>Not Triggered</p>	
Schedule 4 Condition 6				<p>Environment and Community Superintendent: No requests for land acquisition were received during the Audit Period.</p>		<p>No requests for acquisition were received during the audit period.</p>	<p>Not Triggered</p>	
SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING								
Schedule 5 Condition 1	ENVIRONMENTAL MANAGEMENT Environmental Management Strategy	<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>Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.</p> <p>2014 Duralie Coal Mine Independent Environmental Audit.</p>			<p>DPE Approval of the Environmental Management Strategy in accordance with this Condition was verified in the 2014 IEA. DPI approved the original EMS on 21/06/2011.</p>	<p>Complies</p>	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(b) provide the strategic framework for the environmental management of the project;	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Section 3.3 of the Environmental Management Strategy describes the Duralie Coal Mine Environmental Management Framework.	Complies	
		(c) identify the statutory approvals that apply to the project;	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Section 3 of the Environmental Management Strategy details the statutory approvals that apply to the project.	Complies	
		(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Table 2 (Section 4) of the Environmental Management Strategy details site environmental roles and responsibilities.	Complies	
		(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; respond to emergencies; and 	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Section 7 describes the procedures for information dissemination. Section 8 describes the procedures for complaints management. Section 8.1.2 describes the dispute resolution process. Section 8.3 describes the procedures to be followed if non-compliance is recorded. Section 9 describes the emergency response procedures.	Complies	
		(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. 	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Copies of all Plans required under the Planning Approval are located on the Duralie Coal Mine website. Section 6.1 describes the environmental monitoring program.	Complies	
Schedule 5 Condition 2	Management Plan Requirements	The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data;				Refer to Section 7.4 of this report.	Complies	
		(b) a description of: <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 				Refer to Section 7.4 of this report.	Complies	

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		guide the implementation of, the development or any management measures						
		(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;				Refer to Section 7.4 of this report.	Complies	
		(d) a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the development; effectiveness of any management measures (see c above); 				Refer to Section 7.4 of this report.	Complies	
		(e) a contingency plan to manage any unpredicted impacts and their consequences;				Refer to Section 7.4 of this report.	Complies	
		(f) a program to investigate and implement ways to improve the environmental performance of the development over time;				Refer to Section 7.4 of this report.	Complies	
		g) a protocol for managing and reporting any: <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 				Refer to Section 7.4 of this report.	Complies	
		(h) a protocol for periodic review of the plan.				Refer to Section 7.4 of this report.	Complies	
Schedule 5 Condition 3	Annual Review	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: (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;	Duralie Coal 2020 Annual Review Duralie Coal 2019 Annual Review Duralie Coal 2018 Annual Review			All Annual Reviews required for this Audit Period have been prepared and published on the Duralie Coal Website. Section 4 of the Annual Reviews describe the development. Section 8 of the Annual Reviews describe the rehabilitation works undertaken during the relevant reporting year. Table 29, Section 8.2 of the Annual Reviews present the Rehabilitation Targets (for the previous, current, and subsequent year).	Complies	
		(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a	Duralie Coal 2020 Annual Review Duralie Coal 2019 Annual Review			Section 3 of the Annual Reviews describe the relevant regulatory requirements.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		comparison of these results against the: <ul style="list-style-type: none"> the relevant statutory requirements, limits or performance measures/criteria; the monitoring results of previous years; and the relevant predictions in the EA; 	Duralie Coal 2018 Annual Review			Section 6 of the Annual Reviews present (and assess) the environmental monitoring undertaken during the reporting period. Assessments of the monitoring results against the general predictions in the EA are also provided in Section 6.		
		(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;	Duralie Coal 2020 Annual Review Duralie Coal 2019 Annual Review Duralie Coal 2018 Annual Review			Section 11 of the Annual Reviews reports on incident and non-compliances.	Complies	
		(d) identify any trends in the monitoring data over the life of the development;	Duralie Coal 2020 Annual Review Duralie Coal 2019 Annual Review Duralie Coal 2018 Annual Review			The Annual Reviews generally provide limited assessment of trends in monitoring data over the life of the development.	Complies	Ensure that future Annual Reviews include (in each subsection of Section 6) a discussion of trends in monitoring data over the life of the development.
		(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Duralie Coal 2020 Annual Review Duralie Coal 2019 Annual Review Duralie Coal 2018 Annual Review			The Annual Reviews generally provide limited assessment of discrepancies between predicted and actual impacts.	Complies	Ensure that future Annual Reviews include (in each subsection of Section 6) a discussion of predicted and actual environmental impacts.
		(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Duralie Coal 2020 Annual Review Duralie Coal 2019 Annual Review Duralie Coal 2018 Annual Review			The Annual Reviews generally provide limited detail of measures to be taken in the next year to improve environmental performance.	Complies	Ensure that future Annual Reviews include (in each subsection of Section 6) details of measures to be taken in the next year to improve environmental performance.
Schedule 5 Condition 4	Revision of Strategies, Plans and Programs	Within 3 months of: (a) the submission of an annual review under Condition 3 above;	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			There was no evidence available that any Management Plan were reviewed following the submission of the annual reviews.	Non-Compliance	Establish a register that records the reviews of all management plans (as evidence for future audits).
		(b) the submission of an incident report under Condition 67 below;	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Refer to Section 7.4 of this report. After the receipt of a series of odour complaints, no review or revision of the Air Quality & Greenhouse Gas Management Plan was undertaken.	Non-Compliance	Ensure that following any reportable incident that the relevant plan is reviewed and if required revised.
		(c) the submission of an audit report under Condition 8 below; or	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			The PRIMP was reviewed and revised every year following the annual PRIMP Audit (internal).	Complies	
		(d) any modification to the conditions of this consent, (unless the conditions require otherwise); or	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			No Modifications were approved during this Audit Period.	Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(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.	Duralie Coal Mine Environmental Management Strategy, Version K, September 2017.			Verified in the previous IEA.	Complies	
Schedule 5 Condition 5	Community Consultative Committee	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 date of this approval.	http://www.duraliecoal.com.au/page/community/	The CCC Chairperson was consulted as part of this IEA.		The CCC has been established. CCC meeting records are available on the Duralie Mine Website.	Complies	
Schedule 5 Condition 6	REPORTING Incident Reporting	The Proponent shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Incident Register			No incidents relating to Material Environmental Harm were identified during the IEA.	Not Triggered	
Schedule 5 Condition 7	Regular Reporting	The Proponent shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	http://www.duraliecoal.com.au/page/environment/monitoring-results/			Environmental monitoring results are published on the Duralie Coal Website and regularly updated.	Complies	
Schedule 5 Condition 8	INDEPENDENT ENVIRONMENTAL AUDIT	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:	2017 Independent Environmental Audit. Letter from DPE (L Cook) to DCPL (M Plain) titled "Duralie Coal and Stratford Coal Independent Environmental Audit Team dated 13 November 2017. The letter approves the appointment of the audit team, including the nominated technical experts.			The 2017 IEA was commissioned and completed within the timeframes required by this Condition. DPE endorsed the audit team on 13 November 2017.	Complies	
		(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;	2017 Independent Environmental Audit.			The 2017 IEA included consultation with relevant agencies.	Complies	
		(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	2017 Independent Environmental Audit.			The 2017 IEA included the assessment of performance and compliance against the relevant NSW Statutory requirements.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		under these approvals);						
		(d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and	2017 Independent Environmental Audit.			The 2017 IEA included the review of all approved plans, strategies, and programs.	Complies	
		(e) recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.	2017 Independent Environmental Audit.			The 2017 IEA included relevant recommendations for improvement.	Complies	
		<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>	2017 Independent Environmental Audit.			DPE endorsed the audit team on 13 November 2017. The specific experts required by this Condition were included in the audit team.	Complies	
Schedule 5 Condition 9		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.	2017 Independent Environmental Audit.			The audit (on-site aspects) was completed on 14 December 2017. The report was issued by the Auditor in February 2018.	Complies	
		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:	2017 Independent Environmental Audit.			The Rail Haulage Audit was undertaken in parallel with the 2017 IEA and the report provided as Appendix G of the IEA report.	Complies	
		(a) be conducted by a suitably qualified, experienced and independent experts whose appointment has been endorsed by the Secretary;				The relevant rail specialists were endorsed by DPE on 13 November 2017.		
Schedule 5 Condition 9A		(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 	2017 Independent Environmental Audit.			The Rail Haulage Audit meet the requirements of this Condition.	Complies	
		(c) recommend appropriate measures or actions to improve the efficiency of these rail haulage operations and minimise their associated impacts; and	2017 Independent Environmental Audit.			The Rail Haulage Audit meet the requirements of this Condition.	Complies	
		(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).	2017 Independent Environmental Audit.			The Rail Haulage Audit meet the requirements of this Condition.	Complies	
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,	2017 Independent Environmental Audit.			The audit (on-site aspects) was completed on 14 December 2017. The report was issued by the Auditor in	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		together with its response to any recommendations contained in the audit report.				February 2018.		
Schedule 5 Condition 10	ACCESS TO INFORMATION	<p>Within 1 month of the date of this approval, the Proponent shall:</p> <p>(a) 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 	http://www.duraliecoal.com.au/page/environment/			<p>All of the documents required by this Condition were available on the website at the time of this IEA. Specifically:</p> <ul style="list-style-type: none"> the documents referred to in Condition 2 of Schedule 2; all relevant statutory approvals; all approved strategies, plans, programs and studies; the monitoring results of the project; complaints register; CCC agenda papers and minutes; the annual reviews; IEAs, and the Proponent's response to the recommendations in any audit report; 	Complies	
		(b) keep this information up to date, to the satisfaction of the Secretary.	http://www.duraliecoal.com.au/page/environment/			The documentation required by the Approval were up to date at the time of this IEA.	Complies	

ENVIRONMENT PROTECTION LICENCE 11701

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
A1.1	Administrative Conditions What the licence authorises and regulates	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. Coal Works 0 - 2,000,000 T annual handling capacity. Extractive activities 0 -30,000 T annual capacity to extract, process or store Mining for Coal 0 – 500,000 T annual Production Capacity.	Spreadsheet titled "8.1 Production Volumes 2021". The spreadsheet detailed monthly production (mining and processing) quantities at both the Duralie and Stratford mines from 2014 to October 2020. Duralie Coal Mine Annual Review 2020 Duralie Coal Mine Annual Review 2019 Duralie Coal Mine Annual Review 2018	Interview – Superintendent Coal Plant – The Coal Processing Plant processes coal from both the Duralie and Stratford mines. Over recent years the mining and processing at both sites have been well below the allowable levels. Neither the Stratford nor Duralie mines have been in full production at any time over the past three years.		No coal was mined during 2020. No coal was mined during 2019. In 2018 189,000 tonnes of ROM coal was produced.	Complies	
A 1.2		The development consent for the premises notes that the licensee must not extract more than 3 million tonnes of Run of Mine (ROM) coal at the premises. For the purposes of this licence, the licensee must not: 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.	Spreadsheet titled "8.1 Production Volumes 2021". The spreadsheet detailed monthly production (mining and processing) quantities at both the Duralie and Stratford mines from 2014 to October 2020. Duralie Coal Mine Annual Review 2020 Duralie Coal Mine Annual Review 2019 Duralie Coal Mine Annual Review 2018	Interview – Superintendent Coal Plant – The Coal Processing Plant processes coal from both the Duralie and Stratford mines. Over recent years the mining and processing at both sites have been well below the allowable levels. Neither the Stratford nor Duralie mines have been in full production at any time over the past three years.		No coal was mined during 2020. No coal was mined during 2019. In 2018, 189,000 tonnes of ROM coal was produced.	Complies	
A2.1	Premises or plant to which this licence applies	The licence applies to the following premises: Duralie Coal Mine DEPARTMENT OF INDUSTRY & INVESTMENT MINING LEASE 1427, DATED 6/4/98 & MINING LEASE 1646 DATED 4/1/11. Stroud Road, NSE 2415					Noted	
A3.1	Information supplied to the EPA	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	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
P1.1	Discharges to Air and Water and Applications to Land Location of monitoring / discharge points	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. Air: EPA 8 High Volume Sampler EPA 9 High Volume Sampler EOA 24 Dust Deposition Gauge EPA 25 Dust Deposition Gauge EPA 26 Dust Deposition Gauge EPA 32 High Volume Sampler EPA 33 TEOM EPA 34 High Volume Sampler					Noted	
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.					Noted	
P1.3		The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point. Water and Land: EPA 3 Discharge quality monitoring EPA 4 Discharge quality monitoring EPA 15 Discharge quality monitoring EPA 20 Discharge quality monitoring EPA 27 Discharge to waters EPA 30 Ambient water monitoring EPA 31 Ambient water monitoring EPA 35 Ambient water monitoring EPA 36 Discharge to waters EPA 37 Discharge to waters					Noted	
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. Noise / Weather: EPA 38 Air blast overpressure & ground vibration EPA 39 Air blast overpressure & ground vibration EPA 40 Air blast overpressure & ground vibration EPA 41 Meteorological Station EPA 42 Meteorological Station EPA 43 Meteorological Station					Noted	
L1.1		Limit Conditions Pollution of Waters	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.	Refer to L2.4			The review of surface water monitoring results has identified that discharges from the site at the three EPA monitoring points (26, 36 and 37) exceeded discharge quality criteria.	Complies

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
						For the majority of the audit period, rainfall was well below average (the audit period covered the end of several years of drought conditions). The comparison of upstream water quality and downstream water quality associated with the Duralie Mine indicated that the mine water discharges had no material impact on water quality.			
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		
L2.2	Concentration Limits	For each monitoring/discharge point or utilisation area specified in the table\				The review of surface water monitoring results has identified that discharges from the site at the three EPA monitoring points (26, 36 and 37) exceeded discharge quality criteria. For the majority of the audit period, rainfall was well below average (the audit period covered the end of several years of drought conditions). The comparison of upstream water quality and downstream water quality associated with the Duralie Mine indicated that the mine water discharges had no material impact on water quality	Non-Compliance	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 non-compliance have been identified.	
L2.3		Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.					Noted		
L2.4	Water and/or Land Concentration Limits	Point 27			Spreadsheet titled "EPL 11701 Monitoring Data - Duralie Coal Pty Ltd_(7)", downloaded from the Duralie Coal Mine Website.			Noted	
		Pollutant	Units	Limit					
		EC	uS/cm	1326					
		pH	pH	6.5 – 8.5					
		TSS	mg/l	30					
		Point 36 & 37			Spreadsheet titled "EPL 11701 Monitoring Data - Duralie Coal Pty Ltd_(7)", downloaded from the Duralie Coal Mine Website.			Noted	
Pollutant	Units	Limit							
EC	uS/cm	1326							

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Cond.	Short Title	Condition			Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation																																																																						
		pH	pH	6.5 – 8.5																																																																												
		pH	pH	6.5 – 8.5				<p>On six occasions during the audit period water discharging from the site exceeded the Conductivity criteria at Point 37.</p> <p>On two occasions during the audit period water discharging from the site exceeded the TSS criteria at Point 37.</p> <p>Refer to L2.2 above.</p>																																																																								
L3.1	Waste	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.			Duralie Coal Mine Waste Management Plan Revision 3A, dated 23 June 2015.		No evidence of waste import onto the site was observed during the IEA site inspection.	Waste was not imported onto this site during the Audit Period. Photos 3 and 7 show the waste storage areas associated with the maintenance workshop.	Complies																																																																							
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.			Duralie Coal Mine Waste Management Plan Revision 3A, dated 23 June 2015.				Noted																																																																							
L3.3		<p>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.</p> <p>Waste oil generated at and stored on the premises not exceeding 30,000 litres at any time.</p>			Duralie Coal Mine Waste Management Plan Revision 3A, dated 23 June 2015.		Waste oil storage at the time of the inspection was less than 30.000 litres.	<p>Waste oil storage at the time of the inspection was less than 30.000 litres.</p> <p>Photo 9 shows that waste oil storage area.</p>	Complies																																																																							
L4.1	172	<p>Noise from the premises must not exceed:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day LAeq (15min)</th> <th>Evening LAeq (15min)</th> <th>Night LAeq (15min)</th> <th>Night LA1 (1min)</th> </tr> </thead> <tbody> <tr><td>172</td><td>35</td><td>39</td><td>40</td><td>45</td></tr> <tr><td>126</td><td>35</td><td>35</td><td>39</td><td>45</td></tr> <tr><td>123</td><td>35</td><td>35</td><td>39</td><td>45</td></tr> <tr><td>176</td><td>35</td><td>36</td><td>37</td><td>45</td></tr> <tr><td>116</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>127</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>131</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>180</td><td>35</td><td>36</td><td>36</td><td>45</td></tr> <tr><td>95</td><td>35</td><td>35</td><td>36</td><td>45</td></tr> <tr><td>144</td><td>35</td><td>36</td><td>35</td><td>45</td></tr> <tr><td>169</td><td>35</td><td>36</td><td>35</td><td>45</td></tr> <tr><td>177</td><td>35</td><td>36</td><td>35</td><td>45</td></tr> <tr><td>All Other</td><td>35</td><td>35</td><td>35</td><td>45</td></tr> </tbody> </table>			Location	Day LAeq (15min)	Evening LAeq (15min)	Night LAeq (15min)	Night LA1 (1min)	172	35	39	40	45	126	35	35	39	45	123	35	35	39	45	176	35	36	37	45	116	35	35	37	45	127	35	35	37	45	131	35	35	37	45	180	35	36	36	45	95	35	35	36	45	144	35	36	35	45	169	35	36	35	45	177	35	36	35	45	All Other	35	35	35	45	<p>Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.</p> <p>Complaints Register</p>			<p>No noise complaints were received over the Audit Period.</p> <p>The review of the Duralie Noise Monitoring Reports indicated that no noise exceedances were measured during the Audit Period.</p>	Complies	
Location	Day LAeq (15min)	Evening LAeq (15min)	Night LAeq (15min)	Night LA1 (1min)																																																																												
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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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). 	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			<p>SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Quarterly noise monitoring reports have been uploaded to the Duralie Coal Mine Website.</p> <p>Section 3 of the Quarterly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR.</p> <p>The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.</p>	Complies	
L4.3	Noise Limits	<p>For the purpose of condition L4.1;</p> <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. 	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			<p>SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Quarterly noise monitoring reports have been uploaded to the Duralie Coal Mine Website.</p> <p>Section 3 of the Quarterly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR.</p> <p>The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.</p>	Complies	
L4.4		<p>A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:</p> <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. 	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			<p>SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Quarterly noise monitoring reports have been uploaded to the Duralie Coal Mine Website.</p> <p>Section 3 of the Quarterly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR.</p> <p>The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.</p>	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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.	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Monthly noise monitoring reports have been uploaded to the Duralie Coal Mine Website. Section 3 of the Monthly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR. The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.	Complies	
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.	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Monthly noise monitoring reports have been uploaded to the Duralie Coal Mine Website. Section 3 of the Monthly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR. The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.	Complies	
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.	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Monthly noise monitoring reports have been uploaded to the Duralie Coal Mine Website. Section 3 of the Monthly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR. The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.	Complies	
L4.8		The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or b) Temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Temperature inversion conditions greater than 3°C/100m.	Duralie Coal Mine Quarterly Compliance Monitoring Reports – April 2018 to August 2020.			SLR Consultants undertook the noise monitoring at Duralie required during the Audit Period. The Monthly noise monitoring reports have been uploaded to the Duralie Coal Mine Website. Section 3 of the Monthly Noise Monitoring Reports present the Noise Monitoring Methodology used by SLR.	Complies	
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.				The noise monitoring and assessment methodology is consistent with the requirements of Licence Conditions of L4.2 to L4.8.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
L5.1	Blasting	The airblast overpressure from blasting operations carried out in or on the premises must not exceed 115 dB(L) 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.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast Results".	Environment and Community Superintendent – Production (and blasting) ceased at Duralie in August 2018.		A review of the 2018 blast results indicated that all blast overpressure levels were below the 115db (L limit).	Complies	
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.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast Results".			A review of the 2018 blast results indicated that all blast overpressure levels were below the 120db (Lin Peak) limit.	Complies	
L5.3		The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed 5mm/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.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast Results".			A review of the 2018 blast results indicated that all vibration levels were below the 5mm/s limit.	Complies	
L5.4		The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed 10mm/second at any time; at either monitoring point 38, 39 or 40 in Condition P1.4.	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast Results".			A review of the 2018 blast results indicated that all vibration levels were below the 10mm/s limit.	Complies	
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).	Duralie Mine Annual Review 2018, Section 6.7 Duralie Mine Annual Review 2019, Section 6.7 Spreadsheet titled "4.5 Duralie Blast Results". Complaints Register	Environment and Community Superintendent – Production (and blasting) ceased at Duralie in August 2018.		Blasting records indicate that all blasts occurred within approved hours. No blasting related complaints were received during the Audit Period.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
L5.6		<p>Offensive blast fume must not be emitted from the premises.</p> <p><i>Definition:</i> <i>Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</i> 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.</p>	<p>Complaints Register</p> <p>Incident Register</p>			<p>No complaints relating to blast fume were received during the Audit Period.</p> <p>No blast fume incidents were recorded for the Audit Period.</p>	Complies	
L6.1	Offensive Odours	<p>The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.</p> <p>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.</p>	<p>Complaints Register – three odour complaints were recorded for 2018, relating to odours (from EPA Pollution Line).</p> <p>Email from DCPL (M Plain) to the EPA (E Coombs), titled "RE: Incident Allocated I14944-2018 200 AIR ODOURS - 204 MINE WARDS RIVER", dated 26 October 2018. The email refers to an odour complaint received in August and the three complaints received via the EPA.</p>	<p>Environment and Community Superintendent - There have been no ongoing instances of odour from the Duralie Mine since November 2018. There have been no further complaints relating to odours since November 2018. Duralie have demonstrated the intent to comply with this condition through the implementation of all reasonable and feasible mitigation measures to control the generation and release of any odours from the Duralie Mine. This is evidenced by ongoing correspondence with the EPA and follow-up inspections.</p> <p>Duralie have identified and implemented the control measures necessary to minimise odours. Odours from Duralie have been appropriately controlled.</p>	<p>During the IEA inspection no offensive odours were detected.</p>	<p>Four odour complaints were received. The first complaint was from 28 August 2018 and the other three were via the EPA complaints line relating to odours from the Duralie Mine, over the period of 10 October 2018 to 7 November 2018.</p> <p>DCPL have provide responses to the EPA as requested. No further action has been required by the EPA.</p>	Non-Compliance	DCPL has responded to the odour incidents and no further actions have been identified during this IEA.
O1.1	Operating Conditions Activities must be carried out in a competent manner	<p>Licensed activities must be carried out in a competent manner. This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p>	<p>Complaints Register</p> <p>Incident Register</p>		<p>During the site inspections undertaken on 1 and 2 December the Auditor did not identify any circumstances where reasonable and feasible environmental controls were not being implemented.</p>	<p>All reasonable and feasible measures were being implemented to minimise the potential for environmental harm.</p>	Complies	
		<p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity</p>	<p>Total Waste Management Report Stratford Coal</p>	<p>Environment and Community Superintendent - All waste streams from Stratford and Duralie are managed under a group contract with JR Richards.</p>	<p>JR Richards manage all aspects of waste collection, classification and disposal and provide DCPL with a detailed monthly report.</p>	Complies		
O2.1	Maintenance of plant and equipment	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>a) must be maintained in a proper and efficient condition; and</p>	<p>Maintenance records (sampled) located on the SAP system.</p>	<p>Maintenance Superintendent – Maintenance at both mines (Duralie and Stratford) is undertaken by the same team. A comprehensive maintenance management system is in use.</p>	<p>The Maintenance Superintendent demonstrated the SAP maintenance scheduling and management system.</p> <p>All plant and equipment (including environmental monitoring equipment sighted by the Auditor</p>	<p>Duralie operates an appropriate maintenance management, tracking and scheduling system. Photos 3 and 7 show the plant maintenance workshop.</p>	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
					appeared to be operable and appropriately maintained.			
		b) must be operated in a proper and efficient manner.	Incident Register		All activities observed during the audit were being undertaken in a reasonable and appropriate manner.	No incidents recorded indicated that plant and equipment was not being operated in a proper and efficient manner.	Complies	
O3.1	Dust	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.		Environment and Community Superintendent – No exceedances of dust levels were detected during the audit period.	No mining operations were being undertaken at the time of the IEA site inspection.	No dust exceedances were due to mining operations were reported during the audit period.	Complies	
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.			No uncontrolled dust emissions were observed.	During the IEA site inspections are reasonable and feasible dust mitigation measures were being implemented in relation to the minimal operations being undertaken.	Complies	
O4.1	Effluent Application to land	Wastewater 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.	Incident Register		No irrigation was being undertaken at the time of this IEA site inspection. No evidence of erosion from over irrigation was observed.	No evidence of over irrigation was found during this IEA.	Complies	
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.	Incident Register		No irrigation was being undertaken at the time of this IEA site inspection. No evidence of erosion from over irrigation was observed.	No evidence of over irrigation was found during this IEA.	Complies	
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.	Duralie Coal Pty Ltd EPL 11701 Section o4.3 Annual Report 2018 Summary of Runoff from Irrigation Areas. Duralie Coal Pty Ltd EPL 11701 Section o4.3 Annual Report 2019 Summary of Runoff from Irrigation Areas. Duralie Coal Pty Ltd EPL 11701 Section o4.3 Annual Report 2020 Summary of Runoff from Irrigation Areas.			DCPL keeps the required runoff records and prepares an annual report for submission to the EPA in accordance with this Condition.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
05.1	Emergency Response	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 <u>all types</u> 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.	Duralie Coal Mine Pollution Incident Response Management Plan, Revision 6, dated January 2019.		Photo 8 shows the emergency response equipment storage.	A PIRMP has been prepared and implemented.	Complies	
06.1	Processes and management	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.	Duralie Coal Mine Waste Management Plan Revision 3A, dated 23 June 2015.		The mine was not operating at the time of the IEA site inspection. Some maintenance related wastes were being generated and were appropriately segregated and stored.	The mine was not operating at the time of the IEA site inspection. Some maintenance related wastes were being generated and were appropriately segregated and stored.	Complies	
06.2		A wastewater management system must be constructed and utilised to manage the collection, storage, treatment, use and disposal of sewage effluent and another wastewater.			Sewage treatment facilities (septics) and oil/water separators were inspected.	Sewerage effluent and other wastewater is treated in a septic system and irrigated to a dedicated area to the south of the administrative building and contractor car park. The irrigation system for the treated effluent is consistent with the EPA Guidelines	Complies	
06.3		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."			Photo 11 shows the on-site sewage treatment (septic) system. Photo 12 shows the oil/water separator servicing the bulk fuel storage bund.		Complies	
07.1	Other Operation Conditions Giant Barred Frog Protection from Water Viewed 'Shuttle Train Performance Summary' on website containing information on the number of trains per day and date and time where each train is operated in accordance with this condition. Pollution	<i>Note: Background description for EPL has not be reproduced here.</i> Deliverables 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 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: * 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,	Duralie Coal Pty Ltd EPL 11701 Section O7.1 Giant Barred Frog Monitoring Program.			The frog monitoring report required by this Licence Condition has been prepared and issued to the EPA.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		* 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.						
O7.2	Bunding	All above-ground tanks containing material that is likely to cause environmental harm must be banded or have an alternative spill containment system in place.			All hazardous liquids, including fuels and oils, were storage in appropriately banded areas that are compliant with AS1940. Photo 9 shows the bunding associated with oil storage.	All hazardous liquids were storage in appropriately banded areas.	Complies	
O7.3	Noise from Trains	The licensee shall only: a) dispatch shuttle trains from the site between 6am and 10pm;	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)			A review of the shuttle train records indicates that all shuttle trains were dispatched between 6 am and 10pm.	Complies	
		b) receive shuttle trains on site between 6am and midnight; and	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	Environment and Community Superintendent – Only 1 train was received between midnight and 1am during the entire 3-year audit period. This train was not identified in the report due to an error in the spreadsheet calculation. Hence, no explanation for the late arrival was provided. DCPL has always published the shuttle train summary on the website. DCPL has demonstrated all intentions to comply with this condition throughout the audit period. The spreadsheet and website have been corrected.		Shuttle train records reviewed indicated that one train was received (22 March 2018) at the site after midnight.	Non - Compliance	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition
		c) operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances.	Duralie Mine Annual Review 2018, Section 4.4.4 Duralie Mine Annual Review 2019, Section 4.4.4 2018 Duralie Coal Train Performance (Spreadsheet)	Environment and Community Superintendent – We have reviewed the record of the shuttle train on 22 March 2018. The traco confirms the train arrived back at 1:00am. There was no reason provided by the shuttle train operator. Due to the calculation in our summary spreadsheet, it did not identify the train arriving at exactly 1:00am, hence this was not reported. The spreadsheet calculation has now been corrected.		One train (on 22 March 2018 arrived back at Duralie at 1 am and was therefore operating on the North Coast Railway between midnight and 1 am.	Non - Compliance	Prior to recommencement of shuttle Train Operations ensure that train operators are made aware of their obligations under this Condition
		The licensee must keep records of the: 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.	http://www.duraliecoal.com.au/page/environment/shuttle-train-coal-transported/ Excel spreadsheet (downloaded from Duralie Coal Mine Website) titled: Shuttle Train Summary – Website”.			All records required by this Licence Condition are available on the Duralie Mine website.	Complies Complies Complies	
M1.1	Monitoring and Reporting Conditions	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.	http://www.duraliecoal.com.au/page/environment/monitoring-results/			Sampling and testing results required by the EPL are provided in a spreadsheet titled “EPL 11071 Monitoring Data - Duralie Coal Pty Ltd_(7)-3”, that is	Noted	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation					
	Monitoring Records					located on the Duralie Coal Mine Website.							
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;	http://www.duraliecoal.com.au/page/environment/monitoring-results/ 2020_08 Duralie Report (C-Based monthly monitoring report). 2020_09 Duralie Report (C-Based monthly monitoring report). 2020_010 Duralie Report (C-Based monthly monitoring report).			The sampling data spreadsheet (refer M1.1) is accessible and legible. Monthly reports that contain the sampling related data required by Conditions M1.1 to M 1.3 are prepared for SCPL by a consultant. A review of three of these reports found that information on these sampling sheets were legible.	Complies	Ensure that sampling personnel carefully complete the sampling Sheets so that all information required by the EPL is legible.					
		b) kept for at least 4 years after the monitoring or event to which they relate took place; and	http://www.duraliecoal.com.au/page/environment/monitoring-results/			The sampling data spreadsheet (refer M1.1) contains monitoring data from 2014.	Complies						
		c) produced in a legible form to any authorised officer of the EPA who asks to see them.	http://www.duraliecoal.com.au/page/environment/monitoring-results/			The sampling data spreadsheet (refer M1.1) is accessible to any member of the public.	Complies						
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;	http://www.duraliecoal.com.au/page/environment/monitoring-results/ 2020_08 Duralie Report (C-Based monthly monitoring report).			The sampling data spreadsheet (refer M1.1) provides the date on which each sample was taken.	Complies						
		b) the time(s) at which the sample was collected;	http://www.stratfordcoal.com.au/page/environment/monitoring-results/ 2020_08 Duralie Report (C-Based monthly monitoring report).			C-Based Environmental's monitoring reports identify the day and time that samples were collected.	Complies						
		c) the point at which the sample was taken; and	http://www.duraliecoal.com.au/page/environment/monitoring-results/ 2020_08 Duralie Report (C-Based monthly monitoring report).			The sampling data spreadsheet (refer M1.1) identifies the specific sampling points.	Complies						
		d) the name of the person who collected the sample.	http://www.duraliecoal.com.au/page/environment/monitoring-results/ 2020_08 Duralie Report (C-Based monthly monitoring report).			C-Based Environmental's monitoring reports identify the name of sampling personnel (handwritten on the sampling sheets that are appended to each report.	Complies						
M2.1	Monitoring Requirements	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						
M2.2	Air Monitoring Requirements	EPA Points 8 & 9											
		<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Unit</th> <th>Freq</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>ug/m³</td> <td>every 6 days</td> <td>AM-18</td> </tr> </tbody> </table> Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3".	Pollutant	Unit	Freq	Method	PM10	ug/m ³	every 6 days	AM-18			Samples were collected and analysed every six days as required by this Condition.
Pollutant	Unit	Freq	Method										
PM10	ug/m ³	every 6 days	AM-18										

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Cond.	Short Title	Condition				Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review					
		EPA Points 24, 25 & 26									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Samples were collected and analysed monthly as required by this Condition, except for the February 2018 sample for Point 25. The dust deposition broken and subsequently replaced. Note that this incident related to one sample damaged out of several hundred sampling events over the three-year audit period. DCPL have endeavoured to meet all monitoring requirements throughout the audit period.	Non-Compliance	No recommendation required as this was an isolated incident that was immediately rectified.
		Dust Deposit	g/m ²	Monthly	AM-19						
		EPA Point 32									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3".			Dust deposition samples were collected and analysed monthly as required by this Condition.	Complies	
		Dust Deposit	g/m ²	Monthly	AM-19						
		PM10	ug/m ³	every 6 days	24 hr Comp	Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Hi-Vol samples were collected and analysed every six days as required by this Condition.		
		EPA Point 33									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			The continuous dust monitor was operational throughout the Audit Period.	Complies	
		PM10 / TEOM	ug/m ³	Continuous	AM-18						
		EPA Point 34									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3".			Dust deposition samples were collected and analysed monthly as required by this Condition.	Complies	
		Dust Deposit	g/m ²	Monthly	AM-19						
		PM10	ug/m ³	every 6 days	24 hr Comp	Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Hi-Vol samples were collected and analysed every six days as required by this Condition.		
M2.3	Water and Land Monitoring Requirements	EPA Points 3 & 4									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Monthly and rain event samples were collected when water was flowing at these surface water sampling points.	Complies	
		Conductivity	uS/cm	monthly	Grab						
		pH	pH	monthly	Grab						
		TSS	mg/l	Rain Event	Grab						

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation			
		EPA Point 15									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Monthly samples were collected when water was flowing at these surface water sampling points.	Complies	
		TSS	uS/cm ³	Monthly	Grab						
		EPA Point 20									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Discharge flow event samples were collected at this surface water sampling points.	Complies	
		TSS	mg/l	Flow Event	Grab						
		EPA Points 27, 30 & 31 [Special frequency 1 means: a) A sample taken monthly; and b) A sample taken daily during any discharges (overflows) from discharge points 27, 36 and 37].									
		Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Samples were collected when water was flowing at these surface and groundwater water sampling points. With the exception of the 3 September 2019 sample for Point 27 and the 28 February 2020 groundwater sample that could not be taken because of wet weather access problems. Note that this non-compliance relates to missing a single analyte for one monitoring point during the entire 3-year period. DCPL have endeavoured to meet all monitoring requirements throughout the audit period.	Non-Compliance	No recommendation required as this was an isolated incident and appropriate action has been taken by Duralie.
		Conductivity	uS/cm ³	Special Freq 1	Grab						
		pH	pH	Special Freq 1	Grab						
TSS	mg/l	Special Freq 1	Grab								
EPA Points 35, 36 & 37 [Special frequency 1 means: a) A sample taken monthly; and b) A sample taken daily during any discharges (overflows) from discharge points 27, 36 and 37].											
Pollutant	Unit	Freq	Method	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3". Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			Sampling and monitoring was undertaken at these sampling points in accordance with this Condition.	Complies			
Conductivity	uS/cm ³	Continuous	Probe								
pH	pH	Special Freq 1	Grab								
TSS	mg/l	Special Freq 1	mg/l								
M3.1	Testing Methods – concentration limits	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	2020_08 Duralie Report (C-Based monthly monitoring report). 2020_09 Duralie Report (C-Based monthly monitoring report). 2020_010 Duralie Report (C-Based monthly monitoring report).			Monthly sampling reports (C-Based Environmental) record air quality sampling undertaken. The reports state that all Sampling and analysis is conducted to Australian Standards "AS3580.9.6 "Methods for Sampling and Analysis of Ambient Air. Determination of Suspended Particulates—PM10 High Volume Air sampler with size selective	Complies				

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		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.				inlet - Gravimetric method" (equivalent to EPA AM-18).		
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.	2020_08 Duralie Report (C-Based monthly monitoring report). 2020_09 Duralie Report (C-Based monthly monitoring report). 2020_010 Duralie Report (C-Based monthly monitoring report).			Monthly sampling reports (C-Based Environmental) record all surface and groundwater sampling and testing. Laboratory reports are appended to each report. ALS was contracted during the Audit Period to conduct the relevant laboratory testing> ALS is a NATA register testing laboratory.	Complies	
M4.1	Environmental Monitoring	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 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.	Duralie Coal Mine Monthly Compliance Noise Monitoring October 2020, prepared by SLR Consultants. Duralie Coal Mine Monthly Compliance Noise Monitoring June 2020, prepared by SLR Consultants. Duralie Coal Mine Monthly Compliance Noise Monitoring January 2020, prepared by SLR Consultants.			Section 2.4 of the quarterly noise monitoring reports confirm that noise monitoring is undertaken at the required residences.	Complies	
		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;	Complaints Register Duralie Coal Mine Monthly Compliance Noise Monitoring October 2020, prepared by SLR Consultants. Duralie Coal Mine Monthly Compliance Noise Monitoring June 2020, prepared by SLR Consultants. Duralie Coal Mine Monthly Compliance Noise Monitoring January 2020, prepared by SLR Consultants.			No noise complaints were received during the Audit Period. Section 2.4 of the quarterly noise monitoring reports confirm that noise monitoring is undertaken at the required residences.	Complies	
		c) Quarterly beginning 1 January each year, during each evening and night period as defined in the Noise Limits conditions of this licence	Duralie Coal Mine Monthly Compliance Noise Monitoring October 2020, prepared by SLR Consultants. Duralie Coal Mine Monthly Compliance Noise Monitoring June 2020, prepared by SLR Consultants. Duralie Coal Mine Monthly Compliance Noise Monitoring January 2020, prepared by SLR Consultants.			Quarterly noise monitoring is conducted in accordance with this licence condition.	Complies	
M5.1	Weather Monitoring	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						

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation																												
		Columns 2, 3, 4 and 5 respectively.																																		
		<table border="1"> <thead> <tr> <th>Parameter</th> <th>Units</th> <th>Freq</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Temp @ 10m</td> <td>°C</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Wind Direction @ 10m</td> <td>Deg</td> <td>Continuous</td> <td>AM-2&4</td> </tr> <tr> <td>Wind Speed</td> <td>m/s</td> <td>Continuous</td> <td>AM-2&4</td> </tr> <tr> <td>Sigma Theta</td> <td>Deg C</td> <td>Continuous</td> <td>AM-2&4</td> </tr> <tr> <td>Rainfall</td> <td>mm</td> <td>Continuous</td> <td>AM-4</td> </tr> <tr> <td>Rel Humidity</td> <td>%</td> <td>Continuous</td> <td>AM-4</td> </tr> </tbody> </table>	Parameter	Units	Freq	Method	Temp @ 10m	°C	Continuous	AM-4	Wind Direction @ 10m	Deg	Continuous	AM-2&4	Wind Speed	m/s	Continuous	AM-2&4	Sigma Theta	Deg C	Continuous	AM-2&4	Rainfall	mm	Continuous	AM-4	Rel Humidity	%	Continuous	AM-4	Spreadsheet titled : "Duralie – Daily (new station)"			Weather records (from on-site meteorological stations) have been maintained and cover the Audit Period. The data required by this Condition has been recorded.	Complies	
Parameter	Units	Freq	Method																																	
Temp @ 10m	°C	Continuous	AM-4																																	
Wind Direction @ 10m	Deg	Continuous	AM-2&4																																	
Wind Speed	m/s	Continuous	AM-2&4																																	
Sigma Theta	Deg C	Continuous	AM-2&4																																	
Rainfall	mm	Continuous	AM-4																																	
Rel Humidity	%	Continuous	AM-4																																	
M5.2		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. Points 42 & 43																																		
		<table border="1"> <thead> <tr> <th>Parameter</th> <th>Units</th> <th>Freq</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Temp lapse over a vertical height of 50m</td> <td>Deg C</td> <td>Continuous</td> <td>AM-4</td> </tr> </tbody> </table>	Parameter	Units	Freq	Method	Temp lapse over a vertical height of 50m	Deg C	Continuous	AM-4	Spreadsheet titled : "Duralie – Daily (new station)"			Weather records (from on-site meteorological stations) have been maintained and cover the Audit Period. The data required by this Condition has been recorded.	Complies																					
Parameter	Units	Freq	Method																																	
Temp lapse over a vertical height of 50m	Deg C	Continuous	AM-4																																	
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.	Complaints Register (internal document) http://www.duraliecoal.com.au/page/community/complaints-register/			Two complaints registers are maintained, an internal document that provides details of the complaint, complainant, time of complaint and actions taken. The second register is maintained on the web site and does not contain details of the complainants (for privacy reasons).	Complies																													
M6.2	Recording of Pollution Complaints	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.	Complaints Register (internal document)			The master complaints register contains the information required by this licence condition.	Complies																													

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation											
M6.3		The record of a complaint must be kept for at least 4 years after the complaint was made.	Complaints Register (internal document)			The master complaints register contains details of the complaints received since 2013.	Complies												
M6.4		The record must be produced to any authorised officer of the EPA who asks to see them.					Noted												
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.	Complaints Register www.duraliecoal.com.au/contact/			The Duralie Coal Mine website contacts page contains details of the general phone number and community information hotline that is used as the complaints telephone number.	Complies												
M7.2	Telephone Complaints Line	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	www.duraliecoal.com.au/contact/	Environment and Community Superintendent – This has never been regarded as non-compliant previously and has never been raised as an issue by a community member. The Community Information hotline is shown on the Duralie website on the Community page, Environment page and Contacts page. The Community hotline is also advertised in the local phone directory and periodically in the local newspaper.		The Duralie Coal Mine website contacts page contains details of the general phone number and community information hotline but does not provide details of a specific complaints telephone number. The site entry is signposted. The entry sign contains details of the general phone number but does not provide details of a specific complaints telephone number.	Non-Compliance	Update the website specify that the Community Hotline is the also the complaints telephone number.											
M7.3		The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.					Noted												
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.		Environment and Community Superintendent – all blasts at Duralie (in 2018) were recorded on video.		All blasts at Duralie (in 2018, up until mining was suspended) were recorded on video.	Complies												
M8.2	Blasting	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.	Incident Register Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data -Duralie Coal Pty Ltd_(7)-3".			Monitoring records reviewed confirm that all blasts undertaken at Duralie were monitored in accordance with this Condition.	Complies												
		<table border="1"> <thead> <tr> <th>Parameter</th> <th>Units</th> <th>Freq</th> <th>Method</th> </tr> </thead> <tbody> <tr> <td>Airblast overpressure</td> <td>dBa(Lin)</td> <td>All Blasts</td> <td>AS 2187.2-2006</td> </tr> <tr> <td>Ground Vibration</td> <td>mm/s</td> <td>All Blasts</td> <td>AS 2187.2-2006</td> </tr> </tbody> </table>	Parameter	Units	Freq	Method	Airblast overpressure	dBa(Lin)	All Blasts	AS 2187.2-2006	Ground Vibration	mm/s	All Blasts	AS 2187.2-2006					
Parameter	Units	Freq	Method																
Airblast overpressure	dBa(Lin)	All Blasts	AS 2187.2-2006																
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ENVIRONMENT PROTECTION LICENCE 11701

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
M9.1	Other monitoring and recording conditions	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.	Email from SCPI (M Plain) to the EPA (E Coombs) titled Duralie Noise Monitoring Report Q3 2020.			The quarterly noise monitoring reports are provided to the EPA.	Complies	
R1.1	Reporting Conditions Annual Returns	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 a copy of the form that must be completed and returned to the EPA.	EPA Public Register			All Annual returns required for this Audit Period have been submitted to the EPA. The Annual Returns are provided in the EPA supplied format.	Complies	
R1.2		An Annual Return must be prepared in respect of each reporting period, except as provided below.					Noted	
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.					Noted	

ENVIRONMENT PROTECTION LICENCE 11701

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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.					Noted	
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').	EPA Public Register (Licence 5161)			All annual returns were submitted within the required 60-day period.	Complies	
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.	Duralie Coal Mine Annual Return 2020 Duralie Coal Mine Annual Return 2019 Duralie Coal Mine Annual Return 2018			Copies of all Annual returns required by this Licence Condition were provided to the Auditor.	Complies	
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.	Duralie Coal Mine Annual Return 2020 Duralie Coal Mine Annual Return 2019 Duralie Coal Mine Annual Return 2018			All annual returns were certified in accordance with this Condition.	Complies	
R2.1	Notification of Environmental Harm	Notifications must be made by telephoning the Environment Line service on 131 555.	Incident Register			No reportable incidents were recorded during the Audit Period. Note that the odour complaints and the associated incidents were reported to Duralie via the EPA Pollution Line.	Not Triggered	
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.	Incident Register - no incidents of potential or actual material environmental harm were recorded during the audit period.			No incidents of environmental harm occurred during the audit period.	Not Triggered	
R3.1	Written Report	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.		Environment and Community Superintendent - no requests were received from the EPA for a written report during the audit period.			Not Triggered	

ENVIRONMENT PROTECTION LICENCE 11701

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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.					Complies	
R3.3		The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.					Noted	
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.					Noted	
G1.1	General Conditions Copy of Licence	A copy of this licence must be kept at the premises to which the licence applies.				An electronic version of the EPL is available on the Stratford Coal Mine website.	Complies	
G1.2		The licence must be produced to any authorised officer of the EPA who asks to see it.				An electronic version of the EPL is available on the Stratford Coal Mine website.	Noted	
G1.3		The licence must be available for inspection by any employee or agent of the licensee working at the premises.				An electronic version of the EPL is available on the Stratford Coal Mine website.	Complies	

MINING LEASE 1646

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1	Notice to Landholders	<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>				Verified in previous IEAs	Complies	
2	Environmental Harm	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.	Incident Register - no incidents of potential or actual material environmental harm were recorded during the audit period.			No incidents of environmental harm occurred during the audit period.	Not Triggered	
3	Mining Operations Plan	(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.	Letter from the Resource Regulator (P Ainsworth) to SCPL (J Cullen) titled "ML 1646 (1992), ML 1427 (1992), CIM DURALIE PTY LTD Approval of Mining Operations Plan", dated 27 Feb 2020. The letter approves the 2019 revision of the MOP.			The MOP has been approved in accordance with this Condition.	Complies	
		<p>(b) The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations;</p> <p>(ii) detail the staging of specific mining operations;</p> <p>(iii) identify how the mine will be managed to allow mine closure;</p> <p>(iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;</p> <p>(v) reflect the conditions of approval under:</p> <ul style="list-style-type: none"> • the Environmental Planning and Assessment Act 1979 • the Protection of the Environment Operations Act 1997 • and any other approvals relevant to the development including the conditions of this lease; and • have regard to any relevant guidelines adopted by the Director-General. 				The MOP has been approved in accordance with this Condition.	Complies	
		(c) The lease holder may apply to the Minister to amend an approved MOP at any time.						Noted

MINING LEASE 1646

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(d) It is not a breach of this condition if: (i) the operations constituting the breach 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.					Noted	
		A MOP ceases to have effect 7 years after date of approval or other such period as identified by the Director-General.					Noted	
4	Environmental Management Report	(a) The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.	Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review Letter from Resources Regulator (M Meyer) to DCPL (J Cullen) titled "ML1427, ML1646 Mining Act 1992, CIM Duralie Pty Ltd, Annual Environmental Management Report", dated 17 April 2019 acknowledging receipt of the Annual Environmental Management Report.			The Annual Reviews required under the Planning Approval meet the requirements of the Environmental Management Reports required by this Mining Lease Condition.	Complies	
		(b) The EMR must: (i) report against compliance with the MOP; (ii) report on progress in respect of rehabilitation completion criteria; (iii) report on the extent of compliance with regulatory requirements; and (iv) have regard to any relevant guidelines adopted by the Director-General.	Duralie Coal Mine 2018 Annual Review. Duralie Coal Mine 2019 Annual Review. Duralie Coal Mine 2020 Annual Review			The Annual Reviews required under the Planning Approval meet the requirements of the Environmental Management Reports required by this Mining Lease Condition.	Complies	
5	Environmental Incident Report	(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:		Environment and Community Superintendent – no incident reports were sent to the Resource Regulator during the audit period.		The odour complaints received are classified as incidents, DCPL did not report any incidents to the Resource Regulator during the audit period.	Non-Compliance	Ensure that all reportable environmental incidents are included in the reporting of incidents.
6	Additional Environmental Reports	Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.					Noted	
7	Rehabilitation	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	Duralie Annual Reviews	Environment and Community Superintendent – Duralie Annual Reviews include rehabilitation progress.			Noted	
8	Subsidence Management	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.				No underground mining has been undertaken at Duralie.	Not Triggered	

MINING LEASE 1646

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(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)				No underground mining has been undertaken at Duralie.	Not Triggered	
		(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).				No underground mining has been undertaken at Duralie.	Not Triggered	
		(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.				No underground mining has been undertaken at Duralie.	Not Triggered	
		(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.				No underground mining has been undertaken at Duralie.	Not Triggered	
9	Working Requirement	The Lease Holder must: 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	Duralie Coal Annual Review 2020.			Duralie Annual Review Section 9.4 Employment Status – 21 FTEs during 2020.	Complies	
		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.	Duralie Coal Annual Review 2020.			Expenditure at Duralie is estimated (based on employment numbers) to exceed \$140,000.	Complies	
10	Blasting	(a) Ground Vibration 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.	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data - Duralie Coal Pty Ltd_(7)-3".			The review of blast monitoring results over the audit period verified that no blasting non-compliances were recorded.	Complies	

MINING LEASE 1646

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		b) Blast Overpressure The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.	Spreadsheet (downloaded from Duralie Coal Mine website) titled "EPL 11071 Monitoring Data - Duralie Coal Pty Ltd_(7)-3".			The review of blast monitoring results over the audit period verified that no blasting non-compliances were recorded.	Complies	
11	Safety	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.	Noted	
12	Prevention of soil erosion and pollution	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.		Environment and Community Superintendent – no prospecting operations are undertaken at Duralie.		No exploration or prospecting operations are undertaken at Duralie during the Audit Period.	Not Triggered	
13	Transmission Lines and pipelines	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions stipulated.			The mine was not operating at the time of the IEA site inspection. No public infrastructure issues were observed.	Activities within the mining lease areas of the Duralie Coal Mine do not impact transmission lines, communication lines, pipelines, or any other utilities.	Complies	
14	Roads and Tracks	(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.	MidCoast Council Tax Invoice No. 58052 Karuah Management Program 20190225 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 58055 Gloucester Component Community Enhancement 20190225 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 16001 Gloucester Component Community Enhancement 20190502 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 58053 Bridge Inspections 20190225 – Duralie Coal Contribution MidCoast Council Tax Invoice No. 16429 Gloucester Component Community Enhancement 20190429 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 58054 Bucketts			Refer to Project Approval Schedule 2 Condition 16. Duralie has made all road maintenance (and other) contributions to Council required by the Project Approval for the Audit Period.	Complies	

MINING LEASE 1646

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
			Way Maintenance 20190225 - Duralie Coal Contribution MidCoast Council Tax Invoice No. 16291 Gloucester Component Community Enhancement 20191031 – Duralie and Gloucester Contributions.					
		(b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.			The site access road is paved. Internal roads around the office and workshop areas are paved. Haul roads and other internal roads are generally unsealed but were appropriately maintained.	Not significant damage to roads or tracks was observed during IEA site inspection.	Complies	
		(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.					Noted	
		(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.	Duralie Coal Mine Operations and Rehabilitation Management Plan, Version 1, December 2019.			All temporary access tracks will be rehabilitated in accordance with the MOP.	Complies	
15	Trees and Vegetation	(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.		Environment and Community Superintendent – mining operations were suspended in 2018. No clearing of vegetation occurred during the Audit Period.		No clearing of vegetation occurred during the Audit Period.	Not Triggered	
		(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.		Environment and Community Superintendent – mining operations were suspended in 2018. No clearing of vegetation occurred during the Audit Period.		No clearing of vegetation occurred during the Audit Period.	Not Triggered	
16	Not Used							
17	Resource Recovery	(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. (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.					Noted	

MINING LEASE 1646

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(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.						
18	Indemnity	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.					Noted	
19	Security	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.	Letter from the Resources Regulator (K Westcott) to CIM Duralie titled "Security Review – CIM Duralie Pty Ltd", dated 5 January 2018). The letter refer to the review of the existing (increase in value) security held by the Department.			The required security was provided to the Department.	Complies	
20 - 22	Not Used							
23	Suspension of Mining	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.		Environment and Community Superintendent - The Operations Manager formally advised the Resources Regulator that mining operations were to be suspended.		The Operations Manager formally advised the Resources Regulator that mining operations were to be suspended.	Complies	

Audit Photos



Appendix B



Photo 1 – Clareval Pit



Photo 2 - Former ROM pad with rail loader in background



Photo 3 - Current Maintenance Area



Photo 4 - Rehabilitated Dam (Aux Dam 1)



Photo 5 - Recently Rehabilitated Waste Rock Dump



Photo 6 - Established Rehabilitated Waste Rock Dump



Photo 7 - Maintenance Area (Waste Storage)



Photo 8 - Emergency Response Equipment



Photo 9 - Waste Oil Storage



Photo 10 - Bulk Fuel Storage



Photo 11 - Wastewater treatment (septic) system



Photo 12 - Oil / water separator

DPIE Auditor Approval

Appendix C



Michael Plain
Environment and Community Superintendent
Stratford Coal Ltd
PO Box 168
GLOUCESTER NSW 2422

By Email ONLY: Michael.Plain@yancoal.com.au

23/10/2020

Dear Mr Plain

**Stratford Mining Complex (SSD-4966) and Duralie Coal Mine (PA08_0203)
2020 Independent Environmental Audit**

I refer to your request (SSD-4966-PA-3) for the Secretary of the Department of Planning, Industry and Environment (the Department) to endorse a team of suitably qualified, experienced and independent persons to undertake the 2020 Independent Environmental Audits (IEA) for Stratford and Duralie mines and the Rail Haulage Audit for Duralie mine.

The Department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified and experienced. In accordance with Schedule 5 condition 9 of SSD-4966, Schedule 5 condition 8 of MP08_0203 (the consent/s) and the Department's *Post-approval requirements for State Significant Developments Independent Audit Guideline, October 2015* (IEA Guideline), the Secretary has endorsed the appointment of the following audit team:

- Mr Ken Holmes, Barnett & May (lead auditor)
- Mr Simon Buchanan, Landloch (rehabilitation specialist)
- Ms Katrina Wolf, Cumberland Ecology (biodiversity specialist)
- Mr Adam Bishop, Pitt & Sherry (surface water specialist)
- Mr Doug Ford, Pitt & Sherry (noise specialist)

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

As per Schedule 5 condition 10 of SSD-4966, within three months of commencing the IEA (i.e. from the date of the first day of the site inspection), or as otherwise agreed with the Secretary, the Independent Audit Report for Stratford and the response to audit recommendations (RAR) are to be submitted to the Department via the Major Project website.

To enable the Duralie IEA and Rail Haulage Audit to be conducted simultaneously with the Stratford IEA, the Secretary agrees to the submission of the audit reports within three months of commencing the audit, in accordance with Schedule 5 condition 9B of MP08_0203.

Please ensure this correspondence is appended to the Independent Audit Report.

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

Yours sincerely

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

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Stakeholder Consultation

Appendix D

From: [Jennifer Sage](#)
To: [Ken Holmes](#)
Cc: [Heidi Watters](#)
Subject: RE: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request
Date: Friday, 13 November 2020 4:02:17 PM

Hello Ken

Thank you for your email seeking DPIE's input to the next IEA for Duralie and Stratford Coal Mines. Key issues for consideration in the next audits are listed below, for your consideration.

Duralie Coal Mine

I note that current activities at Duralie include biodiversity offset management and rehabilitation.

Key issues raised during the audit period are –

- Air quality
Duralie Mine has been the subject of odour complaints during the audit period, which have been attributed to spontaneous combustion in the pits and waste emplacement areas. In 2017, Duralie Mine reported exceedances of dust and PM10 criteria. As such, the audit should address the implementation of the Air Quality & Greenhouse Gas Management Plan to prevent and minimise offsite emissions including dust and odours, and compliance with relevant Operating Conditions in the consent (i.e. Schedule 3 condition 22).
- Water quality
The 2019 annual review noted exceedances of some of the surface water performance indicators in adjacent surface waters including Coal Shaft Creek and Mammy Johnsons River. The IEA should focus on the management of surface water and mine water, in accordance with the approved Surface Water Management Plan and Irrigation Management Plan.
- Rehabilitation
Mining operations are approved until 31 December 2021. Rehabilitation activities are required to be carried out progressively, and will continue after 2021. As such, this audit should address the rehabilitation of the mine including the management and maintenance of the rehabilitated areas, through the implementation of the approved Rehabilitation Management Plan and Biodiversity Management Plan.

Please note that the Department has not undertaken any enforcement action for Duralie Coal Mine during the audit period.

Stratford Mine

Key issues for consideration in the IEA audit are –

- Water management
There were two reported incidents of unplanned discharges from the premises –
 - On 9 February 2020 water from the Stratford East Pit Haul Road Construction Area discharged into Avondale Creek
 - On 11 March 2020, water was dischargedThe Annual Review for 2017 also noted a 'spill' from sediment dam SD7. As such, the Department considers that the IEA should address the management of water on site including the implementation of the Water Management Plan and compliance with the Water Management Performance Measures prescribed in the consent.
- Management of noise and blasting impacts
Stratford mine has received numerous complaints about noise and blasting impacts. Accordingly, the audit should address the implementation of the Blast Management Plan and Noise Management Plan, compliance with blasting conditions/criteria in the consent and the review of night time noise levels (Schedule 3 Conditions 4 to 11, and condition 16)
- Incident notification and reporting
Reporting of all incidents in accordance with approved management plans and Schedule 5

Condition 7 of the consent, noting that an 'incident' is defined as actual or potential material harm to the environment, and/or exceedance of limits, performance measures or criteria prescribed in the consent.

Please note that on 15 February 2019, the Department issued to Stratford Coal Pty Ltd an official caution for breach of Schedule 2 Condition 1 of the SSD 4966 (as modified) for ground disturbance beyond the approved disturbance boundary in an incident on 16 November 2018.

Feel free to contact me if you have any queries or comments.

Regards
Jen
Jennifer Sage
Compliance Officer

Planning and Assessment | Department of Planning, Industry and Environment
T 02 6575 3420 M 0400 245 170 | E jennifer.sage@dpie.nsw.gov.au
PO Box 3145, Singleton NSW 2330
www.dpie.nsw.gov.au



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

From: Ken Holmes <Ken@baeckea.com.au>
Sent: Tuesday, 10 November 2020 4:04 PM
To: Jennifer Sage <jennifer.sage@dpie.nsw.gov.au>
Cc: heidi.watters@dpie.nsw.gov.au
Subject: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request

Good Afternoon Jennifer,

I have been commissioned by Yancoal to undertake the 2020 Independent Environmental Audits (IEA) of the Stratford and Duralie Mines, located in the upper Hunter Region. The Duralie Mine IEA will be undertaken accordance with Project Approval 08_0203, that requires:

Prior to 31 December 2015, and every three 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 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 relevant requirements in this approval and any relevant EPL (including any assessment, plan or program required under these approvals);*
- d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and*
- f) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

The Stratford Mine IEA will be undertaken in accordance with Project Approval SSD-4966 that requires:

By the end of December 2011, and every three 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 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 relevant requirements in this approval and any relevant EPL (including any assessment, plan or program required under these approvals);*
- d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and*
- f) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

And

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).*

The Project Approval Conditions for both mines require that the auditor consults with relevant agencies.

I would therefore appreciate if you could provide me with any information, comments or concerns DPIE may have regarding compliance, the environmental performance of the operation (over the past three years – the audit period) and details of any specific issues your Agency suggests that the Auditor addresses during the audit.

Please do not hesitate to contact me if you require any additional information.

Thanks and Regards,

Ken Holmes
Lead Auditor

Principal Environmental Consultant
Director

Barnett & May

P +61 [0]438 046 261

E ken@baeckea.com.au

A **PO Box 365 Belrose NSW 2085**

From: [Ryan Fenning](#)
To: [Ken Holmes](#)
Cc: [Michelle Jobson](#)
Subject: RE: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request
Date: Friday, 4 December 2020 3:25:04 PM

Good Afternoon Ken,

I do not have any specific issues in relation to the Stratford and Duralie Coal Mines. I note that Duralie is in the process of closure whereas Stratford operations have increased over recent time.

Recently, complaints in relation to the Stratford operations that have been reported through the community consultative committee meeting have not related to any specific issue, but include blasting, noise, dust and lighting. Complaints in relation to the mining operations have increased as mining has recommenced.

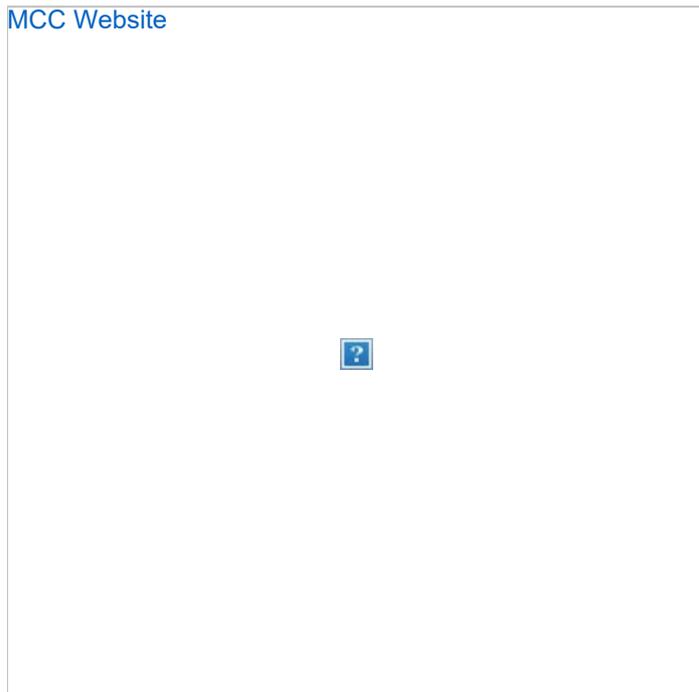
I assume that the audit will include a review of complaints and environmental compliance in relation to these aspects?

Thanks
Ryan

Ryan Fenning

Team Leader - Environmental Health - Food and General Duties

[MCC Website](#)



[Direct](#)

Ryan.Fenning@MidCoast.nsw.gov.au

www.midcoast.nsw.gov.au or follow us





*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: Ken Holmes [mailto:Ken@baeckea.com.au]
Sent: Tuesday, 1 December 2020 11:45 AM
To: Ryan Fenning <Ryan.Fenning@MidCoast.nsw.gov.au>
Cc: Michelle Jobson <Michelle.Jobson@MidCoast.nsw.gov.au>
Subject: RE: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request

Ryan,

I am following up on my email from 11 November providing Council the opportunity to provide input into the Independent Environmental Audit on the Stratford and Duralie mines (please see below). Please respond by return email if Council has any concerns or comments regarding the environmental performance or compliance relating to these operations.

Please note that the audit commenced on 1 December and will be completed over the next week, therefore I would appreciate any inputs you have within the next week.

Regards,

Ken Holmes
Principal Environmental Consultant
Director

Barnett & May

P +61 (0)438 046 261
E ken@baeckea.com.au
A PO Box 365 Belrose NSW 2085

From: Ken Holmes
Sent: Tuesday, 10 November 2020 4:19 PM
To: ryan.fenning@midcoast.nsw.gov.au
Cc: michelle.jobson@midcoast.nsw.gov.au
Subject: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request

Good Afternoon Ryan,

I have been commissioned by Yancoal to undertake the 2020 Independent Environmental Audits (IEA) of the Stratford and Duralie Mines, located in the upper Hunter Region. The Duralie Mine IEA will be undertaken accordance with Project Approval 08_0203, that requires:

Prior to 31 December 2015, and every three 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 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 relevant requirements in this approval and any relevant EPL (including any assessment, plan or program required under these approvals);*
- d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and*
- f) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

The Stratford Mine IEA will be undertaken in accordance with Project Approval SSD-4966 that requires:

By the end of December 2011, and every three 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 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 relevant requirements in this approval and any relevant EPL (including any assessment, plan or program required under these approvals);*
- d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and*
- f) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

And

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).*

The Project Approval Conditions for both mines require that the auditor consults with relevant agencies.

I would therefore appreciate if you could provide me with any information, comments or concerns Council may have regarding compliance, the environmental performance of the operation (over the past three years – the audit period) and details of any specific issues Council suggests that the

Auditor addresses during the audit.

Please do not hesitate to contact me if you require any additional information.

Thanks and Regards,

Ken Holmes
Lead Auditor

Principal Environmental Consultant
Director

Barnett & May

P +61 (0)438 046 261

E ken@baeckea.com.au

A PO Box 365 Belrose NSW 2085

From: mmacdonald-hill@bigpond.com
To: [Ken Holmes](#)
Subject: RE: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request
Date: Wednesday, 25 November 2020 8:08:12 AM

Hi Ken,

Just confirming I sent a request for any matters the Stratford and Duralie Committees wished to raise with you in relation to the IEA and advise neither have any requests. On behalf of both committees, thank you for the opportunity to consult and have input into the audit.

*Margaret MacDonald-Hill
Independent Chair
0448 414 888*

From: Ken Holmes <Ken@baeckea.com.au>
Sent: Wednesday, 11 November 2020 5:21 PM
To: mmacdonald-hill@bigpond.com
Subject: Re: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request

Hi Margaret,

Three weeks for input into the audit.

Many thanks,

Ken

Ken Holmes
Barnett and May
+61438046261

From: mmacdonald-hill@bigpond.com <mmacdonald-hill@bigpond.com>
Sent: Wednesday, November 11, 2020 9:19:31 AM
To: Ken Holmes <Ken@baeckea.com.au>
Subject: RE: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request

Hi Ken,

Thanks for your email. I am not aware of any major concerns either CCC has within the scope of the audit. However, I will advise them of the IEA and ask for any concerns they may have to be forwarded to me. What is your timeline with this information so I can request any information by a set date?

Margaret MacDonald-Hill
0448 414 888

From: Ken Holmes <Ken@baeckea.com.au>
Sent: Tuesday, 10 November 2020 4:22 PM
To: mmacdonald-hill@bigpond.com
Subject: Stratford / Duralie Mines - 2020 Independent Environmental Audit - Consultation Request

Good Afternoon Margaret,

I have been commissioned by Yancoal to undertake the 2020 Independent Environmental Audits (IEA) of the Stratford and Duralie Mines, located in the upper Hunter Region. The Duralie Mine IEA will be undertaken accordance with Project Approval 08_0203, that requires:

Prior to 31 December 2015, and every three 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 suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- b) include consultation with the relevant agencies;*
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- d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and*
- f) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

The Stratford Mine IEA will be undertaken in accordance with Project Approval SSD-4966 that requires:

By the end of December 2011, and every three 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 suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
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- f) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

And

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).

The Project Approval Conditions for both mines require that the auditor consults with relevant agencies.

I would therefore appreciate if you, as chair of the Community Consultative Committee could provide me with any information, comments or concerns the CCC may have regarding the environmental performance of the operation (over the past three years – the audit period) and details of any specific issues the CCC suggests that the Auditor addresses during the audit.

Please do not hesitate to contact me if you require any additional information.

Thanks and Regards,

Ken Holmes
Lead Auditor

Principal Environmental Consultant
Director

Barnett & May

P +61 (0)438 046 261

E ken@baeckea.com.au

A PO Box 365 Belrose NSW 2085