

# INDEPENDENT ENVIRONMENTAL AUDIT

## ACTION PLAN

### 2019

**Mannering Colliery**

**Non-compliance summary and recommendations Prepared by :**

**SLR Consulting**

**Confirmation and Due date Prepared by :**

Delta Coal



## Action Table from Mannering Colliery IEA Audit Findings – Summary of Non-Compliances

**Table 1** outlines the summary of non-compliances relating to the statutory conditions of Mannering Colliery, proposed recommendation, Delta confirmation and due date.

**Table 1 Summary of Non-Compliances**

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
<b>PA 06_0311 (as modified)</b>					
Schedule 2 Condition 8	<p>"The Proponent must regularly review the strategies, plans and programs required under this approval and ensure that these documents are updated to incorporate measures to improve the environmental performance of the development and reflect current best practice in the mining industry. To facilitate these updates, the Proponent may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Proponent may also submit any strategy, plan or program required by this approval on a staged basis.</p> <p>With the agreement of the Secretary, the Proponent may prepare a revision or stage of any strategy, plan or program required under this approval without undertaking consultation with all parties nominated under the applicable condition in this approval.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• While any strategy, plan or program may be submitted on a staged basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.</li> <li>• If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>	Administrative Non-Compliance	The Proponent has not regularly reviewed the strategies, plans and programs required under this approval (i.e. Environmental Monitoring Program labelled Centennial Coal and dated November 2011, Energy Savings Action Plan labelled Centennial Mannering and dated 2011). Management Plans are out of date.	<b>REC 1:</b> Develop and implement a plan to update Mannering's Strategies, Plans and Programs.	<b>REC 1:</b> Agree 31/8/19

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Schedule 2 Condition 11	"The Proponent must ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Non-Compliant (Low Risk)	(a) Downer maintenance records for radiation equipment dated 31 March 2017. * Electrical inspection records for ash analysers from 2016 to 2017. * Maintenance records: ""Mannering Front End Loaders work order history as at 2.5.19"" (b) During site inspection plant and equipment appeared to be operated in a proper and efficient manner. * <u>Non-compliant</u> : Complaint register dated 2018 indicated a number of complaints related to noise from the loader at the prep plant.	REC 2: Ensure that all plant and equipment used on site is operated in a proper and efficient manner.	REC 2: Disagree
Schedule 2 Condition 12	The Proponent must pay the affected councils \$0.02 for each tonne of ROM coal produced by the project for the purpose of improving water quality in the Lake Macquarie catchment. This payment must be: (a) shared equally by the affected councils; (b) made by the end of March 2009, and at yearly intervals thereafter; (c) calculated on the ROM coal produced in the previous calendar year; and (d) subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.	Administrative Non-Compliance	* Email from Council dated 2 April 2019 confirming VPA Payment for the 2018 period. * <u>Admin Non-compliant</u> : Receipt From Central Coast Council for VPA payment, dated 5 October 2016. Payment of Voluntary Planning Agreement (VPA) not made by the end of March 2016.	REC 3: Ensure VPA payments are made prior to the due date.	REC 3: Agree 31/3/20

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Schedule 3 Condition 1	<p>1. The Proponent must ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 1 at any residence on privately owned land.</p> <p><i>Table 1: Noise limits dB(A)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Day <i>L<sub>Aeq</sub>(15 min)</i></th> <th rowspan="2">Evening <i>L<sub>Aeq</sub>(15 min)</i></th> <th colspan="2">Night</th> <th rowspan="2">Location (as listed in Appendix 4)</th> </tr> <tr> <th><i>L<sub>Aeq</sub>(15 min)</i></th> <th><i>L<sub>A1</sub>(1 min)</i></th> </tr> </thead> <tbody> <tr><td>49</td><td>49</td><td>35</td><td>49</td><td>4 – di Rocco</td></tr> <tr><td>47</td><td>47</td><td>35</td><td>49</td><td>5 – Keighran</td></tr> <tr><td>44</td><td>44</td><td>35</td><td>49</td><td>6 – Swan</td></tr> <tr><td>43</td><td>43</td><td>43</td><td>50</td><td>7 – Druitt</td></tr> <tr><td>46</td><td>46</td><td>46</td><td>50</td><td>8 – May</td></tr> <tr><td>45</td><td>45</td><td>45</td><td>52</td><td>9 – Jeans</td></tr> <tr><td>40</td><td>40</td><td>40</td><td>52</td><td>11 – Jeans</td></tr> <tr><td>43</td><td>43</td><td>43</td><td>52</td><td>18 – Jeans</td></tr> <tr><td>44</td><td>44</td><td>44</td><td>52</td><td>20 – Knight and all other Chain Valley Bay residences</td></tr> </tbody> </table> <p>Note: The location of the land referred to in Table 1 is shown on the figure in Appendix 4.</p>	Day <i>L<sub>Aeq</sub>(15 min)</i>	Evening <i>L<sub>Aeq</sub>(15 min)</i>	Night		Location (as listed in Appendix 4)	<i>L<sub>Aeq</sub>(15 min)</i>	<i>L<sub>A1</sub>(1 min)</i>	49	49	35	49	4 – di Rocco	47	47	35	49	5 – Keighran	44	44	35	49	6 – Swan	43	43	43	50	7 – Druitt	46	46	46	50	8 – May	45	45	45	52	9 – Jeans	40	40	40	52	11 – Jeans	43	43	43	52	18 – Jeans	44	44	44	52	20 – Knight and all other Chain Valley Bay residences	Non-Compliant (Low Risk)	<p><b>Non-compliant:</b> According to 2016 Annual Review, on 12 August 2016 LakeCoal was advised by its independent noise monitoring consultant (Global Acoustics) that they had recorded a 3dB exceedance of the site’s LAeq15 Minute noise criteria at receiver RA2 (Macquarie Shores Retirement Village) during the evening monitoring on 11 August 2016 for Mannering Colliery.</p> <p>* According to 2016 Annual Review, on 29 August 2018, there was an exceedance recorded at 1dB exceedance of the site’s LAeq15 Minute noise criteria at receiver RA2 (Macquarie Shores Retirement Village) during the scheduled night monitoring.</p> <p>* According to the Noise Mitigation Study dated March 2019:</p> <ul style="list-style-type: none"> <li>-Noise mitigation works implemented by the previous operators in 2018 have decreased site noise emission levels at all neighbouring noise-sensitive receivers.</li> <li>-Current and proposed MC noise emissions are predicted to comply with the relevant long-term noise criteria outlined in MP 06_0311 at all assessment locations under worst case meteorological conditions.</li> <li>-LMax noise level events at the site are also predicted to remain below the relevant sleep disturbance criteria.</li> </ul> <p>* Noise complaints increased during the audit period, with 0 noise complaints in 2016 and 2017, but 10 complaints in 2018, and 10 complaints from January 2019 to March 2019.</p>	<p><b>REC 4:</b> Continue to undertake noise monitoring.</p> <p><b>REC 5:</b> Undertake follow-up actions if noise exceedances occur.</p> <p><b>REC 6:</b> Continue to manage noise complaints.</p> <p><b>REC 7:</b> Provide DPE with EMM Noise Mitigation Study dated March 2019.</p>	<p><b>REC 4:</b> Agree</p> <p><b>REC 5:</b> Agree</p> <p><b>REC 6:</b> Agree</p> <p><b>REC 7:</b> Agree, Completed 01/04/2019</p>
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Schedule 3 Condition 3	<p>The Proponent must prepare a Noise Monitoring Program for the project to the satisfaction of the Secretary. This program must:</p> <p>(a) be submitted to the Secretary by the end of September 2008; (a1) be revised in consultation with the EPA and be submitted to the Secretary by the end of April 2016; and</p> <p>(b) include the use of continuous and attended noise monitoring measures to monitor the performance of the project.</p> <p>The Proponent must implement the approved Noise Monitoring Program as approved from time to time by the Secretary.</p>	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <p>* Updated (April 2016) NMP approved by DPE on 20 October 2008 according to LakeCoal email dated 4 March 2016</p> <p>(a) NMP Section 1.2</p> <p>* Updated (April 2016) Noise Monitoring Program (NMP) submitted to DPE on 29 April 2016</p> <p>(b) NMP Section 5.1 &amp; 5.2</p> <p><u>Implementation:</u></p> <p>* Noise monitoring results included in the 2016, 2017 and 2018 Annual Reviews</p> <p>* <u>Non-compliant:</u> Only attended noise monitoring has been undertaken, according to the 2016, 2017 and 2018 Annual Reviews.</p>	REC 8: Continuous noise monitoring should be undertaken in accordance with Mannering Colliery's Noise Management Plan.	REC 8 Agree: Find Correspondence with DPE on removal of Mine Cottages continuous noise monitoring equipment and reinstall if necessary. 31/08/19
Schedule 3 Condition 8	<p>The Proponent must prepare a Water Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with DPI Water by suitably qualified expert/s whose appointment/s have been approved by the Secretary;</p> <p>(b) be submitted the Secretary by the end of March 2009; and</p> <p>(c) include a:</p> <ul style="list-style-type: none"> <li>• Site Water Balance;</li> <li>• Erosion and Sediment Control Plan;</li> <li>• Surface Water Monitoring Plan; and</li> <li>• Groundwater Monitoring Program.</li> </ul> <p>The Proponent must implement the approved management plan as approved from time to time by the Secretary.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <p>(a) Prepared in consultation with DPI Water - Section 4.1.</p> <p>* Document prepared by suitably qualified expert - Section 4.1.</p> <p>(b) Water Management Plan (WMP) approved by DPE on 9 March 2010.</p> <p>(c) Site Water Balance - Section 6.5.</p> <ul style="list-style-type: none"> <li>• Erosion and Sediment Control Plan - Section 7.0.</li> <li>• Surface Water Monitoring Plan - Section 8.1.</li> <li>• Groundwater Monitoring Program - Section 9.1.</li> </ul> <p><u>Observation:</u> The Water Management Plan has not been updated since January 2013.</p> <p><u>Observation:</u> Figure 1 does not clearly show clean and dirty water management at the site.</p> <p><u>Implementation:</u></p> <p>* During site inspection clean and water management system appeared to be effective in keeping clean water and dirty water separate.</p> <p>* Groundwater and surface water monitoring program undertaken during the audit period per Annual Reviews.</p> <p>* Section 11 of the Management Plan commits to reviewing the plan every three years. This has not been completed, therefore <u>Admin Non - Compliance.</u></p>	REC 9: The WMP needs to be updated. REC 10: Replace Figure 1 in the WMP with clear figures showing clean and dirty water management (i.e. replace with Figures 2.10 & Figure 2.11 from the 2018 Annual Review).	REC 9: Agree: 31/10/19 REC10: Agree: 31/10/19

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Schedule 3 Condition 9	<p>The Site Water Balance must:</p> <p>(a) include details of:</p> <ul style="list-style-type: none"> <li>• sources and security of water supply;</li> <li>• water use on site;</li> <li>• water management on site; and</li> </ul> <p>(b) investigate, assess and report on measures to minimise water use by the project, particularly potable water from the Wyong Shire town water supply.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <p>a) Sources of water supply - WMP Section 6.5.</p> <ul style="list-style-type: none"> <li>• Water use on site - WMP Section 6.1.</li> <li>• Water management on site - WMP Section 6.0.</li> </ul> <p><u>Admin Non-compliant:</u> The water balance is outdated and does not reflect the current status of the site. Section 6.5 of the WMP references a Water Balance Assessment from December 2011.</p> <p>(b) Investigate, assess and report on measures to minimise water use by the project, particularly potable water from the Wyong Shire town water supply - Section 6.1</p> <p><u>Implementation:</u></p> <p>* Water management system sited during site inspection.</p>	<p><b>REC 11:</b> The Water Balance in the WMP needs to be reviewed as it's out of date.</p>	<p><b>REC11</b> Agree: 31/10/19</p>

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Schedule 3 Condition 11	The Surface Water Monitoring Plan must include: (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the project; (b) surface water impact assessment criteria; (c) a program to monitor the impact of the project on surface water flows and quality; and (d) procedures for reporting the results of this monitoring.	Non-Compliant (Low Risk)	<p><u>Preparation:</u> (a) WMP Section 8.2. (b) WMP Section 8.1.1. (c) WMP Section 8.2. (d) WMP Section 8.3.</p> <p><u>Implementation:</u> * Surface water monitoring program undertaken during the audit period per the 2016, 2017 and 2018 Annual Reviews. * LDP 001 sited during the field inspection.</p> <p><u>Non-compliant:</u> Visual assessment of the unnamed creek (described in Section 8.2.1 of the WMP) is not undertaken every 6 months to monitor stability and erosion.</p>	<p><b>REC 12:</b> Undertake visual assessment of the unnamed creek every 6 months, to monitor stability and erosion. A TARP should be developed in the next review of the WMP which outlines quantitative and qualitative triggers for the creek and erosion.</p> <p><b>REC 13:</b> Include results of the visual assessment of the unnamed creek in Annual Reviews. Include a reference again previous results.</p> <p><b>REC 14:</b> Ensure monitoring undertaken at the "Downstream" monitoring location is undertaken every 12 months.</p> <p><b>REC 15:</b> Include analysis results from monitoring undertaken at the "Downstream" monitoring location in Annual Reviews.</p>	<p><b>REC 12:</b> Agree 31/08/19 <b>REC 13:</b> Agree 31/3/20 <b>REC14:</b> Agree 31/08/19 <b>REC15:</b> Agree 31/3/20</p>

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Schedule 3 Condition 17	<p>The Proponent must prepare an Air Quality Monitoring Program for the project to the satisfaction of the Secretary. This program must:</p> <p>(a) be submitted to the Secretary by the end of September 2008; and</p> <p>(b) use dust deposition gauges to monitor the performance of the project.</p> <p>The Proponent must implement the approved monitoring program as approved from time to time by the Secretary.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Air Quality Monitoring Program included as Section 3 of the AQMP, dated December 2012. This is too long between reviews. It was not updated following the 2013 or 2016 audits. <u>Admin Non - Compliance</u>.</li> <li>* AQMP approved by DPE on 20 October 2008, according to LakeCoal email dated 4 March 2016.</li> <li>* List of dust deposition gauges included in Section 3 of the AQMP.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Monitoring results from deposition gauges reported in the 2016, 2017 and 2018 Annual Reviews.</li> </ul>	<i>Nil recommendation</i>	<i>Action:</i> Update Air Quality Management Plan 31/8/19

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Schedule 3 Condition 18	<p>The Proponent must prepare a Heritage Management Plan for the project to the satisfaction of the Secretary. This Plan must:</p> <p>(a) be prepared in consultation with any relevant Aboriginal stakeholders;</p> <p>(b) be submitted, prior to 31 March 2013, for approval to the Secretary;</p> <p>(c) include consideration of the Aboriginal and non-Aboriginal cultural context and significance of the site;</p> <p>(d) detail the responsibilities of all stakeholders; and</p> <p>(e) include programs/procedures and management measures for:</p> <ul style="list-style-type: none"> <li>dealing with previously unidentified Aboriginal objects (excluding human remains), including any need to halt works in the vicinity, assessment of significance, determination of appropriate mitigation measures (by a qualified archaeologist in consultation with Aboriginal stakeholders), re-commencement of works, notifying OEH, and registering the new site(s) in the OEH AHIMS register;</li> <li>dealing with any human remains which may be discovered, including halting of works in the vicinity; notifying NSW Police, OEH, the Department and Aboriginal stakeholders; and not re-commencing any works in the vicinity unless authorised;</li> <li>heritage induction for construction personnel (including procedures for keeping records of inductions);</li> <li>ongoing Aboriginal consultation and involvement (including procedures for keeping records of this);</li> <li>appropriate identification, management, conservation and protection of both Aboriginal and non-Aboriginal heritage items identified on the site; and</li> <li>dealing with previously unidentified non-Aboriginal heritage items which may be discovered during the project.</li> </ul> <p>The Proponent must implement the approved management plan as approved from time to time by the Secretary.</p>	Administrative Non-Compliance	<p>Preparation:</p> <p>* Approval letter from DPE dated 26/11/2012 for Aboriginal Cultural Heritage Management Plan (ACHMP) (dated November 2012). It was not updated following the 2013 or 2016 audits. <u>Admin Non - Compliance</u>.</p> <p>* Approval letter from DPE dated 10 September 2013 for Non-Indigenous Heritage Management Plan (dated February 2013).</p> <p>(a) ACHMP - Section 6.0.</p> <p>(b) N/A - Outside of the audit period.</p> <p>(c) ACHMP - Attachment 3. Non-Indigenous Heritage Management Plan - Section 4.</p> <p>(d) ACHMP - Section 16. Non-Indigenous Heritage Management Plan - Section 3.</p> <p>(e) ACHMP - Section 6, 7, 13 and 17.2. Non-Indigenous Heritage Management Plan - Section 3, 6.1 &amp; 6.2.</p> <p>* <u>Observation</u>: ACHMP was last updated November 2012 and is labelled Centennial and contains areas which are not relevant to the Mannering site.</p> <p>* <u>Observation</u>: Non-Indigenous Heritage Management Plan was last updated February 2013 is labelled Centennial.</p> <p>Implementation:</p> <p>* ACHMP &amp; Non-Indigenous Heritage Management Plan appear to have been implemented during the audit period, with no complaints or incidents related to heritage recorded in the 2016, 2017 and 2018 Annual Reviews and Complaints Log.</p>	<p><b>REC 16</b>: Update the ACHMP to make it reflective of the Mannering site only.</p> <p><b>REC 17</b>: Update the Non-Indigenous Heritage Management Plan</p>	<p><b>REC16</b>: Agree 31/08/19</p> <p><b>REC17</b>: Agree 31/08/19</p>

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Schedule 3 Condition 22	<p>The Proponent must prepare a Greenhouse and Energy Efficiency Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA and generally in accordance with the Guidelines for Energy Savings Action Plans (DEUS 2005, or its latest version);</p> <p>(b) be submitted to the Secretary for approval by the end of September 2008;</p> <p>(c) include a program to monitor greenhouse gas emissions and energy use generated by the project;</p> <p>(d) include a framework for investigating and implementing measures to reduce greenhouse gas emissions and energy use at the site; and</p> <p>(e) describe how the performance of these measures would be monitored over time.</p> <p>The Proponent must implement the approved management plan as approved from time to time by the Secretary.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <p>(a) N/A - Prepared outside of audit period</p> <p>(b) Energy Savings Action Plan (ESAP) was approved by DPE on 20 October 2008 according to LakeCoal email dated 4 March 2016</p> <p>(c) ESAP - Page 17, 22</p> <p>(d) ESAP - Page 4</p> <p>(e) ESAP - Page 4</p> <p><u>Admin Non-Compliant:</u> The methodology to monitor greenhouse gas emissions generated by the project is not clearly stated in the ESAP.</p> <p>* The ESAP has not been reviewed since 2008 and is labelled Centennial Mannering</p> <p><u>Implementation:</u></p> <p>*According to site communications, energy savings due to minor operations completed during the audit period</p> <p>*Greenhouse gas emissions reported in 2016, 2017 and 2018 Annual Reviews.</p>	<p><b>REC 18:</b> Assess the relevance of the Energy Savings Action Plan (ESAP) and whether it requires updating or incorporation into the sites Air Quality Management Plan (AQMP).</p>	<p><b>REC18:</b> Agree 31/08/19</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
Schedule 5 Condition 1	<p>The Proponent must revise an Environmental Management Strategy for the project. This strategy must:</p> <ul style="list-style-type: none"> <li>(a) be submitted for approval to the Secretary prior to 30 June 2013;</li> <li>(b) provide the strategic framework for the environmental management of the project;</li> <li>(c) identify the statutory approvals that apply to the project;</li> <li>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</li> <li>(e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the project;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise during the course of the project;</li> <li>• respond to any non-compliance; and</li> <li>• respond to emergencies; and</li> </ul> </li> <li>(f) include: <ul style="list-style-type: none"> <li>• copies of any strategies, plans and programs approved under the conditions of this approval; and</li> <li>• a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.</li> </ul> </li> </ul> <p>The Proponent must implement the approved management strategy as approved from time to time by the Secretary.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Approval letter from DPE dated 10 September 2013 for the Environmental Management Strategy (EMS). It was not updated following the 2013 or 2016 audits. Admin Non - Compliance.</li> <li>(a) EMS submission letter dated 26 June 2013</li> <li>(b) EMS - Section 1.0</li> <li>(c) EMS - Section 4.0</li> <li>(d) EMS - Section 5.0</li> <li>(e) EMS - Section 8.1, 8.2, 8.3, 8.6 and 8.7</li> <li>(f) EMS - Section 9.0, 12.0 and copies of management plans maintained on the Mannering Colliery website</li> </ul> <p><u>Admin Non-compliant:</u> Table 9 and 10 list the incorrect monitoring frequency for conductivity, TSS, pH and Oil &amp; Grease</p> <p><u>Observation:</u> The EMS was last reviewed in September 2013 and is labelled Centennial Mannering</p> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Results from environmental monitoring (dust, noise, surface water and groundwater) reported in 2016, 2017 and 2018 Annual Reviews.</li> <li>* Management plans reviewed and assessed as part of this audit.</li> <li>* Complaints/Incidents Register for Mannering maintained.</li> <li>* 2 April 2019 non-compliance (TSS exceedance) reported to EPA.</li> </ul>	<p><b>REC 19:</b> Review the Environmental Management Strategy (EMS).</p> <p><b>REC 20:</b> Include in the reviewed EMS the incorrect monitoring frequency for conductivity, TSS, pH and Oil &amp; Grease</p>	<p><b>REC19:</b> Agree 31/08/19</p> <p><b>REC20:</b> Agree 31/08/19</p>

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Schedule 5 Condition 2	<p>The Proponent must ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> <li>the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>any relevant limits or performance measures/criteria;</li> <li>the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;</li> </ul> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>impacts and environmental performance of the project;</li> <li>effectiveness of any management measures (see (c) above);</li> </ul> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>incidents;</li> <li>complaints;</li> <li>non-compliances with statutory requirements; and</li> <li>exceedances of the impact assessment criteria and/or performance criteria; and</li> </ul> <p>(g) a protocol for periodic review of the plan.</p> <p>Note: The Secretary may waive some of these requirements if they are unnecessary for particular management plans.</p>	Administrative Non-Compliance	<p>(a) WMP: Section 8.2, LMP: Section 6.1, ACHMP: Attachment 3, Non-Indigenous CHMP: Section 4.0 &amp; 5.0</p> <p>(b) WMP: Section 4.0 &amp; 8.0, LMP: Section 2, ACHMP: Attachment 3, Non-Indigenous CHMP: Section 1.2</p> <p>(c) WMP: Section 8.0 &amp; 9.0, LMP: Section 4.4 &amp; 6.2, ACHMP: Attachment 3, Non-Indigenous CHMP: Section 6.0</p> <p>(d) WMP: Section 8.0, 9.3 &amp; 9.4, Non-Indigenous CHMP: Section 7.1</p> <p><u>Admin Non-compliant:</u> The LMP &amp; ACHMP does not include reporting mechanisms (i.e. Annual Review)</p> <p>(e) LMP: Section 9.1, ACHMP: Section 13.0, Non-Indigenous CHMP: Section 6.2</p> <p><u>Admin Non-compliant:</u> The WMP does not include a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible</p> <p>(f) LMP: Section 9.1 &amp; 7.1, ACHMP: Section 13.0 &amp; 18.0, Non-Indigenous CHMP: Section</p> <p><u>Admin Non-compliant:</u> The WMP does not include a protocol for managing and reporting any incidents, complaints, non-compliances with statutory requirements and exceedances of the impact assessment criteria and/or performance criteria.</p> <p>Admin Non-compliant: The ACHMP does not include a complaints handling procedure</p> <p>(g) a protocol for periodic review of the plan. WMP: Section 11</p> <p><u>Admin Non-compliant:</u> The ACHMP does not include a protocol for periodic review of the plan.</p> <p><u>Observation:</u> The management plans condition has not been included in regulatory requirements section of the WMP, LMP, ACHMP and Non-Indigenous CHMP.</p>	<p><b>REC 21:</b> All management plans require updating due to the length of time since the previous reviews.</p> <p><b>REC 22:</b> Ensure there is a cross referencing table covering this condition in management plans.</p> <p><b>REC 23:</b> Additional detail including Trigger, Action, Response Tables (contingency plan) should be developed in the next round of management plan updates.</p> <p><b>REC 24:</b> Include in the LMP and ACHMP reporting mechanisms (i.e. Annual Review).</p> <p><b>REC 25:</b> Include in the WMP a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible.</p> <p><b>REC 26:</b> Include in the WMP a protocol for managing and reporting any incidents, complaints, non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria.</p> <p><b>REC 27:</b> Include a complaints handling procedure in the include ACHMP.</p> <p><b>REC 28:</b> Include a protocol for periodic review of the ACHMP.</p> <p><b>REC 29:</b> Ensure all management plans required under PA 06_0311 detail and consider the management condition.</p>	<p><b>REC21:</b> Agree 31/08/19</p> <p><b>REC22:</b> Agree 31/08/19</p> <p><b>REC23:</b> Agree 31/08/19</p> <p><b>REC24:</b> Agree 31/08/19</p> <p><b>REC25:</b> Agree 31/08/19</p> <p><b>REC26:</b> Agree 31/08/19</p> <p><b>REC27:</b> Agree 31/08/19</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
Schedule 5 Condition 3	<p>By the end of March each year, or other timing as may be agreed by the Secretary, the Proponent must submit a report to the Department reviewing the environmental performance of the project to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the past calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> <li>• the relevant statutory requirements, limits or performance measures/criteria;</li> <li>• requirements of any plan or program required under this approval;</li> <li>• the monitoring results of previous years; and</li> <li>• the relevant predictions in the documents listed in condition 2 of Schedule 2;</li> </ul> <p>(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the project.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Approval letter from DPE for 2016 Annual Review, dated 6 July 2017.</li> <li>* Approval letter from DPE for 2017 Annual Review, dated 20 March 2018.</li> </ul> <p><u>Admin Non-compliant:</u> 2016 Annual Review not submitted by March 31 2017. Submission email from LakeCoal to DPE dated 30 April 2017.</p> <ul style="list-style-type: none"> <li>* Letter from LakeCoal to DPE dated 29 March 2019 stating Annual Review uploaded on the Mannering Colliery website.</li> <li>* Email from LakeCoal to DPE dated 30 March stating Annual Review uploaded on the Mannering Colliery website.</li> </ul> <p>(a) Section 2, 5 &amp; 8 - 2016, 2017, 2018 Annual Reviews</p> <p>(b) Section 3 &amp; 4 - 2016, 2017, 2018 Annual Reviews</p> <p><u>Admin Non-compliant:</u> The Annual Reviews do not provide:</p> <ul style="list-style-type: none"> <li>* Clearly state the performance criteria for noise and water quality;</li> <li>* Requirements of plans/programs required under this approval for noise and water quality;</li> <li>* The monitoring results of previous years, for noise and water; and</li> <li>* The relevant predictions in environmental assessments for air quality, noise and water.</li> </ul> <p>(c) Executive summary, Section 3 &amp; 7 - 2016, 2017, 2018 Annual Reviews</p> <p>(d) <u>Non-compliant:</u> Trends in the monitoring data (for air quality, noise and water) over the life of the project are not included in the 2016, 2017 and 2018 Annual Reviews.</p> <p>(e) Non-compliant: Discrepancies between the predicted impacts in the EAs (for air quality, noise and water) and actual impacts of the project are not included in the 2016, 2017 and 2018 Annual Reviews.</p> <p>(f) Section 2, 3 &amp; 6 - 2016, 2017 and 2018 Annual Reviews.</p> <p><u>Admin Non-compliant:</u> The Annual Reviews have not been prepared to cover the current Annual Review Guidelines. See:  <a href="https://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/~media/3AA21D35168042FE813DD0FB92E00E58.ashx">https://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/~media/3AA21D35168042FE813DD0FB92E00E58.ashx</a></p>	<p><b>REC 29:</b> Ensure Annual Reviews are submitted to DPE by 31 March.</p> <p><b>REC 30:</b> Future Annual Reviews should clearly state noise and water quality performance criteria, and provide monitoring results against these.</p> <p><b>REC 31:</b> Include in future Annual Reviews:</p> <ul style="list-style-type: none"> <li>- Requirements of plans/programs required under PA 06_0311 for noise and water quality;</li> <li>- The monitoring results of previous years, for noise and water;</li> <li>- The relevant predictions in environmental assessments for air quality, noise and water;</li> <li>- Trends in the monitoring data for air quality, noise and water, over the life of the project; and</li> <li>- Discrepancies between the predicted impacts in the EAs for air quality, noise and water, and actual impacts of the project.</li> </ul> <p><b>REC 32:</b> The Annual Reviews are set out differently to the DPE Annual Review Guidelines (2015). Ensure table of contents matches the guidelines.</p> <p><b>REC 33:</b> IEA Actions Plans should be included in every Annual Review going forward.</p>	<p><b>REC29:</b> Agree 31/03/20</p> <p><b>REC30:</b> Agree 31/03/20</p> <p><b>REC31:</b> Agree 31/03/20</p> <p><b>REC32:</b> Agree 31/03/20</p> <p><b>REC33:</b> Agree 31/03/20</p>

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Schedule 5 Condition 4	<p>Within 3 months of:</p> <p>(a) the submission of an annual review under Condition 3 above;</p> <p>(b) the submission of an incident report under Condition 6 below;</p> <p>(c) the submission of an audit under Condition 8 below; or</p> <p>(d) any modification to the conditions of this approval (unless the conditions require otherwise),</p> <p>the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.</p> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</p>	Administrative Non-Compliance	<p><u>Admin Non-compliant:</u> Management plans have not been updated:</p> <p>(a) Within 3 months of the submission of the 2016 and 2017 Annual Reviews;</p> <p>(b) Since the submission of an incident (incidents described in the 2016 and 2017 Annual Reviews);</p> <p>(c) Since the submission of the 2016 IEA by Hansen Bailey; and</p> <p>(d) Since the modification to PA 06_0311 (Mod 4), from August 2016.</p> <p>These management plans include the WMP dated January 2013, LMP dated April 2016, ACHMP dated November 2012 and Non-Indigenous CHMP dated February 2013.</p>	<p><b>REC 34:</b> Include statement in future Annual Reviews stating that Management Plans have been reviewed and state which management plans will or will not be updated within 3 months.</p>	REC34: Agree 31/03/20
Schedule 5 Condition 6	<p>The Proponent must 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 incidents associated with the project, the Proponent must notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	Administrative Non-Compliance	<p><u>Admin Non-compliant:</u> Noise exceedance on 11 August 2016 reported to DPE on 12 August 2016, according to 2016 Annual Review. Detailed incident report could not be provided by LakeCoal, therefore not able to determine when or if an incident report was submitted.</p> <p>* Noise exceedance on 29 August 2018 reported to DPE on same day (email to DPE Compliance Mailbox from LakeCoal dated 29 August 2018). Detailed LakeCoal incident report provided to DPE on 7 September 2018. Compliant as LakeCoal was granted an extension to provide the detailed report, via email from EPA dated 5 September 2016.</p> <p>* Email from LakeCoal to DPE, dated 11 April 2019, reporting TSS exceedance at Point 1 on 2 April 2019. Detailed LakeCoal incident report attached to email.</p> <p>Observation: Complaints/incidents register indicates no incidents during the audit period.</p>	<p><b>REC 35:</b> Ensure all incidents are reported within the required timeframe.</p> <p><b>REC 36:</b> Ensure the complaints/incidents register includes all incidents.</p>	<p>REC 35 Agree</p> <p>REC 36: Agree, 31/08/19</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
Schedule 5 Condition 9	Within 12 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Administrative Non-Compliance	<p>* Correspondence indicating when the Hansen Bailey IEA report was submitted to DPE could not be provided by LakeCoal. Correspondence indicating requesting/granting extension could not be provided.</p> <p>* According to DPE letter dated 28 January 2016 IEA audit was due to be completed on 30 March 2016.</p> <p>* Hansen Bailey IEA report dated July 2016.</p> <p>* Mannering Coal IEA – Response to Audit Recommendations dated 2 September 2016.</p> <p>* Response to Audit Recommendations to accompany submission of IEA Report.</p> <p>* <u>Admin Non-compliant</u>: Hansen Bailey IEA report not submitted within required timeframe. No submission letter provided to SLR.</p> <p>For the 2019 IEA, SLR were endorsed by the DPE on 28 February 2019. SLR were officially commissioned by LakeCoal -Pty Ltd Administrators Appointed on 5 March 2019, when a purchase order was granted. Therefore 12 weeks from this date is 28 May 2019 for submission.</p>	REC 37: Ensure future IEA reports are submitted within the required timeframe.	REC 37: Agree

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Schedule 5 Condition 10	<p>The Proponent must:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> <li>the documents referred to in condition 2 of Schedule 2;</li> <li>all relevant statutory approvals for the project;</li> <li>all approved strategies, plans and programs required under the conditions of this approval;</li> <li>a comprehensive summary of the monitoring results of the project, reported in accordance with the specifications in any approved plans or programs required under the conditions of this or any other approval;</li> <li>a complaints register, which is to be updated on a monthly basis;</li> <li>minutes of CCC meetings;</li> <li>the annual reviews required under this approval;</li> <li>any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; and</li> <li>any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	Administrative Non-Compliance	<p><b>Admin Non-compliant:</b> The following documents are not included on the project (LakeCoal) website:</p> <ul style="list-style-type: none"> <li>The documents referred to in condition 2 of Schedule 2 (EAs for the original project and Mod 1 - Mod 4);</li> <li>Up-to-date Complaints Register. The Register only includes complaints up to February 2019;</li> <li>CCC minutes for 2017, 2018 and 2019;</li> <li>2016 Audit Action Plan;</li> <li>Noise monitoring data not included in the Monthly Website Report; and</li> <li>2018 - 2020 MOP.</li> </ul> <p>New Delta Coal website checked on 13 May 2018 and the following documents are not included on the website:</p> <ul style="list-style-type: none"> <li>The documents referred to in condition 2 of Schedule 2 (EAs for the original project and Mod 1 - Mod 4);</li> <li>Complaints Register (link not working);</li> <li>Noise monitoring data not included in the Monthly Website Report; and</li> <li>EMS and Management Plans (only PIRMP up on website).</li> </ul>	<p><b>REC 38:</b> Include the following documentation on the project website:</p> <ul style="list-style-type: none"> <li>The documents referred to in condition 2 of Schedule 2 (EAs for the original project and Mod 1 - Mod 4);</li> <li>Up-to-date Complaints Register. The Register only includes complaints up to February 2019;</li> <li>CCC minutes for 2017, 2018 and 2019;</li> <li>2016 Audit Action Plan;</li> <li>Noise monitoring data not included in the Monthly Website Report; and</li> <li>2018 - 2020 MOP.</li> </ul>	REC38: Agree 31/08/19

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APPENDIX 4B: ALTERNATE NOISE CONDITIONS  1	<p><i>Table 1: Noise limits dB(A)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Day <i>L<sub>Aeq</sub>(15 min)</i></th> <th rowspan="2">Evening <i>L<sub>Aeq</sub>(15 min)</i></th> <th colspan="2">Night</th> <th rowspan="2">Location</th> </tr> <tr> <th><i>L<sub>Aeq</sub>(15 min)</i></th> <th><i>L<sub>A1</sub>(1 min)</i></th> </tr> </thead> <tbody> <tr><td>40</td><td>40</td><td>40</td><td>49</td><td>4 – di Rocco</td></tr> <tr><td>43</td><td>43</td><td>41</td><td>49</td><td>5 – Keighran</td></tr> <tr><td>42</td><td>42</td><td>41</td><td>49</td><td>6 – Swan</td></tr> <tr><td>39</td><td>39</td><td>39</td><td>47</td><td>7 – Druitt</td></tr> <tr><td>46</td><td>46</td><td>46</td><td>47</td><td>8 – May</td></tr> <tr><td>41</td><td>41</td><td>41</td><td>51</td><td>9 – Jeans</td></tr> <tr><td>39</td><td>39</td><td>39</td><td>49</td><td>11 – Jeans</td></tr> <tr><td>39</td><td>39</td><td>39</td><td>51</td><td>18 – Jeans</td></tr> <tr><td>40</td><td>40</td><td>40</td><td>51</td><td>20 – Knight and other Chain Valley Bay residences</td></tr> </tbody> </table> <p><i>Note: The location of the land referred to in Table 1 is shown on the figure in Appendix 4.</i></p>	Day <i>L<sub>Aeq</sub>(15 min)</i>	Evening <i>L<sub>Aeq</sub>(15 min)</i>	Night		Location	<i>L<sub>Aeq</sub>(15 min)</i>	<i>L<sub>A1</sub>(1 min)</i>	40	40	40	49	4 – di Rocco	43	43	41	49	5 – Keighran	42	42	41	49	6 – Swan	39	39	39	47	7 – Druitt	46	46	46	47	8 – May	41	41	41	51	9 – Jeans	39	39	39	49	11 – Jeans	39	39	39	51	18 – Jeans	40	40	40	51	20 – Knight and other Chain Valley Bay residences	Non-Compliant (Low Risk)	<p>* Recommencement of underground coal extraction at Mannering Colliery until 18 months thereafter is; April 2016 till October 2017.</p> <p>* <b>Non-compliant:</b> According to 2016 Annual Review, on 12 August 2016 LakeCoal was advised by its independent noise monitoring consultant (Global Acoustics) that they had recorded a 3dB exceedance of the site's LAeq15 Minute noise criteria at receiver RA2 (Macquarie Shores Retirement Village) during the evening monitoring on 11 August 2016 for Mannering Colliery.</p> <p>* Noise complaints increased during the audit period, with 0 noise complaints in 2016 and 2017, but 10 complaints in 2018, and 10 complaints from January 2019 to March 2019.</p>	REC 39: Prepare a report to determine what further actions can be undertaken to reduce noise exceedances and noise complaints.	REC39: Report submitted to DPE-Compliance 1/4/2019
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40	40	40	51	20 – Knight and other Chain Valley Bay residences																																																					

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APPENDIX 4B: ALTERNATE NOISE CONDITIONS 3	<p>The Proponent must prepare a report on all noise mitigation measures required to achieve the noise limits in Table 2 to the satisfaction of the Secretary. This report must:</p> <p>(a) be prepared by a suitably qualified and experienced acoustic consultant whose appointment has been approved by the Secretary;</p> <p>(b) be prepared in consultation with EPA, and submitted to the Department for approval within 6 months after recommencement of underground coal extraction; and</p> <p>(c) include an action plan for the implementation of any reasonable and feasible recommendations of the report.</p> <p>The Proponent must implement the noise mitigation measures prior to the expiry of the 18 month period referred to in condition 1 above.</p>	Non-Compliant (Low Risk)	<p>* The Preliminary Noise Mitigation Options Report for the Mannering Colliery - Continuation of Mining Project dated 31 May 2017, prepared by Atkins Acoustics and Associates Pty Ltd could not be provided to SLR from Lake Coal</p> <p>* DPE approval letter dated 9 June 2017, for the Preliminary Noise Mitigation Options Report.</p> <p><u>Admin non-compliant</u>: Acoustic consultant was not endorsed by DPE</p> <p><u>Non-compliant</u>: Noise mitigation measures required to be undertaken by October 2017. According to site communications these mitigation measures were undertaken from 2017 to February 2019.</p>	<i>Nil recommendation</i>	
APPENDIX 4B: ALTERNATE NOISE CONDITIONS 4	<p>The Proponent must prepare a Noise Compliance Report for the project to the satisfaction of the Secretary. The report must:</p> <p>(a) be prepared by a suitably qualified acoustic consultant, whose appointment has been approved by the Secretary;</p> <p>(b) be prepared in consultation with EPA, and be submitted for approval within 6 months of the expiry of the 18 month period referred to in condition 1 above; and</p> <p>(c) investigate and evaluate the effectiveness of the noise mitigation measures required under condition 3 and compliance with the noise limits in Table 2.</p>	Non-Compliant (Low Risk)	<p>(a) <u>Non-compliant</u>: Letter of endorsement for EMM to undertake the 2019 Noise Mitigation Study could not be found by LakeCoal.</p> <p>(b) <u>Non-compliant</u>: The Noise Mitigation Study was not prepared in consultation with EPA and was not submitted for approval by March 2018.</p> <p>(c) According to the EMM Noise Mitigation Study dated March 2019:</p> <ul style="list-style-type: none"> <li>-Noise mitigation works implemented by the previous operators in 2018 have decreased site noise emission levels at all neighbouring noise-sensitive receivers.</li> <li>-Current and proposed MC noise emissions are predicted to comply with the relevant long-term noise criteria outlined in MP 06_0311 at all assessment locations under worst case meteorological conditions.</li> <li>-LMax noise level events at the site are also predicted to remain below the relevant sleep disturbance criteria.</li> </ul>	<i>Nil recommendation</i>	
PA 06_0311 Statement of Commitments (Mod 4)					

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
Water Management	<p>LakeCoal will undertake a review of the existing site water management system in consultation with the EPA.</p> <p>The water level within the sediment pond system will be monitored and kept at a relatively low operating level, such that the ponds can provide a detention function in a significant rainfall event.</p> <p>A visual assessment of the unnamed creek will be undertaken every 6 months to monitor stability and erosion.</p> <p>Where practicable, underground water levels will be recorded to monitor changes in the level of water stored in underground depressions and to verify that the rate of extraction is sufficient.</p> <p>The extraction of underground water from the mine workings will be undertaken in accordance with the Bore License (20BL172016) issued under the Water Act 1912.</p> <p>To enable on-going assessment of the quality of water discharged, the existing monitoring program will be maintained for the life of the Project with the following enhancements:</p> <ul style="list-style-type: none"> <li>• An assessment of the surrounding catchments summarising land uses and other background information to characterise an appropriate water quality; and</li> <li>• Annual monitoring of heavy metals at the monitoring location identified as 'Downstream'.</li> </ul>	Non-Compliant (Low Risk)	<p>* During site inspection noted that the sediment pond system has freeboard.</p> <p><u>Non-compliant</u>: Visual assessment of the unnamed creek is not undertaken every 6 months to monitor stability and erosion. This requirement is included in the WMP.</p> <p>*2016, 2017 &amp; 2018 Annual Reviews describe:</p> <ul style="list-style-type: none"> <li>-Groundwater extraction from bore 20BL172016.</li> <li>-Monitoring of groundwater extraction.</li> <li>-Section 8.2 of the WMP provides background information of the water quality of the unnamed creek.</li> </ul> <p><u>Non-compliant</u>: Annual monitoring (i.e. monitoring every 12 months) of heavy metals not undertaken at the monitoring location identified as "Downstream".</p> <p>-ALS analytical results dated 18 April 2017, 22 November 2018, 12 March 2019, and include analysis results for heavy metals for monitoring location "Downstream".</p> <p><u>Observation</u>: Monitoring results for the "Downstream" monitoring location is not included in Annual Reviews.</p>	REC 40: Visual assessment of the unnamed creek is not undertaken every 6 months to monitor stability and erosion. This requirement is included in the WMP.	REC40: Agree 31/08/19

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
Aboriginal Heritage	<p>Activities will continue to be managed in accordance with the Colliery's Aboriginal Cultural Heritage Management plan (ACHMP). Given the Colliery's current ACHMP is integrated with other Centennial sites, a separate ACHMP will be developed.</p> <p>If monitoring indicates that mine-induced subsidence levels exceed 20 millimetres, a review will be undertaken to identify any potential impacts to cultural heritage in consultation with OEH.</p> <p>All relevant Centennial Mannerling staff and contractors will be made aware of their statutory obligations for Aboriginal cultural heritage under the NP&amp;W Act as part of the existing mine induction process. An Aboriginal Cultural Heritage Management Plan (ACHMP) will be developed and implemented for the identified Aboriginal heritage items within the Project Site in consultation with the relevant Aboriginal stakeholders. If additional sites are identified they will be assessed for cultural significance and be incorporated into the ACHMP.</p> <p>In the unlikely event that skeletal remains are identified, the NSW Police Coroner will be contacted to determine if the material is of Aboriginal origin. If determined to be Aboriginal, contact will be made with the OEH, a suitably qualified archaeologist and representatives of the relevant Aboriginal stakeholder groups to determine an action plan for the management of the skeletal remains and formulate management recommendations if required.</p>	Administrative Non-Compliance	<p><u>Admin non-compliant</u>: A separate ACHMP has not been developed. It still covers other Centennial sites.</p> <ul style="list-style-type: none"> <li>* Mine-induced subsidence levels do not exceed 20 millimetres</li> <li>* "Lake Coal Surface Generic Surface Induction" and "Environmental Awareness Training" Assessment includes Aboriginal heritage aspects</li> <li>* Aboriginal Cultural Heritage Management Plan (ACHMP) developed for the identified Aboriginal heritage items within the Project Site.</li> <li>* ACHMP prepared in consultation with the relevant Aboriginal stakeholders (refer to Section 2.0).</li> </ul>	Nil recommendation	See REC 1: 31/08/19
European Heritage	<p>If monitoring indicates that mine-induced subsidence levels exceed 20 millimetres, a review will be undertaken to identify any potential impacts to non-indigenous heritage.</p> <p>All relevant Centennial Mannerling staff and contractors will be made aware of their statutory obligations for European cultural heritage under the Heritage Act 1977 as part of the existing mine induction process.</p> <p>If, during the course of development works, significant non-indigenous cultural heritage material is uncovered within the Project Site, the Heritage Branch of OEH will be notified and any required monitoring or management strategies instigated.</p>	Administrative Non-Compliance	<ul style="list-style-type: none"> <li>* Mine-induced subsidence levels do not exceed 20 millimetres</li> <li>* Admin Non-compliant: "Lake Coal Surface Generic Surface Induction" and "Environmental Awareness Training" Assessment does not include European heritage aspects.</li> </ul>	REC 41: Include European heritage aspects in the "Lake Coal Surface Generic Surface Induction" and "Environmental Awareness Training" Assessment	REC41: Agree, 31/08/19

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date																								
Monitoring	The Environmental Monitoring Program will be reviewed and updated, as required, to incorporate the commitments made in the Environmental Assessment and any additional consent conditions.	Administrative Non-Compliance	The Environmental Monitoring Program has not been reviewed and updated since November 2011, and does not to incorporate the commitments made in the Environmental Assessments (EAs) for Mod 1, Mod 2, Mod 3 & Mod 4, and any additional consent conditions (for these modifications).	REC 42: Update the Environmental Monitoring Program to incorporate any commitments made in the Environmental Assessments (EAs) for Mod 1, Mod 2, Mod 3 & Mod 4, and any additional consent conditions (for these modifications).	REC 42: Agree 31/08/19																								
<b>EPL 191</b>																													
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Non-Compliant (Low Risk)	Exceedance of TSS on 2 April 2019. Exceedance constitutes a 'pollution' of waterways based on the POEO Act.	REC 43: Continue to undertake mitigation measures to comply with section 120 of the Protection of the Environment Operations Act 1997.	REC 43: Agree																								
L2.4	<p><b>POINT 1</b></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5-8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>50</td> </tr> </tbody> </table>	Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and Grease	milligrams per litre				10	pH	pH				6.5-8.5	Total suspended solids	milligrams per litre				50	Non-Compliant (Low Risk)	Exceedance of TSS on 2 April 2019. Dam flocculated and re-tested, with TSS reading of 10mg/L.	REC 44: Continue to undertake water quality monitoring. If a water quality exceedance is detected undertake measures to improve water quality.	REC 44: Agree
Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																								
Oil and Grease	milligrams per litre				10																								
pH	pH				6.5-8.5																								
Total suspended solids	milligrams per litre				50																								

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
L5	Note: Noise limits are not specified as a condition of this licence. Noise limits are prescribed with the conditions of Project Approval 06_0311 granted under the Environmental Planning and Assessment Act 1979. Under the Environmental Planning and Assessment Act 1979 the Department of Planning is the appropriate authority in respect of the administration and regulation of the Project Approval.	Non-Compliant (Low Risk)	<p><u>Non-compliant:</u> According to 2016 Annual Review, on 12 August 2016 LakeCoal was advised by its independent noise monitoring consultant (Global Acoustics) that they had recorded a 3dB exceedance of the site's LAeq15 Minute noise criteria at receiver RA2 (Macquarie Shores Retirement Village) during the evening monitoring on 11 August 2016 for Mannering Colliery.</p> <p>* According to 2016 Annual Review, On 29 August 2018, there was an exceedance recorded at 1dB exceedance of the site's LAeq15 Minute noise criteria at receiver RA2 (Macquarie Shores Retirement Village) during the scheduled night monitoring.</p> <p>* According to the Noise Mitigation Study dated March 2019:</p> <ul style="list-style-type: none"> <li>-Noise mitigation works implemented by the previous operators in 2018 have decreased site noise emission levels at all neighbouring noise-sensitive receivers.</li> <li>-Current and proposed MC noise emissions are predicted to comply with the relevant long-term noise criteria outlined in MP 06_0311 at all assessment locations under worst case meteorological conditions.</li> </ul> <p>* LMax noise level events at the site are also predicted to remain below the relevant sleep disturbance criteria.</p>		
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Administrative Non-Compliance	<p><u>*Admin Non-compliant:</u> The Complaints Register does not include the time of the complaint and the personal details of the complainant.</p> <p>* Not all complaints registered included the method by which the complaint was made.</p>	<p><b>REC 45:</b> Include in the Complaints Register:  -Time of the complaint;  -Personal details of the complainant; and  -Method by which the complaint was made.</p>	<b>REC 44:</b> Agree 31/08/19

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Administrative Non-Compliance	*Telephone line for complaints advertised on the LakeCoal and Delta Coal websites. * However no evidence of notifying to the community that the complaints line exists.	REC 46: With the new ownership an advertisement should be placed in the paper providing a link to the Delta Coal website and outlining the complaint management details.	REC46: Agree 31/08/19
M6.4	The licensee must nominate a representative of the company that is available all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including a telephone number, must be current at all times.  Note: This condition does not apply until two (2) weeks after the date of issue of this licence.	Administrative Non-Compliance	* Designated representatives of the company included in the Pollution Incident Response Plan (PIRMP), dated September 2018. * <u>Admin Non-compliant</u> : The designated representatives of the company, included in the PIRMP, are not current.	REC 47: Update the details of designated representatives of the company in the PIRMP.	REC47: Agree 31/08/19
<b>CCL 721</b>					
5	a) report against compliance with the MOP; b) report on progress in respect of rehabilitation completion criteria; c) report on the extent of compliance with regulatory requirements; and d) have regard to any relevant guidelines adopted by the Director-General;	Administrative Non-Compliance	a) <u>Admin Non-compliant</u> : The 2016, 2017 & 2018 Annual Reviews do not report against compliance with the MOP. b) N/A - Rehabilitation has not commenced at the site; c) 2016, 2017 & 2018 Annual Reviews - Executive Summary & Section 3 d) <u>Admin Non-compliant</u> : 2016, 2017 and 2018 Annual Reviews not prepared in accordance with the DPE Annual Review guidelines	REC 48: Report against compliance with the MOP in future Annual Reviews.  *Prepare future Annual Reviews in accordance with the DPE Annual Review guidelines.	REC 48: Agree 31/3/20

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
6	Additional environmental reports may be required on specific surface disturbing operations or environmental incidents from time to time as directed in writing by the Director-General and must be lodged as instructed.	Administrative Non-Compliance	<p><u>Admin Non-compliant</u>: Noise exceedance on 11 August 2016 reported to DPE on 12 August 2016, according to 2016 Annual Review. Detailed incident report could not be provided by LakeCoal, therefore not able to determine when or if an incident report was submitted.</p> <p>* Noise exceedance on 29 August 2018 reported to DPE on same day (email to DPE Compliance Mailbox from LakeCoal dated 29 August 2018). Detailed LakeCoal incident report provided to DPE on 7 September 2018. Compliant as LakeCoal was granted an extension to provide the detailed report, via email from EPA dated 5 September 2016.</p> <p>* TSS exceedance at Point 1 on 2 April 2019 reported to DPE on 11 April 2019 via email and formal letter</p> <p>* <u>Admin Non-compliant</u>: According to site communications the RR required additional environmental reports on specific surface disturbing operations. Reports could not be provided to SLR from LakeCoal.</p> <p><u>Observation</u>: Compliant/incident register indicates no incidents from June 2016 to April 2019.</p>	REC 49: Ensure all additional environmental reports on specific surface disturbing operations are provided to the RR as required.	REC 49: Agree

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
18	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	Non-Compliant (Low Risk)	<p>* Management plans prepared and implemented for the site. Management plans include management controls to minimise any harm to the environment that may result from the operation of the site</p> <p>* During the site inspection noted management controls being implemented at the site:</p> <ul style="list-style-type: none"> <li>-No visible dust;</li> <li>-Water cart used on site to reduce dust;</li> <li>-Majority of the pit top is concreted;</li> <li>-Covered conveyor;</li> <li>-Bunded chemicals (Photo 7);</li> <li>-Rubbish disposed of in labelled waste bins;</li> <li>-Oily water separator;</li> <li>-Noise mitigation measures implemented at site (Photo 8).</li> </ul> <p>*Water quality, dust and monitoring undertaken at the site.</p> <p><u>Non-compliant</u>: During audit period non-compliances with noise and water quality criteria.</p>	REC 50: Ensure all practicable measures are undertaken to reduce noise and water quality exceedances (refer to specific recommendations relating to noise and water quality).	REC 50: Agree
CCL 719					

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
3	<p>(a) The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, mining purposes and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, mining purposes and prospecting.</p> <p>(b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:</p> <p>(i) identifies areas that will be disturbed;</p> <p>(ii) details the staging of specific mining operations, mining purposes and prospecting;</p> <p>(iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;</p> <p>(iv) identifies how mining operations, mining purposes and prospecting will be carried out in order to prevent and or minimise harm to the environment; and</p> <p>(v) reflects the conditions of approval under:</p> <ul style="list-style-type: none"> <li>• the Environmental Planning and Assessment Act 1979;</li> <li>• the Protection of the Environment Operations Act 1997; and</li> <li>• any other approvals relevant to the development including the conditions of this mining lease.</li> </ul> <p>(c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website at <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a></p> <p>(d) The lease holder may apply to the Minister to amend an approved MOP at any time.</p> <p>(e) It is not a breach of this condition if:</p> <p>(i) the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the Mine Health and Safety Act 2004 I Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007 I Coal Mine Health and Safety Regulation 2006 or the Work Health and Safety Act 2011; and</p> <p>(ii) the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.</p> <p>(f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:</p> <p>(i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;</p> <p>(ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and</p> <p>(iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at <a href="http://www.resources.nsw.gov.au/envrionment">www.resources.nsw.gov.au/envrionment</a>.</p> <p>Note: The Rehabilitation Report replaces the Annual Environmental Management Report.</p>	Non-Compliant (Low Risk)	<p>(a) Site inspection indicates MOP is being implemented.</p> <p>* Approval letter from Resources Regulator (RR) (formerly DRE) dated 27 March 2015, for 2015-2018 MOP</p> <p>* Approval letter from RR dated 26 September 2018 for 2018-2020 MO</p> <p>(b) The MOP must:</p> <ol style="list-style-type: none"> <li>MOP plans;</li> <li>MOP plans (3 series);</li> <li>Mine Closure Plan to be prepared at least two years prior to the cessation of mining activities;</li> <li>Section 3;</li> <li>Section 4.1;</li> <li>have regard to any relevant guidelines adopted by the Director-General.</li> </ol> <p>(c) 2018-2020 MOP has been prepared generally in accordance with DRE (now Resources Regulator) ESG3: MOP Guidelines, dated September 2013.</p> <p>(d) N/A-MOP not amended during MOP period.</p> <p>(e) <u>Non-compliant</u>: Details could not be provided by LakeCoal about non-compliances with the MOP.</p> <p>(f) <u>Admin Non-compliant</u>: Annual Rehabilitation Reports have not been prepared by LakeCoal. Rehabilitation not undertaken at the site but no correspondence provided by LakeCoal stating that Annual Rehabilitation Reports are not required or that these are covered by other reports.</p> <p><u>Observation</u>: The 2016, 2017 and 2018 Annual Reviews do not provide details of non-compliances with the MOP.</p>	<p><b>REC 51</b>: Prepare Annual Rehabilitation Reports.</p> <p><b>REC 52</b>: Include in Annual Reviews any non-compliances with the MOP, during the reporting period.</p>	<p><b>REC 51</b>: Agree 31/03/20</p> <p><b>REC 52</b>: Agree 31/03/20</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
5	<p>(a) The lease holder must notify the Department of all:</p> <p>(i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and</p> <p>(ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Operations Act 1997), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.</p> <p>Note. Refer to <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a> for notification contact details.</p> <p>(b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:</p> <p>(i) the details of the mining lease;</p> <p>(ii) contact details for the lease holder;</p> <p>(iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental Incident Report. Refer to <a href="http://www.resources.nsw.gov.au/environment">www.resources.nsw.gov.au/environment</a> for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the Protection of the Environment Operations Act 1997 arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>	Administrative Non-Compliance	<p>* Email from LakeCoal to DPE (RR integrated into DPE), dated 11 April 2019, reporting TSS exceedance at Point 1 on 2 April 2019. Detailed LakeCoal incident report attached to email.</p> <p><u>Admin Non-compliant:</u> Noise exceedance on 11 August 2016 reported to DPE on 12 August 2016, according to 2016 Annual Review. Detailed incident report could not be provided by LakeCoal, therefore not able to determine when or if an incident report was submitted.</p> <p>* Noise exceedance on 29 August 2018 reported to DPE on same day (email to DPE Compliance Mailbox from LakeCoal dated 29 August 2018). Detailed LakeCoal incident report provided to DPE on 7 September 2018. Compliant as LakeCoal was granted an extension to provide the detailed report, via email from EPA dated 5 September 2016.</p> <p>* There were no incidents of hydrocarbon contamination, or significant spills reported in the 2016, 2017 and 2018 Annual Reviews</p> <p><u>Observation:</u> Complaints/incident register indicates no incidents from June 2016 to April 2019.</p>		

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendations	Delta Coal Confirmation Due date
8	<p>The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining lease, including obligations of all or any kind under the mining lease that may arise in the future.</p> <p>The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$3,879,000.</p> <p>The leases covered by the group security include: Consolidated Coal Lease Nos 719 &amp; 721 (Act 1973)</p>	Non-Compliant (Low Risk)	<p>* "Rehabilitation Cost Calculation Tool Mannering (2015)" indicates \$3,879,000 security for 2015-2018 MOP</p> <p>* <u>Non-compliant</u>: "Chain Valley Colliery (Mannering Surface Areas) Underground RCE Report" (Mannering RCE) indicates \$3,226,730 security for 2018-2020 MOP. Approval letter from RR for updated security could not be provided to SLR by LakeCoal.</p>	<p><b>REC 53:</b> Ensure an adequate security deposit is provided as a group security</p> <p><b>REC 54:</b> Ensure group security has been approved by RR</p>	<p><b>REC 53:</b> Agree, Centennial provided the additional security deposit for Mannering in October last year and that once the Mannering title is transferred to Delta Coal an parent company guarantee will be provided.</p> <p><b>REC 54:</b> Agree</p>

Additional recommendations relating to compliant conditions are outlined within **Table 7**.

**Table 2 Additional Recommendations**

Aspect	Recommendation	Delta Coal Confirmation and Due Date
Management Systems	<b>REC 55:</b> It provided difficult for Delta Coal to provide requested information in a timely manner. SLR recommends a review of the management system to ensure information is correctly filed and readily available.	<b>REC 55:</b> Agree: 31/08/19
Audit Preparations	<b>REC 56:</b> Little information was provided to SLR prior to the audit which resulted in numerous additional information requests. Additional time is required by Delta Coal to prepare for the next IEA. An internal audit is recommended prior to the next IEA to ensure information and evidence is available to the Independent Environmental Auditor.	<b>REC56:</b> Disagree first sentence: Most of documents requested in original RFI prior to site audit were provided and publicly available information present on the website. Further requests resulted as Auditors got into auditing, some time delays encountered from both parties.
Water Management	<b>REC 57:</b> Include in Section 9.4 of the Water Management Plan reporting of ground water results in Annual Reviews.	<b>REC 57:</b> Agree: 31/08/19
Bushfire and Land Management Plan	<b>REC 58:</b> Attach the Bushfire Management Plan to the Land Management Plan	<b>REC 58:</b> Agree: 31/08/19

Aspect	Recommendation	Delta Coal Confirmation and Due Date
Air Quality Management	<p><b>REC 59:</b></p> <ul style="list-style-type: none"> <li>* Update the AQMP</li> <li>* Include in the updated AQMP a plan showing dust monitoring locations and the location of the weather station.</li> </ul>	<p><b>REC 59:</b> Agree: 31/08/19</p>
Waste Management	<p><b>REC 60:</b></p> <ul style="list-style-type: none"> <li>* Finish sorting out the piles of reject and rubbish at the pit top area.</li> <li>* Undertake contaminated sites/waste material assessment at the waste stockpile area.</li> <li>* SLR recommends none of the waste from the stockpile material is removed from site for waste disposal until an assessment on the waste is undertaken.</li> <li>* Install signage at the landfarm material at the pit top.</li> </ul>	<p><b>REC 60:</b></p> <ul style="list-style-type: none"> <li>• Agree, is an ongoing reject area</li> <li>• Agree, 31/07/19</li> <li>• Agree, 28/05/19</li> <li>• Agree 31/08/19</li> </ul>
Subsidence	<p><b>REC 61:</b> A separate subsidence impact assessment report should be prepared annually and appended to the Annual Review. This report should be prepared or peer reviewed by a subsidence specialist. This should assess subsidence performance measures from the Project Approval.</p>	<p><b>REC61:</b> Agree 31/03/20</p>
Pollution Incident Response Management Plan	<p><b>REC 62:</b></p> <ul style="list-style-type: none"> <li>* Update the PIRMP to include: <ul style="list-style-type: none"> <li>- Current site contacts;</li> <li>- Email details for government contacts; and</li> <li>- Figures that clearly show the location of hazardous substances and where pollution response equipment is stored.</li> </ul> </li> </ul>	<p><b>REC 62:</b> Agree 31/8/19</p>
2019 Annual Return	<p><b>REC 63:</b></p> <ul style="list-style-type: none"> <li>* LakeCoal prepare an Annual Return for the period commencing on the first day of the reporting period (1 January 2019) and ending on the date the application for the transfer of the licence to the new licensee is granted (1 April 2019).</li> <li>* Delta Coal prepare an Annual Return for the period commencing on the date the application for the transfer of EPL191 is granted (1 April 2019) and ending on the last day of the reporting period (31 December 2019).</li> </ul>	<p><b>REC 63a:</b> Agree, 28/02/20</p> <p><b>REC63b:</b> Agree, 28/02/20</p>

