

BARNETT & MAY

Metropolitan Coal Mine

2020 Independent Environmental Audit

Prepared for
Peabody Energy Pty Ltd.

Client representative
Stephen Love

Date
8 May 2021

Rev 0



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Prepared by — K. Holmes		Date 8 May 2021
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Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
A	Draft for client Review	K. Holmes	T Wilkins	K. Holmes	4/5/2021
0	Final for distribution	K. Holmes	T Wilkins	K. Holmes	8/5/2021
1					
2					

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1. Introduction

The Metropolitan Coal Mine (also known as the Helensburgh Coal Mine), is located off Parkes St, Helensburgh, New South Wales (NSW) and is operated by Peabody Energy.

The purpose of the audit, that was undertaken in accordance with the **Barnett and May's** proposal (dated 19 October 2020), was to determine if the compliance obligations contained in the Project Approval (08_0149) Schedule 5, Conditions 8 and 9, which state:

C8 - "By the end of December 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development.

- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the *Director-General*;
- (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 under 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 Director-General, the Applicant must submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the Audit Report.

The Audit was commissioned on 20 December 2020 following approval of the audit team by DPIE. The site inspection was undertaken by Ken Holmes (Accredited Lead Auditor) of Barnett & May in 2 March 2021. The audit covered the period from 1 January 2018 to 31 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 on the 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 2 March 2021, 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 Metropolitan Coal Mine.

Peabody Energy operates the Metropolitan Coal Mine, located on Parkes St Helensburgh, New South Wales (NSW). The Metropolitan Coal Project Approval (08_0149) was granted on 22 June 2009 under Section 75J of the NSW EP&A Act) by the NSW Minister for Planning and Infrastructure and has been modified three times:

- Mod 1 (8 September 2010) – to construct a replacement underground drift, including construction of a new drift portal at the mine's Major Surface Facilities Area
- Mod 2 (2 July 2011) – relating to the amount of product coal to be trucked off-site and the number of truck departures for product coal and coal reject
- Mod 3 (3 October 2013) – to consolidate the annual environmental reporting requirements under the Project Approval and the Mining Lease and Consolidated Coal Lease conditions.

Metropolitan Coal Mine is considered the oldest continually operating coal mine in Australia, having been in operation from 1888. The mine uses underground longwall mining techniques to extract coal, which is then transferred by conveyor for further processing at the surface facilities. Surface activities include coal washing, sorting and shipping to Port Kembla Coal Terminal for domestic and international shipping. The main products are hard coking and semi-hard coking product coal. The coal wash reject was historically sent to Glenlee but during the audit period a significant amount has been beneficially reused as fill at developments in the Illawarra region or sold as product coal through PKCT.


In the longwall mining process, coal seam is mined at a minimum depth of 400m from the ground surface with each section being 153m wide by design. The project area is wholly located in the Woronora Plateau (Woronora Reservoir Catchment) adjacent to the Royal National Park, which is the second oldest national park in the world and the oldest in Australia. Mining is undertaken beneath the Waratah Rivulet and upper reaches of Woronora Reservoir as per relevant approval conditions. Subsidence is predominantly managed through mine layout planning prior to extraction. Metropolitan has also developed a rock bar remediation technique to rehabilitate sections of stream on Waratah Rivulet and Eastern Tributary where required.

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 Process Plant
DPE	Department of Planning and Environment (former planning department name)
DPI	(former) Department of Primary Industries
DPIE	Department of Planning, Industry and Environment.
ECS	Environment and Community Superintendent
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
HCPL	Helensburgh Coal Pty Limited
IEA	Independent Environmental Audit
LW20-22	Longwalls 20-22
LW23-27	Longwalls 23-27

Acronyms	Description
LW	Longwall
MOP	Mining Operations Plan
NOW	NSW Office of Water
NMP	Noise Management Plan
OC	Occupation Certificate
OCE	Open Cut Examiner
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
PA	Project Approval
PIRMP	Pollution Incident Response Management Plan
RAP	Registered Aboriginal Group
REF	Review of Environmental Factors
RMP	Rehabilitation Management Plan
SWAF	Surface Water Assessment Forms
SWB	Site Water Balance
SWMP	Surface Water Management Plan
SWVR	Surface Water Validation Report
TEOM	Tapered Element Oscillating Microbalance (Samplers)
TMP	Traffic Management Plan
WCC	Wollongong City Council
WMP	Water Management Plan

3. Auditor Certification

Independent Audit Certification Form	
Development Name	Metropolitan Coal Mine, Helensburgh
Application Number	Metropolitan Coal Project Approval 08_0149
Description of Development	Coal Mine
Development Address	Parkes St, Helensburgh NSW 2508
Proponent	Metropolitan Collieries Pty Ltd
Operator Address	Metropolitan Coal (Peabody Energy Australia Pty Ltd) Parkes St, Helensburgh NSW 2508
Title of Audit	Metropolitan Coal Mine 2020 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	8 May 2021

3.1 Audit Details

Audit Title:	Metropolitan Coal Mine 2020 Independent Environmental Audit
Site:	Metropolitan Coal Mine, Helensburg New South Wales
Client Contact:	Stephen Love
Position:	Environment and Community Superintendent
Client:	Peabody Energy Pty Ltd
Client Address:	100 Melbourne St, South Brisbane QLD 4101
Client Phone Number	02 9412 6600
Client Email:	slove@peabodyenergy.com.au
Audit Team:	Ken Holmes (Certified Lead Auditor) Shaun Cassidy (Hydrogeologist) David Cummings (Aquatic Ecologist) Mr Adam Bishop, Pitt & Sherry (Hydrologist)
Auditor's Telephone:	0438 046 261
Auditor's Email:	ken@baeckea.com.au
Date of Site Visit	2 March 2021
Site Visit Completion Date	2 March 2021
Audit Scope:	<p>The audit was undertaken as per the brief outlined in the Barnett and May proposal (dated 19 October 2020). As such, the audit provides an assessment of the compliance of the project with the conditions of the following approvals:</p> <ul style="list-style-type: none"> • Metropolitan Coal Project Approval 08_0149 (Mod 3, dated 2 Oct 2013) • Environmental Protection Licence (EPL) No. 767 • Consolidated Coal Lease 703 • Mining Lease 1610 • Groundwater Licence 10BL603595 • Extraction Plan Approval Long Wall 301-302 • Extraction Plan Approval Long Wall 303 • Extraction Plan Approval Long Wall 304 • Extraction Plan Approval Long Wall 305-307. <p>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.</p>

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; and
- 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; and
- Consultation with relevant agencies.

4.3.1 Approval of audit teams

Peabody Energy sought the Secretary's endorsement for the audit team to undertake this Independent Environmental Audit. The Secretary approved the following team on 20 January 2021 (Appendix C):

- Ken Holmes, Barnett & May (lead auditor).
- David Cummings (aquatic Biology specialist).
- Sean Cassidy (groundwater hydrology specialist).
- Adam Bishop (surface water 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);
- WaterNSW;
- Wollongong City Council (WCC); and
- 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 2 March 2021.

4.5.1 Opening Meeting

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

- Stephen Love (Environmental and Community Superintendent)
- Kane Organ (Environmental Officer)
- 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 inspection included observation of:

- Site access and security;
- Coal washing plant;
- Rail loop, loading and unloading facilities;
- ROM and product stockpiles and conveyer system;
- Waste storage areas;
- Fuel and dangerous goods storage areas;
- Equipment maintenance area;
- Rehabilitation areas;
- Dust control infrastructure; and
- Surface water management infrastructure.

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

4.5.3 Site Interviews

Audit interviews comprised of a series of meetings with:

- Stephen Love (Environmental and Community Superintendent)
- Kane Organ (Environmental Officer)
- Bronwyn Callahan (Ecologist)
- Tony Marszalek (Surface Water Hydrologist)
- Camilla West (Surface Water Hydrologist)

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 B**. 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
<p style="text-align: center;">Compliance</p>	<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>
<p style="text-align: center;">Non-Compliance</p>	<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>
<p style="text-align: center;">Not Triggered</p>	<p>Not Applicable / Not Triggered</p> <p>The respective condition / requirement was not activated within the scope of the audit.</p>
<p style="text-align: center;">Noted</p>	<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	Georgia Dragicevic Senior Compliance Officer	Thank you for consulting the Department. We request that you look into the subsidence related impacts, in particular surface and ground water and aquatic ecology.	Refer to Appendix 1
Wollongong City Council	Ron Zwicker	No response was received from Council.	
NSW EPA	Andrew Couldridge	No response was received from the EPA.	
DPIE Resources Regulator (DRE)	Jenny Ehmsen	<p>Thank you for your email dated 4 February 2021 requesting consultation on the independent audit to be undertaken of the Metropolitan Colliery which is covered by the mining titles listed below.</p> <p>The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.</p> <ul style="list-style-type: none"> • Review relevant mining leases and exploration licences as agreed with Resources Regulator. • Undertake an assessment of compliance against the conditions of title related to environmental management. • Verify that there is a current Mining Operations Plan (MOP) in place, and it has been approved by 	<p>Relevant mining leases and licences are in place.</p> <p>An assessment of compliance against the conditions of those leases is provided in Appendix 1.</p> <p>An approved MOP is in place.</p> <p>A high level review of the MOP has been undertaken and found that the document meets the general requirements of the Approval.</p> <p>Rehabilitation of the site will occur at the end of mine life. Post mine land use is addressed in the MOP</p>

Department	Contact	Stakeholder Comments	Auditor Response
		<p>the Regulator – review compliance against any conditions of approval of the MOP.</p> <ul style="list-style-type: none"> • Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular: <ul style="list-style-type: none"> • Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s). • Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval. <p>Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records.</p> <ul style="list-style-type: none"> • Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation. • Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection. 	<p>and rehabilitation objectives established.</p> <p>A rehabilitation care and maintenance program has not yet been developed.</p> <p>The mining operations are being undertaken in accordance with the intent of the MOP.</p> <p>Rehabilitation works (for the surface infrastructure areas) will not commence until closure of the mine.</p>

Department	Contact	Stakeholder Comments	Auditor Response
		<ul style="list-style-type: none"> • Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval. • Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes. <p>In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.</p> <p>It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.</p>	
WaterNSW	Jessie Evans Mining Manager, Catchment Protection	<p>WaterNSW considers the independent audit process of mines such as Metropolitan to be a valuable and informative process. We are interested in all aspects that affect our water supply infrastructure, water quantity, water quality and ecological integrity.</p> <p>For this mine in particular, WaterNSW is increasingly concerned with the adverse water quality results reported in the Eastern Tributary arm of Woronora Reservoir. There is a potential risk that the poorer quality water could be flushed</p>	Water quality test results have been reviewed. No evidence of a significant (material) impact of water quality was found.

Department	Contact	Stakeholder Comments	Auditor Response
		<p>further into the Reservoir and cause an increased risk at the water supply intake at the Dam. There have been multiple exceedances of iron and manganese performance indicators since 2018. It would be useful to examine the cumulative water quality impacts on the Eastern Tributary and Woronora Reservoir, the appropriateness of the performance indicator, and consideration of any adaptive/mitigation management measures.</p>	
<p>Community Consultative Committee</p>	<p>Lisa Andrews (Independent Chair)</p> <p>Articulate Solutions Pty Ltd</p>	<p>The Metropolitan Coal Community Consultative Committee meets on a regular basis (3 times per year). The company provides a comprehensive report to members on its environmental performance and operations. A site inspection is usually held annually (depending on weather and COVID restrictions). Peabody effectively consults with the broader community and meets its obligations.</p> <p>The company is receptive to matters raised by committee members and provides appropriate information when requested.</p> <p>I have forwarded your email through to the CCC and asked for feedback on any issues they wish to be addressed during the course of your audit. Should any information be forthcoming, I will let you know.</p>	<p>Noted</p>

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 2.2 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/or Not Triggered
Project Approval 08_0149 (Mod 3, dated 2 Oct 2013)	149	106	5	10	28
Environmental Protection Licence (EPL) No. 767	65	38	3	17	7
Consolidated Coal Lease 703	82	36	1	22	23
Mining Lease 1610	21	9	-	9	3
Groundwater Licence 10BL603595	9	8	-	-	-
Extraction Plan Approval Long Wall 301-302	4	4	-	-	-
Extraction Plan Approval Long Wall 303	3	1	-	2	-
Extraction Plan Approval Long Wall 304	2	2	-	-	-
Extraction Plan Approval Long Wall 305-307.	4	4	-	-	-

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_0149				
Sch 3 Cond 1	Asset	Performance Measure		
	Eastern Tributary between the full supply level of the Woronora Reservoir and the main gate of Longwall 26.	Negligible environmental consequences over at least 70% of the stream length (that is no diversion of flows, no change in the natural drainage behaviour of pools, minimal iron staining and minimal gas release.		
Sch 4 Cond 1	By the end of 2014, the Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 2 at any residence on privately-owned land, or on more than 25% of any privately-owned land.	<p>The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated negligible impacts on flow behavior in the Eastern Tributary over the audit period, except for iron staining along the reach of the Eastern Tributary.</p> <p>Table 10 in each year's Annual Review provides a summary of each year's noise monitoring results.</p> <p>During 2020 exceedances of the Night LA_{eq(15min)} criteria were exceeded at 16 Oxley Place. During 2018 exceedances were recorded for all four noise criteria at multiple residences and in 2019 exceedances of the LA1 at multiple properties .</p> <p>Exceedances of noise criteria have trended down over the audit period.</p>	Continue implementation of iron staining source investigation, remediation and monitoring.	Low
Sch 4 Cond 15	The Proponent shall prepare and implement a Water Management Plan for the surface facilities area and two ventilation shaft sites to the satisfaction of the Director-General. This plan must be prepared in consultation with NOW and OEH by a suitably qualified expert whose appointment has been endorsed by the Director-General, and submitted to the Director-General for approval by the end of June 2010. In addition to the standard requirements for management plans (see condition 2 of schedule 7).	<p>The SFWMP was not revised during the audit period. Compliance of the plan with this administrative aspects of this condition was verified during the 2017 IEA.</p> <p>Failure to maintain freeboard in the sediment does not conform with the Water Performance Criterion (Containment of Contaminants) that commits Metropolitan to maintaining all sediment containment facilities.</p>	Desilt the sediment ponds in the coal stockpile area and ensure that adequate freeboard is always maintained.	Medium

No.	Condition	Observation	Recommendation	Risk Level
Sch 7 Cond 2	<p>The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p>	<p>Refer to Section 7.5. All plans include a description of measures to be implemented to ensure compliance. However, the Noise Management Plan needs to be reviewed in light of on-going non-compliances.</p>	<p>Review the Noise Management Plan with the objective of assessing whether further (process) opportunities are available and revise the plan to reflect the current noise management program being implemented.</p>	<p>Administrative Non-Compliance</p>
Sch 7 Cond 4	<p>Revision of Strategies, Plans and Programs within 3 months of:</p> <p>(b) the submission of an incident report under Schedule 7 Condition 7.</p>	<p>All plans except the noise management plan did not trigger this condition.</p>	<p>Ensure that following an incident (including significant compliance breach) or in response to on-going non-compliances that the relevant management plans are reviewed and if required revised.</p>	<p>Administrative Non-Compliance</p>
ENVIRONMENTAL PROTECTION LICENCE 767				
L1.1	<p>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p>	<p>Leak of a water-soluble lubricant occurred in May 2018. While some of the lubricant leaked from the site into the Camp Creek, a review of the inspections and water testing undertaken at the time did not identify any impacts on waters of the creek.</p> <p>No water discharges resulted in exceedance of water quality parameters during the audit period.</p>	<p>Metropolitan has investigated the incident and implemented appropriate mitigation measures - No further action required.</p>	<p>Medium</p>
M4.2	<p>The (Complaints Register) record must include details of the following:</p> <p>a) the date and time of the complaint;</p> <p>b) the method by which the complaint was made;</p> <p>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;</p> <p>d) the nature of the complaint;</p> <p>e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) if no action was taken by the licensee, the</p>	<p>The complaints register that is uploaded to the web is not designed to meet the requirements of this section. A detailed complaint register that meets all of the requirements of this condition is not maintained.</p>	<p>Establish a detailed complaint record that meets all of the requirements of EPL Condition M4.2. Note that this record should not be made available to the public as it will identify individual complainants.</p>	<p>Administrative Non-Compliance</p>

No.	Condition	Observation	Recommendation	Risk Level
	reasons why no action was taken.			
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	The complaints register that is uploaded to the web is not designed to meet the requirements of this section. A detailed complaint register that meets all of the requirements of this condition is not maintained.	Establish as detailed complaints record that meets all of the requirements of EPL Condition M4.2. Note that this record should not be made available to the public as it will identify individual complainants.	Administrative Non-Compliance
CONSOLIDATED MINING LEASE 703				
50	<p>Where the lease holder desires to commence prospecting operations in the subject area the lease holder shall notify the Director General in writing and shall comply with such additional conditions as the Minister may impose including any condition requiring the lodgment of an additional bond or other form of security for rehabilitation of the area affected by such operations.</p> <p>Where the lease holder notifies the Director General pursuant to sub paragraph (a) of this condition the lease holder shall furnish with that notification details of the type of prospecting methods that would be adopted and the extent and location of the area that would be affected by them.</p>	The Resources Regulator, in their email of 9 March 2018 reminded Metropolitan Coal of the requirement for prior notification of exploration programs.	Ensure that exploration notifications are provided to the Resources Regulator prior to commencement of those works.	Administrative Non-Compliance

Table 7 - Recommendations for Improvement

No.	Condition	Observation	Recommendation	Risk Level
Project Approval 08_0149				
Sch 3 Cond 2	The Proponent shall prepare and implement a comprehensive Catchment Monitoring Program for the project to the satisfaction of the Director-General. This program must: (a) be prepared by suitably qualified and experienced experts whose appointment has been endorsed by the Director-General;	Approval of the 2014 plan was verified in the 2017 IEA. Note that the 2017 Annual Review stated that the Catchment Monitoring Program was under review for consistency with Longwalls 301-303 Extraction Plan and would be submitted for approval by April 2018.	Review the plan for consistency with the current MOP and Extraction Plan, revise and submit to DPIE for approval.	Administrative
Sch 7 Cond 2	The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (h) a protocol for periodic review of the plan.	Refer to Section 7.5. All plans include a section of periodic review triggers. It is noted that the periodic review triggers do not include significant changes to operations or processes (see for example comments in Section 7.5 regarding the Waste Management Plan.	During the next review of each management plan revise the section on triggers for periodic review to include significant changes to operations or processes.	Administrative

7. Independent Audit Post Approval Requirements

This audit focused on the 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, assessed the environmental performance of the project. This section of the report covers the specific requirements contained in the DPIE Guidelines.

7.1 Summary of Environmental Incidents

Metropolitan Coal does not maintain an incident register. Incident management procedures are described in Section 7 of the Environmental Management Strategy (EMS). An incident is defined (in the EMS) as a set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in the Project Approval. Incidents are reported in accordance with Condition 6, Schedule 7 of the Project Approval, and are reported annually in section 13 of the Annual Review.

The Auditor was provided with a list of incidents and reviewed the incident specific records provided by Metropolitan. Those incidents are summarised in Table 8.

Table 8 - Summary of Incidents

Date	Category	Details and Metropolitan Coal's Response	DPIE Report ¹
19 May 2018	Water	A spill of hydraulic fluid (Quintolubric 818-02, a water-based biodegradable fluid) containing a green marker dye occurred underground and was circulated around the recycled water circuit on-site while the dye dissipated. On 19 May 2018, Metropolitan Coal personnel observed water in Camp Gully to have a green discolouration. Immediate investigation indicated that recycled water in the site water tanks had a similar discolouration, and one of these tanks was leaking. The leak was found to be running downslope to a clean water drain which runs to Camp Creek. Metropolitan Coal personnel immediately isolated the leak and sandbagged the clean water drain and made observations of the distribution of the coloured water, which was found to have travelled approximately 100m along Camp Creek downstream from the drain, remaining within the site boundary. Further observations over several hours indicated that the dye was dissipating in situ and was not travelling further downstream	30 May 2018
Jan – Dec 2018	Noise	As described in Section 7.1, during 2018 Metropolitan Coal identified on-going non-compliances at two representative noise monitoring locations (16 Oxley Place & 36 Old Station Road) with respect to the Noise Impact Assessment Criteria.	-
Jan – Dec 2019	Noise	As described in Section 7.1, during 2019 Metropolitan Coal identified on-going non-compliances at one representative noise monitoring locations (16 Oxley Place) with respect to the Noise Impact Assessment Criteria.	

7.2 Summary of Complaints

A complaints register is located on the company website. Six complaints were recorded over the Audit Period. Four were noise related, one was related to traffic and one dust.

Table 9 provides a summary of complaints received by the mine management over the Audit Period.

Table 9 - Summary of Complaints

Date	Category	Details and Metropolitan Coal's Response
1 June 2018	Traffic	<p>Site was contacted regarding increase in trucking of material through Helensburgh.</p> <p>Metropolitan provided background on trucking levels and reasons for recent increase due to return to normal production levels after recent longwall move. It was explained that levels are likely to reduce in coming weeks as yield from coal seam improves and Metropolitan continues to work to increase quantity of material pumped underground rather than being trucked offsite.</p>
1 Jan 2019	Dust	<p>Site was contacted regarding presence of black dust on property.</p> <p>Metropolitan contacted caller to outline control efforts (dust suppression sprays, watercart) used to mitigate dust generation as much as possible. Details of Metropolitan's dust monitoring to north of stockpile provided, including proportion of coal dust relative to other sources, indicating that dust suppression generally working effectively but improvements always sought.</p>
26 Jan 2019	Noise	<p>Site was contacted regarding use of leaf blower on site entrance road on Saturday morning.</p> <p>Metropolitan investigated the circumstances surrounding the use of the leaf blower. Due to recent tree death/dieback on entrance road an unusually large build-up of leaf debris on road had occurred, necessitating leaf blower. Contractor did not take into account time of day when making this decision. Metropolitan continues to assess health of trees prior to prune or removal, eliminating leaf litter build-up. Contractor was instructed not to use leaf blower unless absolutely necessary and only after 9am on weekends.</p> <p>Caller was contacted to explain circumstances resulting in use of leaf blower, and corrective action taken to ensure it doesn't happen again.</p>
9 Mar 2019	Noise (Trains)	<p>Site was contacted regarding loading of trains during early morning period.</p> <p>Metropolitan provided information regarding ongoing efforts to minimise early morning loading, though sometimes this is unavoidable due to available corridors on the rail mainline. Metropolitan advised that of the 107 trains loaded at Metropolitan to date in 2019, only 9 had been loaded during the early morning period.</p>
23 Oct 2019	Noise	<p>Site was contacted regarding high pitched alarm.</p> <p>Metropolitan identified temporary forklift which had been brought to site to replace broken down machine as source of unusually loud reversing alarm. Actions taken to reduce volume and fast track repair and return of broken-down forklift.</p> <p>Information provided to email sender.</p>
4 Dec 2019	Noise	<p>Site was contacted regarding droning noise.</p> <p>Immediate investigation revealed that a vacuum truck brought to site for clean-up of conveyors was source of noise. While vacuum trucks are common onsite, this was a different machine which seemed to have a different frequency, and due to train loading at time of operation, was not in its usual location which minimises offsite noise impacts.</p> <p>Caller was contacted to explain circumstances of vacuum truck use and discuss general noise issues.</p>

7.3 Summary of Notices

No notices, orders, penalty notices or prosecutions were issued in relation to the consent during the audit period.

7.4 Project Environmental Management System

The Metropolitan Coal Mine operates in accordance with the Environmental Management Strategy. The Environmental Management Strategy that was prepared as a requirement of the Planning Approval describes the environmental management approach implemented at the Mine. The EMS, as documented does not satisfy the requirements of ISO 14001. However, the level of compliance identified in this audit indicates the system is being implemented. However, the following elements of the EMS were not fully implemented during the Audit Period.

7.4.1 Incident Management and Reporting

Section 7 of the Environmental Management Strategy outlines the requirements of the incident management system and references the requirements of Schedule 7 Condition 6 of the Planning Approval. Sections 3 and 4 of the PIRMP provides further detail on incident reporting. It is noted that the EMS does not reference the incident reporting information in the PIRMP.

Three incidents were recorded for the Audit Period. One of those incidents were considered as “reportable” and was reported to DPIE and the EPA. All incidents were also reported in the relevant Annual Review. The remaining three incidents were related to on-going noise exceedances.

The two recorded incidents related to noise each covered multiple noise criteria exceedances. The Auditor understands that compliance with noise criteria has been an on-going challenge for the surface operations, however the Auditor was unable to ascertain if the circumstances of each noise exceedance was investigated. It is possible that the opportunity to gather useful information regarding noise sources may have been missed. It is the Auditor’s opinion, that each exceedance should be investigated, and the findings recorded.

Recommendation:

While the spill incident was managed appropriately, business as usual practice across the mining industry and Australian Industry more broadly is to maintain a formal Incident Register. This can be as simple as a spreadsheet that allows the recording of all relevant information concerning each incident, including:

- Time of the incident;
- Incident description;
- Personnel involved;
- Initial investigations and preliminary actions taken;
- Reporting (internal and external) and timing of reporting,
- Further investigations undertaken (including root cause analysis); and
- Preventative and Corrective Actions.

7.4.2 Complaints Management and Reporting

Section 6 of the Environmental Management Strategy outlines the requirements of the complaints management system and references the requirements of Condition M4.2 of the Environment Protection Licence.

A complaints register is available on the Website, however that register is (appropriately) a high-level summary of the complaints received and does not satisfy the requirements Condition M4.2 of the Environment Protection Licence.

A separate details complaints register should be developed and maintained that meets the requirements of Conditions 4.1, 4.2, 4.3 and 4.4 of the Environment Protection Licence.

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 10. During the document review phase of the project the contents of each of the plans were reviewed. Table 10 summarises the findings of that review. In general, the Plans and Programs adequately identified the relevant project risks and proposed appropriate risk management controls. Note that recommendations for improvement of management plans are provided in the subsection following Table 10.

Table 10 - Management Plan Compliance Summary

Management Plan requirements under Schedule 3, 4, 6, and 7.	Environmental Management Strategy	Waste Management Plan	Noise Management Plan	Air Quality and Greenhouse Gas Management Plan	Surface Facilities Water Management Plan	Traffic Management Plan	Rehabilitation Management Plan	Coal Extraction Plan	Water Management Plan	Land Management Plan	Biodiversity Management Plan	Heritage Management Plan	Built Features Management Plan	Public Safety Management Plan	Subsidence Management Plan	Coal Recovery Plan
Schedule 7 Condition 10																
Latest version uploaded to website	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Schedule 7 Condition 2																
Detailed baseline data	-	√	√	√	√	√	√	√	√	√	√	√	√	√	√	-
Statutory requirements	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Performance measures / criteria / action trigger levels	-	√	√	√	√	√	√	√	√	√	√	√	√	√	√	-
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 7 Condition 4																
Review and revision following Annual Review	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Review and revision following Incidents	NT	NT	×	NT	×	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Review and revision following IEAs	NT	NT	NT	NT	NT	NT	NT	NT	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	NT	NT	NT	NT	NT	NT

Notes to Table 10 - 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 Facility Water Management Plan

Following the incident of 19 May 2018 (chemical spill) a review of the Surface Facility Water Management Plan should have been undertaken and the plan revised if necessary.

Recommendation: Review relevant management plans (and revise if necessary) to cover to reflect lessons learned as a result of any reportable incident.

7.5.2 Noise Management Plan

Metropolitan has continued to experience noise exceedances throughout the audit period. The Auditor notes that the exceedances have trended down with the progressive implementation of noise abatement treatments to plant. While the Auditor accepts that Metropolitan continue to monitor noise emissions and identify mitigation opportunities, the Noise Management Plan has not been revised to reflect the significant noise compliance challenges faced by the operation and the processes required to drive towards full compliance. The current version of the management plan was last revised in 2014.

Recommendation: Review the Noise Management Plan with the objective of assessing whether further (process) opportunities are available and revise the plan to reflect the current noise management program being implemented.

7.6 Status of Previous IEA Findings

The previous audit was completed on 26 June 2018. Table 11 **Error! Not a valid bookmark self-reference.** lists the status of implementation of the audit recommendations associated with the Approval, relevant licenses and permits identified during the 2018 Audit.

Table 11 - Status of 2018 Audit Findings

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
Project Approval 08_0149				
Sch 2 Condition 9	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structure, are constructed in accordance with: a) the relevant requirements of the BCA; and b) any additional requirements of the MSB in areas where subsidence effects are likely to occur.	In 2015, CHPP upgrade activities were undertaken, new winder house was completed, and construction of a new compressor shed was commenced as per BCA requirements. The construction of the compressor shed is not mentioned in subsequent annual reports	Relevant construction design and quality reports were available during this IEA.	Closed
Sch 2 Condition 10	The Applicant 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.	There were no demolition of buildings or associated structures at the site during 2015 - 2016. Decommissioning of transformers and associated structures have occurred near Vent Shaft 3 and also at the surface works recently. No structures were removed other than support platforms. This is not noted in the Annual Reviews.	No demolition works were undertaken during this audit period. Metropolitan has made a commitment to maintain all relevant demolition documentation associated with future works.	Closed

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
Sch. 3 Cond.1	<p>Performance Measures</p> <p>The Proponent shall ensure that the project does not cause any exceedances of the performance measures in Table 1.</p> <p>Note: The Proponent will be required to define more detailed performance indicators for each of these performance measures in the various management plans that are required under this approval (see condition 6 below).</p>	<p>Annual Review 2016 and 2017 report exceedance of the Eastern Tributary watercourse subsidence impact performance measure in relation to iron staining and pool flow / drainage behaviour downstream of the Longwall 26 Maingate.</p> <p>Exceedance of subsidence impact performance measures need to be continuously reviewed and corrective actions implemented.</p>	<p>On-going exceedances of this performance criterion have been detected during the audit period. Metropolitan has continued to monitor and remediate the impacted steams.</p>	Open
Sch. 4 Cond. 1	<p>Noise impact Assessment Criteria</p> <p>By the end of 2014, the Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 2 at any residence on privately-owned land, or on more than 25% of any privately-owned land.</p>	<p>The Annual Reviews for 2015, 2016 and 2017 have reported sustained non-compliances with the Noise Impact Assessment Criteria as recorded at two monitoring locations during 2015 and monitoring and noise modelling indicating non- compliances during 2016 and 2017.</p> <p>Annual Review 2016 proposed to conduct a technical peer review of existing noise mitigation strategy. Letter dated 30 June provided the review findings and proposed next steps. An undertaking was signed by Peabody on 19 Oct 2017 as required per letter from DPE dt 18 Oct 2017 offering no further enforcement action provided actions specified in the undertaking are achieved by agreed dates without further complaints. As per complaints register, a complaint was received on 28 November 2017 regarding noise during early morning loading of train during the weekend of 25-26 Nov 2017. The matter was investigated and communicated to the complainant.</p> <p>Proponent should take measures to avoid non-compliances regarding noise monitoring and noise levels.</p>	<p>Metropolitan has continued to experience noise exceedances throughout the audit period. The Auditor notes that the exceedances have trended down with the progressive implementation of noise abatement treatments to plant.</p>	Open

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
Sch. 4 Cond. 3	<p>Noise Mitigation Measures</p> <p>It after 2014, the noise generated by the project exceeds the criteria in Table 4 at any residence on privately-owned land, then the Proponent shall, upon receiving a written request from the landowner, implement reasonable and feasible noise mitigation measures (such as double-glazing, insulation, and/or air conditioning) at the residence in consultation with the landowner. if within 3 months of receiving this request from the landowner, 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 Director-General for resolution.</p>	<p>Helensburgh Coal breached noise limit obligations at four locations near the mine site, as per DPE issued penalty notice in December 2017. There was a noise complaint in 2015-2016 as well.</p> <p>Real time noise monitoring indicated one trigger event related to Mine operations in July 2015 (unauthorised truck delivery) and no trigger event identified in 2016 and 2017.</p> <p>Noise suppressive cladding and other measures have been implemented at the loading bay. Noise modelling has been undertaken, which indicated potential sustained non-compliances as per relevant 2016 attended noise monitoring results.</p> <p>Proponent should take measures to avoid further non-compliances regarding noise monitoring and noise levels.</p>	<p>No written requests for noise exceedances were received during the audit period. There are no outstanding requests for noise mitigation works.</p>	Closed
Sch. 4 Cond. 14	<p>Soil & Water – Discharges</p> <p>The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.</p>	<p>There has been a breach of licensed discharge condition whereby a spill of hydraulic fluid (Quintolubric 818-02 not defined in the Table L2.4 of the EPL) occurred on 28 July 2016 resulting in an EPA warning letter. An observation is made to the reported water discharge breach of compliance in 2016, which should be continually monitored for compliance and reported.</p>	<p>No exceedances of water quality criteria were reported for the audit period (including the sampling following the 19 May 2018 spill incident).</p>	Closed
Sch. 4 Cond. 19	<p>Road Transport Restrictions</p> <p>The Proponent shall not:</p>	<p>Helensburgh Coal records demonstrate that no coal was transported from the site by road during the audit period. Therefore conditions 19 (b) through to 19 (e) were not triggered.</p>	<p>The Metropolitan Coal Truck & Rail Register has been compiled to meet the requirements of Condition 21, Schedule 4 of the Project Approval, which requires the amount of coal transported</p>	Closed

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
	<p>(a) load coal or coal reject onto trucks, or transport it off site by road, outside the hours of 7am and 6pm Monday to Friday;</p> <p>(b) transport more than 170,000 tonnes of coal off site by road in a calendar year;</p> <p>(c) transport any coal off site to the Port Kembla Coal Terminal by road;</p> <p>(d) permit the departure of more than 25 trucks containing product coal for delivery to the Corrimal Cokeworks on any given day; or permit the departure of more than 30 trucks containing product coal for delivery to the Coalcliff Cokeworks on any given day.</p>	<p>Annual Review 2015, 2016, 2017 Peabody website has the truck and train register which gives only the total annual tonnage. Jan-Jun 2017 record indicates approx. 81 kilotonnes of coal reject transported by road.</p> <p>Records provided to the auditor did not include information regarding the time of day that the coal rejects were transported. Note that no records of complaints regarding out of hours truck movements had been received and there is no evidence that Condition 19(a) had not been complied with.</p> <p>As per Traffic Management Plan rev G, section 8.3.1, haulage contractors will only transport during the approved hours Mon-Fri. The transported quantity is within the limit. As per information in the community newsletter, the plant is aiming to eliminate road transport of coal rejects by 2021.</p> <p>The truck and train register or other publicly available document is to have more pertinent information such as timing and number of truck movements per specific timeframe.</p>	<p>from the site to be monitored and reported.</p>	
Sch. 5 Cond. 1	<p>If the results of the monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant impact assessment criteria in schedule 4, except where a negotiated agreement has been entered into in Relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the Executive Director Mineral Resources, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 4.</p>	<p>Sustained noise non-compliances in 2015/2016 were not notified to the nearby residences on time until after meeting with DP&E.</p> <p>Sustained non-compliance in terms of noise generation and, in this case, timely monitoring, assessment and reporting to affected landowners and tenants should be continually undertaken.</p>	<p>Noise exceedance notifications were sent to impacted residents in accordance with this Condition where required during this audit period.</p>	Closed

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
Sch. 7 Cond. 10	<p>Access to Information</p> <p>From the end of 2009, the Proponent shall make the following information publicly available on its website:</p> <p>(a) a copy of all current statutory approvals;</p> <p>(b) a copy of the current environmental management strategy and associated plans and programs;</p> <p>(c) a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;</p> <p>(d) a complaints register, which is to be updated on a monthly basis;</p> <p>(e) a copy of the minutes of CCC meetings;</p> <p>(f) a copy of any Annual Reviews (over the last 5 years);</p> <p>(g) a copy of any independent Environmental Audit, and the proponent's response to the recommendations in any audit; and any other matter required by the Director-General.</p>	<p>While most of the required information is available on Peabody website, the complaints register has only one complaint in 2017 and no historical information is publicly available.</p> <p>An observation is made regarding details on the complaints register - It is recommended to provide a detailed list of complaints and actions including closure in the complaints register. Though the historical information is noted in the annual reviews, having them in the one register will provide context and history if relevant issues.</p> <p>It is further recommended to maintain a register of incidents, actions and reporting timeframes as relevant. This is only a suggestion as an opportunity for improvement.</p>	<p>All required information under Schedule 7, Condition 10 was available on the website during this IEA.</p>	<p>Closed</p>
Environment Protection Licence				
EPL Cond. L1.1	<p>Pollution of waters</p> <p>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p>	<p>There has been a breach of licensed discharge condition whereby a spill of hydraulic fluid and green marker fluid occurred on 28 July 2016. EPA had issued a warning letter on 2 August 2016 and underground personnel have been asked to report any discolourations and safety valves have been fitted to prevent further spills.</p> <p>The proponent is to undertake relevant action as per EPA instruction and continue to follow up/ monitor to avoid recurrence.</p>	<p>Actions required relating to this incident have been implemented.</p>	<p>Closed</p>

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
EPL Cond. L2.3	Concentration Limits To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table's	The chemical that caused the above breach, Quintolubric 818-02, is not defined in Table L2.4 of EPL No.767. It is recommended to discuss with EPA on appropriate action to avoid recurrence of this or similar incidents.	Actions required relating to this incident have been implemented.	Closed
EPL Cond. M2.1	Requirement to monitor concentration of pollutants discharged. 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:	Sampling could not be conducted at all the required monitoring points due to access restrictions and instrument breakage at three dust gauges on various occasions. Specifically, dust gauges were found to be broken at: DG4 and DG8 (Feb 2015), DG3 (Dec 2015), DG5 (July 2016), DG7 (January and March 2016). It is recommended to undertake the management measures to rectify identified non-compliances and follow up so that the issues don't repeat.	Actions required relating to this incident have been implemented.	Closed
EPL Cond. M2.2	Air Monitoring Requirements at Points 1,2,3,4,5 as per Table			
EPL Cond. M4.1	Recording of pollution complaints The record must include details of the following:	Complaints register on the website has details of complaints in the year. Historical details are not available, though, these are detailed in the Annual Reports. It is recommended to provide a detailed list of complaints and actions including closure in the complaints register.	The Complaints Register has not been updated to include complaints from previous audit period.	Closed
Extraction Plan Approval				
Extracti on Plan Approv al	Remediation If the Proponent does not meet the performance measures in condition 1 of Schedule 3 of approval MP 08_0149, then the	An observation has been made that the reasons for non-compliance and actions (undertaken and proposed) as per the directions issued by DG. The results of the proposed actions need further review and reporting	Appropriate remedial actions and reporting have been undertaken.	Closed.

Condition	Detail	2018 Audit Assessment / Recommendation	2021 Audit Assessment	Status
CI 7	<p>Director General may issue the Proponent with a direction in writing to undertake actions or measures to mitigate or remediate subsidence impacts and/or associated environmental consequences. The Proponent must implement the direction in accordance with its terms and requirements, in consultation with the Director-General and affected agencies.</p>			

7.7 Specialist Auditor Reports

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

7.8 Operational Environmental Impacts

The assessment of actual impacts against those predicted in the EIS is provided in Table 12.

Table 12 - Predicted vs Actual Impacts

Category	Predicted Impact	Actual Impacts to Date
Land use	The Project would not adversely affect the Woronora Reservoir water supply.	There is no evidence of any material impact on the Woronora Reservoir water supply.
Subsidence - Waratah Rivulet and tributaries	Some fracturing and dilation of the underlying strata of the Waratah Rivulet.	Some fracturing of strata underlying Waratah Rivulet has been recorded. Remedial works are being undertaken to address these impacts.
	Cracking and dilation of bedrock may result in the localised diversion of a portion of the surface flow into subterranean flows or leakage through rock bars	Some diversions of surface flows have been observed. Remedial works are being undertaken to address these impacts.
	Small changes bed gradients could occur.	No significant changes in bed gradient have been observed.
	Increased potential for scouring of the stream banks.	No significant scouring of stream banks have been observed.
Subsidence - Woronora Reservoir	Some fracturing and dilation of the bedrock within the inundation area and stored water area	No material changes have been observed.
	Fracturing and dilation may result in the localised diversion of a portion of the surface flow into subterranean flows or leakage through rock bars.	Some diversions of surface flows have been observed, however no material impacts on the water supply to the reservoir have been observed.
Subsidence – Upland Swamps	Minor cracking within the swamps would generally not be expected to propagate through swamp soil profiles	No material changes to up-land swamps have been observed. It is noted that the period of extended dry weather during the audit period did result in reduced surface water levels across the catchment.
Subsidence – Cliffs, Overhangs and Slopes	The size and extent of surface cracking on slopes is expected to be minor. Mine subsidence would be unlikely to result in any significant slope failure	No material subsidence impacts on cliffs, overhangs or slopes have been observed.
Subsidence - Built Structures	Mine design in the vicinity of the Garrawarra Centre would be constrained such that any impacts to the buildings resulting from systematic subsidence movements would be negligible.	No significant subsidence impacts have been observed on the Garrawarra Centre.
	Subsidence assessment undertaken indicates that management of potential subsidence effects on this structure would be readily achievable.	No material impacts on the railway from subsidence have been observed.
Perched Groundwater	Any changes in swamp moisture as a result of cracking are expected to be immeasurable when compared to the scale of seasonal rainfall.	No material changes to up land swamps have been observed. It is noted that the period of extended dry weather during the audit period did result in reduced surface water levels across

Category	Predicted Impact	Actual Impacts to Date
		the catchment.
Shallow Groundwater	No impacts on registered bores in the wider Project area and surrounds would be expected.	No material impacts on local bores have been identified.
Surface Water	No significant impacts on surface water inflows to Woronora Reservoir were predicted.	No impacts on the water supply to the reservoir from the mining operations have been observed.
	Surface water quality is not expected to be impacted by subsidence or gas releases.	No significant impacts on surface water quality have been detected. Note that surface staining (iron / manganese) has been observed.
Aquatic Ecology	The Project is unlikely to have a significant impact on the composition or distribution of aquatic macrophytes. The Project is unlikely to have any significant long-term impacts on assemblages of macroinvertebrates. It is unlikely that the Project would further significantly impact on fish fauna.	No significant impacts on the composition or distribution of aquatic macrophytes have been detected.
	It is unlikely that stream water level changes as a result of mine subsidence would disturb riparian vegetation to the extent that its role would be adversely impacted.	No significant impacts on riparian vegetation have been detected.
Terrestrial Flora	Subsidence impacts on riparian vegetation are expected to be relatively minor, with effects to vegetation condition predominantly being temporary and limited in extent.	No significant impacts on riparian vegetation have been detected.
	It is unlikely that the Southern Sydney Sheltered Forest on Transitional Sandstone Soils in the Sydney Basin Bioregion EEC would be adversely affected by subsidence.	No significant impacts on endangered ecological communities have been detected.
Terrestrial Fauna	Impacts on vertebrate fauna due to surface cracking are likely to be relatively minor and very unlikely to result in an impact that would threaten the viability of any vertebrate species population.	No significant impacts on the terrestrial fauna have been detected.
	It is unlikely that any vertebrate population would be put at risk by the potential subsidence-related impacts.	No significant subsidence impacts on terrestrial fauna have been detected.
	It is very unlikely that cracking or subsidence in tributary streams would impact the local Platypus population.	No significant subsidence impacts on terrestrial fauna have been detected.
	The Project would be unlikely to have a significant effect on threatened fauna.	No significant subsidence impacts on endangered terrestrial fauna have been detected.
Aboriginal Heritage	The majority of identified Aboriginal heritage sites would experience no significant change, particularly when compared to natural deteriorating processes unrelated to mining.	No unapproved impacts on Aboriginal heritage sites have been identified.
Non-Aboriginal Heritage	There would be negligible impact on heritage values (historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance) of the sites in the vicinity of the Project Underground Mining Area (or their settings) as a result of the Project.	No unapproved impacts on Non-Aboriginal heritage sites have been identified.
Noise	No privately owned residences would experience an increase in operational noise as a result of the Project.	On-going noise impacts on residents have occurred throughout the project. Over the audit period those impacts (exceedances) have trended downwards.
	Significant operational noise reductions would be achieved as the Project progresses, with the number of private residences in the Noise Affection Zone falling from 29 to 14.	On-going noise impacts on residents have occurred throughout the project. Over the audit period those impacts (exceedances) have trended downwards.

Category	Predicted Impact	Actual Impacts to Date
	Negligible noise increase (i.e. < 1 dBA) due to the increased Project train movements at the nearest residential receivers to the rail line.	Significant increases in noise impacts from rail operations have not been identified.
	Road transport noise should not increase as a result of the project.	Significant increases in noise impacts from trucking operations have not been identified. Over the latter part of this audit period, truck movements have decreased.
Air Quality	Annual average dust deposition due to the Project plus background was not predicted to be above the applicable 4 g/m ² /month DECC amenity criterion at any receiver.	Air quality impacts are in-line with predictions.
	Predicted annual average PM ₁₀ (Project plus background) concentrations modelled for Years 3 and 15 were not predicted to be above the 30 µg/m.	Air quality impacts are in-line with predictions.
	Predicted odour levels for when Ventilation Shaft No. 3 only would be operating and when both ventilation shafts would be operating were not predicted to be above the DECC odour assessment criterion at any receiver.	Air quality impacts are in-line with predictions.
Transport	The additional traffic expected to be generated by the Project during the on-street peak hours would be sufficiently low that potential impacts on the operation of the surrounding intersections are considered to be negligible.	Significant increases in traffic impacts from trucking operations have not been identified. Over the latter part of this audit period, truck movements have decreased.
	The number of trains would increase from 1.5 trains per day to three trains per day on average over the year.	Peak train movements are in line with predictions. During the latter half of this audit period, the frequency of train movements has decreased.
Visual	The Project would not involve any additional surface development within the majority of the Completed or Current Underground Mining Areas, hence the discussion below focuses on the Major Surface Facilities Area and surrounds and the Project Underground Mining Area and surrounds.	No additional surface facilities have been developed within the majority of the lease areas.

Compliance Table

Appendix A

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
SCHEDULE 2 ADMINISTRATIVE CONDITIONS								
Sch 1 Cond 1	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the Project.					Comply	
Sch 2 Cond 2	TERMS OF CONSENT	The Applicant shall carry out the development generally in accordance with the: (a) EA; (b) PPR; (c) EA (Mod 1; and (d) conditions of this consent.					Noted	
Sch 2 Cond 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 consent shall prevail to the extent of any inconsistency.					Noted	
Sch 2 Cond 4		The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of: <ul style="list-style-type: none">any strategies, plans, programs, reviews, audits, or correspondence that are submitted in accordance with this approval; andthe implementation of any actions or measures contained in these documents.					Noted	
Sch 2 Cond 5		Mining Operations	The Proponent may undertake mining operations in the mining area for up to 23 years from the date of this approval. <i>Note: Under this approval, the Proponent is required to rehabilitate the site and perform additional undertakings to the satisfaction of the Director- General. Consequently, this approval will continue to apply in all other respects other than the right to conduct mining operations until the site has been properly rehabilitated.</i>					Noted
Sch 2 Cond 6	Coal Extraction	The Proponent shall not: a) extract more than 3.2 million tonnes of ROM coal from the mining area in a calendar year, or b) transport more than 2.8 million tonnes of product coal from the site in a calendar year.	Annual Review 2018, 2019 Email from S Love to the Auditor dated 10/3/21 detailing coal production during 2020.				Compliance	
						The Annual Reviews and data provided by the Environment and Community Superintendent reported the following production qualities: 2018: ROM Coal Extraction 2,024,404 tonnes. 2018: Coal Transport from site (by Rail) 1,584,898		

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						tonnes. 2019: ROM Coal Extraction 1,851,831 tonnes 2019: Coal Transport from site (by Rail) 1,456,847 tonnes. 2020: ROM Coal Extraction 981,100 tonnes. 2020: Coal Transport from site (by Rail) 929,453.		
Sch 2 Cond 7		The Proponent shall not export any coal reject from the site after 2021 without the written approval of the Director-General.					Not Triggered	
Sch 2 Cond 8	Coal Rejects	The Proponent shall not emplace coal reject on the surface of the site without the written approval of the Director-General. <i>Note: This condition applies to the Camp Gully Emplacement Area, as well/ as to the rest of the surface of the site. It does not apply to the proposed additional coal reject stockpile shown in Appendix 4.</i>		Environment and Community Superintendent - No coal washery rejects were emplaced on the surface during the audit period.	No evidence of coal washery reject surface disposal was sighted during the IEA site inspection.	No coal washery rejects were emplaced on the surface during the audit period.	Compliance	
Sch 2 Cond 9	STRUCTURAL ADEQUACY	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structure, are constructed in accordance with: c) the relevant requirements of the BCA; and d) any additional requirements of the MSB in areas where subsidence effects are likely to occur. <i>Notes; Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.</i>	Quality Dossier, Peabody – Metropolitan Mine, Metropolitan Gas Drainage Plant, Contract No. 3596, Contractor: Nepean Power, Revision A, Dated 24 Jan 2019	Environment and Community Superintendent – A gas drainage plans was constructed in 2018.		The Quality Dossier for the construction of the gas drainage plant demonstrates that the structure was constructed in accordance with relevant standards and guidelines.	Compliance	
Sch 2 Cond 10	DEMOLITION	The Applicant 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.		Environment and Community Superintendent – No structures were demolished during the audit period.			Not Triggered	
Sch 2 Cond 11	Operation of Plant and Equipment	The Applicant shall ensure that all plant and equipment used at the site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Peabody Work Order Details Reports (Work Order Number 107160013) Peabody Work Order Details Reports (Work Order Number 107151403) Peabody Work Order Details Reports (Work Order Number 107152291)	Environment and Community Superintendent – Peabody uses SAP to track maintenance works across the Peabody platform both on the surface and underground.	During the site inspection all areas inspected were appropriately organised and maintained. No evidence of improper equipment operations or maintenance were observed.	The Metropolitan Coal Mine operates an SAP based maintenance system that monitors, and manages scheduled and unscheduled maintenance.	Compliance	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation				
			Peabody Work Order Details Reports (Work Order Number 107151121)									
Sch 2 Cond 12	STAGED SUBMISSION OF STRATEGIES, PLANS OR PROGRAMS	With the approval of the Director-General, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.					Noted					
SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS												
Sch 3 Cond 1	Performance Measures	The Proponent shall ensure that the project does not cause any exceedances of the performance measures in Table 1 (reproduced below).					Noted					
		<table border="1"> <thead> <tr> <th>Asset</th> <th>Measure</th> </tr> </thead> <tbody> <tr> <td>Catchment yield to the Woronora Reservoir</td> <td>Negligible reduction to the quality or quantity of water resources reaching the Woronora Reservoir. No connective cracking between the surface and the mine.</td> </tr> </tbody> </table>	Asset	Measure	Catchment yield to the Woronora Reservoir	Negligible reduction to the quality or quantity of water resources reaching the Woronora Reservoir. No connective cracking between the surface and the mine.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2019 Annual Review	Water Quality Specialist (T. Marszalek) – the impact performance measure related to water quality was triggered, however detailed assessment of performance against the Performance Measure determined that this measure was not exceeded.		The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated no measurable reduction in water quality in the Woronora Reservoir over the audit period.	Complies	
		Asset	Measure									
		Catchment yield to the Woronora Reservoir	Negligible reduction to the quality or quantity of water resources reaching the Woronora Reservoir. No connective cracking between the surface and the mine.									
		Woronora Reservoir	Negligible leakage from the Woronora Reservoir Negligible reduction in the water quality of Woronora Reservoir	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2019 Annual Review	Water Quality Specialist (T. Marszalek) – the impact performance measure related to water leakage from the Reservoir was triggered, however detailed assessment of performance against the Performance Measure determined that this measure was not exceeded.		The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated that the Level 3 performance indicator for dissolved manganese was exceeded, however further assessment (Prof B Noller) determined that the Performance Measure was not exceeded, ie there was no significant reduction in water quality in the Woronora Reservoir over the audit period.	Complies				
Waratah Rivulet between the full supply level of the Woronora Reservoir and the main gate of Longwall 23 (upstream of Pool P).	Negligible environmental consequences (that is, no diversion of flows, no change in the natural drainage behaviour of pools, minimal iron staining, and minimal gas releases).	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2019 Annual Review	Water Quality Specialist (T. Marszalek) – the impact performance measure related to gas releases in Waratah Rivulet was triggered, however detailed assessment of performance against the Performance Measure determined that this measure was not exceeded.	Photo 1 shows Pool G on Waratah Rivulet.	The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated negligible impacts on flow behavior in the Waratah Rivulet over the audit period.	Complies						
Eastern Tributary between the full supply level of the Woronora Reservoir and the main gate of	Negligible environmental consequences over at least 70% of the stream length (that is no diversion of flows,	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review	Environment and Community Superintendent – detection of iron staining triggers a search for the source of staining (for example upwelling of groundwater from specific subsidence fractures,	Refer to Photograph 2 taken during the site inspection of iron staining on the Eastern Tributary.	The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated negligible impacts on flow behavior in	Non-Compliance	Continue implementation of iron staining source investigation, remediation and monitoring.					

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Cond.	Short Title	Condition		Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		Longwall 26.	no change in the natural drainage behaviour of pools, minimal iron staining and minimal gas release.	Metropolitan Coal 2019 Annual Review	identification and implementation of remedial actions (grouting) and on-going surveillance to monitor performance and inform subsequent actions.		the Eastern Tributary over the audit period, except for iron staining along the reach of the Eastern Tributary.		
		Threatened species, populations, or ecological communities.	Negligible impact.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated negligible impacts on threatened species or ecological communities over the audit period.	Complies	
		Swamps 76, 77 and 92.	Set through Condition 4 below	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated negligible impacts Swamps 76, 77 and 92 over the audit period.	Complies	
		Cliffs	Less than 3% of the total length of cliffs (and associated overhangs) within the mining area experience mining induced rock fall.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Subsidence Impact Register and Assessment Form, page 286 (Land Management Plan) – describing annual surveys.			The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated negligible impacts cliffs over the audit period.	Complies	
		Aboriginal heritage sites	Less than 10% of aboriginal heritage sites within the mining area are affected by subsidence impacts.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated no impacts on indigenous heritage sites over the audit period.	Complies	
		Items of historical or heritage significance at the Garrawarra Centre.	Negligible damage (that is fine or hairline cracks that do not require repair), unless the owner of the item and the appropriate heritage authority agree otherwise in writing.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated no significant impacts on historical heritage sites or the Garrawarra Centre over the audit period.	Complies	
		Built Features	Safe serviceable and repairable unless the owner agrees otherwise in writing.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The 2018, 2019 or 2020 Annual Reviews (and referenced specialists report) indicated no significant impacts on built features over the audit period.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Sch 3 Cond 2	Catchment Monitoring Program	The Proponent shall prepare and implement a comprehensive Catchment Monitoring Program for the project to the satisfaction of the Director- General. This program must: (a) be prepared by suitably qualified and experienced experts whose appointment has been endorsed by the Director-General;	Metropolitan Coal Catchment Monitoring Program (Longwalls 20-22), Revision CMP-RO1-E, dated June 2014. 2018 Independent Environmental Audit		Photo 3 shows a groundwater monitoring bore located at Swamp 20.	Approval of the 2014 plan was verified in the 2017 IEA. Note that the 2017 Annual Review stated that the Catchment Monitoring Program was under review for consistency with Longwalls 301-303 Extraction Plan and would be submitted for approval by April 2018.	Complies	Review the plan for consistency with the current MOP and Extraction Plan, revise and submit to DPIE for approval.
		(b) be prepared in consultation with NOW, SCA and OEH;	2018 Independent Environmental Audit			Consultation with the relevant Authorities was verified in the 2017 EIA.	Complies	
		(c) be approved by the Director-General before the Proponent is allowed to carry out any second workings in the mining area; and	2018 Independent Environmental Audit			Consultation with the relevant Authorities was verified in the 2017 EIA.	Complies	
		(d) include: <ul style="list-style-type: none"> detailed baseline data of the existing surface and groundwater resources in the project area; program for the ongoing development and use of appropriate surface and groundwater models for the project; and a program to: <ul style="list-style-type: none"> monitor and assess any impacts of the project on the quantity and quality of surface and ground water resources in the project area, and in particular the catchment yield to the Woronora Reservoir; and validate and calibrate the surface and groundwater models. 	Metropolitan Coal Catchment Monitoring Program (Longwalls 20-22), Revision CMP-RO1-E, dated June 2014.			Section 3 of the Catchment Monitoring Program presents baseline monitoring data. Section 4 of the Catchment Monitoring Program describes the surface and groundwater models. Section 5 of the Catchment Monitoring Program presents surface and groundwater monitoring program.	Complies	
Sch 3 Cond 3	SPEGIFIC REQUIREMENTS FOR FURTHER MODELLING & ASSESSMENT	If the subsidence effects and subsidence impacts of the project exceed the relevant predictions by more than 15% at any time after mining has progressed beyond the halfway mark of Longwall 21, or if the profile of vertical displacement does not reflect predictions, then the Proponent shall use appropriate numerical modelling to supplement the subsequent predictions of subsidence effects and subsidence impacts for the project to the satisfaction of the Director-General. <i>Note: The aim of the numerical modelling is to give a better insight into the mechanisms that may account for the differences between predicted and actual subsidence effects and impacts.</i>	Metropolitan Coal 2018 Annual Review (Appendix A) Metropolitan Coal 2019 Annual Review (Appendix A) Metropolitan Coal 2020 Annual Review (Appendix A)			An analysis of the maximum observed versus maximum predicted vertical subsidence was undertaken by specialist consultants Mine Subsidence Engineering Consultants. The overall subsidence effects of the project did not exceed predictions by more than 15%.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Sch 3 Cond 4		The Proponent shall not undermine Swamps 76, 77 and 92 without the written approval of the Director-General. In seeking this approval, the Proponent shall submit the following information with the relevant Extraction Plan (see condition 6 below): a) a comprehensive environmental assessment of the: a. potential subsidence impacts and environmental consequences of the proposed Extraction Plan; b. potential risks of adverse environmental consequences; and c. options for managing these risks;		Environment and Community Superintendent – mining has not reached this area yet.			Not Triggered	
		b) a description of the proposed performance measures and indicators for these swamps; and		Environment and Community Superintendent – mining has not reached this area yet.			Not Triggered	
		c) a description of the measures that would be implemented to manage the potential environmental consequences of the Extraction Plan on these swamps (to be included in the Biodiversity Management Plan - see condition 6(f) below) and comply with the proposed performance measures and indicators.		Environment and Community Superintendent – mining has not reached this area yet.			Not Triggered	
Sch 3 Cond 5	First Workings	The Proponent shall not carry out first workings in the mining area that are not consistent with the approved mine plan without the written approval of the Director-General.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			Annual Reviews detail the mining works completed. First workings in the mining area, as documented in the Annual Reviews, are consistent with approved extraction plans.	Complies	
Sch 3 Cond 6	Extraction Plan	The Proponent shall prepare and implement an Extraction Plan for all second workings in the mining area to the satisfaction of the Director-General. This plan must: (a) be prepared by a team of suitably qualified and experienced experts whose appointment has been endorsed by the Director-General;	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020. Letter from DPE (H Reed) to Metropolitan (J Degotardi) titled "Metropolitan Coal Project (PA 08-0149) Preparation of Extraction Plan for Longwalls 301-309", dated 20 June 2019. The letter endorses the team of experts responsible for preparing the Extraction Plan.			The current extraction plan was issued in January 2020. DPE approved the experts responsible for preparing the plan.	Complies	
		b) be approved by the Director-General before the Proponent is allowed to carry out the second workings covered by the Extraction Plan; (Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020. Letter from DPE (D Kitto) to Metropolitan (J Degotardi) titled "Metropolitan Mine			The current extraction plan was issued in January 2020. The current version of the Extraction plan has been	Complies	

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			Extraction Plan for Longwalls 301-303", dated 11 May 2017. The letter approves the previous version of the Extraction Plan.			approved by DPIE.		
		(c) include a detailed plan for the second workings, which has been prepared to the satisfaction of DRE, and provides for adaptive management (from Longwall 23 onwards);	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020. Letter from the Resource Regulator (G Kininmonth) to Metropolitan Coal (S Love) titled "CCL 703 (1973), MPL 320 (1973), CL 379 (1973), ML 1610 (1992), ML 1702 (1992), Metropolitan Collieries Pty Ltd Approval of Mining Operations Plan - Amendment C - Metropolitan Colliery NOTICE OF APPROVAL", dated 2 September 2020.			Section 1.3 and Appendix G of the Extraction Plan details the second workings covered by the plan. The Resource Regulatory approved the latest version of the plan on 2 September 2020. Section 4.2 of the Extraction Plan describes the approach to adaptive management. The approach to monitoring surface water impacts (specifically iron staining) demonstrates implementation of the adaptive management principles.	Complies	
		(d) include detailed plans of any associated surface construction works;	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.	Environment and Community Superintendent – no surface constructions works have been undertaken in relation to Longwall 305-307 extraction works.		The current Extraction Plan does not contain information regarding any proposed surface construction works (or statement that no surface works are planned).	Complies	Ensure that any future revision of the extraction plan details any proposed surface works (or a statement that no surface works are planned).
		(e) include the following to the satisfaction of DRE: <ul style="list-style-type: none"> a coal resource recovery plan that demonstrates effective recovery of the available resource; revised predictions of the conventional and non-conventional subsidence effects and subsidence impacts of the extraction plan, incorporating any relevant information that has been obtained since this approval; and a Subsidence Monitoring Program to: <ul style="list-style-type: none"> validate the subsidence predictions; and analyse the relationship between the subsidence effects and subsidence impacts of the Extraction Plan and any ensuing environmental consequences; 	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			Appendix H of the Extraction Plan contains the resource recovery plan. Appendix I (Subsidence Predictions and Impact Assessments Report) of the Extraction Plan details the subsidence impacts of the proposed coal extraction. Section 3.7 of the Extraction Plan describes the subsidence monitoring program.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>(f) include a;</p> <ul style="list-style-type: none"> Water Management Plan, which has been prepared in consultation with OEH, SCA and NOW, to manage the environmental consequences of the Extraction Plan on watercourses (including the Woronora Reservoir), aquifers and catchment yield; Biodiversity Management Plan, which has been prepared in consultation with OEH and DRE (Fisheries), to manage the potential environmental consequences of the Extraction Plan on aquatic and terrestrial flora and fauna, with a specific focus on swamps; Land Management Plan, which has been prepared in consultation with SCA, to manage the potential environmental consequences of the Extraction Plan on cliffs, overhangs, steep slopes and land in general; Heritage Management Plan, which has been prepared in consultation with OEH and the relevant Aboriginal groups, to manage the potential environmental consequences of the Extraction Plan on heritage sites or values; Built Features Management Plan, which has been prepared in consultation with the owner of the relevant feature, to manage the potential environmental consequences of the Extraction Plan on any built features; and 	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			<p>Appendix A of the Extraction Plan contains the water management plan.</p> <p>Appendix C of the Extraction Plan contains the biodiversity management plan.</p> <p>Appendix B of the Extraction Plan contains the land management plan.</p> <p>Appendix D of the Extraction Plan contains the heritage management plan.</p> <p>Appendix E of the Extraction Plan contains the built features plan.</p>	Complies	
		(g) include a Public Safety Management Plan, which has been prepared in consultation with DRE and the DSC (for any mining within the DSC notification area), to ensure public safety in the mining area.	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			Appendix F of the Extraction Plan contains the public safety plan.	Complies	
Sch 3 Cond 7	Extraction Plan	<p>In addition to the standard requirements for management plans (see condition 2 of schedule 7), the Proponent shall ensure that the management plans required under condition 6(f) above include:</p> <ol style="list-style-type: none"> a program to collect sufficient baseline data for future Extraction Plans; a revised assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this approval; a detailed description of the 	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			<p>Attachment 3 of the Extraction Plan describes the program to collect sufficient baseline data for future Extraction Plans.</p> <p>Appendices A to I of the Extraction Plan provides an assessment of the potential environmental consequences of the Extraction Plan.</p> <p>Section 3 and Appendices A to F of the Extraction Plan provides detailed</p>	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		measures that would be implemented to remediate predicted impacts; and d) a contingency plan that expressly provides for adaptive management.				descriptions of measures that would be implemented to remediate predicted impacts. Section 4.1 and Appendices A to F of the Extraction Plan provides contingency plans for adaptive management.		
Sch 3 Cond 8	Payment of Reasonable Costs	The Proponent shall pay all reasonable costs incurred by the Department to engage independent experts to review the adequacy of any aspect of the Extraction Plan.		Environment and Community Superintendent - DPIE has not sought compensation for expert's costs relating to review of the Extraction Plans.		DPIE has not sought compensation for expert's costs relating to review of the Extraction Plans	Not Triggered	
Sch 3 Cond 9	Research Program	The Proponent shall prepare and implement a Research Program for the project to the satisfaction of the Director-General and allocate \$320,000 towards the implementation of the program.	2018 Independent Environmental Audit			Development of the research program was verified in the 2017 EIA.	Complies	
		This program must: (a) be prepared in consultation with NOW, SCA, OEH and DRE;	2018 Independent Environmental Audit			Compliance of the research program with this condition was verified in the 2017 EIA.	Complies	
		(b) be submitted to the Director-General for approval by the end of 2010;	2018 Independent Environmental Audit			Compliance of the research program with this condition was verified in the 2017 EIA.	Complies	
		c) be targeted at genuine research, as opposed to implementing the matters required by this approval; and	2018 Independent Environmental Audit			Compliance of the research program with this condition was verified in the 2017 EIA.	Complies	
		(d) be directed at encouraging research into improving: <ul style="list-style-type: none"> the prediction of valley closure and up-sidence, and the resultant subsidence impacts; the assessment of the environmental consequences of subsidence impacts on natural features; the remediation of subsidence impacts on watercourses; the understanding of subsidence impacts and their environmental consequences on swamps; the conservation of the Eastern Ground Parrot on the Woronora Plateau; or the environmental management of underground mining operations in the Southern Coalfield. 	2018 Independent Environmental Audit			Compliance of the research program with this condition was verified in the 2017 EIA.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Sch 3 Cond 10		The Proponent shall obtain the Director-General's approval for the allocation of any funding under this program.	2018 Independent Environmental Audit			Compliance of the research program with this condition was verified in the 2017 EIA.	Complies	
Sch 3 Cond 11	Construction Management – Woronora Special Area	The Proponent shall prepare and implement a Construction Management Plan for all surface construction works (excluding remediation or rehabilitation works) in the Woronora Special Area to the satisfaction of the Director-General. This plan must be prepared in consultation with SCA, include detailed plans of the proposed construction works., and be approved by the Director-General before the Proponent is allowed to carry out the construction works.	2018 Independent Environmental Audit	Environment and Community Superintendent - construction works associated with the Woronora Special Area were substantially completed prior to this audit period.		Construction works associated with the Woronora Special Area were substantially completed prior to this audit period. Compliance of the research program with this condition was verified in the 2017 EIA.	Complies	
Sch 4 Cond 1	NOISE Noise Impact Assessment Criteria	By the end of 2014, the Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 2 at any residence on privately-owned land, or on more than 25% of any privately-owned land. Table 2: Day LA _{eq(15min)} 50 dB(A) Evening LA _{eq(15min)} 45 dB(A) Night LA _{eq(15min)} 45 dB(A) Night LA _{1(1min)} 50 dB(A)	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent - There have been ongoing exceedances of the noise impact assessment criteria, although impacts have continued to lessen during the audit period.		Table 10 in each year's Annual Review provides a summary of each year's noise monitoring results. During 2020 exceedances of the Night LA _{eq(15min)} criteria were exceeded at 16 Oxley Place. During 2018 exceedances were recorded for all four noise criteria at multiple residences and in 2019 exceedances of the LA1 at multiple properties . Exceedances of noise criteria have trended down over the audit period.	Non-Compliance	Continue the identification of nuisance noise sources and implementation of noise mitigation strategies.
Sch 4 Cond 2	Noise Acquisition Criteria	If after 2014, the noise generated by the project exceeds the criteria in Table 3 at any residence on privately-owned land, or on more than 25% of any privately-owned land, then the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5-7 of schedule 5. Table 3: Day LA _{eq(15min)} 55 dB(A) Evening LA _{eq(15min)} 50 dB(A) Night LA _{eq(15min)} 50 dB(A)		Environment and Community Superintendent – no requests for acquisition were received during the audit period.		No requests for acquisition were received during the audit period.	Not Triggered	
Sch 4 Cond 3	Additional Noise Mitigation Criteria	It after 2014, the noise generated by the project exceeds the criteria in Table 4 at any residence on privately-owned land, then the Proponent shall, upon receiving a written request from the landowner, implement reasonable and feasible noise mitigation measures (such as double-glazing, insulation, and/or air conditioning) at the residence in consultation with the		Environment and Community Superintendent – no requests for noise mitigation works were received during the audit period.		No requests for noise mitigation 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
		landowner. if within 3 months of receiving this request from the landowner, 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 Director-General for resolution. Table 4: Day LA _{eq(15min)} 35 dB(A) Evening LA _{eq(15min)} 48 dB(A) Night LA _{eq(15min)} 48 dB(A)						
Sch 4 Cond 4	Rail Noise	The Proponent shall only use locomotives that are approved to operate on the NSW rail network in accordance with noise limits 16.1 to 16.4 in RailCorp's EPL (No. 12208) and ARTC's EPL (No. 3142) or a Pollution Control Approval issued under the former Pollution Control Act 1970.	2018 Independent Environmental Audit	Environment and Community Superintendent – no changes have been made to the trains used during the audit period.		No changes in locomotives used at the mine have occurred over the audit period. Compliance of the locomotives used were verified during the 2017 IEA.	Complies	
Sch 4 Cond 5		The Proponent shall use its best endeavours to minimise night-time movements of rolling stock on the Metropolitan rail spur.					Noted	
Sch 4 Cond 6		In the event of any rail noise or vibration issues that may arise from the haulage of coal over the life of the Project, the Proponent shall liaise with the CCC and the rail service provider to facilitate resolution of these issues and implement additional noise reduction measures where appropriate.		Environment and Community Superintendent – no changes have been made to the trains used during the audit period.		No changes have been made to the trains used during the audit period.	Not Triggered	
Sch 4 Cond 7	Blasting	The Proponent shall not undertake blasting operations at the surface facilities area without the written approval of the Director-General.		Environment and Community Superintendent – no blasting has occurred at the surface during the audit period.		No blasting has occurred at the surface during the audit period.	Not Triggered	
Sch 4 Cond 8	Noise Management Plan	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General. This plan must be prepared in consultation with OEH by a suitably qualified expert whose appointment has been approved by the Director-General and submitted to the Director-General for approval by the end of June 2010. It must also provide for real-time noise monitoring.	Metropolitan Coal Noise Management Plan, Revision NMP-R01-E, dated June 2014. 2018 Independent Environmental Audit.	Environment and Community Superintendent – the noise management plan has not been revised during the audit period.		The current version of the plan was issued in 2014. Compliance with this condition was verified during the 2017 IEA.	Complies	
Sch 4 Cond 9	Odour	The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.	Complaints Register		No offensive odours were detected during the audit inspection.	No odour complaints have been received during the audit period.	Complies	
Sch 4 Cond 10	Greenhouse Gas Emissions	The Proponent shall implement all reasonable and feasible measures to minimise:	Metropolitan Coal Air Quality and Greenhouse Gas Management Plan,	Environment and Community Superintendent – The Energy Savings Plan		Energy savings action plan is contained within the approved air quality and	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		1. energy use on site; and 2. the scope 1, 2 and 3 greenhouse gas emissions produced on site, to the satisfaction of the Director-General.	Revision AQMP-R01-D, dated Dec 2010.	was not revised during the audit period.		greenhouse gas management plan. The plan was written and approved in 2011, no further review has taken place.		
Sch 4 Cond 11	Air Quality Impact Assessment Criteria	The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the air quality impact assessment criteria listed in Tables 5, 6, and 7 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – All air quality monitoring results were below the criteria.		A review of each Annual Review has indicated that no air quality related non-compliances were detected.	Complies	
Sch 4 Cond 12		if the dust generated by the project exceeds the criteria in Tables 8, 9, and 10 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land, the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5-7 of schedule 5.		Environment and Community Superintendent – no requests for acquisition were received during the audit period.		No requests for acquisition were received during the audit period.	Not Triggered	
Sch 4 Cond 13	Land Acquisition Criteria	The Proponent shall prepare and implement an Air Quality & Greenhouse Gas Management plan for the project to the satisfaction of the Director- General. This plan must be prepared in consultation with OEH by a suitably qualified expert whose appointment has been approved by the Director- General and submitted to the Director-General for approval by the end of June 2010. It must also provide for real-time air quality monitoring.	Metropolitan Coal Air Quality and Greenhouse Gas Management Plan, Revision AQMP-R01-D, dated Dec 2010. 2018 Independent Environmental Audit.	Environment and Community Superintendent – The AQGGMP was not revised during the audit period.		The AQGGMP was not revised during the audit period. Compliance of the plan with this condition was verified during the 2017 IEA.	Complies	
Sch 4 Cond 14	Discharges	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – no water / discharge non-compliances occurred during the audit period.		Surface water controls were in place at the time of the audit. Insufficient freeboard is being maintained in the sediment dams to capture sediment / coal and prevent future non-complying discharges.	Complies	
Sch 4 Cond 15	Surface Facilities Water Management Plan	The Proponent shall prepare and implement a Water Management Plan for the surface facilities area and two ventilation shaft sites to the satisfaction of the Director-General. This plan must be prepared in consultation with NOW and OEH by a suitably qualified expert whose appointment has been endorsed by the Director-General, and submitted to the Director-General for approval by the end of June 2010. In addition to the standard requirements for management plans (see condition 2 of schedule 7).	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated Dec 2010. 2018 Independent Environmental Audit.	Environment and Community Superintendent – The SFWMP was not revised during the audit period.	The main sediment pond within the Product Stockpile area was silted up and no longer provides adequate free board to prevent sediment discharges. Refer to Photograph 4.	The SFWMP was not revised during the audit period. Compliance of the plan with this administrative aspects of this condition was verified during the 2017 IEA. Failure to maintain freeboard in the sediment does not conform with the Water Performance Criterion (Containment of Contaminants) that commits Metropolitan to maintaining all sediment	Non-Compliance	Desilt the sediment ponds in the coal stockpile area and ensure that adequate freeboard is always maintained.

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						containment facilities.		
		The plan must include a) a comprehensive water balance for the project; and	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated Dec 2010.			Section 4.1.1 of the SFWMP describes the water balance model developed for the mine.	Complies	
		b) ensure that suitable measures are implemented to minimise water use, control erosion, prevent groundwater contamination, and comply with any surface water discharge limits.	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated Dec 2010.			Section 8 of the SFWMP describes the water management measures to be implemented at the mine.	Complies	
		<i>Note: The water balance in this plan must be suitably integrated with both the Catchment Monitoring Program and the Water Management Plans that form part of the Extraction Plan.</i>	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated Dec 2010.			The water balance is integrated with both the Catchment Monitoring Program and the Water Management Plans. Sections 7.2.2 (Surface Water Flow) and 8.7 (Mine Water Make) are discuss the mine water balance in the WMP.	Complies	
Sch 4 Cond 16	Meteorological Monitoring.	During the life of the project, the Proponent shall ensure that there is a suitable meteorological station in the vicinity of the surface facilities area that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – the meteorological station is located on Robertson Street, Helensburgh, just to the west of the mine entrance.	Meteorology Station in Helensburgh was sighted during the audit.	Figure 18 in the Annual Reviews identify the location of meteorological monitoring sites 68028 at Helensburgh and 568069 at Reverces.	Complies	
Sch 4 Cond 17	Transport Parkes Street Intersection	By the end of 2010, the Proponent shall:	2014 Independent Environmental Audit			Compliance with this condition was verified in the 2014 IEA.	Complies	
		<ul style="list-style-type: none"> undertake a road safety audit of the Parkes Street and Colliery Road intersection, in consultation with the RTA and WCC; and implement any recommendations of this audit, to the satisfaction of the Director-General. 					Noted	
Sch 4 Cond 18	Road Maintenance Contributions	<ul style="list-style-type: none"> From the end of 2009, the Proponent shall make a suitable annual contribution to WCC, WSC, and CC for the maintenance of local roads that are used as haulage routes by the project. If there is any dispute over the amount of the contribution, the matter must be referred to the Director-General for resolution. 	SAP Payment records for Wollongong City Council, Wollondilly Shire Council and Campbelltown City Council.			SAP records of road contributions were sighted.	Complies	
Sch 4 Cond 19	Road Transport Restrictions	The Proponent shall not: a) load coal or coal reject onto trucks, or transport it off site by road, outside the hours of 7am and 6pm Monday to Friday;	Metropolitan Coal - coal and coal reject trucking 1 January 2018 – 31 December 2018			2018 – Road transport of Product Coal – none 2018 – Road Transport of Rejects – 370,062 tonnes	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>b) transport more than 170,000 tonnes of coal off site by road in a calendar year;</p> <p>c) transport any coal off site to the Port Kembla Coal Terminal by road;</p> <p>d) permit the departure of more than 25 trucks containing product coal for delivery to the Corrimal Coke works on any given day; or</p> <p>e) permit the departure of more than 30 trucks containing product coal for delivery to the Coalcliff Coke works on any given day.</p>	<p>Metropolitan Coal - coal and coal reject trucking 1 January 2018 – 31 December 2019</p> <p>Metropolitan Coal - coal and coal reject trucking 1 January 2018 – 31 December 2020</p> <p>Complaints Register</p>			<p>2019 – Road transport of Product Coal – none</p> <p>2019 – Road Transport of Rejects –323,080 tonnes</p> <p>2020 – Road transport of Product Coal – none</p> <p>2020 – Road Transport of Rejects –3412 tonnes</p> <p>No records or complaints related to out of hours truck movements were recorded for the audit period.</p>		
Sch 4 Cond 20		During emergencies (such as the disruption of rail services) the Proponent may exceed the restrictions in condition 19 above with the written approval of the Director-General.	<p>Letter from DPIE (S Donoghue) to Metropolitan Coal (J Degotardi) titled “Metropolitan Coal (MP08_0149) Request to Haul Coal by Road”, dated 29/9/2020”.</p>	Environment and Community Superintendent – approval was obtained from DPIE for 13 loads of coal per day over September and October 2020 due to maintenance of the rail system.		DPIE approved road temporary road transport of coal from 28 September to 12 October 2020.	Complies	
Sch 4 Cond 21	Traffic Monitoring	The Proponent shall monitor the amount of coal and coal reject transported from the site by road and rail each year and report the results of this monitoring on its website every six months.	https://www.peabodyenergy.com/Peabody/media/MediaLibrary/Operations/Australia%20Mining/New%20South%20Wales%20Mining/Metropolitan%20Mine/Truck-Rail-Register-Jan-to-Dec-2020_1.pdf			The Metropolitan Coal Website includes coal and reject transport records for 2020. The records were up to date at the time of this IEA.	Complies	
Sch 4 Cond 22	Traffic Management	The Proponent shall prepare and implement a Traffic Management Plan for the project to the satisfaction of the Director-General.	Metropolitan Coal Traffic Management Plan, Revision TMP-R01-I, dated January 2019.	Environment and Community Superintendent - The Traffic Management Plan was updated in 2018 and 2019 to incorporate changes in transported materials offsite (ie beneficial reuse of CWR and product coal trucking to Manildra in Nowra (though no trucking to Manildra ever occurred.		A traffic management plan has been prepared and implemented.	Complies	
		This plan must be prepared in consultation with the RTA, WCC, local schools and the CCC, and submitted to the Director-General for approval by the end of February 2010.	Letter from DPE (H Reed) to Metropolitan Coal (J Degotardi) titled “Metropolitan Coal Mine (08_0149) Traffic Management Plan”, dated 30 January 2019. The letter gave DPE approval to the revised plan.			The latest revision of the Traffic Management Plan was approved in January 2019.	Complies	
		The primary aim of this plan is to minimise the traffic impacts of the project on the residential areas and schools within Helensburgh.	Metropolitan Coal Traffic Management Plan, Revision TMP-R01-I, dated January 2019.			The TMP meets the requirement of providing a framework for minimising traffic impacts on Helensburgh.	Complies	
Sch 4 Cond 23	Visual	The Proponent shall minimise the visual impacts, and particularly the off-site lighting impacts, of the surface facilities area and two ventilation shaft sites to the satisfaction of the Director-General.	Complaint Register		No adverse visual impacts from surface infrastructure were observed during the audit.	<p>No complaints relating to visual amenity were received during the audit period.</p> <p>The ventilation shafts and other surface facilities were</p>	Complies	

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						sighted during the audit. No adverse visual impacts were observed.		
Sch 4 Cond 24	Waste	The Proponent shall: minimise the waste (including coal reject) generated by the project; and	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent - we have identified a beneficial reuse option for our coal rejects and it is now being exported for processing decreasing our overall waste generation qualified.	Waste segregation is practiced in all areas of the site. Photo 5 shows a typical waste storage area. Photo 6 shows waste segregation advisory signage.	The annual reviews records waste generation and disposal for each year. Wastes are segregated on-site and wherever possible wastes are sent off-site for reuse or recycling. Coal rejects have been largely removed from the waste stream and are now exported for reuse.	Complies	
		ensure that the waste generated by the project is appropriately stored, handled, and disposed of, to the satisfaction of the Director-General.		Environment and Community Superintendent - JRR Richards is contracted to provide all waste management services including the provision, maintenance and emptying of waste bins.	All waste storage areas were appropriately organised and maintained. Wastes were in general stored in bulk bins (JRR Richards provided 5 cu.m bins).	All waste storage areas were observed to be appropriately organised and maintained.	Complies	
Sch 4 Cond 25		The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must be submitted to the Director-General for approval by the end of June 2010.	Metropolitan Coal Air Quality and Greenhouse Gas Management Plan, Revision AQMP-R01-D, dated Dec 2010. 2018 Independent Environmental Audit.	Environment and Community Superintendent – The Waste Management Plan was not revised during the audit period.		The Waste Management Plan was not revised during the audit period. Compliance of the plan with this condition was verified during the 2017 IEA.	Complies	
Sch 5 Cond 1	Notification of Landowners	If the results of the monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant impact assessment criteria in schedule 4, except where a negotiated agreement has been entered into in Relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the Executive Director Mineral Resources, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 4.	Metropolitan Coal – 20202 Noise Modelling Results Notification letter OP18. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Noise exceedence notifications were sent to impacted residents in accordance with this Condition.	Complies	
Sch 5 Cond 2		If the results of monitoring required in Schedule 4 identify that impacts generated by the project are greater than the relevant air quality impact assessment criteria in schedule 4, then the Proponent shall send the relevant landowners and tenants (including tenants of mine owned properties) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (and	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – All air quality monitoring results were below the criteria.		A review of each Annual Review has indicated that no air quality related non-compliances were detected.	Not Triggered	

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		associated updates) in conjunction with the notification required in condition 1.						
Sch 5 Cond 3	INDEPENDENT REVIEW	If a landowner considers the project to be exceeding the impact assessment criteria in schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land. If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 2 months of the Director-General's decision; a) consult with the landowner to determine his/her concerns;	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Manager – No requests for Independent Reviews were received during the audit period.		No requests for Independent Reviews were received during the audit period.	Not Triggered	
		b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to: i. determine whether the project is complying with the relevant impact identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and ii. assessment criteria in schedule 4; and	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Manager – No requests for Independent Reviews were received during the audit period.		No requests for Independent Reviews were received during the audit period.	Not Triggered	
		c) give the Director-General and landowner a copy of the independent review.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Manager – No requests for Independent Reviews were received during the audit period.		No requests for Independent Reviews were received during the audit period.	Not Triggered	
Sch 5 Cond 4	INDEPENDENT REVIEW	If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 4, then the Proponent may discontinue the independent review with the approval of the Executive Director Mineral Resources. If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 4, then the Proponent shall: implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria, and conduct further monitoring to determine whether these measures ensure compliance; or secure a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Executive Director Mineral Resources.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Manager – No requests for Independent Reviews were received during the audit period.		No requests for Independent Reviews were received during the audit period.	Not Triggered	

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		<p>However, if the further monitoring referred to under paragraph (a) above determines that the project is complying with the relevant impact assessment criteria, then the Proponent may discontinue the independent review with the approval of the Executive Director Mineral Resources.</p> <p>If the independent review determines that the project is not complying with the relevant land acquisition criteria in schedule 4, then the Proponent shall offer to acquire all or part of the landowner/s land in accordance with the procedures in conditions 5-7 below, to the satisfaction of the Executive Director Mineral Resources.</p>						
Sch 5 Cond 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 property at the date of this written request, as if the property was unaffected by the project the subject of the project application, having regard to the: 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 property and/or any approved building or structure which has been physically commenced at the date of the landowners written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of 'reasonable and feasible measures' in condition 3 of schedule 4 or condition 4(a) of this schedule;</p> <p>(b) the reasonable costs associated with: relocating within the Wollongong local government areas, or to any other local government area determined by the Director-General; 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> <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p>	<p>Metropolitan Coal 2018 Annual Review</p> <p>Metropolitan Coal 2019 Annual Review</p> <p>Metropolitan Coal 2020 Annual Review</p>	<p>Environment and Community Manager – No requests for property acquisition were received during the audit period.</p>		<p>No requests for acquisition were received during the audit period.</p>	<p>Not Triggered</p>	

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		<p>However, if following 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 Director-General for resolution.</p> <p>Upon receiving such a request, the Director-General shall request the President of the NSW Division of the Australian Property Institute (the API) to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> a) consider submissions from both parties; b) 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; c) prepare a detailed report setting out the reasons for any determination; and d) provide a copy of the report to both parties. <p>Within 14 days of receiving the independent value/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 value/s determination.</p> <p>However, if either party disputes the independent value/s determination, then within 14 days of receiving the independent value/s report, they may refer the matter to the Director-General for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent value/s determination.</p> <p>Following consultation with the independent valuer and both parties, the Director-General shall determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above and the independent value/s report. 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 Director-General'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,</p>	<p>Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review</p>	<p>Environment and Community Manager – No requests for property acquisition were received during the audit period.</p>		<p>No requests for acquisition were received during the audit period.</p>	<p>Not Triggered</p>	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
		unless the Director-General determines otherwise.							
Sch 5 Cond 6		The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 5 above.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Manager – No requests for property acquisition were received during the audit period.		No requests for acquisition were received during the audit period.	Not Triggered		
Sch 5 Cond 7		If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall also pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Manager – No requests for property acquisition were received during the audit period.		No requests for acquisition were received during the audit period.	Not Triggered		
Sch 6 Cond 1	Rehabilitation Objectives	The Proponent shall achieve the rehabilitation objectives in Table 11 to the satisfaction of the Executive Director Mineral Resources (below):				Photos 7 to 9 provide examples of stream rehabilitation works within the Catchment Area above the mine workings.	Noted		
		Surface Facilities Areas	Set through Condition 2 below				Noted		
		Waratah Rivulet, between the downstream edge of Flat Rock Swamp and the full supply level of the Woronora Reservoir. Eastern Tributary, between the main gate of Longwall 26 and the full supply level of the Woronora Reservoir.	Restore surface flow and pool holding capacity as soon as reasonably practicable	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Surface Water Hydrologist – The Auditor interviewed Metropolitan’s specialist (consultant) surface water hydrologist who explained the monitoring program and results for the audit period and remediation works undertaken during the audit period.	An inspection of the catchment was undertaken during the audit. Remediation works (former and current) were observed.	Mining subsidence has impacted the surface water features. Metropolitan is actively undertaking stream remediation works. A review of the annual reviews and interview with the surface water hydrologist confirmed that remediation works are in progress.	Complies	
		Cliffs	Ensure that there is no safety hazard beyond that existing prior to mining.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Incident Register			No safety hazards associated with cliffs were identified in the specialist reports reviewed. No safety related incidents were reported during the audit period related to cliff instability.	Complies	
		Other Land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining native ecosystems: comprised of local native plant species;	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			During the site inspection the Auditor viewed the surface works area (mine head, maintenance, storage and admin areas). Those areas are still in use and therefore restoration of	Not Triggered	

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		with a landform consistent with the surrounding environment.				those areas has not yet been triggered.			
		Built Features	Restore / Repair to pre-mining condition or equivalent.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Incident Register		No impacts on built features were reported during the audit period.	Not Triggered		
		Community	Minimise the adverse socio-economic effects associated with mine closure including the reduction in local and regional employment. Ensure public safety.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – no public safety issues have occurred.	No public safety incidents were recorded during the audit period.	Complies		
Sch 6 Cond 2	Rehabilitation Strategy – Surface Facilities Area	By the end of October 2011, the Proponent shall prepare a Rehabilitation Strategy for the surface facilities area to the satisfaction of the Director- General. This strategy must: be prepared by a team suitably qualified and experienced experts whose appointment has been endorsed by the Director-General;		Metropolitan Coal Rehabilitation Management Strategy, Revision RS-R01-A, dated October 2011. 2018 Independent Environmental Audit	Environment and Community Superintendent – the rehabilitation strategy was not revised during the audit period.		This strategy was not revised during the current audit period. Compliance with this administrative condition was verified during the 2017 IEA.	Complies	
		a) be prepared in consultation with relevant stakeholders, including WCC and the CCC;		Metropolitan Coal Rehabilitation Management Strategy, Revision RS-R01-A, dated October 2011. 2018 Independent Environmental Audit	Environment and Community Superintendent – the rehabilitation strategy was not revised during the audit period.		This strategy was not revised during the current audit period. Compliance with this administrative condition was verified during the 2017 IEA.	Complies	
		b) investigate options for the future use of the area upon the completion of mining;		Metropolitan Coal Rehabilitation Management Strategy, Revision RS-R01-A, dated October 2011.			Section 4 of the Remediation Strategy describes the potential future land use options for the surface works area.	Complies	
		c) describe and justify the proposed rehabilitation strategy for the area; and		Metropolitan Coal Rehabilitation Management Strategy, Revision RS-R01-A, dated October 2011.			The approved strategy adequately describes and justifies the remediation strategy.	Complies	
		d) define the rehabilitation objectives for the area, as well as the proposed completion criteria for this rehabilitation.		Metropolitan Coal Rehabilitation Management Strategy, Revision RS-R01-A, dated October 2011.			Section 5 of the Remediation Strategy describes rehabilitation objectives and section 6 describes the completion criteria.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Sch 6 Cond 3	Progressive Rehabilitation	To the extent that mining operations permit, the Proponent shall carry out rehabilitation progressively, that is, as soon as reasonably practicable following the disturbance.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review		Surface works and adjacent areas were inspected during the audit	There is limited opportunity for progressive rehabilitation to be undertaken during this stage of the operations. Noting however that rehabilitation works associated with stream impacts in the catchment are progressing.	Complies	
Sch 6 Cond 4	Rehabilitation Management Plan	The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Executive Director Mineral Resources. This plan must be prepared in consultation with the relevant stakeholders and submitted to DRE for approval prior to carrying out any second workings in the mining area.	Metropolitan Coal Rehabilitation Management Plan, Revision RMP-R01-E, dated April 2014. 2018 Independent Environmental Audit	Environment and Community Superintendent – the Rehabilitation Management Plan was not revised during the audit period.		This plan was not revised during the current audit period. Compliance with this administrative condition was verified during the 2017 IEA.	Complies	
Sch 6 Cond 5	Catchment improvement Works	The Proponent shall: a) pay SCA \$100,000 by the end of 2011 to carry out catchment improvement works within the Woronora catchment area; or	2012 Independent Environmental Audit			Metropolitan Coal consulted with SCA and proposed to carry out two projects (rehabilitation of a walking track and a quarry site within the SCA area) plus a weed control program, following agreement with SCA.	Not Triggered	
		b) carry out catchment improvement works within this area that have an equivalent value to the satisfaction of SCA,	2018 Independent Environmental Audit			The agreed rehabilitation projects were completed to the satisfaction of the SCA.	Complies	
Sch 6 Cond 6	Offsets	If the Proponent exceeds the performance measures in Table 1 of this approval, and either the contingency measures implemented by the Proponent have failed to remediate the impact; or the Director-General determines that it is not reasonable or feasible to remediate the impact, then the Proponent shall provide a suitable offset to compensate for the impact to the satisfaction of the Director-General. <i>Note: Any offsets required under this condition must be proportionate with the significance of the impact.</i>	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – all impacts detected will be remediated. No off-set areas have been required.		No off-set areas have been required.	Not Triggered	
Sch 7 Cond 1	ENVIRONMENTAL MANAGEMENT Environmental Management Strategy	The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director General. This strategy must: (a) be submitted to the Director General for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary;	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013. 2018 Independent Environmental Audit	Environment and Community Superintendent – the Environment Management Strategy was not revised during the audit period.		The Environmental Management Strategy was not revised during the current audit period. Compliance with this administrative condition was verified during the	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						2017 IEA.		
		(b) provide the strategic framework for the environmental management of the project	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			The EMS provides the administrative framework for the subsidiary management plans, and while as a standalone document does not provide a strategic framework, the subsidiary plans fulfil this requirement.	Complies	
		(c) identify the statutory approvals that apply to the project;	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			Section 3 of the EMS describes the statutory requirements for the project.	Complies	
		(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			Section 5 of the EMS describes the key roles and responsibilities for environmental management.	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 	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			Section 6 of the EMS describes the complaints management process. Section 6.3 describes the complaints resolution process. Section 7 describes the incident management process. Section 8 describes non-compliance response requirements. Section 9 provides an overview of the emergency response system.	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. 	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			The subsidiary management plans (all provided on the company website) provide the required strategies, plans and monitoring programs.	Complies	
Sch 7 Cond 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:	Metropolitan Coal Environmental Management Strategy			Refer to Section 7.5 above. All plans include a section describing baseline data.	Complies	
		(a) detailed baseline data;	Metropolitan Coal Pollution Incident Response Management Plan					
		(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 	Metropolitan Coal Waste Management Plan			Refer to Section 7.5 above. All plans cover statutory requirements, performance measures and indicators,	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<ul style="list-style-type: none"> measures/criteria; the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures 	Metropolitan Coal Noise Management Plan Metropolitan Coal Air Quality and Greenhouse Gas Management Plan Metropolitan Coal Surface Facilities Water Management Plan			and a section on the implementation of management measurements.		
		(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	Metropolitan Coal Traffic Management Plan Metropolitan Coal Rehabilitation Management Plan Metropolitan Coal Extraction Plan 305-307 Metropolitan Coal Longwalls 305-307 Water Management Plan Metropolitan Coal Longwalls 305-307 Land Management Plan			Refer to Section 7.5 above. All plans include a description of measures to be implemented to ensure compliance. However, the Noise Management Plan needs to be reviewed in light of on-going non-compliances.	Non-Compliance	Review the Noise Management Plan with the objective of assessing whether further (process) opportunities are available and revise the plan to reflect the current noise management program being implemented.
		(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); 	Metropolitan Coal Longwalls 305-307 Biodiversity Management Plan Metropolitan Coal Longwalls 305-307 Heritage Management Plan			Refer to Section 7.5 above. All plans include a monitoring program.	Complies	
		(e) a contingency plan to manage any unpredicted impacts and their consequences;	Metropolitan Coal Longwalls 305-307 Built Features Management Plan Metropolitan Coal Longwalls 305-307 Public Safety Management Plan			Refer to Section 7.5 above. All plans describe contingency planning.	Complies	
		(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Metropolitan Coal Longwalls 305-307 Subsidence Monitoring Program Metropolitan Coal Longwalls 305-307 Coal Recovery Plan			Refer to Section 7.5 above. All plans include discussion of performance review and improvement.	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 7.5 above. All plans cover incident management, complaints management and compliance assessment and reporting.	Complies	
		<ul style="list-style-type: none"> (h) a protocol for periodic review of the plan. 				Refer to Section 7.5 above. All plans include a section of periodic review triggers. It is noted that the periodic review triggers do not include significant changes to operations or processes (see for example comments in Section 7.5 regarding the Waste Management Plan.	Complies	During the next review of each management plan revise the section on triggers for periodic review to include significant changes to operations or processes.

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Sch 7 Cond 3	Annual Review	By the end of March each year, or other timing as may be agreed by the Secretary, the Applicant shall review the environmental performance of the development to the satisfaction of the Secretary. This review must: (a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Letter from DPIE (to Metropolitan (J Degotardi), titled "Consolidated Coal Lease (CCL) 703, Mining Purposes Lease (MPL) 320, Coal Lease (CL) 379 (all Act 1973), Mining Lease (ML)1610 and ML 1702 (both Act 1992), Metropolitan Collieries Pty Ltd, 2017 Annual Review/Annual Environmental Management Report for Metropolitan Colliery" dated 15 November 2018.			Annual Reviews have been prepared and published for each year covered by this audit period. Section 4 (Operations Summary) of the Annual Reviews described the operations that have been undertaken over the audit period. Sections 4.3 and 14 describe the operations proposed for the next reporting period.	Complies	
		(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the: • the relevant statutory requirements, limits or performance measures/criteria; • the monitoring results of previous years; and the relevant predictions in the EIS;	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Section 6 of the Annual Reviews present the results of the monitoring undertaken during the reporting period.	Complies	
		(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Section 13 of the Annual Reviews describe any non-compliances and action taken for the reporting period. Non-compliances are also discussed in each of the issue specific subsections of Sections 6 to 11.	Complies	
		(d) identify any trends in the monitoring data over the life of the development;	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Trends in monitoring are described in each of the issue specific subsections of Sections 6 to 11.	Complies	
		(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			A brief assessment of (EIS) predicted vs actual impacts are discussed in each of the issue specific subsections of Sections 6 to 11.	Complies	
		(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Section 14 describes measures to be implemented over the next reporting period.	Complies	
Sch 7 Cond 4	Revision of Strategies, Plans and Programs	Within 3 months of: (a) the submission of an annual review under Condition 4 above;				Refer to Section 7.5 above. All plans include a section of periodic review triggers.	Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(b) the submission of an incident report under Condition 7 below;				Refer to Section 7.5 above. All plans except the noise management plan did not trigger this condition.	Non-Compliance	Ensure that following an incident (including significant compliance breach) or in response to on-going non-compliances that the relevant management plans are reviewed and if required revised.
		(c) the submission of an audit report under Condition 9 below; or				Refer to Section 7.5 above. This review condition was not triggered during the audit period.	Not Triggered	
		(d) any modification to the conditions of this consent, (unless the conditions require otherwise),				Refer to Section 7.5 above. This review condition was not triggered during the audit period.	Not Triggered	
Sch 5 Cond 5	Community Consultative Committee	The Proponent shall establish a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General. 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) to the satisfaction of the Director-General.	Website – CCC meeting minutes. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The Community Consultative Committee (CCC) meets quarterly. The Metropolitan Coal CCC is run in accordance with the NSW Department of Planning & Environment Community Consultative Committee Guidelines. Meeting minutes are available on Peabody website. The management processes for CCC is detailed in Annual Review, e.g. Section 11 in Annual Review 2017.	Complies	
Sch 7 Cond 6	REPORTING Incident Reporting	The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Email dated 21 May 2018 from S Love to the EPA titled "Metropolitan Coal Spill Incident 19 May 2018", dated 21 May 2018. Email from S Love to the DPIE (H Reed) titled "Incident Update Metropolitan Coal Spill Incident 19 May 2018", dated 3 July 2018. Email from S Love to the DPI (G Kininmouth) titled "Incident Update Metropolitan Coal Spill Incident 19 May 2018", dated 3 July 2018.			Section 12 of the Annual Review 2015 and 2016 and section13 of Annual Review 2017 reports detail incident reporting. A separate incident register is not maintained. The lubricant spill that impacted surface water discharges in 2018 was reported to the EPA. Incident reports were provided to both DPE and DPI.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
Sch 7 Cond 7	Regular Reporting	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Annual review reports include environmental performance reporting. These reports are available on the Peabody website.	Complies	
Sch 7 Cond 9	INDEPENDENT ENVIRONMENTAL AUDIT	Prior to 31 December 2015, 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: (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	2018 Independent Environmental Audit			Previous IEA was undertaken by pitt&sherry in May 2018 for the period 2015-2018 with report finalised in June 2018. The audit team was endorsed by DPIE prior to commencement of the audit.	Complies	
		(b) include consultation with the relevant agencies;	2018 Independent Environmental Audit			DPIE, EPA, SCA and Council were consulted.	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 under these approvals);	2018 Independent Environmental Audit			The 2018 IEA meet the requirements of this condition.	Complies	
		(d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and	2018 Independent Environmental Audit			The 2018 IEA meet the requirements of this condition.	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.	2018 Independent Environmental Audit			The 2018 IEA meet the requirements of this condition.	Complies	
		<i>Note: This audit team must be led by a suitably qualified auditor.</i>	2018 Independent Environmental Audit			The 2018 Lead Auditor meet the requirements of this condition.	Complies	
Sch 7 Cond 10		Within 3 months 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.	2018 Independent Environmental Audit			The audit report was submitted to DPIE and is published on the company website.	Complies	
Sch 7 Cond 10	ACCESS TO INFORMATION	From the end of 2009, the Proponent shall make the following information publicly available on its website: a copy of all current statutory approvals;	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			A copy of the relevant approvals and licenses were available on the website.	Complies	
		a copy of the current environmental management strategy and associated plans and programs;	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			A copy of the Environmental management strategy and current versions of all plans were available on the	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
						website.		
		a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			A summary of monitoring results and Annual Reviews were available on the website.	Complies	
		a complaints register, which is to be updated on a monthly basis;	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			A complaints register (2010 to 2021) was available on the website.	Complies	
		a copy of the minutes of CCC meetings;	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			CCC meeting minutes from 2013 to December 2020 were loaded onto the website.	Complies	
		a copy of any Annual Reviews (over the last 5 years);	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			Annual reviews from 2015 to 2020 were loaded onto the website. Note that the 2020 Annual Review was finalised while this audit report was being prepared.	Complies	
		a copy of any independent Environmental Audit, and the proponent's response to the recommendations in any audit; and	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports			Copies of IEA and the proponents responses from 2012 to 2018 were loaded onto the website.	Complies	
		any other matter required by the Director-General.	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine/Approvals,-Plans-Reports	Environment and Community Superintendent – The DG has not required any additional materials to be uploaded to the website.			Not Triggered	

ENVIRONMENT PROTECTION LICENCE 767

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
A1.1	<p>Administrative Conditions</p> <p>What the licence authorises and regulates</p>	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Coal Works 2,000,000 – 5,000,000 T handled.</p> <hr/> <p>Mining of Coal > 2,000,000 – 3,500,000 T produced</p>	<p>Annual Review 2018, 2019</p> <p>Email from S Love to the Auditor dated 10/3/21 detailing coal production during 2020.</p>		<p>Photo 10 Shows the coal washery rejects stockpile.</p> <p>Photo 11 Shows the product stockpile.</p>	<p>The Annual Reviews and data provided by the Environment and Community Superintendent reported the following production qualities:</p> <p>2018: ROM Coal Extraction 2,024,404 tonnes. 2018: Coal Transport from site (by Rail) 1,584,898 tonnes.</p> <p>2019: ROM Coal Extraction 1,851,831 tonnes 2019: Coal Transport from site (by Rail) 1,456,847 tonnes.</p> <p>2020: ROM Coal Extraction 981,100 tonnes. 2020: Coal Transport from site (by Rail) 929,453.</p>	Noted	
A2.1	Premises or plant to which this licence applies	The licence applies to the following premises: Metropolitan Colliery, Parkes Street Helensburgh NSW 2508					Noted	
A3.1	<p>Information supplied to the EPA</p>	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licenses (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>					Noted	
P1.1	<p>Discharges to Air and Water and Applications to Land</p> <p>Location of monitoring / discharge points</p>	<p>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <p>Air: EPA 1 Dust Gauge EPA 2 Dust Gauge EPA 3 Dust Gauge EPA 4 Dust Gauge EPA 5 Dust Gauge EPA 11 Dust Gauge EPA 12 Dust Gauge EPA 13 Dust Gauge EPA 14 Dust Gauge EOA 15 Dust Gauge EPA 16 Ambient Air Monitoring</p>					Noted	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation												
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 6 Discharge to Waters EPA 7 Discharge to Waters EPA 8 Discharge to Waters EPA 9 Effluent Quality EPA 10 Volume Monitoring					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.	Email dated 21 May 2018 from S Love to DPIE and EPA titled Metropolitan Coal Spill Incident 19 May 2018, dated 21 May 2018. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Leak of a water-soluble lubricant occurred in May 2018. While some of the lubricant leaked from the site into the Camp Creek, a review of the inspections and water testing undertaken at the time did not identify any impacts on waters of the creek. No water discharges resulted in exceedance of water quality parameters during the audit period.	Non-Compliance	No further action required.												
L2.1	Concentration Limits	For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.					Noted													
L2.2		Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges					Noted													
L2.3		To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table(s).					Noted													
L2.4		Water and/or Land Concentration Limits																		
		<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units</th> <th>100 percentile Limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>mg/l</td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>6.5 – 8.5</td> </tr> <tr> <td>TSS</td> <td>mg/l</td> <td>30</td> </tr> </tbody> </table>	Pollutant	Units	100 percentile Limit	Oil and Grease	mg/l	10	pH	pH	6.5 – 8.5	TSS	mg/l	30	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			No exceedances of Oil and Grease limits were detected during the audit period.	Complies	
Pollutant	Units	100 percentile Limit																		
Oil and Grease	mg/l	10																		
pH	pH	6.5 – 8.5																		
TSS	mg/l	30																		
						No exceedances of pH limits were detected during the audit period.	Complies													
						No exceedances of Total Suspended Solids limits were detected during the audit period.	Complies													

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<i>The monitoring at Point 9 required by condition M2 is conducted by the licensee to determine compliance with the limits specified for Points 6 & 7 in condition L2.4. A non-compliance is only taken to have occurred if the results of water quality monitoring required by the licence at point 9 are greater than the limits in L2.4 and there is a discharge occurring from Points 6 & 7 at the time of sampling.</i>	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			No exceedances of water quality criteria were detected during the audit period.	Complies	
O1.1	Operating Conditions Activities must be carried out in a competent manner	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and			Inspection of materials storage (including fuels and lubricants) found that the use and storage of those materials were being undertaken in an appropriate manner. Photo 12 shows the oil storage bund.	At the time of the audit the processing, handling, movement and storage of materials and other substances was being undertaken in an appropriate manner.	Complies	
		b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity			Inspection of materials storage (including fuels and lubricants) found that the use and storage of those materials were being undertaken in an appropriate manner. Photo 13 shows the fuel (Diesel) storage and refueling area.	At the time of the audit the handling and storage of wastes was being undertaken in an appropriate manner.	Complies	
O2.1	Maintenance of plant and equipment	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and	Peabody Work Order Details Reports (Work Order Number 107160013) Peabody Work Order Details Reports (Work Order Number 107151403) Peabody Work Order Details Reports (Work Order Number 107152291) Peabody Work Order Details Reports (Work Order Number 107151121)	Environment and Community Superintendent – Peabody uses SAP to track maintenance works across the Peabody platform both on the surface and underground.	During the site inspection all areas inspected were appropriately organised and maintained. No evidence of improper equipment operations or maintenance were observed.	The Metropolitan Coal Mine operates an SAP based maintenance system that monitors, and managers scheduled and unscheduled maintenance.	Complies	
		b) must be operated in a proper and efficient manner.			During the site inspection all areas inspected were adequately organised and maintained. No evidence of improper equipment operations or maintenance were observed.	No evidence of improper equipment operations or maintenance were observed during the audit.	Complies	
O3.1	Dust	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Complaints Register		All dust suppression equipment was operational. No visual evidence of significant dust generation was sighted. Photo 11 shows the product coal storage area. The coal conveyer is fitted with dust suppression (water) sprays.	No dust generation issues were noted during the audit. One dust complaint was received during the audit period.	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.					Noted	

ENVIRONMENT PROTECTION LICENCE 767

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
M1.2	Monitoring Records	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;	Certificate of Analysis – ALS Environmental, EW2003615, dated 12 August 2020. Certificate of Analysis – ALS Environmental, EW2003222, dated 15 July 2020.			Monitoring records covering the audit period were available and were accessible and legible.	Complies	
		b) kept for at least 4 years after the monitoring or event to which they relate took place; and	Certificate of Analysis – ALS Environmental, EW2003331, dated 31 July 2020. Certificate of Analysis – ALS Environmental, EW2003862, dated 3 September 2020.			Monitoring results from 2002 to 2021 were sighted during the audit.	Complies	
		c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Certificate of Analysis – ALS Environmental, EW2002935, dated 6 July 2020. Certificate of Analysis – ALS Environmental, EW2003222, dated 15 July 2020. Spreadsheet titled “SX90-monthly -20201201” (2020 Dust Monitoring Results) Spreadsheet titled “2021 Depositional Dust Gauge Results” (2021 Dust Monitoring Results).			Monitoring records covering the audit period were available and were accessible and legible.	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;	Certificate of Analysis – ALS Environmental, EW2003615, dated 12 August 2020. Certificate of Analysis – ALS Environmental, EW2003222, dated 15 July 2020. Certificate of Analysis – ALS Environmental, EW2003331, dated 31 July 2020. Certificate of Analysis – ALS Environmental, EW2003862, dated 3 September 2020. Certificate of Analysis – ALS Environmental, EW2002935, dated 6 July 2020. Certificate of Analysis – ALS Environmental, EW2003222, dated 15 July 2020. Spreadsheet titled “SX90-monthly -20201201” (2020 Dust Monitoring Results) Spreadsheet titled “2021 Depositional Dust Gauge Results” (2021 Dust Monitoring Results).			Certificates of analysis and dust monitoring recorded sighted contained details of sampling locations and dates.	Complies	
		b) the time(s) at which the sample was collected;	Chain of Custody COC#1629 ALS Laboratories (Wollongong), dated 23 / 22 /2020			Chain of custody sheets containing the sampling time and dates are provided by the testing laboratory and kept on file at Metropolitan.	Complies	
		c) the point at which the sample was taken; and	Chain of Custody COC#1629 ALS Laboratories (Wollongong), dated 23 / 22 /2020			Chain of custody sheets identifying the sample location (coded) are provided by the testing laboratory and kept on file at Metropolitan.	Complies	
		d) the name of the person who collected the sample.	Chain of Custody COC#1629 ALS Laboratories (Wollongong), dated 23 / 22 /2020			Chain of custody sheets identifying the person and contact phone number are provided by the testing laboratory and kept on file at Metropolitan.	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					Noted	

ENVIRONMENT PROTECTION LICENCE 767

Cond.	Short Title	Condition				Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:									
		Pollutant	Unit	Frequency	Method						
M2.2	Air Monitoring Requirements	EPA Points 1, 2, 3, 4 and 5									
		Ash	g/m ² /month	Monthly	AS 3580.10 .1-2003	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
		Combustible Solids	g/m ² /month	Monthly	AS 3580.10 .1-2003	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
		Insoluble Solids	g/m ² /month	Monthly	AS 3580.10 .1-2003	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
		EPA Points 11, 12, 13, 14 and 15									
		Ash	g/m ² /month	Monthly	AS 3580.10 .1-2003	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
		Combustible Solids	g/m ² /month	Monthly	AS 3580.10 .1-2003	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
		Insoluble Solids	g/m ² /month	Monthly	AS 3580.10 .1-2003	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
		EPA Point 16									
		PM10	mg/m ³	Monthly	AS 3580.9.6:2003				Certificates of analysis for dust monitoring recorded sighted contained details of the test method used for this analysis.	Complies	
M2.3	Water Monitoring Requirements Testing Methods	EPA Point 9									
		Oil and Grease	pH	monthly	Grab	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for water analysis recorded sighted contained details of the test method used for this analysis.	Complies	
		pH	pH	monthly	Grab	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for water analysis recorded sighted contained details of the test method used for this analysis.	Complies	
		TSS	mg/l	monthly	Grab	Certificate of Analysis (ALS Environmental – EW2003862, dated 3 September 2020.			Certificates of analysis for water analysis recorded sighted contained details of the test method used for this analysis.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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 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.					Noted – Refer to Condition M2.2 above	
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.					Noted – Refer to Condition M2.3 above	
M4.1		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			A complaints register is maintained and is available on the website.	Complies	
M4.2	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			The complaints register that is uploaded to the web is not designed to meet the requirements of this section. A detailed complaint register that meets all of the requirements of this condition is not maintained.	Non-Compliance	Establish a detailed complaint record that meets all of the requirements of EPL Condition M4.2. Note that this record should not be made available to the public as it will identify individual complainants.
M4.3		The record of a complaint must be kept for at least 4 years after the complaint was made.	Complaints Register			The complaints register that is uploaded to the web is not designed to meet the requirements of this section. A detailed complaint register that meets all of the requirements of this condition is not maintained.	Non-Compliance	Establish as detailed complaints record that meets all of the requirements of EPL Condition M4.2. Note that this record should not be made available to the public as it will identify individual complainants.
M4.4		The record must be produced to any authorised officer of the EPA who asks to see them.					Noted	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
M5.1	Telephone Complaints Line	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine			Community complaint hotline number 1800 115 003 is listed on the mine website	Complies	
M5.2		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.	https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Metropolitan-Mine			Community complaint hotline number 1800 115 003 is listed on the mine website	Complies	
M5.3		The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.					Noted	
M6.1	Requirement to monitor volume or mass	For each discharge point or utilisation area specified below, the licensee must monitor: <ul style="list-style-type: none"> a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below.					Noted	
		Point 10 – Kilotres per day – Magnetic Flow Meter.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Flowmeter is used to measure daily volume of water flow from water treatment plant to Camp Creek. These results are presented in the Annual Return summaries submitted to 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: <ol style="list-style-type: none"> 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.	https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=767&id=767&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued			Metropolitan has issued Annual Returns to the EPA in accordance with the Conditions every year covered by this audit period.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
R1.2		An Annual Return must be prepared in respect of each reporting period, except as provided below.	https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=767&id=767&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued			Metropolitan has issued Annual Returns to the EPA in accordance with the Conditions every year covered by this audit period.	Complies	
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.				No transfer of licence has occurred during the audit period.	Not Triggered	
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.				The EPL was not surrendered during the audit period.	Not Triggered	
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').	https://apps.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=767&id=767&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued			Metropolitan has issued Annual Returns to the EPA in accordance with the Conditions every year covered by this audit 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.	2018 Annual Return (signed by Director)			Copies of signed annual returns are kept by Metropolitan.	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.	2018 Annual Return (signed by Director) 2020 Metropolitan Coal – Environmental Protection Licence Monitoring Summary			Copies of signed annual returns are kept by Metropolitan.	Complies	
R2.1	Notification of Environmental Harm	Notifications must be made by telephoning the Environment Line service on 131 555.		Environment and Community Manager – no environmental incidents that trigger the environmental harm criteria occurred during the audit period.		No environmental incidents that trigger the environmental harm criteria occurred during the audit period	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.		Environment and Community Manager – no environmental incidents that trigger the environmental harm criteria occurred during the audit period		No environmental incidents that trigger the environmental harm criteria occurred during the audit period	Not Triggered	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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 Manager – no requests for additional investigations or written reports were received from the EPA during the audit period.		No requested for additional investigations or written reports were received from the EPA during the audit period.	Not Triggered	
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.		Environment and Community Manager – no requests for additional investigations or written reports were received from the EPA during the audit period.		No requested for additional investigations or written reports were received from the EPA during the audit period.	Not Triggered	
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.		Environment and Community Manager – no requests for additional investigations or written reports were received from the EPA during the audit period.		No requested for additional investigations or written reports were received from the EPA during the audit period.	Not Triggered	
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	A copy of this licence must be kept at the premises to which the licence applies.	https://www.peabodyenergy.com/Peabody/media/MediaLibrary/Operations/Australia%20Mining/New%20South%20Wales%20Mining/Metropolitan%20Mine/Environmental-Protection-Licence-767.pdf			A copy of the EPL is maintained on the company website.	Complies	
G1.2	Copy of Licence	The licence must be produced to any authorised officer of the EPA who asks to see it.	https://www.peabodyenergy.com/Peabody/media/MediaLibrary/Operations/Australia%20Mining/New%20South%20Wales%20Mining/Metropolitan%20Mine/Environmental-Protection-Licence-767.pdf			A copy of the EPL is maintained on the company website.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
G1.3		The licence must be available for inspection by any employee or agent of the licensee working at the premises.	https://www.peabodyenergy.com/Peabody/media/MediaLibrary/Operations/Australia%20Mining/New%20South%20Wales%20Mining/Metropolitan%20Mine/Environmental-Protection-License-767.pdf			A copy of the EPL is maintained on the company website.	Complies	

Consolidated Coal Lease 703

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1	Extraction of Coal	The lease holder shall extract as large a percentage of the coal in the subject area as is practicable consistent with the provisions of the Coal Mines Regulations Act 1982 and the Regulations thereunder and shall comply with any direction given or which may be given in this regard by the Minister.					Complies	
2	Mining Operations Plan	(1) Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for: <ul style="list-style-type: none"> ongoing mining operations and environmental management; and ongoing monitoring of the project. 	Metropolitan Coal Mining Operations Plan (1 Oct 2012 to 30 Sept 2021). Letter from the Resources Regulator (G Kininmonth) to Metropolitan Coal (S Love), titled "CCL 703 (1973), MPL 320 (1973), CL 379 (1973), ML 1610 (1992), ML 1702 (1992), Metropolitan Collieries Pty Ltd Approval of Mining Operations Plan - Amendment C - Metropolitan Colliery", dated 2 September 2020.			The MOP for the works undertaken during the audit period was approved by the Resources Regulator in September 2020. The works were undertaken in general accordance with the requirements of the MOP.	Complies	
		(2) The Plan must be prepared in accordance with the Director-General's guidelines, current at the time of lodgement.	Letter from the Resources Regulator (G Kininmonth) to Metropolitan Coal (S Love), titled "CCL 703 (1973), MPL 320 (1973), CL 379 (1973), ML 1610 (1992), ML 1702 (1992), Metropolitan Collieries Pty Ltd Approval of Mining Operations Plan - Amendment C - Metropolitan Colliery", dated 2 September 2020.			The MOP was prepared to the satisfaction of the Resources Regulator. A review of the plan contents found that the MOP meets the general requirements of the relevant guidelines.	Complies	
		(3) A Plan must be lodged with the Director-General: <ul style="list-style-type: none"> a) prior to the commencement of operations; b) subsequently as appropriate prior to the expiry of any current Plan; and c) in accordance with any direction issued by the Director-General. 	Metropolitan Coal Project Independent Environmental Audit – December 2011.			The condition was verified in 2011 IER.	Complies	
		(4) The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify:- <ul style="list-style-type: none"> a) area(s) proposed to be disturbed under the Plan; b) mining and rehabilitation method(s) to be used and their sequence; c) areas to be used for disposal of tailings/waste; d) existing and proposed surface infrastructure; e) progressive rehabilitation schedules; f) areas of particular environmental sensitivity; g) water management systems (including erosion and sediment controls); h) proposed resource recovery; and where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining land use/vegetation	Metropolitan Coal Mining Operations Plan (1 Oct 2012 to 30 Sept 2021).			Section 2.2 of the MOP describes the areas proposed to be disturbed under the Plan. Section 6 describes the proposed rehabilitation works. Section 2.2.3 and 2.2.4 describes the areas to be used for disposal of tailings/waste. Section 2.1.2 describes the surface (processing plant) infrastructure. Section 5.3 describes the progressive rehabilitation schedules. Section 3 describes the areas of particular environmental sensitivity. Section 3.2.4 describes water management at the mine. Section 2.2.1 describes the proposed resource recovery	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(5) The plan when lodged will be reviewed by the Department of Mineral Resources					Noted	
		(6) The Director-General may within two (2) months of the lodgement of a Plan, require modification and lodgment.					Noted	
		(7) If a requirement in accordance with clause (6) is not issued within two months of the lodgement of a Plan, lease holder may proceed with implementation of the Plan submitted subject to the lodgement of the required security deposit within the specified time.					Noted	
		(8) During the life of the Mining Operations Plan Proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlines in clauses (5) - (7) above.	Letter from the Resources Regulator (G Kininmonth) to Metropolitan Coal (S Love), titled "CCL 703 (1973), MPL 320 (1973), CL 379 (1973), ML 1610 (1992), ML 1702 (1992), Metropolitan Collieries Pty Ltd Approval of Mining Operations Plan - Amendment C - Metropolitan Colliery", dated 2 September 2020.			The current version of the MOP has been submitted to and approved by the Resources Regulator.	Complies	
3	Annual Environmental Management Report (AEMR)	(1) Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The Annual Environmental Management Report required by this Condition is covered by the Annual Reviews that are prepared annually under the Project Approval.	Complies	
		(2) The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of:- a) the accepted Mining Operations Plan; b) development consent requirements and conditions; c) Environment Protection Authority and Department of Land and Water Conservation licenses and approvals; d) any other statutory environmental requirements; e) details of any variations to environmental approvals applicable to the lease area. And f) where relevant, progress towards final rehabilitation objectives.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The Annual Reviews meet the requirements of the development consent and report on all of the requirements of this Condition.	Complies	
		(3) After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.		Environment and Community Superintendent – no notices have been issued by the Resource Regulator in relation to the AEMR / AR during the audit period.			Noted	
		(4) The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies.		Environment and Community Superintendent – no notices have been issued by the Resource Regulator in relation to the AEMR / AR during the audit period.			Not Triggered	
9	Barriers	The lease holder shall not work or cause to be worked any seam of coal within the subject area without leaving, if the Minister, so directs, a barrier of such width or. A protective pillar or pillars of such size or sizes against any surface improvements of any feature whether natural or artificial.					Noted	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
11		The lease holder unless with the consent of the Minister and subject to such conditions as the Minister may impose shall not work or cause to be worked any seam of coal by underground methods within the subject area within the barrier defined as follows: The land within the zone beneath and adjacent to the Illawarra Railway enclosed by an angle of draw 35° from the vertical plane of the boundary parallel to an thirty (30) metres horizontally distant from either side of the railways lands, such angle of draw being measured outwards from the point on the vertical plane of the said boundary at the surface or at the level of the horizontal plane of the railway track, whichever may be the higher, to the floor of the coal seam in which mining operations are being carried out.	2018 Independent Environmental Audit – <i>“Planning line has been drawn 30m parallel to Illawarra railway, projected down to coal seam at 35 degrees (roughly 500m depth) equates to a sterilised zone of approximately 380m from red rail line shown on diagram inspected. (actual zone varies with changing topography, but largest number possible shown here at 380m). The mining operations are 1.47km away at the closest approach, well outside this criterion”.</i>	Environment and Community Superintendent – no works undertaken during the audit period have encroached on buffer zone to the railway.		Compliance with this condition was verified during the 2018 IER. No works undertaken during the audit period have encroached on buffer zone to the railway.	Complies	
13		The lease holder shall not prospect or mine for coal within the area(s) shown on the plan annexed hereto and marked "B" insofar as such area(s) relate(s) to the surface and land below the surface to the depth(s) specified on that plan other than the mining of coal for purposes of a shaft in the red-coloured area.	2018 Independent Environmental Audit	Environment and Community Superintendent – No prospecting investigations have been undertaken in the vicinity of the nominated area during the audit period.		No prospecting investigations have been undertaken in the vicinity of the nominated area during the audit period.	Complies	
14	Shafts, Drifts, Adits	Operations shall be conducted in such a manner as not to cause any danger to persons or stock and the lease holder shall provide and maintain adequate protection to the satisfaction of the Minister around each shaft or excavation opened up or used by the lease holder.	Incident Records	Environment and Community Superintendent – No incidents, injuries to persons or stock occurred during the audit period.		No incidents, injuries to persons or stock occurred during the audit period.	Complies	
15	Dumps	The lease holder shall comply with any direction, given or which may be given by the Inspector regarding the dumping, depositing or removal of material extracted as well as the stabilisation and revegetation of any dumps of coal, minerals, mine residues, tailings or overburden situated on the subject area or the associated colliery holding.		Environment and Community Superintendent – No directions were issued to Metropolitan relating to dumps over the audit period.		No directions were issued to Metropolitan relating to dumps over the audit period.	Not Triggered.	
16		The lease holder shall comply with any direction given which may be given by the Minister regarding the spraying of coal dumps on the subject area.		Environment and Community Superintendent – No directions were issued to Metropolitan relating to dumps over the audit period.		No directions were issued to Metropolitan relating to dumps over the audit period.	Not Triggered.	
17	Dust	The lease holder shall take such precautions as are necessary to abate any dust nuisance.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – All air quality monitoring results were below the criteria.		A review of each Annual Review has indicated that no air quality related non-compliances were detected.	Complies	
18	Management and Rehabilitation of Lands (General)	The lease holder shall not interfere in any way with any fences on or adjacent to the subject area unless with the prior written approval of the owner thereof or the Minister and subject to such conditions as the Minister may stipulate				No incident of complaints relating to interference with fencing were identified during this IEA.	Noted	
19		The lease holder shall observe any instruction given or which may be given by the Minister with a view to minimising or preventing public inconvenience or damage to public or private property.		Environment and Community Superintendent – No directions were issued to Metropolitan relating to preventing public disturbance over the audit period.		No directions were issued to Metropolitan relating to preventing public disturbance over the audit period.	Not Triggered.	
20		If required to do so by the Minister and within such time as may be stipulated by the Minister the lease holder shall carry out to the satisfaction of the Minister surveys of structures, buildings and pipelines on adjacent landholding to determine the effect of operations on any such structures, buildings and pipelines.		Environment and Community Superintendent – No directions were issued to Metropolitan relating to surveys of structures, buildings or pipelines over the audit period.		No directions were issued to Metropolitan relating to surveys of structures, buildings or pipelines over the audit period.	Not Triggered.	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
21		If directed by the Minister the lease holder shall rehabilitate to the satisfaction of the Minister any lands within the subject area which may have been disturbed by the lease holder.		Environment and Community Superintendent – No directions were issued to Metropolitan relating to rehabilitation of disturbed areas over the audit period.		No directions were issued to Metropolitan relating to rehabilitation of disturbed areas over the audit period.	Not Triggered.	
22		Upon completion of operations on the surface of the subject area or upon the expiry or sooner determination of this authority or any renewal thereof, the lease holder shall remove from such surface such buildings, machinery, plant, equipment, constructions and works as may be directed by the Minister and such surface shall be rehabilitated and left in a clean, tidy and safe condition to the satisfaction of the Minister.				Operations at the mine are on-going.	Not Triggered.	
23		If so directed by the Minister the lease holder shall rehabilitate to the satisfaction of the Minister and within such time as may be allowed by the Minister any lands within the subject area which may have been disturbed by mining or prospecting operations whether such operations were or were not carried out by the lease holder.		Environment and Community Superintendent – No directions were issued to Metropolitan relating to rehabilitation of disturbed areas over the audit period.		No directions were issued to Metropolitan relating to rehabilitation of disturbed areas over the audit period.	Not Triggered.	
24		The lease holder shall take all precautions against causing outbreak of fire on the subject area.	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			The Emergency Response plan in the Environmental Management Strategy, Firefighting Management and Bushfire Preparedness Plan have been prepared.	Complies	
25		The lease holder shall provide and maintain to the satisfaction of the Minister efficient means to prevent contamination, pollution, erosion or sedimentation of any river, stream, creek, tributary, lake, dam, reservoir, watercourse or catchment area or any undue interference to fish or their environment and shall observe any instruction given or which may be given by the Minister with a view to preventing or minimising the contamination, pollution, erosion or sedimentation of any river, stream, creek, tributary, lake, dam, reservoir, watercourse or catchment area or any undue interference to fish or their environment.	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated Dec 2010. Metropolitan Coal Longwalls 305-307 Water Management Plan Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Surface water management controls are detailed in the Surface Facilities Water Management Plan and the Mine Extraction Plan (Water Management). No material water quality impacts were detected during the audit period. Noting that remedial works are being undertaken on streams within the catchment area that have been impacted by subsidence.	Complies	
27	Trees (Planting and Protections of) Flora and Fauna and Arboreal Screens	If so directed by the Minister, the lease holder shall ensure that operations are carried out in such manner so as to minimise disturbance to flora and fauna within the subject area.	Metropolitan Coal Longwalls 305-307 Biodiversity Management Plan	Environment and Community Superintendent – No directions were issued to Metropolitan relating to disturbance of flora or fauna during the audit period.		No directions were issued to Metropolitan relating to disturbance of flora or fauna during the audit period.	Not Triggered.	
29		The lease holder shall maintain an arboreal screen to the satisfaction of the Minister within such parts of the subject area as may be specified by the Minister and shall plant such trees or shrubs as may be required by the Minister to preserve the arboreal screen in a condition satisfactory to the Minister.	Metropolitan Coal Longwalls 305-307 Biodiversity Management Plan Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – No directions were issued to Metropolitan relating to arboreal screening during the audit period.		No directions were issued to Metropolitan relating to arboreal screening during the audit period.	Not Triggered.	
30	Soil Erosion	The lease holder shall conduct operations in such a manner as not to cause or aggravate soil erosion and the lease holder shall observe and perform any instructions given or which may be given by the Minister with a view to minimising or preventing soil erosion.	Complaints Register	Environment and Community Superintendent – No directions were issued to Metropolitan relating to erosion and sediment control during the audit period.	No areas of soil erosion were observed during the site inspection.	No erosion related incidents or concerns were identified during this IEA.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
31	Roads	The lease holder shall pay to Wollongong City Council, Department of Land and Water Conservation or the Chief Executive, Roads and Traffic Authority the cost incurred by such Council or Department or Chief Executive of making good any damage caused by operations carried on by or under the authority of the lease holder to any road adjoining or traversing the surface or the excepted surface, as the case may be of the subject area. Provided however that the amount to be paid by the lease holder as aforesaid shall be reduced by such sum of money if any as may be paid to the said Council the Department of Land and Water Conservation or the Chief Executive, Roads and Traffic Authority as the case may be from the Mine Subsidence Compensation Fund constituted under the Mine Subsidence Compensation Act, 1961, in settlement of a claim for compensation for the same damage.		Environment and Community Superintendent – No requests for compensation or payment related to roads from any government department or Council were received during the audit period.		No requests for compensation or payment related to roads from any government department or Council were received during the audit period.	Not Triggered.	
32		In the event of operations being conducted on the surface of any road, track or fire trail traversing the subject area or in the event of such operations causing damage to or interference with any such road, track or fire trail the lease holder, at his own expense, shall if directed to do so by the Minister provide to the satisfaction of the Minister an alternate road, track or fire trail in a position as required by the Minister and shall allow free and uninterrupted access along such alternate road, track or fire trail and, if required to do so by the Minister, the lease holder shall upon completion of operations rehabilitate the surface of the original road, track or fire trail to a condition satisfactory to the Minister.		Environment and Community Superintendent – No requests for compensation or payment related to roads from any government department or Council were received during the audit period.		No requests for compensation or payment related to roads from any government department or Council were received during the audit period.	Not Triggered.	
34	Catchment Area	(a) The lease holder shall carry out operations within the Woronora Special Area in such a way as to conform strictly to all provisions of the Sydney Water Catchment Management Act, 1998 and the regulations made and currently in force under that Act so that: i. no catchment infrastructure works and buildings owned by or vested in the Sydney Catchment Authority [SCA], or the stored waters, are willfully, accidentally or negligently destroyed, damaged or interfered with; ii. the Woronora Special Area is not polluted by operations of the lease holder; iii. the purity of the stored waters within the Woronora Dam are preserved; any requirements notified by the SCA to the lease holder, made in accordance with the provisions of the Sydney Water Catchment Management Act, 1998 and the regulations made thereunder, are complied with.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Surface Water Hydrologist – The Auditor interviewed Metropolitan’s specialist (consultant) surface water hydrologist who explained the monitoring program and results for the audit period and remediation works undertaken during the audit period.	An inspection of the catchment was undertaken during the audit. Remediation works (former and current) were observed.	No impacts to catchment infrastructure were identified during the audit period. Mining subsidence has impacted the surface water features within the Woronora Special Area. Metropolitan is actively undertaking stream remediation works. No impacts attributable to the mining operations on the waters of the Woronora Dam were identified during the audit period.	Complies	
		(b) If the lease holder shall at all times and at the first available opportunity notify the SCA of its current use or its intended use of any process which is likely to pollute the Woronora Special Area, the stored waters of the Woronora Dam or cause damage to the catchment infrastructure works, buildings and stored waters owned by the SCA situated on the Special Area.		Environment and Community Superintendent – No notifications relating to potential polluting activities have been required during the audit period.		No notifications relating to potential polluting activities have been required during the audit period.	Not Triggered.	
		(c) The SCA shall within five (5) working days following the receipt of the lease holder’s notification as referred to in Condition 34 (b), inform the lease holder and the Minister of its opinion of the likely impact of the process to pollute the Woronora Special Area and stored waters and to cause		Environment and Community Superintendent – No notifications relating to potential polluting activities have been required during the audit period.		No notifications relating to potential polluting activities have been required during the audit period.	Not Triggered.	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		damage to the catchment infrastructure works, buildings and stored waters owned by the SCA.						
		(d) The lease holder, upon service of a notice under the hand of the Minister to do so shall: immediately discontinue the use of such process (and in all cases within twenty-four (24) hours); or thereafter refrain from adopting such process at any time, as the case may require.		Environment and Community Superintendent – No notifications relating to potential polluting activities have been required during the audit period.		No notifications relating to potential polluting activities have been required during the audit period.	Not Triggered.	
		(e) The lease holder shall undertake environmental assessment for all surface works (including exploration, drilling, clearing of vegetation, and construction of access tracks) within the Woronora Special Area. The assessments are to be to the satisfaction of the SCA.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period.		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	
		(f)The lease holder is to obtain the permission of the SCA to enter the Woronora Special Area.					Noted	
		(g) The lease holder shall provide and maintain to the satisfaction of the Minister efficient means to prevent the contamination, pollution, erosion or sedimentation of any stream or watercourse or Special Area and shall observe any instruction given or which may be given by the Minister with a view to preventing or minimising the contamination, pollution or sedimentation of any stream watercourse or Special Area.	Metropolitan Coal Construction Management Plan.	Environment and Community Superintendent – No notifications relating to potential polluting activities have been required during the audit period.	During the site audit, the Auditor inspected the stream rehabilitation works areas. No erosion and sediment control or pollution issues were observed.	No notifications relating to potential polluting activities have been required during the audit period.	Complies	
		(h) The lease holder hereby covenant the Us Our Heirs and Successors and as a separate covenant the lease holder hereby covenant with the SCA and its Successors that the lease holder shall at all times hereafter save harmless and keep Us and the said SCA and Our Heirs and Successors and the Successors of the said Authority indemnified from payment of compensation and from and against all actions proceedings claims and demands in respect of any injury loss of damage arising out of or in any way connected with any interference with or deprivation or loss of access to the land and premises of this authority which may occur by reason of any works or operations undertaken or carried out by the said SCA or arising out of or in any way connected with any discontinuance or alteration of any process consequent upon the service of a notice in pursuance of the provisions of Condition 34(b) or arising out of or in any way connected the operation of any regulations relating to Special Area in force at the hereof or made by the said SCA at any hereafter the lease holder hereby agrees that for the purpose of this condition the said SCA shall be deemed to be a party to the authority.					Noted	
		The lease holder shall: a) Make such provisions for sanitation as may be directed by the SCA and shall at all times observe and perform any requirements of the said Authority respecting sanitation		Environment and Community Superintendent – No notifications relating to potential polluting activities have been required during the audit period.	During the site audit, the Auditor inspected the stream rehabilitation works areas. No environmental, waste management or	No notifications relating to potential polluting activities have been required during the audit period.	Complies	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		b) Not establish any camps or habitations with any area under the control of the Authority unless with the consent of the SCA. c) Not sink any drill hole within the stored waters on the subject area nor within 40 metres of the top water level thereof unless with the consent of the SCA. d) Not sink any drill hole within any watercourse on the Woronora Special Area nor within 800 metres thereof unless with the consent of the SCA. e) Not interfere with or impede the use of the SCA's tracks or endanger their stability in any way by reason of the operations. Not interfere in any way with any fences on or adjacent to the Woronora			pollution issues were observed.			
41	Transmission Lines, Communication Lines and Pipelines	The lease holder shall as far as is practicable so conduct operations as not to interfere with or impair the stability or efficiency of any transmission line, communication line or pipeline traversing the surface or the excepted surface of the subject area and shall comply with any direction given or which may be given by the Minister in this regard.		Environment and Community Superintendent – No notifications relating to impacts on transmission lines, communication lines or pipelines have been required during the audit period.	During the audit inspections, no impacts on transmission lines, communication lines or pipelines were observed.	No impacts on transmission lines, communication lines or pipelines were identified during the IEA.	Complies	
43	Aboriginal Place or Aboriginal Object	The lease holder shall not knowingly destroy, deface or damage any Aboriginal object or Aboriginal place within the subject area except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.		Environment and Community Superintendent – Construction activities undertaken in accordance with the Surface Water Assessment Forms and are planned to avoid potential impacts to heritage		No un-approved impacts on indigenous heritage sites were identified during the audit.	Complies	
44	Labour / Expenditure	The lease holder shall during each year of the term of the authority: Ensure at least 208 workers are efficiently employed on the subject area; or expend on operation carried out in the course of prospecting or mining the subject area, an amount of not less than \$3,640,000.00. The Minister may, at any time after a period of two (2) years from the date on which this authority has effect or from the date on which the renewal of this authority has effect, increase or decrease the amount of expenditure or labour required.		Environment and Community Superintendent – Two hundred and forty-nine personnel are currently employed at the mine.		Current employment levels at the mine satisfy this lease condition.	Complies	
45	Additional Information	The lease holder shall if directed by the Minister and within such as the Minister may stipulate furnish to the Minister: Information regarding the ownership of the land within the subject area; Information regarding the ownership of the coal within the subject area prior to 1st January, 1982; an indemnity in a form approved by the Minister indemnifying the Crown and the Minister against any wrong payment effected as a result of incorrect information furnished by the lease holder; Information regarding the financial viability of the lease holder and operations within and associated with the subject area; and information regarding shareholdings in the lease holder.		Environment and Community Superintendent – No requests for further information have been received from the Minister during the audit period.		No requests for further information have been received from the Minister during the audit period.	Not Triggered.	
46	Service of Notices	Within a period of three (3) months from the date of service of the notice of renewal of this authority, or within such further time as the Director General may allow, the lease holder shall serve on each landholder within the subject area		Environment and Community Superintendent – No environmental notices have been issued to the mine from the		No environmental notices have been issued to the mine from the Resources Regulator during the audit	Not Triggered.	

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		a notice in writing indicating that this authority has been renewed and whether the authority includes the surface. The notice shall be accompanied by an adequate plan and description of the subject area. If there are ten (10) or more landholders affected the lease holder may serve the notice by publication in a newspaper circulating in the region where the subject area is situated. The notice shall indicate that this authority has been renewed, state whether the authority includes the surface and shall contain an adequate plan and description of the subject area.		Resources Regulator during the audit period.		period.		
47	Inspectors	(a) Where an Inspector under the Mining Act 1992 is of the opinion that any condition of this authority relating to operations within the subject area, or any provision of the Mining Act, 1992, relating to operations within the subject area are not being complied with by the lease holder, the Inspector may serve on the lease holder a notice stating that and give particulars of the reason why and may in such notice direct the lease holder: (i) to cease operation within the subject area in contravention of that condition or Act; and (ii) to carry out within the specified time works necessary to rectify or remedy the situation. (b) The lease holder shall comply with the directions contained in any notice served pursuant to sub paragraph (a) of this condition. The Director General may confirm, Vary or revoke any such direction. A notice referred to in his condition may be served on the Colliery Manager.		Environment and Community Superintendent – No environmental notices have been issued to the mine from the Resources Regulator during the audit period.		No environmental notices have been issued to the mine from the Resources Regulator during the audit period.	Not Triggered.	
48	Indemnities	The lease holder shall indemnify and keep indemnified the Crown from and against all actions suits and claims and demands of whatsoever nature and all costs charges and expense which may be brought against the lease holder or which the lease holder may incur respect of any accident or injury to any person or property which may arise out of the construction maintenance or working of any workings now existing or to be made by the lease holder within the boundaries of the subject area or in connection with any of the operations notwithstanding that all other conditions of this authority shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease which the lease holder may be licensed or compelled to do hereunder.					Noted	
49		The lease holder shall save harmless the Crown from payment of compensation and from and against all claims, actions, suits or demands whatsoever in the event of any damage resulting from mining operations under or near the subject area.					Noted	
50	Prospecting	Where the lease holder desires to commence prospecting operations in the subject area the lease holder shall notify the Director General in writing and shall comply with such additional conditions as the Minister may impose including any condition requiring the lodgment of an additional bond or other form of security for rehabilitation of the area affected by such operations. Where the lease holder notifies the Director General pursuant to sub paragraph (a) of this condition the lease	Email from S Love to the Resources Regulator (W Mitry) titled “Metropolitan Exploration Notification Requirements”, dated 15 March 2018 – and related email trail.	Environment and Community Superintendent - the exploration is provisioned for in a general sense in the MOP approved by RR, with specific works approved by DPIE with feedback from WaterNSW.		The Resources Regulator, in their email of 9 March 2018 reminded Metropolitan Coal of the requirement for prior notification of exploration programs.	Non-Compliance	Ensure that exploration notifications are provided to the Resources Regulator prior to commencement of those works.

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Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		holder shall furnish with that notification details of the type of prospecting methods that would be adopted and the extent and location of the area that would be affected by them.						
51	Security Deposit	<p>a) The lease holder shall, upon request by the Director General, lodge with the Minister the sum of \$2,700,000.00 (two million seven hundred thousand dollars) as security for the fulfilment of the obligations of the lease holder under Consolidated Coal Lease 703 (Act 1973), Mining Purposes Lease 320 (Act 1973) and Coal Lease 379 (Act 1973). In the event that the lease holder fails to fulfil any of the lease holder's obligations under these authorities the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purposes of the clause a lease holder shall be deemed to have failed to fulfil the lease holder's obligations under these authorities, if the lease holder fails to comply with any condition or provision of this authority any provision of the Act or regulations made there under or any condition or direction imposed or given pursuant to a condition or provision of these authorities or any provision of the Act or regulations made thereunder.</p> <p>(b) The lease holder must provide the security required by sub-clause (a) hereof in one of the following forms:- cash, or a security certificate in such form and given by such surety as may from time to time be approved by the Minister.</p> <p>(c) The minister may at may time after commencement of these authorities or any renewal thereof, vary the amount of security required in accordance with this condition.</p>	2018 Independent Environmental Audit	Environment and Community Superintendent - no notifications of reassessment of the security deposit was received during the audit period.		<p>No notifications of reassessment of the security deposit were received during the audit period.</p> <p>Compliance with sub0conditions (a) and (b) of this Condition were verified in the 2018 IEA.</p>	Complies	
54	Royalty at Additional Rate	The lease holder shall during the term of this authority pay to the Minister royalty at the additional rate as prescribed by the Regulations for coal recovered by open cut mining methods from the area.					Noted	
55	Methods of Operation	The lease holder shall comply with the conditions as set out in the attached Annexure "A".					Noted	
58	Prior Barrier & Mining Approvals	Any approval or consent previously given by the Minister to the effect the lease holder may mine for, work, win or remove coal from any part of the subject area including any approval or consent given pursuant to any barrier condition contained in leases consolidated into this lease, shall be deemed to be a consent given subject to the same conditions of that approval or consent under this lease.					Noted	
59	Details of Lands, Purposes and Additional Conditions	The lease holder shall be limited to the following operations and conditions within the specified areas described on the plan annexed hereto and marked "B". With regard to Condition No. 59 and the plan annexed hereto and marked "B", the lease holder:					Noted	
60		(a) shall comply with any direction given or which may be given by the Minister regarding any railway within the subject lands.		Environment and Community Superintendent – No directions have been issued to the mine from the Resources Regulator regarding the railway during the audit period.		No directions have been issued to the mine from the Resources Regulator regarding the railway during the audit period	Not Triggered.	
		(b) shall permit free and uninterrupted access along any road within the subject lands.					Noted	

Consolidated Coal Lease 703

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(c) shall submit to the Sydney Catchment Authority [the SCA] for its approval, full sets of the survey and design plans of all proposed surface installations well in advance of the time intended to commence construction thereof, and no work shall commence until the SCA's approval is given thereto.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	
		(d) shall comply with any restrictions and / or requirements by the SCA as to ground surface disturbance, scrub or tree cutting and removal, clearing burning off and other related activities.		Environment and Community Superintendent – WaterNSW has not issued any notices related to ground disturbance in the catchment during the audit period.		WaterNSW has not issued any notices related to ground disturbance in the catchment during the audit period.	Not Triggered.	
		(e) shall stabilise all fill and cut banks by guniting or other process approved by the SCA. The lease holder shall place as directed by the SCA all excavated material cut and not required for fill purposes.		Environment and Community Superintendent – Metro Coal has not constructed any tracks or structures in the catchment that have required cut and fill works.	No cut and fill operations were sighted during the audit inspections.	Metro Coal has not constructed any tracks or structures in the catchment that have required cut and fill works.	Not Triggered.	
		f) shall ensure that: The shaft and other surface operational sites are drained to the SCA's satisfaction in such manner as will prevent the discharger therefrom of rainwater, surface water and other drainage by a direct route to stored water or any watercourse. The drains are equipped with sediment arrestor pits of adequate capacity, constructed so as to permit cleaning without the accidental escape of sediment therefrom. No drainage from underground mine workings is pumped up the shafts onto the Woronora Special Area unless it is impractical to dispose of it otherwise, and in such a case, special treatment may be required or the drainage pumped clear of the Woronora Special Area, as the SCA may decide.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	
		(g) Shall not lease deposited on the surface of any mine residues, tailings or refuse without specific approval from the SCA and shall, if directed by the SCA, remove or all thereof from the Woronora Special Area.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	

Consolidated Coal Lease 703

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
				as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW				
		(h) shall (a) submit to the Authority for approval full sets of survey and design plans for all access or other roads proposed to be located on the Woronora Special Area well in advance of the time intended to commence construction thereof and no work shall commence thereon until approval has been given by the SCA. b) ensure that such roads are properly drained and constructed at the lease holder's expense. The SCA reserves the right to use for its own lawful purposes and without cost to itself any roads so constructed on the Woronora Special Area	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	
		(i) In respect of such roads, shall ensure that: a) cut and fill road formations are kept to a minimum b) all material cut and not required as fill is disposed of as approved, or directed, by the SCA. c) all embankments are stabilised by guniting, or other process as approved by the SCA so as prevent erosion. d) vegetation is re-established as directed by the SCA. fencing and gates with locks are provided at locations approved by the SCA so as to prevent unauthorised entry to the Woronora Special Area or any operational area.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	
		(j) shall observe any requirement of the SCA as to the method or order of construction of any road works approved in accordance with these conditions so as to prevent erosion or sedimentation or pollution of the Woronora Special Area or any watercourse or the stored waters of any dam.		Environment and Community Superintendent – WaterNSW has not issued any notices related to construction in the catchment during the audit period.		WaterNSW has not issued any notices related to construction in the catchment during the audit period.	Not Triggered.	
		(k) shall ensure road making operations are limited strictly to the width approved by the SCA to be cleared for the route of any such roads. The parking of plant or stockpiling of material beyond the approved width shall be prohibited except in areas specially approved in advance by the SCA for such purposes.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	

Consolidated Coal Lease 703

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
				are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW				
		(l) shall ensure that the use of any airshaft by personnel is subject to the provision of satisfactory hygiene arrangements and shall provide for the disposal of sewage and wastewater outside the Woronora Special Area.					Noted	
		The lease holder: (m) at his own expense, shall carry out at the site or access thereto any structural or civil engineering works which may be directed by the SCA with a view to avoiding pollution or sedimentation of the SCA's water supply or the Woronora Special Area.					Noted	
		The lease holder: (n) shall keep the area in a clean condition, maintain ground cover vegetation and establish it artificially where directed, the satisfaction of the SCA			All work areas inspected (within the catchment area) during the site inspection were being maintained in an appropriate manner.	All work areas inspected (within the catchment area) during the site inspection were being maintained in an appropriate manner.	Complies	
		o) shall limit the use of petrol, oil, grease or similar materials to the minimum essential and shall arrange that the use of these materials shall be carried out in locations specifically provided to the satisfaction of the SCA.					Noted	
		p) shall accept responsibility for the control and conduct of his employees or other persons engaged in business with the lease holder at all times whilst they are on that part of the Woronora Special Area embraced by the subject lands whether actually working or not. If any erosion in the employ of the lease holder is guilty of offence under any of the SCA's by-laws governing the control or use of the area of the Woronora Special Area embraced by the subject lands the lease holder shall take all possible steps to transfer that employee to work outside the area.					Noted	
		(q) shall allow entrance by authorised officers or employees of the SCA to the surface works at any time for the purposes of their official duties and the production of an official identification as issued by the SCA shall be accepted by the lease holder as sufficient proof of identity.					Noted	
		(r) a) shall ensure that entry onto the Woronora Special Area from the point at which the access road leaves the public road is controlled so that only persons engaged in bona-fide business with the lease holder enter onto the Woronora Special Area at this point. b) shall be responsible for the provisions of fencing, gates and locks and the manning of the entrance and the locking of the entrance gate when personnel are not engaged at the site and shall be carried out to the satisfaction of the SCA.			The catchment access points accessed during the audit inspections were closed and locked.	The catchment access points accessed during the audit inspections were closed and locked.	Complies	
		(s) shall provide and maintain suitable signs of a type approved by the SCA at the airshaft and access road junction, outlining regulations pursuant to the Sydney Water Catchment Management Act, 1998 for Special Areas.					Noted	

Consolidated Coal Lease 703

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(t) shall provide and maintain at his own expense man proof mesh and barbed wire fencing around the whole perimeter of the airshaft site enclosing all buildings, paved areas and works.			The catchment access points accessed during the audit inspections were closed and locked.	The catchment access points accessed during the audit inspections were closed and locked.	Complies	
		(u) shall not permit any fireplace to be constructed unless protected by stone wallings and fires lit therein shall not be left unattended.			No fireplaces or evidence of fires (by mine employees) were observed during the site inspection.		Noted	
		(v) shall take adequate precautions for the prevention of fire to the satisfaction of the SCA and in the event of any fire caused by the operations of the lease holder within the Woronora Special Area, the lease holder shall be responsible for the cost of fire suppression activities incurred by the SCA and shall be responsible for the cost of any damage to property resulting from the fire.	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			The Emergency Response plan in the Environmental Management Strategy, Firefighting Management and Bushfire Preparedness Plan have been prepared.	Complies	
		(w) shall ensure that no fires are lit on the site for the purposed of clearing vegetation or other materials without the prior approval of and subject to such conditions as may be stipulated by the Sydney Catchment Authority's General Manager Catchment Operations and Major Projects.	Metropolitan Coal Environmental Management Strategy, Revision A2, dated May 2013.			The Emergency Response plan in the Environmental Management Strategy, Firefighting Management and Bushfire Preparedness Plan have been prepared.	Complies	
		(x) shall give to the Sydney Catchment Authority's General Manager Catchment Operations and Major Projects, Three days' prior notice of its intention to commence any phase of the works hereby authorised.	Metropolitan Coal Construction Management Plan. Surface Water Assessment Forms (16 uploaded to the Metropolitan Coal Website. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review	Environment and Community Superintendent – Construction in the Woronora Special Area is managed through the Metropolitan Coal Construction Management Plan. Works are assessed through a Surface Works Assessment Form which includes vegetation and aboriginal heritage. Once approved Surface Water Assessment Forms are published on the website under the Construction Management Plan as attachments. Attachments 16 were submitted during the audit period. SWAFs are provided to WaterNSW, but are approved by DPIE in consultation with WaterNSW		Details of environmental assessment undertaken for surface works in the Woronora Special Area are included in the Annual Reviews. Approved Surface Water Assessment forms are published on the website.	Complies	
		(y) shall, if so directed by the Minister, carry out such improvements as may be required by the Minister to the junction of the road and the Princes Highway pavement.		Environment and Community Superintendent – The Minister has not issued any notices related to construction in the catchment during the audit period.		The Minister has not issued any notices related to construction in the catchment during the audit period.	Not Triggered.	
61	Subsidence Management	a) The leaseholder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface. b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as long walls or mini walls, associated first workings (gate roads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the Guideline for Applications for Subsidence Management Approvals. c) The leaseholder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			The Subsidence Management Plan is part of the Extraction Plan. Subsidence Management is described in Section 3 of the Extraction Plan.	Complies	

Consolidated Coal Lease 703								
Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>Subsidence Management Plan approved by the Director-General, an approval under the Coal Mines Regulation Act 1982, or the document Transitional Provisions for the New Subsidence Management Plan Approval Process.</p> <p>d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document New Approval Process for Management of Coal Mining Subsidence.</p>						

Mining Lease 1610

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1	Notice to Landholders	(a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.				This condition was initially triggered in 2014. The lease was not amended or renewed within the current audit period.	Not Triggered	
		(b) If there are ten or more landholders, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.						Not Triggered
2	Rehabilitation	Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.					Noted	
3	Mining Operations Plan and Annual Rehabilitation Report	(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.	Metropolitan Coal Mining Operations Plan (1 Oct 2012 to 30 Sept 2021). Letter from the Resources Regulator (G Kininmonth) to Metropolitan Coal (S Love), titled "CCL 703 (1973), MPL 320 (1973), CL 379 (1973), ML 1610 (1992), ML 1702 (1992), Metropolitan Collieries Pty Ltd Approval of Mining Operations Plan - Amendment C - Metropolitan Colliery", dated 2 September 2020.			The MOP for the works undertaken during the audit period was approved by the Resources Regulator in September 2020. The works were undertaken in general accordance with the requirements of the MOP.	Complies	
		(b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which: (i) identifies areas that will be disturbed; (ii) details the staging of specific mining operations, mining purposes and prospecting; (iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use; (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 (v) reflects the conditions of approval under: • the Environmental Planning and Assessment Act 1979; • the Protection of the Environment Operations Act 1997; and • any other approvals relevant to the development including the conditions of this mining lease.	Metropolitan Coal Mining Operations Plan (1 Oct 2012 to 30 Sept 2021).			Section 2.2 of the MOP describes the areas proposed to be disturbed under the Plan. Section 6 describes the proposed rehabilitation works. Section 2.2.3 and 2.2.4 describes the areas to be used for disposal of tailings/waste. Section 2.1.2 describes the surface (processing plant) infrastructure. Section 5.3 describes the progressive rehabilitation schedules. Section 3 describes the areas of particular environmental sensitivity. Section 3.2.4 describes water management at the mine. Section 2.2.1 describes the proposed resource recovery	Complies	

Mining Lease 1610

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(c) The MOP must be prepared in accordance with the ESG3: Mining Operations Plan (MOP) Guidelines September 2013 published on the Department's website .	Letter from the Resources Regulator (G Kininmonth) to Metropolitan Coal (S Love), titled "CCL 703 (1973), MPL 320 (1973), CL 379 (1973), ML 1610 (1992), ML 1702 (1992), Metropolitan Collieries Pty Ltd Approval of Mining Operations Plan - Amendment C - Metropolitan Colliery", dated 2 September 2020.			The MOP was prepared to the satisfaction of the Resources Regulator. A review of the plan contents found that the MOP meets the general requirements of the relevant guidelines.	Complies	
		(d) The lease holder may apply to the Minister to amend an approved MOP at any time.					Noted	
		(e) It is not a breach of this condition if: (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 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 Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.					Noted	
		(f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must: (i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP; (ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and (iii) be prepared in accordance with any relevant annual reporting guidelines published on the Department's website at www.resourcesandenergy.nsw.gov.au/miners-andexplorers/ rules-and-forms/pgf/environmental-guidelines	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The Annual Reviews (Section 10) provides the required annual rehabilitation report.	Complies	
4	Compliance Report	The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The Annual Reviews (Sections 1, 6, 7, 8, 9 and 10) report compliance for each year.	Complies	
		a) The Compliance Report must include: a. the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with; b. particulars of any non-compliance with any such conditions or provisions, c. the reasons for any such non-compliance; d. any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The Annual Reviews meet the requirements of the development consent and report on all of the requirements of this Condition.	Complies	

Mining Lease 1610

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		non-compliance.						
		b) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.	Email from S Love to the Resource Regulator (G Kininmonth) titled "Metropolitan Coal 2020 Annual Review", dated 31 March 2021.			The annual reviews are published annually on the Metropolitan Coal web site. A notification (and website link) is sent to the Resource Regulator.	Noted	
		c) In addition to annual lodgement under condition 4(c) above, a Compliance Report: a. must accompany any application to renew this mining lease under the Act; b. must accompany any application to transfer this mining lease under the Act; and c. must accompany any application to cancel, or to partially cancel, this mining lease under the Act.				No applications for additional mining leases or transfers were issued during this audit period.	Not Triggered	
		Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.					Not Triggered	
		A Compliance Report must be submitted one month prior to the expiry of this mining lease where the licence holder is not seeking to renew or cancel this mining lease.					Not Triggered	
5	Environmental Incident Report	a) The lease holder must notify the Department of all: i. breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and ii. breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the Protection of the Environment Administration Act 1991), arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Non-compliances are reported annually in the Annual Reviews that are provided to the Resource Regulator.	Complies	
		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: i. the details of the mining lease; ii. contact details for the lease holder; iii. a map identifying the location of the incident and where material harm to the environment has or is likely to occur; iv. a description of the nature of the incident or breach, likely causes and consequences; v. a timetable showing actions taken or planned to address the incident and to prevent future	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review Email dated 21 May 2018 from S Love to DPIE and EPA titled Metropolitan Coal Spill Incident 19 May 2018, dated 21 May 2018. Letter from Metropolitan (S Love) to the Resources Regulator (G Kininmonth) titled "Incident Update – Breach of Environmental Protection Licence (EPL No.767 Condition 1.1", dated 3 July 2018.			Section 12 of the Annual Review 2015 and 2016 and section13 of Annual Review 2017 reports detail incident reporting. A separate incident register is not maintained. The lubricant spill that impacted surface water discharges in 2018 was reported to the EPA. The incident was reported to the Resource Regulator.	Complies	

Mining Lease 1610

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>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>						
		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.					Not Triggered	
7	Resource Recovery	The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.					Noted	
8	Group Security	The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations of all or any kind under the mining lease, including obligations of all or any kind under the mining lease that may arise in the future. The amount of the security deposit to be provided as a group security has been assessed by the Minister at \$12,367,000. This group security is extended to apply to this lease.	Trading & Investment NSW – Resources and Energy Division – Details of Mining Lease 1610.			The current TAS report confirms that all security deposits required for the mining leases have been satisfied.	Complies	
9	Cooperation Agreement	<p>The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues. 					Noted	
10	Drainage	Any proposed activity from time to time in regards to methane drainage and capture should be advised to the Department's Mine Safety Operations and Environmental Sustainability Unit for consideration and possible imposition of conditions relative to each site specific case.					Noted	

Groundwater Licence 10BL603595

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1		The Licence holder must develop and implement a methodology to estimate the annual volume of all groundwater intercepted (water budget) approved by the office of water (surface water, alluvial and hard rock groundwater volumes must be determined and presents separately). Water budgets must be set and approved one month prior to the beginning of each water year to enable implementation.	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated June 2015. Metropolitan Coal Longwalls 305-307 Water Management Plan, Revision WMP-R01-B, dated February 2020.			Details of water estimation is included in the Surface Facilities Water Management Plan and monitoring details reported in the Annual Reviews (Section 6.2.5-6.2.9 in Annual Reviews). Mine water make (i.e. groundwater that is captured in the underground mine workings) is calculated from the difference between total mine inflows (reticulated water into the mine, moisture in the downcast ventilation and the ROM coal in situ moisture content) and mine outflows (reticulated water out of the mine, moisture in the exhaust ventilation, and moisture in the ROM coal).	Complies	
2		The licence holder must provide the office of water with a map of the licensed site showing areas of alluvial sediments and the limits to the mine works, including any alluvium intercepted or excavated by the mining operations.	Metropolitan Coal Longwalls 305-307 Biodiversity Management Plan.			The required maps are presented in the Biodiversity Management Plan.	Complies	
3		The licence holder must implement measures to prevent surface and/or alluvial groundwater flows entering the mine within six (6) months from the licence issue date, as approved by the office of water. The licence holder must also comply with any directions issued by the office of water with respect to installation and operation of necessary works to isolate the mine works from any surface and/or alluvial groundwater sources.	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated June 2015. Metropolitan Coal Longwalls 305-307 Water Management Plan, Revision WMP-R01-B, dated February 2020.	Environment and Community Superintendent – no notices have been issued by WaterNSW during the Audit Period.		The Surface Facilities Water Management Plan details the measures implemented to prevent inflows of surface water into the mine.	Complies	
4		The licence holder must develop and implement a management plan in consultation with the office of water and provide for approval within six months of issuing the licence. The management plan must include: - A. A groundwater monitoring plan including baseline data for water level and quality, and trigger criteria, B. A groundwater dependent ecosystem and stream monitoring plan C. A contingency plan including mitigation and remedial measure, and reporting schedule for exceedances in trigger criteria, and D. The identification of measure to be used to minimise ongoing seepage of surface and/or alluvial water to the mine works and for restoring the mine works above the final water level for when the pits are no longer being used. The additional information Requested in the template provided by the office of water.	Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated June 2015. Metropolitan Coal Longwalls 305-307 Water Management Plan, Revision WMP-R01-B, dated February 2020. Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Baseline data and monitoring information are included in the Surface Facilities Water Management Plan and Annual Reviews. Groundwater Piezometer verification forms were sighted. These forms include detailed construction and management plans for groundwater monitoring. Detailed groundwater assessment, current status of groundwater model are included in Annual Reviews. Groundwater monitoring and assessment is presented in each Annual Review.	Complies	
5		The licence holder will provide the office of water an annual compliance report, to report on the results of the groundwater monitoring and contingency plan, within one month of the end of the water year being reported on.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			The requirements of this reporting condition are covered in each of the Annual Reviews.	Complies	

Groundwater Licence 10BL603595

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>The annual compliance report must:-</p> <ul style="list-style-type: none"> A. Assess compliance with the licence, B. Summary of new bored or pits constructed during that year including a map of locations, C. Provide details analysis of the monitoring data collected for each bore for the last water year and compared with baseline data and trigger criteria D. A digital copy of all the data collected in the last water year to be presents to the office of water in excel format, E. Present contingency events that have impacted on groundwater during the last water year, Including actions taken to remedy the situation and extra monitoring results, F. Any recommendations for improvements for the new water year, and G. A review of the management plan for the new water year. 						
6		<p>An extraction measurement device must be installed and maintained on each extraction device (pump) used for extraction of water under this licence, and such devices must be a type and standard, and must be maintained in a manner, which is acceptable to the office of water.</p>	<p>Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated June 2015.</p> <p>Metropolitan Coal Longwalls 305-307 Water Management Plan, Revision WMP-R01-B, dated February 2020.</p> <p>Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review</p>			<p>Section 5.2 of the Surface Facilities Water Management Plan describes the water extraction monitoring locations (continuous flow meters).</p> <p>Section 8 of the Annual Reviews report water usage (including extraction) across the site.</p>	Complies	
7		<ul style="list-style-type: none"> A) The licence holder must ensure that an independent environmental (water) audit is carried out at the end of the 5-years licence period and submitted to the office of water as a comprehensive report (Environmental Audit Report). B) The audit must:- C) Be carried out in accordance with guidelines and general principles for environmental auditing approved by the office of water, D) Assess compliance with the requirements of the licence, including the management plan, E) Review actual impacts of the extractions on any aquifers, groundwater dependent exo-systems and any streams in the area, F) Make comparisons between actual and predicted impacts on groundwater G) Be conducted by an independent certified auditor, nominated by the licence holder, and H) Be carried out at the cost of the licence holder. 	<p>Email from R Pascoe (former Metropolitan Coal Environment and Community Manager) to S Love (Current Environment and Community Superintendent) titled Proposed Conditions for Groundwater Application 10BL603595", dated 10 December 2012 (including email trail). The email evidences communications between Metropolitan and NOW in relation to the water license application.</p> <p>2018 Independent Environmental Audit.</p>	<p>Environment and Community Superintendent - Metropolitan met with NoW in 2012 to discuss the proposed license conditions. We subsequently provided a table (also attached) outlining how our existing reporting covered all of the conditions listed, including the IEA and it's availability on the Metropolitan website. Since that time neither NoW or NRAR have indicated the need for us to specifically submit the IEA.</p>		<p>Metropolitan have elected to cover this condition in the (including this) Independent Environmental Audits.</p> <p>Metropolitan reported that they have presented this proposal to NOW. The cover letter to the GW License is from NOW (W. Conners), who received the previous correspondence from Metropolitan.</p> <p>The Auditor notes that the scope of this IEA provides a high-level assessment of compliance with this Condition and may not provide the detail expected by WaterNSW.</p> <p>This condition requires that Metropolitan submit the audit report to WaterNSW – that requirement has not been satisfied.</p>	Complies	
8		<p>I) The Volume of groundwater extracted from the works authorised by the licence, (and by licence(s) N/A, shall not exceed 182.5 megalitres (ML) in any 12 month period commencing 1st July. (This is referred to as the</p>	<p>Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review</p>			<p>Annual Groundwater extraction quantities are presented in Section 6.2.11 of the Annual Reviews.</p>	Complies	

Groundwater Licence 10BL603595

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		"groundwater only allocation").				Groundwater extraction (from within the mine) did not exceed this criterion during the audit period.		
9		J) This a special purpose (mine de-watering) licence. As such, the licence, including the volumetric groundwater allocation, is not transferrable and the licence will lapse at the conclusion of mining operations upon the office of water providing confirmation that satisfactory compliance with these conditions has been achieved.					Noted	

Extraction Plan Approval Longwalls 301 - 302

Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1	-	<p>Additional groundwater monitoring (both shallow and deep), including:</p> <ul style="list-style-type: none"> • Commencement of the installation of a multi-level piezometer over the centre line of Longwall 302, in consultation with WaterNSW, within eight weeks of this approval. • Replacement of the multi-level piezometer over the centre line of Longwall 302 post-extraction, if necessary, at least to the depth of full desaturation, in consultation with WaterNSW. • Commencement of the installation of a replacement multi-level piezometer for the malfunctioning 9EGW2A and two screened shallow monitoring holes (to the depth of the base of the adjacent reservoir valley) on the western side of Woronora Reservoir, in consultation with WaterNSW, prior to the extraction of Longwall 302. 	<p>Metropolitan Coal Surface Facilities Water Management Plan, Revision SFWMP-R01-D, dated June 2015.</p> <p>Metropolitan Coal Longwalls 305-307 Water Management Plan, Revision WMP-R01-B, dated February 2020.</p> <p>Metropolitan Coal 2018 Annual Review</p> <p>Metropolitan Coal 2019 Annual Review</p> <p>Metropolitan Coal 2020 Annual Review</p>			<p>The 2020 Annual review (page 63) reports the installation of the additional bores.</p>	Complies	
2		<p>Further investigation into potential impacts on Woronora Reservoir:</p> <ul style="list-style-type: none"> • Engagement of independent experts to prepare a Woronora Reservoir Impact Strategy, which provides a staged plan of action for further investigations and a report into the impacts of mining near the reservoir including: <ul style="list-style-type: none"> - detailed consideration of mining-induced diversion of surface waters into underlying aquifers, potential reservoir leakage rates and potential hydraulic connectivity between the reservoir and the mine workings; - analysis and characterisation of fracture patterns (both pre-mining and post-mining), including the presence and permeability of induced shear planes; - recommendations for additional subsidence monitoring, such as bathymetric surveys or remote sensing techniques; and - preparation of a report outlining the findings of the investigations to inform the assessment of future mining beneath or near the reservoir; within four months of this approval, to the satisfaction of the Secretary. • Commencement of the implementation of the Woronora Reservoir Impact Strategy, in consultation with WaterNSW and DSC, prior to the extraction of Longwall 302. 	<p>Woronora Strategy Reports Stage 1 - https://www.peabodyenergy.com/Peabody/media/MediaLibrary/Operations/Australia%20Mining/New%20South%20Wales%20Mining/Metropolitan%20Mine/Strategy-Report-FINAL-19-9-2017.pdf</p> <p>Woronora Strategy Reports Stage 2 - https://www.peabodyenergy.com/Peabody/media/MediaLibrary/Operations/Australia%20Mining/New%20South%20Wales%20Mining/Metropolitan%20Mine/WORONORA-STRATEGY-STAGE-2-REPORT-(Final,-7-June-19).pdf</p>			<p>The Woronora Strategy reports are provided on the company website.</p>	Complies	
3		<p>Improved monitoring of Garrawarra Centre:</p> <ul style="list-style-type: none"> • Review and update the Built Features Management Plan, in consultation with NSW Resources Regulator and NSW Health, to include: <ul style="list-style-type: none"> - mechanism for regular reviews and revisions of the subsidence monitoring program at the Garrawarra Centre; and - implementation of contingency measures within three months of this approval, unless otherwise agreed by the Secretary, to the satisfaction of the Secretary 	<p>Metropolitan Coal Longwalls 305-307 Built Features Management Plan, Revision LW305-307 BFMP_GAR-R01-A, dated October 2019.</p>			<p>Section 4 of the Built Features Management Plan presents the revised assessment of potential environmental consequences.</p> <p>Section 12 of the Plan describes the process for review and improvement of the plan.</p>	Complies	
4		<p>Revised Trigger Action Response Plans (TARPs):</p> <ul style="list-style-type: none"> • Review and update the TARPs for any built features that may be affected by Longwall 301, in consultation with the NSW Resources Regulator, within two months of this approval, to the satisfaction of the Secretary. • Review and update all TARPs to include: <ul style="list-style-type: none"> - a greater focus on early recognition of mining impacts and proactive measures to reduce further impacts or exceedances; and - further details on the evidence used to support statements of compliance with performance measures and indicators, including the analysis methodology, sample sizes, significance levels, baseline differences, error types and other variables; 	<p>Email from Metropolitan (J Degotardi) to the Resources Strategies (A Hagenbach) titled "Metropolitan Coal: TARP for Garrawarra Centre Complex-BFMP [DRG Consultation]", dated 16 June 2017.</p>			<p>The TARPs were reviewed in consultation with the Resources Regulator.</p>	Complies	

Extraction Plan Approval Longwalls 303								
Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1		This Approval only permits secondary extraction for 1,143 metres of longwall 303.	Metropolitan Coal 2018 Annual Review Metropolitan Coal 2019 Annual Review Metropolitan Coal 2020 Annual Review			Figure 4 in the Annual Reviews provide GIS mapped plans for the workings. The progress is also documented in report to DPIE on the outcomes of the TWC meetings.	Complies	
2		This conditional approval of Longwall 303 in no way endorses or approves the proposed first workings layout for Longwall 304 as proposed in the Proponent's response to the Independent Expert Panel for Mining in the Catchment dated 21 September 2018.					Noted	
3		This approval in no way supersedes or removes the requirements of the Secretary's approval of Longwalls 301-302 in the Record of Decision dated 11 May 2017. Metropolitan Coal is required to comply with conditions set out in both this approval and the Record of Decision dated 11 May 2017					Noted	

Extraction Plan Approval Longwalls 304								
Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1		The Applicant must implement the Extraction Plan's Eastern Tributary Valley Closure Trigger Action Response Plan (version provided to the Department on 26 June 2019) effective from 1,030 metres of extraction of Longwall 304, including regular review of all monitoring results by the Eastern Tributary Technical Committee in accordance with the frequency of monitoring set out in the Trigger Action Response Plan.	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			The Longwall 303 Extraction plan has been replaced by the Metropolitan Coal Extraction Plan 305-307. Target Action Response Triggers are provided in each of the related subplans.	Complies	
2		This Extraction Plan approval reflects a precautionary approach and requires the implementation of an adaptive management regime, as was implemented for Longwall 303. Please update the Extraction Plan to reflect the necessary revisions to Table 25 and place a correct version on the mine's website at your earliest convenience.	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020.			The Longwall 303 Extraction plan has been replaced by the Metropolitan Coal Extraction Plan 305-307. Section 4.2 of that plan describes the approach implemented for adaptive management.	Complies	

Extraction Plan Approval Longwalls 305 - 307								
Cond.	Short Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1		That the Eastern Tributary Technical Committee completes a review of all monitoring data from Longwalls 303, 304 and 305 within 4 months of the completion of Longwall 305 and continues to operate during extraction of Longwall 306 and Longwall 307.	Technical Committee Meeting – Eastern Tributary Review Minutes – 25 March 2020.			A review of the minutes from the Technical Review Meetings verified that the required reviews are being undertaken and that the committee has been maintained.	Complies	
2		That the Woronora Reservoir Impact Strategy Panel continues to: <ul style="list-style-type: none"> a) review impacts on the Woronora Reservoir during extraction of Longwalls 305-307; b) advise on appropriate amendments to the monitoring program; and c) recommend any appropriate changes to the mine plan required to continue to achieve the development consent's performance measures relevant to the Woronora Reservoir. 	https://www.planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Independent-Advisory-Panel-for-Underground-Mining Letter from the WRIS to DPIE (P Freeman) titled "Re: Metropolitan Coal – Review Of Geotechnical And Water Aspects Of The Longwalls 305-307 Extraction Plan", dated 10 December 2019.	Environment and Community Superintendent - We have been advised by DPIE that the WRIS Panel has been replaced by the Independent Advisory Panel for Underground Mining. Refer to the letter from the WRIS Panel to DPIE which outlines their input to date and their review of the 305-307 EP.		The WRIS Panel has been replaced by the Independent Advisory Panel for Underground Mining and continues to operate.	Complies	
3		That the Extraction Plan's adaptive management regime for the Eastern Tributary is extended to cover the Waratah Rivulet, with appropriate updates made to the Trigger Action Response Plan (Table 29, version received on 11 March 2020) prior to the extraction of Longwall 307.	Metropolitan Coal Extraction Plan 305-307, Revision LW305-307 EP-R01-B, dated January 2020. Metropolitan Coal Longwalls 305-307 Water Management Plan, Revision WMP-R01-B, dated February 2020.			The Extraction Plan includes TARPs for Waratah Rivulet.	Complies	
4		That Metropolitan Coal provides a Woronora Reservoir monitoring status report to the Department and WaterNSW on a monthly basis (unless otherwise agreed by the Secretary), which includes: <ul style="list-style-type: none"> a) an update on mine development; b) findings of inspections of mine workings; c) results of surveys of subsidence and valley closure; d) an updated register of geological structures; e) a detailed Mine Water Balance with particular consideration of potential losses from the Woronora Reservoir; and results of groundwater monitoring and surface water monitoring, including assessment against relevant triggers in the Trigger Action Response Plan.	December 2020 Management Status Report.			Monthly monitoring reports are provided to WaterNSW.	Complies	

Audit Photos

Appendix B



Photo 1 - Waratah Rivulet



Photo 2 - Iron Staining (ETO)



Photo 3 - Groundwater Monitoring Bore at Swamp 20

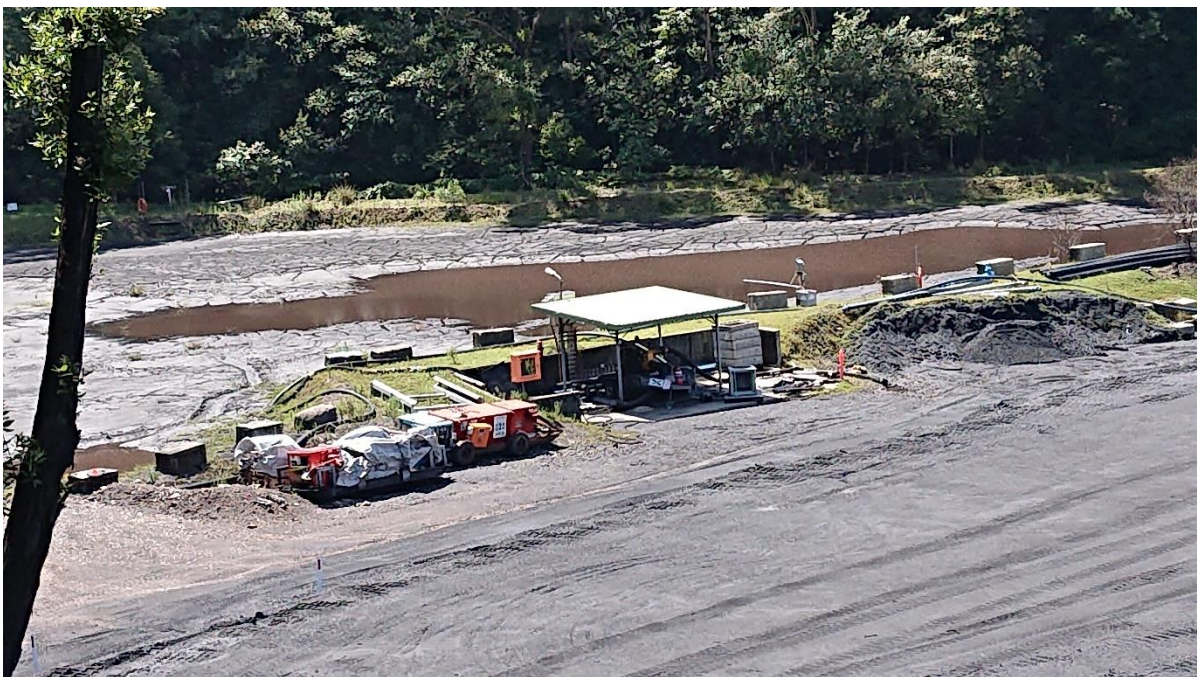


Photo 4 - Silted up Sediment Pond



Photo 5 - Typical Surface Works Waste Collection and Storage Area



Photo 6 - Waste Segregation Advisory Signage



Photo 7 - Grout Injection Point (ETA H)



Photo 8 - Rehabilitated Work Area (Waratah Rivulet)



Photo 9 - Grout Curtain (Waratah Rivulet)



Photo 10– Coal Washery Rejects Stockpile



Photo 11 - Product Stockpile



Photo 12 - Oil Store

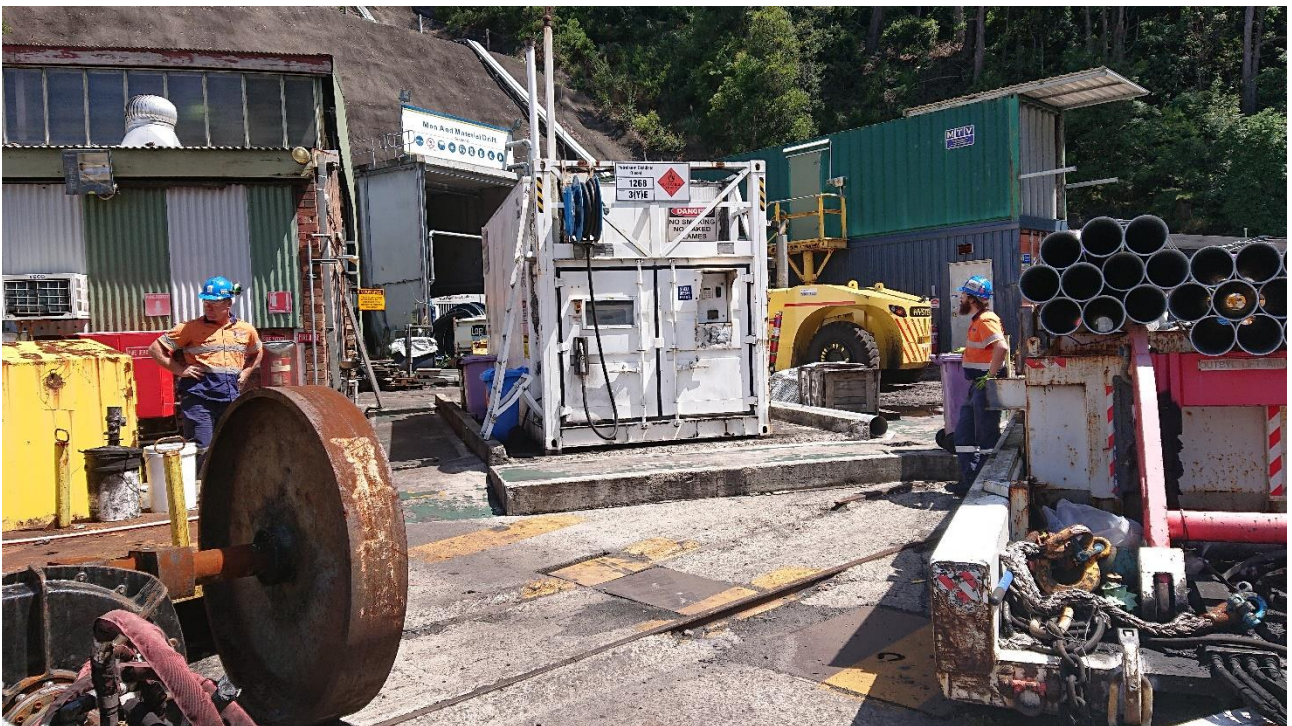


Photo 13 - Fuel Storage and Refueling Area

DPIE Auditor Approval

Appendix C



Mr Jon Degotardi
Technical Services Manager
Metropolitan Coal
Off Parkes Street
Helensburgh, NSW 2508

10/11/2020

Dear Mr Degotardi

Metropolitan Coal Project (MP08_0149)
Lead Auditor Approval 2020

I refer to your letter of 2 November 2020 seeking approval of Mr Ken Holmes of Barnett and May as the lead auditor for the upcoming Independent Environmental Audit of Metropolitan Coal Project (the project), in accordance with Schedule 7, Condition 8 of project approval MP 08_0149, as modified (the approval).

Having considered the qualifications and experience of the Mr Holmes, the Secretary endorses the appointment of Mr Holmes as the lead auditor in accordance with Schedule 7, Condition 8 of the approval. This approval is conditional on Mr Holmes being independent of the project.

Notwithstanding, the Department requests that the audit team also includes experts in hydrology, hydrogeology and aquatic ecology. Consequently, you are requested to nominate suitably qualified, experienced and independent experts in hydrology, hydrogeology and aquatic ecology, for Secretary's approval, prior to undertaking the audit.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and you may wish to consider the Independent Audit Guideline dated October 2015. A copy of this guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report is to include the following:

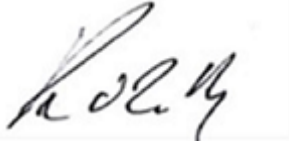
1. consultation with the relevant agencies;
2. a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
3. not use the term "partial compliance";
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within six weeks of completing of this audit, Metropolitan is to submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Prior to submitting the audit report to the Secretary, it is recommended that Metropolitan review the report to ensure it complies with the relevant approval condition.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K O'Reilly', enclosed in a thin black rectangular border.

Katrina O'Reilly
Team Leader - Compliance
Compliance

As nominee of the Planning Secretary



Mr Jon Degotardi
Technical Services Manager
Metropolitan Coal
Off Parkes Street
Helensburgh, NSW 2508

20/01/2021

Dear Jon Degotardi

**Metropolitan Coal Project (MP 08_0149)
Independent Environmental Audit 2020**

I refer to your letter of 19 January 2021 seeking approval of the audit team for the upcoming Independent Environmental Audit of Metropolitan Coal Project (the project), in accordance with Schedule 7, Condition 8 of project approval MP 08_0149, as modified (the approval).

Having considered the qualifications and experience of the proposed audit team, the Secretary endorses the appointment of:

- Mr Adam Bishop – Hydrologist;
- Mr Sean Cassidy – Hydrogeologist; and
- Mr David Cummings – Aquatic Ecologist,

to assist the lead auditor, Mr Ken Holmes, approved by the Department on 10 November 2020, in accordance with Schedule 7, Condition 8 of the approval. This approval is conditional on the audit team being independent of the development.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and you may wish to consider the Independent Audit Guideline dated October 2015. A copy of this guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report is to include the following:

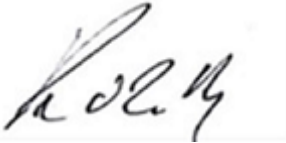
1. consultation with the relevant agencies;
2. a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
3. not use the term “partial compliance”;
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within six weeks of completing of this audit, Metropolitan is to submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Prior to submitting the audit report to the Secretary, it is recommended that Metropolitan review the report to ensure it complies with the relevant approval condition.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly', enclosed in a thin black rectangular border.

Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary

Stakeholder Consultation Reponses

Appendix D

From: [Georgia Dragicevic](#)
To: [Ken Holmes](#)
Subject: RE: Metropolitan Coal Mine - 2020 Independent Environmental Audit - Consultation Request
Date: Monday, 8 February 2021 11:59:52 AM

Hi Ken,

Thank you for consulting the Department. We request that you look into the subsidence related impacts, in particular surface and ground water and aquatic ecology.

Thank you
Georgia

Georgia Dragicevic
Senior Compliance Officer

Compliance | Department of Planning, Industry and Environment
T 02 4247 1852 | M 0439 612 137 | E georgia.dragicevic@planning.nsw.gov.au
PO Box 5475, Wollonong NSW 2520
www.dpie.nsw.gov.au



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: Wednesday, 3 February 2021 8:19 AM
To: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Subject: Metropolitan Coal Mine - 2020 Independent Environmental Audit - Consultation Request

Good Morning Georgia,

I have been commissioned by Peabody Energy to undertake the 2020 Independent Environmental Audit (**IEA**) of Metropolitan Coal Mine, near Helensburgh, south of Sydney. The IEA will be undertaken accordance with Project Approval 08_0149, that requires:

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

- a. *be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director General;;*
- 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 if appropriate*
- e. recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

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

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

I had planned to commence the audit this week, however the recent heavy rainfall has made access to the catchment area associated with the mine impassable. The commencement of the audit has therefore been delayed and at this stage I am planning to commence the audit in two weeks, contingent on safe access to the catchment rehabilitation areas.

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

AREQ0015160

Mr Ken Holmes
Barnett & May
By email: ken@baeckea.com.au

Dear Mr Holmes

Subject: Metropolitan Colliery – Independent Environmental Audit

Thank you for your email dated 4 February 2021 requesting consultation on the independent audit to be undertaken of the Metropolitan Colliery which is covered by the mining titles listed below.

- CCL703 (1973)
- CL379 (1973)
- ML1610 (1992)
- ML1702 (1992)
- MPL320 (1973)

The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.

- Review relevant mining leases and exploration licences as agreed with Resources Regulator.
- Undertake an assessment of compliance against the conditions of title related to environmental management.
- Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP.
- Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:
 - Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s).
 - Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval.

- Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records.
- Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation.
- Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection.
- Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval.
- Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.

In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.

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

Yours sincerely

Jenny Ehmsen
Principal Compliance Auditor

5 February 2021

From: [Jessie Evans](#)
To: [Ken Holmes](#)
Cc: [Ravi Sundaram](#); [Maria Dubikova](#); [Clay Preshaw](#)
Subject: RE: Metropolitan Coal Mine - 2020 Independent Environmental Audit - Consultation Request
Date: Tuesday, 9 February 2021 11:34:13 AM
Attachments: [image001.png](#)

Good morning,

Thank you for getting in contact.

WaterNSW considers the independent audit process of mines such as Metropolitan to be a valuable and informative process. We are interested in all aspects that affect our water supply infrastructure, water quantity, water quality and ecological integrity.

For this mine in particular, WaterNSW is increasingly concerned with the adverse water quality results reported in the Eastern Tributary arm of Woronora Reservoir. There is a potential risk that the poorer quality water could be flushed further into the Reservoir and cause an increased risk at the water supply intake at the Dam. There have been multiple exceedances of iron and manganese performance indicators since 2018. It would be useful to examine the cumulative water quality impacts on the Eastern Tributary and Woronora Reservoir, the appropriateness of the performance indicator, and consideration of any adaptive/mitigation management measures.

Thanks you for the chance to comment.

Jessie Evans

Mining Manager, Catchment Protection

*For noting: I am currently working remotely.
Please reach me via email or on my mobile*



Level 14, 169 Macquarie Street
PO Box 398
Parramatta NSW 2150
M: 0436 861 165
jessie.evans@waternsw.com.au
www.waternsw.com.au

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From: Ken Holmes <Ken@baeckea.com.au>
Sent: Wednesday, 3 February 2021 8:22 AM
To: Jessie Evans <Jessie.Evans@waternsw.com.au>
Subject: Metropolitan Coal Mine - 2020 Independent Environmental Audit - Consultation Request

Good Morning Jessie,

I have been commissioned by Peabody Energy to undertake the 2020 Independent Environmental Audit (**IEA**) of Metropolitan Coal Mine, near Helensburgh, south of Sydney. The IEA will be undertaken accordance with Project Approval 08_0149, that requires:

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

- a. be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director General;;*
- 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 if appropriate*
- e. recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

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

I would therefore appreciate if you could provide me with any information, comments or concerns that WaterNSW may have regarding the environmental performance of the operation (over the past three years – the audit period) and details of any specific issues you suggest 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@baecka.com.au

A PO Box 365 Belrose NSW 2085

From: [Lisa Andrews](#)
To: [Ken Holmes](#)
Subject: Re: Metropolitan Coal Mine - 2020 Independent Environmental Audit - Consultation Request
Date: Tuesday, 23 February 2021 12:13:10 PM

Thank you for your email Ken. The Metropolitan Coal Community Consultative Committee meets on a regular basis (3 times per year). The company provides a comprehensive report to members on its environmental performance and operations. A site inspection is usually held annually (depending on weather and COVID restrictions). Peabody effectively consults with the broader community and meets its obligations.

The company is receptive to matters raised by committee members and provides appropriate information when requested.

I have forwarded your email through to the CCC and asked for feedback on any issues they wish to be addressed during the course of your audit. Should any information be forthcoming, I will let you know.

Best regards
Lisa

Lisa Andrews
Independent Chairperson &
Director
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On Wed, Feb 3, 2021 at 8:09 AM Ken Holmes <Ken@baeckea.com.au> wrote:

Good Morning Lisa,

I have been commissioned by Peabody Energy to undertake the 2020 Independent Environmental Audit (IEA) of Metropolitan Coal Mine, near Helensburgh, south of Sydney. The IEA will be undertaken accordance with Project Approval 08_0149, that requires:

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

- a. *be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director General;;*
- 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 if appropriate*
- e. *recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.*

The Project Approval Conditions 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

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