

Appendix 3

Compliance Reviews

TABLE A3-1 – PROJECT APPROVAL 05_0102

Condition	Conditional Requirement	Compliance	Comments
Schedule 2: Administrative Conditions			
1.	The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	Yes	All measures take to reduce impact of operation.
2.	The Applicant shall carry out the development generally in accordance with the: (a) EA; (b) statement of Commitments (see Appendix 3); and (c) conditions of this approval.	Yes	The activities on site were generally being undertaken in accordance with the nominated documents.
3.	If there is any inconsistency between the above documents, that later document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Yes	No determined inconsistency
4.	The proponent shall comply with any reasonable and feasible requirements of the Director General arising from the Department's assessment of: (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and (b) the implementation of any actions or measures contained in these reports, plans, programs strategies or correspondence.	Yes	All requests complied with.
5.	Mining Operations may take place on the site for 21 years from the grant of the mining lease for the project.	Yes	Mining Lease granted in January 2008
6.	The proponent shall not extract more than 2.5 million tonnes of ROM coal a year from the site.	Yes	No coal produced over the reporting period.
7.	The proponent shall transport all coal from the site by rail.	Yes	No coal transported from the site over the reporting period.

Condition	Conditional Requirement	Compliance	Comments
8.	With the approval of the Director General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	Yes	
9.	The proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with relevant requirements of the BCA	Yes	All buildings on site constructed in accordance with Council certification.
10.	The proponent shall ensure that all demolition work is carried out in accordance with <i>Australian Standards AS 2601-2001: The Demolition of Structures</i> , or its latest version.	N/A	No demolition works required.
11.	The proponent shall ensure that all plant and equipment used on site is: (a)maintained in a proper and efficient condition; and (b)operated in a proper and efficient manner.	Yes	All equipment used subject to pre-start check.
12.	Within 12 months of this approval, the Proponent shall enter into a planning agreement with Narrabri Shire Council, Gunnedah Shire Council and the Minister in accordance with: (a)Division 6 of Part 4 of the EP&A Act; and (b)the terms of the Proponents offer to the Minister on 7 September 2007, which includes the matters set out in Appendix 4.	Yes	Narrabri Coal has completed initial obligations under the Planning Agreement by provision of funding the Narrabri Shire Council for Bushfire Services, community enhancement and sealing of 7km of Kurrajong Creek Road. The initial contribution to Gunnedah Shire Council urban riverine scheme has also been made.
Schedule 3: Specific Environmental Conditions			
1.	Within 5 years of the date of this approval, the proponent shall ensure that any loss of water flow into the Great Artesian Basin aquifers (equal to the maximum predicted impact, or the measured impact of the project, whichever is the greater), is managed, licensed or offset to the satisfaction of the DWE.	N/A	Not yet triggered
2.	Within 12 months of the commencement of mining operations, the Proponent shall undertake a transient calibration of the groundwater model presented in the EA, in consultation with DWE and DECC, and to the satisfaction of the Director-General.	N/A	Mining not yet commenced
3.	Following the completion of the transient calibration of the groundwater model.....	N/A	Calibration not yet required.

Condition	Conditional Requirement	Compliance	Comments
4.	The proponent must commence construction of the water conditioning plant identified in condition 10(d) when daily mine dewatering volumes exceed 0.88 megalitres, or an alternative trigger point based on review of the water balance and model and established in consultation with DWE and DECC, and approved by the Director General.	N/A	Not yet triggered.
5.	Except as may be expressly provided for by an EPL, the Proponent shall not discharge any surface waters from the site. However, product water from the water conditioning plant may be transferred to water users in accordance with an approved Water Management Plan.	Yes	Water retained on site and pumped to retention pond in rail loop. No transfer of water to date.
6.	The Proponent shall: (a) construct evaporation/storage ponds incorporating the use of low permeability layers to manage minewater generated by the project. (b) prior to commencement of construction, submit pond designs and a construction QA/QC program to DECC; and (c) prior to commissioning the ponds, submit an "as constructed" report, produced by an experienced and qualified engineer, to DECC; to the satisfaction of the Director General.	Yes Yes N/A	Ponds constructed to design criteria as approved by DECC. Ponds not yet commissioned.
7.	The proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Director General. This plan must be submitted to the Director General for approval prior to the commencement of construction activities (not including the construction of the Kamilaroi Highway intersection) in consultation with DECC and DWE by suitably qualified expert/s whose appointments have been approved by the Director General and include a: (a) site water balance; (b) Erosion and Sediment Control Plan (c) Surface Water Monitoring Program; and (d) Surface and Groundwater Response Plan, setting out procedures for:.....	Yes	Director General approved the implementation of a Construction Phase Surface Water Management Plan on 20 th February 2008 conditional on a full Site Water Management Plan being submitted prior to commencement of mining operations. Development of the plan is currently under way.
8.	The Site Water Balance must....	N/A	To be addressed in surface water management plan prior to commencement of mining.
9.	The Erosion and Sediment Control Plan must....	Yes	Construction phase plan included Erosion and Sediment control to be further enhanced in long term SWMP.

Condition	Conditional Requirement	Compliance	Comments
10.	The Surface Water Monitoring Plan must....	Yes	As per above – to be enhanced through development of SWMP.
11.	The Groundwater monitoring program must.....	Yes	As per above – to be enhanced through development of SWMP.
12.	The proponent shall ensure that the noise generated by the project does not exceed the levels set out in Table 1 at any privately owned residence.	Yes	Noise assessment undertaken at required intervals. Temperature inversion conditions impacted on monitoring results associated with the “Kurrajong” monitoring point.
13.	The Proponent shall: (a)implement all reasonable and feasible best practice noise mitigation measures; (b)investigate ways to reduce the noise generated by the project, including off-site road and rail noise and maximum noise levels which may result in sleep disturbance; and (c)report on these investigations and the implementation and effectiveness of these measures in the AEMR; to the satisfaction of the Director General.	Yes	Monitoring frequency increased to assess inversion strength and associated impacts. Start up times modified to assess noise implications. Surface construction activity ceased at 10pm. Access road sealed. Rail loop and loading point cut below surface level to assist noise reduction. Barn Owl monitor established at boundary of “Claremont” and “Kurrajong” property to assess real time noise levels over monthly period.
14.	The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program must: (a)be submitted to the Director-General for approval prior to the commencement of construction activities; (b)be prepared in consultation with the DECC; (c)use attended noise monitoring measures to monitor the performance of the project; (d)include a protocol to establish whether the project is complying with the noise impact assessment criteria in Table 1.	Yes	Noise monitoring program underway in accordance plan approved by DG on 15 th January 2008.
15.	The proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 2 at any residence on privately owned land.	Yes	All monitoring confirms compliance.
16.	The proponent shall ensure that the ground vibration level from blasting, or any other activity at the project does not exceed the criteria in Table 3 at any residence on privately owned land.	Yes	All monitoring confirms compliance.

Condition	Conditional Requirement	Compliance	Comments
17.	The proponent shall only carry out blasting associated with construction activities on site between 10am and 4pm Monday to Friday.	Yes	All blasts were within this timeframe.
18.	The proponent may carry out: (a) a maximum of 2 blasts a day associated with construction activities; and (b) 5 blasts a week associated with construction activities, average over a 12 month period; on site without the written approval of the Director General.	Yes	Blasts undertaken in accordance with these requirements.
19.	Before carrying out any blasting, the Proponent shall advise all landowners within 2km of proposed blasting activities, and any other landowner nominated by the Director-General, that they are entitled to a property inspection.	Yes	Letters sent to nominated landholders advising of rights to an inspection, with inspections completed by Kelley Covey Pty Ltd.
20.	If the proponent receives a written request for a property inspection from any landowner with 2km of proposed blasting activities, or any other landowner nominated by the Director General, the proponent shall within 3 months of receiving this request: (a) commission a suitably qualified person, whose appointment has been approved by the Director General, to inspect the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and (b) give the landowner a copy of this property inspection report.	Yes	All reports provided to landowners.
21.	If any landowner within 2km of proposed blasting activities or any other landowner as nominated by the Director General claims that his/her property, including vibration sensitive infrastructure.....	N/A	Not triggered.
22.	Prior to the commencement of blasting, the proponent shall prepare and implement a detailed Blasting Monitoring Program for the project to the satisfaction of the Director General.	Yes	Blast Monitoring Program approved by DG 15 th January 2008.
23.	The proponent shall ensure that dust emissions generated by the project does not cause additional exceedances of the criteria listed in Tables 4 to 6 at any residence on privately owned land, or on more than 25% of privately owned land.	Yes	Annual average deposited dust readings compliant, albeit outlier readings on project related property resulted in annual average >4g/m ² /month. One 24hr exceedance in PM10 at "Turrabaa" monitor.

Condition	Conditional Requirement	Compliance	Comments
24.	The proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director General. This program must: (a) be submitted to the Director-General prior to the commencement of construction activities; (b) be prepared in consultation with the DECC; and (c) use a combination of high volume air samplers and dust deposition gauges to monitor the performance of the project.	Yes	Air Quality Monitoring program in place and approved by the DG on 15 th January 2008.
25.	During the project, the Proponent shall ensure there is a suitable meteorological station on site that complies with the requirements in <i>Approved Methods for Sampling of Air Pollutants in New South Wales (DECC, 2007)</i> , or its latest version.	Yes	Meteorological Station is in place and functioning to required standards specified in the Narrabri EPL.
26.	The proponent shall ensure that the project does not result in subsidence impacts of greater than 20mm vertical subsidence on any land.	Yes	No subsidence impacts to date.
27.	Six months prior to mining occurring under each privately owned property, the proponent shall notify the relevant landowners of the extent of planned mining operations under their property.	Yes	No mining under privately owned property at this stage.
28.	The Proponent shall rehabilitate the site to the satisfaction of the Director General.	N/A	Only minor works undertaken to date to pit top area.
29.	The proponent shall prepare and implement a detailed Landscape Management Plan for the site to the satisfaction of the Director-General and DPI. This plan must: (a) be submitted to the Director-General for approval within 12 months of this approval; (b) be prepared by suitably qualified expert/s whose appointment have been endorsed by the Director General; (c) be prepared in consultation with DWE, DECC and NSC; and (d) include a Rehabilitation Management Plan and Mine Closure Plan.	No	Landscape Management Plan currently in production following approval by DG to experts. Expect plan completion in June 2009.
30.	The Rehabilitation Management Plan must.....	No	See response to 29 above.
31.	The mine closure plan must.....	No	See response to 30 above.

Condition	Conditional Requirement	Compliance	Comments
32.	The proponent shall not destroy any known Aboriginal objects (as defined in the NPWA 1974) without the written approval of the Director General.	Yes	No known objects destroyed.
33.	The proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan to the satisfaction of the Director General. This plan must: (a) be submitted to the Director General prior to the commencement of construction activities; (b) be prepared in consultation with DECC and the Narrabri Local Aboriginal Land Council; (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; (d) describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered during the project.	Yes	ACHMP prepared and implemented, approved by DG on 4 th February 2008.
34.	The Proponent shall construct the Kamilaroi Highway intersection in consultation with NSC and to the satisfaction of RTA. This intersection must: (a) be completed, other than for items listed in (c) below, prior to the commencement of construction activities on site; (b) be constructed in accordance with a Traffic Management Plan approved by NSC and RTA; (c) include boom gates, flashing lights and warning bells for the Kurrajong Creek Road level crossing, to the satisfaction of ARTC and NSC; (d) include illumination of the Kurrajong Creek Road level crossing during construction of the intersection; (e) provide a information sign on Kurrajong Creek Road to inform road users of likely delays due to train traffic; and (f) maintain permanent access for the "Bow Hills" quarry.	Yes	Intersection works completed by the RTA. Boom gates, lights and bells installed at rail crossing. Lighting illuminated the intersection. Access to Bow Hills quarry remains. Only outstanding item is notice board on Kurrajong Creek road.
35.	Within 12 months of commencement of mining operations, the proponent shall bitumen seal Kurrajong Creek Road for a distance of 7km south of the Kamilaroi Highway intersection, to the satisfaction of the NSC.	Yes	Kurrajong Creek Road sealed.
36.	The proponent shall minimize the visual impacts of the project to the satisfaction of the Director-General.	Yes	Pit Top Area managed to reduce visual impact with completed areas rehabilitated to extent practicable.
37.	The proponent shall ensure that: (a) no outdoor lights shine above the horizontal; and (b) all external lighting associated with the project complies with <i>Australian Standard AS4282(INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i> .	Yes	Lighting maintained in accordance with these provisions.

Condition	Conditional Requirement	Compliance	Comments
38.	The proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Director General. This plan must: (a) be prepared in consultation with DECC; (b) be prepared in accordance with the <i>Guidelines for Energy Savings Action Plans (DEUS, 2005)</i> , or its latest version; (c) be submitted to the Director-General for approval within 3 months of this approval; and (d) include a program to monitor the effectiveness of measures to reduce energy on site.	Yes	Energy Savings Action Plan developed and approved by DG on 13 th October 2008.
39.	The proponent shall implement all reasonable and feasible measures to minimize the greenhouse gas emissions from the underground mining operations to the satisfaction of the Director General.	Yes	Gas drainage measures being thoroughly investigated to determine most feasible method to reduce impact. Composition of gas significantly minimizes options.
40.	Prior to carrying out underground coal mining operations, the Proponent shall submit a Greenhouse Gas Minimisation Plan to the Director General. This plan must: (a) identify options for minimizing greenhouse gas emissions from underground mining operations, with a particular focus on capturing and/or using these emissions; (b) investigate the feasibility of implementing each option; (c) propose the measures that would be implemented in the short to medium term on site; and (d) include a research program to inform the continuous improvement of the greenhouse gas minimization measures on site.	Not Yet Applicable	Preliminary investigations have commenced, however formal plan not yet prepared. Will be prepared over the next 3 months.
41.	The proponent shall prepare and implement a waste management plan for the project to the satisfaction of the Director-General. This plan must: (a) be submitted to the Director General for approval prior to commencing construction; (b) identify the various waste streams for the project; (c) describe what measures would be implemented to reuse, recycle or minimize the waste generated by the project; (d) ensure irrigation of treated wastewater is undertaken in accordance with <i>Environmental Guidelines: Use of Effluent by Irrigation (DEC, 2004)</i> , or its latest version; and (e) include a program to monitor the effectiveness of these measures,	Yes	Waste Management Plan approved by DG on 15 th January 2008.
Schedule 4: Environmental Management, Monitoring, Auditing and Reporting			

Condition	Conditional Requirement	Compliance	Comments
1.	<p>The proponent shall prepare and implement and Environmental Management Strategy for the project to the satisfaction of the Director General. This strategy must be submitted to the Director General prior to the commencement of construction activities and:</p> <p>(a)provide the strategic context for environmental management of the project;</p> <p>(b)identify the statutory requirements that apply to the project;</p> <p>(c)describe in general how the environmental performance of the project would be monitored and managed;</p> <p>(d)describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> - keep the local community and relevant agencies informed about the operation and environmental performance of the project; - receive, handle, respond to and record complaints; - resolve any disputes that may arise during the course of the project; - respond to any non compliance; - manage cumulative impacts; and - respond to emergencies; and <p>(e)describe the role, responsibility, authority and accountability of all key personnel in the environmental management of the project.</p>	Yes	Environmental Management Strategy approved by DG on 15 th January 2008.
2.	<p>The proponent shall prepare and implement an Environmental Monitoring Program for the project to the satisfaction of the Director General. This program must be submitted to the Director General within 6 months of this approval and consolidate the various monitoring requirements in Schedule 3 of this approval into a single document.</p>	No	Environmental Monitoring Program was referred to the DoP on 9 th January 2009. No formal response received.
3.	<p>As soon as practicable, and in any event within 24 hours of detecting an exceedance of the limits/performance criteria in the approval, or the occurrence of an incident that causes (or may cause) material harm to the environment, the proponent shall notify the Department and other relevant agencies of the exceedance/incident.</p>	Yes	All occurrences reported – specifically individual PM10 exceedance, and noise issues associated with “Kurrjong” property.
4.	<p>Within 6 days of notifying the Department and other relevant agencies....</p>	Yes	Advice documented as required.

Condition	Conditional Requirement	Compliance	Comments
5.	<p>Within 12 months of this approval, and annually thereafter, the proponent shall submit an AEMR to the Director General and to all relevant agencies. This report must:</p> <p>(a) identify the standards and performance measures that apply to the project;</p> <p>(b) describe works carried out in last 12 months;</p> <p>(c) describe the works that would be carried out in the next 12 months;</p> <p>(d) include a summary of complaints received during the past year, and compare this to complaints from previous years;</p> <p>(e) include a summary of the monitoring results for the project during the past year;</p> <p>(f) include an analysis of these monitoring results against the relevant:</p> <ul style="list-style-type: none"> - impact assessment criteria/limits; - monitoring results from previous years; and - predictions in the EA; <p>(g) identify any trends in the monitoring results over the life of the project;</p> <p>(h) identify any non-compliance during the previous year; and</p> <p>(i) describe what actions were, or are being taken to ensure compliance.</p>	Yes	AEMR reporting period deferred to coincide with commencement of construction activity to provide account for full 12 months of site activity.
6.	<p>Within 2 years of this approval, and every 3 years thereafter, unless the Director General directs otherwise, the proponent shall commission and pay the full cost of an independent Environmental Audit of the project</p>	N/A	Not yet triggered.
7.	<p>Within 6 weeks of completing this audit....</p>	N/A	Not yet triggered.
8.	<p>Within 3 months of submitting the audit....</p>	N/A	Not yet triggered.
9.	<p>Within 3 months of this approval, the Proponent shall establish a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General, in general accordance with the <i>Guideline for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007)</i> or its latest version.</p>	Yes	CCC established and operating as per guidelines.

Condition	Conditional Requirement	Compliance	Comments
10.	<p>Within 3 months of the approval of any strategy/plan/program required under this approval, or the completion of audits or AEMR's required under this approval, the Proponent shall:</p> <p>(a)provide a copy of the relevant documents to the relevant agencies and CCC; and</p> <p>(b)put a copy of the relevant documents on its website.</p>	Yes	As per requirements.
11.	<p>During the project, the proponent shall:</p> <p>(a)make a summary of monitoring results required under this approval publicly available at the mine and on its website; and</p> <p>(b)update these results on a regular basis (at least every three months)</p>	No	Not yet provided on website – will address over next month as website currently being redeveloped.

TABLE A3-2

Compliance Review – Environment Protection Licence 12789

Condition	Conditional Requirement	Compliance	Comments
A1.1	Construction of surface infrastructure including but not limited to access roads....	Yes	Intersection and access roads completed prior to commencement of mining activity.
A1.2	Carry out Coal Mining not exceeding 3500000T	Yes	No coal production within reporting period.
A1.4	The licensee must not commence scheduled activities on the premises without prior approval from DECC.	Yes	Licence variation application pending approval.
P1.1	Comply with monitoring/discharge points and areas. Setting of limits for the emission of pollutants.	Yes	Monitoring of all dust sampling points undertaken throughout term.
P2.1	Comply with weather monitoring.	Yes	Weather station in place and logging data.
L1.1	Comply with Section 120 of the POEO Act 1997 (re water quality)	Yes	No discharge from site, or non compliance with Section 120 of POEO Act 1997.
L5.1	Ensure no waste receipt or disposal at premises, except as permitted by licence	Yes	No receipt or disposal of waste at premises.
L6.1	Ensure noise compliance: (a) 35 dB(A) LAeq(15 minute) during the day (7am to 6pm), evening (6pm to 10pm) and night (10pm to 7am) for construction activities.	No	Inversion events resulted in noise levels >35dBA at individual receiver albeit these instances were outside normal atmospheric conditions. DECC has been informed with measures taking place to address inversion impact.
L6.2	To determine compliance, measure noise within 30m of noise sensitive residences or receptors.	Yes	At all monitoring points except "Kurrajong" as there was no access.
L7.1/2	Do not exceed blasting overpressure levels: <ul style="list-style-type: none"> • 115dBL for more than 5% of total number of blasts over 12 months • 120dB at any time 	Yes	Compliant with overpressure during all blasts.

L7.4/5	Do not exceed vibration particle velocity from blasting by: (a) 5mm/s for more than 5% of total blasts during reporting period; and (b) 10mm/s at any time; At any point within 30m of any affected residential boundary or noise sensitive location.	Yes	Compliant with ground vibration for all blasts.
L7.7	Carry out blasting between 10:00am-4:00pm Monday to Friday	Yes	Blasts undertaken during this timeframe
L7.8	Blasting is limited to: a) Maximum two (2) blasts per day b) Five (5) blasts a week	Yes	A maximum of one blast per day.
O1.1	Carry out licensed activities in a competent manner, i.e. (a) Processing, handling, movement and storage of materials and substances; and (b) Treatment, storage, processing, reprocessing, transport and disposal of generated waste.	Yes	All measures undertaken in competent manner
O2.1	Maintain and operate all plant and equipment at premises in proper and efficient condition.	Yes	Adequate maintenance scheduling.
O3.1	Minimise or prevent emission of dust	Yes	Dust lift off kept to minimum throughout operations.
M1.1	Record and retain monitoring results required as per this licence.	Yes	Monitoring results recorded and retained.
M1.2	Keep all monitoring records associated with this licence: (a) In a legible form; (b) For at least 4 years; for production to any EPA authorized officer.	Yes	As above

M1.3	(a) Sampling date; (b) Sampling time (c) Sampling location (d) Sample collectors name	Yes	All details recorded and retained
M2.1	Monitor each monitoring point for pollutants as specified in licence	Yes	Monitoring points included in Environmental Monitoring Program at required intervals
M3.1	Monitor air pollutants in accordance with the Approved Methods publication or as approved by EPA.	Yes	In accordance with guidelines
M4.1	Keep a legible record of all complaints re pollution arising from licenced activity.	Yes	Complaints record held
M4.2	Keep the following records of complaint. (a) Date and time of complaint (b) Method complaint made (c) Any personal details of complaint (d) Nature of complaint (e) Licensee's action in response, any follow up contact; and (f) If no action-reason why	Yes	All details recorded.
M4.3	Keep records of complaints for 4 years	Yes	Complaints retained on site.
M4.4	Present records to EPA on request	Yes	All records will be provided on request.
M5.1	Operate telephone complaints line for receipt of complaints from the public	Yes	Complaints line operational.
M5.2	Notify the public of the complaints telephone line	Yes	Complaints line advertised.

R1.1	Complete and supply Annual Return to EPA comprising: (a) Statement of Compliance (b) Monitoring & Complaints Summary	Yes	Annual Return completed.
R1.5	Provide EPA with Annual Return no later than 60 days after end of each reporting period.	Yes	Annual Return supplied.
R1.7	Retain copy of Annual Return for 4 years.	Yes	Annual Return retained.
R1.8	Certify the Statement of Compliance within the Annual Return and sign the Monitoring and Complaints Summary by: (a) Licence holder; or (b) Approved person	Yes	Return signed by authorized company representatives.
R2.1	Notify EPA of threatening or harmful incidents as soon as practicable by phoning EPA's Pollution Line Service	Yes	All incidents will be reported
R2.2	Provide written details of the incident to EPA within 7 days of incident	Yes	Written details will be supplied.
R3.1	Upon an EPA officer suspecting that an event is causing or likely to cause environmental harm: (a) At the premises; or (b) In connection with vehicles or plant associated with the licenced activities; A request may be made for a written report of the event.	Yes	Any requests for information will be complied with.
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within the time specified	Yes	Report will be supplied.

R3.3	<p>The report may be required to include:</p> <ul style="list-style-type: none"> (a) Event cause, time and duration; (b) Type, volume and concentration of every pollutant discharged; (c) Contact details of employees or agents of licensee who witnessed event; (d) Contact details of any other persons witnessing the event; (e) The action taken and follow-up action with complainants in relation to event; (f) Mitigation measures proposed to prevent recurrence; (g) Any other relevant matter 	Yes	Reporting will supply with required information.
R3.4	EPA may request further details- must be supplied within specified time	Yes	Timeframes will be met.
G1.1	Retain a copy of this licence at premises to which the licence applies	Yes	Licence retained at site office.
G1.2	Produce licence to EPA officer on request	Yes	Licence available at site office on request
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Yes	As above
E1.1	Prior to the commissioning of the evaporation and storage ponds, the licensee must provide the DECC Armidale with an "as constructed" report	Yes	As constructed report will be supplied to DECC.

TABLE A3-3

Compliance Review – ML 1609

1	Within a period of three months from the date of grant/renewal of the lease a notice in writing must be served on each landholder.	Yes	To be confirmed
2	All practicable measures to prevent and/or minimize any harm to the environment.	Yes	All measures taken to reduce impact.
3	Conduct mining operations in accordance with a MOP.	Yes	MOP approved with all measures in accordance with MOP.
4	EMR to be lodged with the DG annually.	Yes	AEMR supplied annually
7	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the DG.	Yes	Areas disturbed on pit top have been rehabilitated to the extent practicable.
8(a)	Prepare a Subsidence Management Plan prior to commencing any underground mining operations.	Yes	Subsidence Management Plan under development for Stage 2 operations. Negligible subsidence from Stage 1 operations.
9(a)	Ensure that at least 212 competent people are efficiently employed on the lease area on each week day except Sunday or Public Holiday; or	Yes	The highest average number of competent persons employed each day was 117 during May 2009. This will gradually increase as the site commences and moves into full production. Expenditure as per 9(b) below exceeded the minimum requirement.
9(b)	Expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$3,710,000 per annum whilst the lease is in force.	Yes	Annual expenditure to date exceeds required minimum.
11	Exploration Report to be submitted to the DG each year within 28 days of the anniversary.	Yes	Submitted annually

15 (a)	Monitor ground vibration generated by any blasting that it does not exceed 10mm/second in more than 5% of the total blasts over a period of 12 months.	Yes	Monitored and compliant.
15 (b)	Overpressure noise level generated by any blast is not to exceed 120 dB (linear) and 115 dB (linear) in more than 5% of the total blasts over a period of 12 months.	Yes	Monitored and compliant
16	Ensure the safety of persons or stock.	Yes	Safety measures a priority on site.
17.2	Exploratory drill holes must satisfy the DG: 1.Cored holes surveyed 2.Cored Holes sealed to prevent collapse 3.Drill holes permanently sealed with cement plugs 4.If drill hole meets natural or noxious gases it is plugged or sealed. 5.If drill hole meets an artesian or sub-artesian flow it is effectively sealed. 6.Unused drill holes are to be sealed in accordance with Department guidelines. 7.Once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.	Yes	As per requirements
18	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution or soil contamination or erosion.	Yes	As per requirement
19	Transmission line, communication line, pipeline or any other utility must not be interfered with.	Yes	As per requirement

20	Fences must not be damaged or interfered with. Gates must be closed or left open in accordance with the requirements of the landholder.	Yes	As per requirement
21(a)	Operations must not affect any road.	Yes	No roads affected.
21(b)	The cost incurred in fixing any damage to roads must be paid to the designated authority.	Yes	No costs incurred.
22	Access tracks must be kept to a minimum.	Yes	Access tracks are minimized.
27(a)	A security of \$100,000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfillment by the lease holder of obligations under this lease.	Yes	Security Paid.
27(b)	Security: Cash Security Certificate	Yes	Security Certificate in place
28	A person must not remove, damage, destroy, displace, obliterate or deface any marks in connection with any trigonometrical station, permanent mark or survey mark.	Yes	No damage occurred.