

Manning Colliery IEA – Response to Audit Recommendations

Reference Item	Condition Description	Audit Finding	Audit Recommendation	LakeCoal Response / Action to be Taken	Target Date for Completion
PA 06_0311 (MOD 3)					
1. Schedule 2, Condition 2A	The Proponent shall carry out the development in accordance with the (a) Statement of Commitments; and (b) conditions of this approval.	A number of non-compliances with the conditions of PA 06_0311 and one with regard to the statement of commitments have been identified by the IEA.	See recommendations below.	Noted.	n/a
2. Schedule 2, Condition 8	The Proponent must regularly review the strategies, plans and programs required under this approval and ensure that these documents are updated to incorporate measures to improve the environmental performance of the development and reflect current best practice in the mining industry. To facilitate these updates, the Proponent may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Proponent may also submit any strategy, plan or program required by this approval on a staged basis. With the agreement of the Secretary, the Proponent may prepare a revision or stage of any strategy, plan or program required under this approval without undertaking consultation with all parties nominated under the applicable condition in this approval. <i>Notes:</i> <ul style="list-style-type: none"> While any strategy, plan or program may be submitted on a staged basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program. 	Management plans have not been subject to regular review or revision. In most cases documents have been revised but not resubmitted to DP&E for approval.	All relevant management plans should be reviewed, updated and submitted to DP&E in consultation with the relevant regulators for review and approval.	Noted. LakeCoal undertook a detailed review of Manning Colliery's environmental management plans following the submission of its 2015 Annual Review. The Department was notified of the outcomes of this review via a letter dated 28 July 2016. LakeCoal is progressing with the review of Manning's environmental management plans in accordance with the review schedule provided to the Department on 28 July 2016.	28 February 2017
3. Schedule 2, Condition 12	The Proponent shall pay the affected councils \$0.02 for each tonne of ROM coal produced by the project for the purpose of improving water quality in the Lake Macquarie catchment. This payment shall be: (a) shared equally by the affected councils; (b) made by the end of March 2009, and at yearly intervals thereafter; (c) calculated on the ROM coal produced in the previous calendar year; and (d) subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.	Duplication of condition requirements.	This condition should be updated as part of the next modification to make reference to the fact that Chain Valley Colliery coal coming to Manning via the Link Road will not be subject to this condition as it is subject to a similar condition under SSD-5465.	LakeCoal will seek to have this condition amended at the next modification to the conditions of PA 06_0311.	At next Modification

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4. Schedule 3, Condition 1	The Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 1 at any residence on privately owned land.	The Q3 2013 Noise monitoring reports were not available at the time of the audit.	The Q3 2013 noise monitoring records should be obtained from Centennial to confirm that there were no noise exceedances during this period. These should also be made publicly available either on the Centennial or LC website for Manning Colliery.	LakeCoal has requested a copy of the Q3 2013 noise monitoring records from Centennial (as they were the nominated operator at this time). Once this report has been provided it will be made publically available on the Manning Website.	31 October 2016
5. Schedule 3, Condition 6	The Proponent shall only discharge water from the site as expressly provided for by its EPL.	There have been seven discharge related non-compliances reported against EPL 191 relating to water quality during the audit period.	Further investigations should be undertaken with regard to improving the automation of the flocculent system on the water management system in order to prevent future water quality exceedances.	The water management system at Manning Colliery was upgraded in 2013 to improve the operations ability to handle rainfall events. LakeCoal would like it noted that Manning Colliery has not recorded an exceedance of it's water quality criteria since April 2015. Since this time LakeCoal has trialled the use of flocculent blocks at strategic locations to improve the treatment of dirty water onsite. These blocks were proven to be effective. LakeCoal will continue to monitor the water quality within the site water management system in accordance with the sites water monitoring program. Monitoring results will be reported in the sites Annual Review.	Complete.
6. Schedule 3, Condition 9	The Site Water Balance must: (a) include details of: • sources and security of water supply; • water use on site; • water management on site; and (b) investigate, assess and report on measures to minimise water use by the project, particularly potable water from the Wyong Shire town water supply.	As per recommendation	The GHD reports referenced in the EA (January, 2013) for Manning Colliery should be considered in the 2016 review of the WMP.	LakeCoal will include the GHD reports for reference in the next review of the Manning Colliery WMP.	15 December 2016
7. Schedule 3, Condition 10	The Erosion and Sediment Control Plan must: (a) be consistent with the requirements of <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom 2004, or its latest version); (b) identify activities that could cause soil erosion and generate sediment; (c) describe measures to minimise soil erosion and the potential for transport of sediment from the site; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to monitor and maintain the structures over time.	As per recommendation	The recommendations from the 2013 independent compliance audit remain valid and should be considered in the 2016 review of the WMP.	LakeCoal will review and include (where relevant) the recommendations from the 2013 Independent Compliance Audit in the next review of the Manning Colliery WMP.	15 December 2016

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8. Schedule 3, Condition 12	<p>The Groundwater Monitoring Program must include:</p> <p>(a) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality;</p> <p>(b) groundwater impact assessment criteria;</p> <p>(c) a program to monitor the impact of the project on groundwater levels, yield and quality; and</p> <p>(d) procedures for reporting the results of this monitoring.</p>	<p>No evidence available at the time of audit to confirm DP&E approval of the groundwater monitoring program under the current WMP</p>	<p>Follow up with DP&E to gain confirmation over the adequacy of current groundwater monitoring arrangements.</p>	<p>LakeCoal will consult with DP&E and DPI-Water during the process of updating the WMP to confirm the adequacy of the current groundwater monitoring program at Mannering Colliery.</p>	<p>31 December 2016</p>
9. Schedule 3, Condition 18	<p>The Proponent shall prepare a Heritage Management Plan for the project to the satisfaction of the Secretary. This Plan must:</p> <p>(a) be prepared in consultation with any relevant Aboriginal stakeholders;</p> <p>(b) be submitted, prior to 31 March 2013, for approval to the Secretary;</p> <p>(c) include consideration of the Aboriginal and non-Aboriginal cultural context and significance of the site;</p> <p>(d) detail the responsibilities of all stakeholders; and</p> <p>(e) include programs/procedures and management measures for:</p> <ul style="list-style-type: none"> • dealing with previously unidentified Aboriginal objects (excluding human remains), including any need to halt works in the vicinity, assessment of significance, determination of appropriate mitigation measures (by a qualified archaeologist in consultation with Aboriginal stakeholders), re-commencement of works, notifying OEHL, and registering the new site(s) in the OEHL AHIMS register; • dealing with any human remains which may be discovered, including halting of works in the vicinity; notifying NSW Police, OEHL, the Department and Aboriginal stakeholders; and not re-commencing any works in the vicinity unless authorised; • heritage induction for construction personnel (including procedures for keeping records of inductions); • ongoing Aboriginal consultation and involvement (including procedures for keeping records of this); • appropriate identification, management, conservation and protection of both Aboriginal and non-Aboriginal heritage items identified on the site; and • dealing with previously unidentified non-Aboriginal heritage items which may be discovered during the project. 	<p>As per recommendation</p>	<p>The ACHMP and NIHMP should be updated to a LakeCoal document and address the management of heritage items at Mannering Colliery.</p>	<p>See response to Reference Item 2</p>	<p>28 February 2017</p>

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	The Proponent shall implement the approved management plan as approved from time to time by the Secretary.				
10. Schedule 3, Condition 22	<p>The Proponent shall prepare a Greenhouse and Energy Efficiency Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA and generally in accordance with the <i>Guidelines for Energy Savings Action Plans</i> (DEUS 2005, or its latest version);</p> <p>(b) be submitted to the Secretary for approval by the end of September 2008;</p> <p>(c) include a program to monitor greenhouse gas emissions and energy use generated by the project;</p> <p>(d) include a framework for investigating and implementing measures to reduce greenhouse gas emissions and energy use at the site; and</p> <p>(e) describe how the performance of these measures would be monitored over time.</p> <p>The Proponent shall implement the approved management plan as approved from time to time by the Secretary.</p>	As per recommendation	Consultation should be undertaken with EPA and DP&E regarding the proposal to include the GGEEP required under this condition as a component of the revised AQMP.	LakeCoal will consult with DP&E regarding the relevance of the Energy Savings Action for Mannering Colliery and whether it requires updating or incorporation into the sites Air Quality Management Plan.	30 November 2016
11. Schedule 5, Condition 1	<p>The Proponent shall revise an Environmental Management Strategy for the project. This strategy must:</p> <p>(a) be submitted for approval to the Secretary prior to 30 June 2013;</p> <p>(b) provide the strategic framework for the environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</p> <p>(e) 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; and • respond to emergencies; and <p>(f) include:</p> <ul style="list-style-type: none"> • copies of any strategies, plans and programs 	As per recommendation	The EMS should be reviewed and updated by LC to reflect the current status of operations at Mannering.	LakeCoal will review and update the Mannering EMS to reflect the current status of operations on site in accordance with the approved review schedule provided to the Department on 28 July 2016.	31 December 2016

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	<p>approved under the conditions of this approval; and</p> <ul style="list-style-type: none"> • a clear plan depicting all the monitoring required to be carried out under the conditions of this approval. <p>The Proponent shall implement the approved management strategy as approved from time to time by the Secretary.</p>				
12. Schedule 5, Condition 2	<p>The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the project; • effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; <p>and</p> <ul style="list-style-type: none"> • exceedances of the impact assessment criteria and/or performance criteria; and <p>(g) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary for particular management plans.</i></p>	<p>Updates are required for a number of Manning management plans to ensure that they reflect current status of operations and the requirements of contemporary statutory requirements, regulatory guidelines and management measures on site.</p>	<p>Expedite the revision of all site management plans to reflect the current status of operations following MOD 3 and the recommencement of mining activities at Manning.</p>	<p>See response to Reference Item 2</p>	<p>Ongoing</p>
13. Schedule 5, Condition 3	<p>By the end of February 2013, and annually thereafter, the Proponent shall review the environmental performance of the project to the satisfaction of the</p>	<p>The 2013 Annual Review was not submitted by the required due date.</p>	<p>No further action required.</p>	<p>Noted. LakeCoal will ensure future Annual Reviews</p>	<p>Ongoing. At next</p>

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	<p>Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current financial year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the past calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • the relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this approval; • the monitoring results of previous years; and • the relevant predictions in the documents listed in condition 2 of Schedule 2; <p>(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the current financial year to improve the environmental performance of the project.</p>			are submitted within a timeframe agreed to by the secretary. LakeCoal is intending on modifying this condition in the next modification to PA 06_0311 to require the Annual Review to be submitted by the end of March each year which is consistent with Chain Valley Colliery's SSD consent.	Modification
14. Schedule 5, Condition 4	<p>Within 3 months of:</p> <p>(a) the submission of an annual review under Condition 3 above;</p> <p>(b) the submission of an incident report under Condition 6 below;</p> <p>(c) the submission of an audit under Condition 8 below; or</p> <p>(d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.</p> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</p>	No evidence available of the required management plan reviews being undertaken in accordance with this condition (i.e. following incident reports, Modifications, etc).	Develop and implement a protocol to ensure that all strategies, plans and programs are regularly reviewed as required under this condition and provided to DP&E for approval after each revision.	<p>Complete. LakeCoal has developed and implemented a systematic process which triggers the requirement for the reviews required under Schedule 5, Condition 4.</p> <p>LakeCoal completed the first of these formal reviews in a letter to DP&E dated 28 July 2016 which provided the outcomes from the management plan reviews and an indicative review timetable for Mannering Colliery.</p>	Complete.
15. Schedule 5, Condition 6	The Proponent shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause,	No evidence available at the time of audit to confirm that the reportable incidents under the EPL were reported to DP&E within 7 days from	Develop a procedure that outlines the respective regulatory agencies and (if relevant) landholders to be notified in the event of environmental	LakeCoal has commenced the development of a system document that outlines the relevant regulatory and community	31 December 2016

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	material harm to the environment. For any other incidents associated with the project, the Proponent shall notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	the date they occurred.	incidents on site.	stakeholders to be notified in the event of environmental incidents that occur on site.	
16. Schedule 5, Condition 7	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.	The monthly environmental monitoring reports and complaints registers are only available from October 2013 (which aligns with period LakeCoal took over as operator for Manning Colliery). CCC meeting minutes are only available from August 2013. No records are maintained on the Manning website (which is administered by LakeCoal) for the site for the period prior to October 2013.	All monitoring records and reports for the period prior to LakeCoal's operation of Manning Colliery should be obtained from Centennial and made publicly available either on the Centennial or LC website.	LakeCoal has requested the information from Centennial that was noted by the auditors. Once this information is provided to LakeCoal it will be made publically available on the Manning Website.	31 October 2016
17. Schedule 5, Condition 8	By the end of March 2013 and every three years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must: (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); and (d) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals. Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Secretary.	The audit was completed in accordance with this condition however it was not completed by 31 March 2016 date as requested in the DP&E correspondence dated 28/01/16.	No action required.	Noted. No further action required.	n/a
18. Schedule 5, Condition 9	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	The 2013 audit report was not submitted within the required timeframe.	No action required.	No further action required.	n/a
19. Schedule 5, Condition 10	The Proponent shall: (a) make copies of the following publicly available on its website:	The monthly environmental monitoring reports and complaints registers are only available from October 2013. CCC meeting minutes are only	All documentation required under this condition for the period prior to LC's operation of Manning should be obtained from Centennial and made	See response to Reference Item 4	31 October 2016

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	<ul style="list-style-type: none"> the documents referred to in condition 2 of Schedule 2; all relevant statutory approvals for the project; all approved strategies, plans and programs required under the conditions of this approval; a comprehensive summary of the monitoring results of the project, reported in accordance with the specifications in any approved plans or programs required under the conditions of this or any other approval; a complaints register, which is to be updated on a monthly basis; minutes of CCC meetings; the annual reviews required under this approval; any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; and any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	available from August 2013. No records are maintained on the LC website for the site for the period prior to these dates.	publicly available either on the Centennial or LC website.		
PA 06_0311 Statement of Commitments					
20. Water Management	The water level within the sediment pond system will be monitored and kept at a relatively low operating level, such that the ponds can provide a detention function in a significant rainfall event.	A number of non-compliances were reported under EPL 191 during the audit period associated with discharges from LDP001.	No action required	Noted. Refer to response for Reference Item 5	n/a
EPL 191					
21. Condition A1.2	<p>The licensee must not:</p> <p>(a) Produce by mining activities more than 1.1 million tonnes of coal within any 12 month period.</p> <p>(b) Undertake coal works handling more than 1.1 million tonnes within any 12 month period, where ROM coal handled on the premises may be made up of coal produced by mining activities from both the Mannering premises as defined in this licence or Chain Valley premises as defined in Environment Protection Licence number 1770.</p> <p>Note: These limits on the scale of the fee based activities are based on project Approval 06_0311 granted under the <i>Environmental Planning and Assessment Act 1979</i> which limits extraction to 1.1 million tonnes of run of mine (ROM) coal per year and its modifications, the most recent of which is dated 27 November 2014.</p>	There was an inconsistency identified between PA 06_0311 and EPL191 regarding coal handling volumes approved.	Update the approved coal handling volume described in EPL191 at the next variation of the licence for consistency with PA 06_0311.	Noted. LakeCoal will seek to correct this inconsistency in the next EPL variation to align the approved limits with PA 06_0311	<p>Prior to coal handling increasing above 1.1 Mt.</p> <p>During next variation.</p>

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22. Condition L2.4	Water and/or Land Concentration Limits	The following exceedances were identified against this condition:) Exceedance of TSS limits occurred at LDP001 on 30 June and 1 July 2013. Results of 77 mg/L and 88 mg/L were recorded against a limit of 50 mg/L.) Exceedance of TSS limits occurred at LDP001 on the 17/11/13 – 18/11/13. Results of 112 mg/L and 105 mg/ recorded against limit of 50 mg/L;) Exceedance of pH limit (8.5) at LDP001 (EPL ID#1) occurred on the 13/10/ 2014. Result of pH 8.6; and) Exceedance of TSS criteria occurred at LDP001 (EPL ID#1) from the 28/2/14 – 1/3/14.	Further investigations should be undertaken with regard to improving the automation of the flocculent system on the water management system in order to prevent future water quality exceedances.	See response to Reference Item 5	n/a
23. Condition L2.1	For each monitoring/discharge point or utilisation area specified in the table\ 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.	The following exceedances were identified against this condition:) Exceedance of oil and grease limit at LDP001 on 30/3/15 (recorded result of 11mg/L against limit of 10mg/L)) TSS exceedance at LDP001 on 5/4/15 (recorded result of 56mg/L against limit of 50 mg/L).) Exceedance of TSS limit for Monitoring Point 1 on 20/4/15 and 21/4/15 (recorded result of 58 mg/L against limit of 50 mg/L).	No further action required.	Noted. See response to Reference Item 5.	n/a
24. Condition M7.1	For each discharge point or utilisation area specified below, the licensee must monitor: 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.	-	Install a solar powered discharge monitoring system at Manning to reduce potential for missed data capture as a result of power outages.	Noted. LakeCoal has engaged an environmental monitoring company to install a solar powered monitoring system at Manning's licenced discharge point to improve the data capture rates. The unit has been purchased and is expected to be operational by Q1 2017	31 March 2017
25. Condition O3	All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust... Trucks transporting coal from the premises must be covered immediately after loading to prevent wind blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks... The tailgates of all haulage trucks leaving the premises must be securely fixed prior to loading or immediately after unloading to prevent loss of materials.	-	Update condition O3 describing measures to minimise dust emissions from haul trucks described in EPL 191 at the next variation of EPL191 for consistency with PA 06_0311.	Noted. LakeCoal agrees that the condition is no longer relevant to current operations as the site does not have approval to haul coal from the premises. LakeCoal will seek to correct this condition in the next variation to EPL191 variation.	At next EPL variation

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26. Condition R1.5	The Annual Return for the reporting period must be supplied to the EPA 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').	Annual return for the 17 October 2013 – 31 December 2013 reporting period was submitted to the EPA via email on 10/03/14, outside of the 60 day timeframe required under the condition.	No action required.	Noted. No further action required.	n/a
27. Condition 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.	The notification to the EPA for the TSS exceedance on 5/04/15 was provided to the EPA by LC via the EPA hotline on 10/04/15, with the incident report provided on 17/04/15. This was outside of the 7 day period from the occurrence of the incident required under the condition.	No action required.	Noted. LakeCoal provided an incident report to the EPA within 7 days of becoming aware that an incident had occurred on 05/04/2015 (ie receipt of a laboratory report indicating an exceedance had occurred). LakeCoal will continue to report incidents to the relevant authorities as soon as practical. No further action required.	n/a
28. Condition M7.1	For each discharge point or utilisation area specified below, the licensee must monitor: 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.	Failure to monitor flow volume (continuously) at LDP001 on multiple occasions in 2015 as a result of loss of power to the discharge point, flow meter and data logger.	Install a solar powered discharge monitoring system at Manning to reduce potential for missed data capture as a result of power outages.	See response to Reference Item 24.	n/a
CCL 719					
29. Condition 5	(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 <i>Protection of the Environment Operations Act 1997</i>), 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. Note. Refer to www.resources.nsw.qov.au/environment for notification contact details. (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	Notification and subsequent incident reports were not provided for breaches of the <i>Protection of the Environment Operations Act 1997</i> that occurred during the audit period to the Department of Resources and Energy	Refer to Reference Item 15	Noted. LakeCoal has commenced the development of a system document that outlines the relevant regulatory and community stakeholders to be notified in the event of environmental incidents that occur on site. LakeCoal will ensure that the appropriate authorities/stakeholders are notified in accordance with its operating approvals in the future.	31 December 2016

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	<p>environment has or is likely to occur;</p> <p>(iv) a description of the nature of the incident or breach, likely causes and consequences;</p> <p>(v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).</p> <p>(vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.</p> <p>Note. The lease holder should have regard to any relevant Director General's guidelines in the preparation of an Environmental Incident Report. Refer to www.resources.nsw.gov.au/environment for further details.</p> <p>(c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the <i>Protection of the Environment Operations Act 1997</i> arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.</p>				
Water Licence 20BL172016					
30. Condition 12	The licence holder must install to the satisfaction of the Department an appliance(s) to measure the quantity of water extracted from the works.	Evidence not available at the time of audit to confirm DPI-Water is satisfied with the arrangements put in place by LC to monitor the quantity of water extracted from the underground workings	The current monitoring arrangements should be approved by DPI-Water and described in the revised WMP document.	See response to Reference Item 8. LakeCoal will consult with DPI Water to confirm that the current U/G monitoring devices associated with measuring dewatering volumes are to their satisfaction and will include details relating to these devices in the next revision of the WMP.	15 December 2016
31. General Observation	-	-	Relevant conditions of the water licence should be considered and included in the revision of the WMP.	LakeCoal will include a review of the water licence monitoring and reporting conditions in the next revision of the Mannering WMP.	15 December 2016
General Recommendations					
32. General Observation - Noise	-	-	Ensure that all required noise mitigation options are investigated and reported in accordance with the requirements of PA 06_0311 Appendices 4A and 4B. Additional noise mitigation controls for coal processing infrastructure should be implemented as required from the review.	LakeCoal has commenced the required noise monitoring associated with this project. LakeCoal has commenced the noise mitigation options assessment in accordance with PA06_0311. Based on the findings from this assessment LakeCoal will implement any required noise mitigation measures at the operation to achieve the	Ongoing.

Reference Item	Condition Description	Audit Finding	Audit Recommendation	LakeCoal Response / Action to be Taken	Target Date for Completion
				required noise performance criteria.	
33. General Observation - Air Quality	-	-	Prior to recommencement of full scale coaling activities at Mannering review all required air quality monitoring and mitigation measures and ensure that these are accurately captured within the revision of the Air Quality Management Plan and implemented as required.	LakeCoal has already commenced a review of the sites air quality monitoring management plan to reflect the current and future operations at Mannering Colliery. The revised management plan is planned to be submitted to the Department in October 2016.	30 October 2016
34. General Observation - Water Management	-	-	Further works should be undertaken to improve the rock lining at LDP 001 discharge outlet.	Noted. LakeCoal is currently seeking quotes for this work to be undertaken. Allowance will be made in the site 2017 budget for these works to be commissioned and completed.	31 March 2017
35. General Observation - Water Management	-	-	Review Mannering's harvestable rights against the sites catchment area.	LakeCoal has commenced this review as recommended by the auditors. LakeCoal will consult with DPI Water once the review has been completed.	31 December 2016
36. General Observation - Land Management	-	-	The regular Environmental Inspection process should include weed management as an inspection item. Areas where weeds have been identified such as the coal stockpile area should be treated to reduce the spread of weeds into surrounding areas.	Complete. LakeCoal has revised its internal Environmental Inspection checklist to include consideration/identification of invasive weeds. In addition, LakeCoal has engaged a weed management consultant to undertake a detailed weed survey of the operation. The outcomes from this assessment will be used will be used to develop a weed action plan for the 2017 reporting period.	Complete.