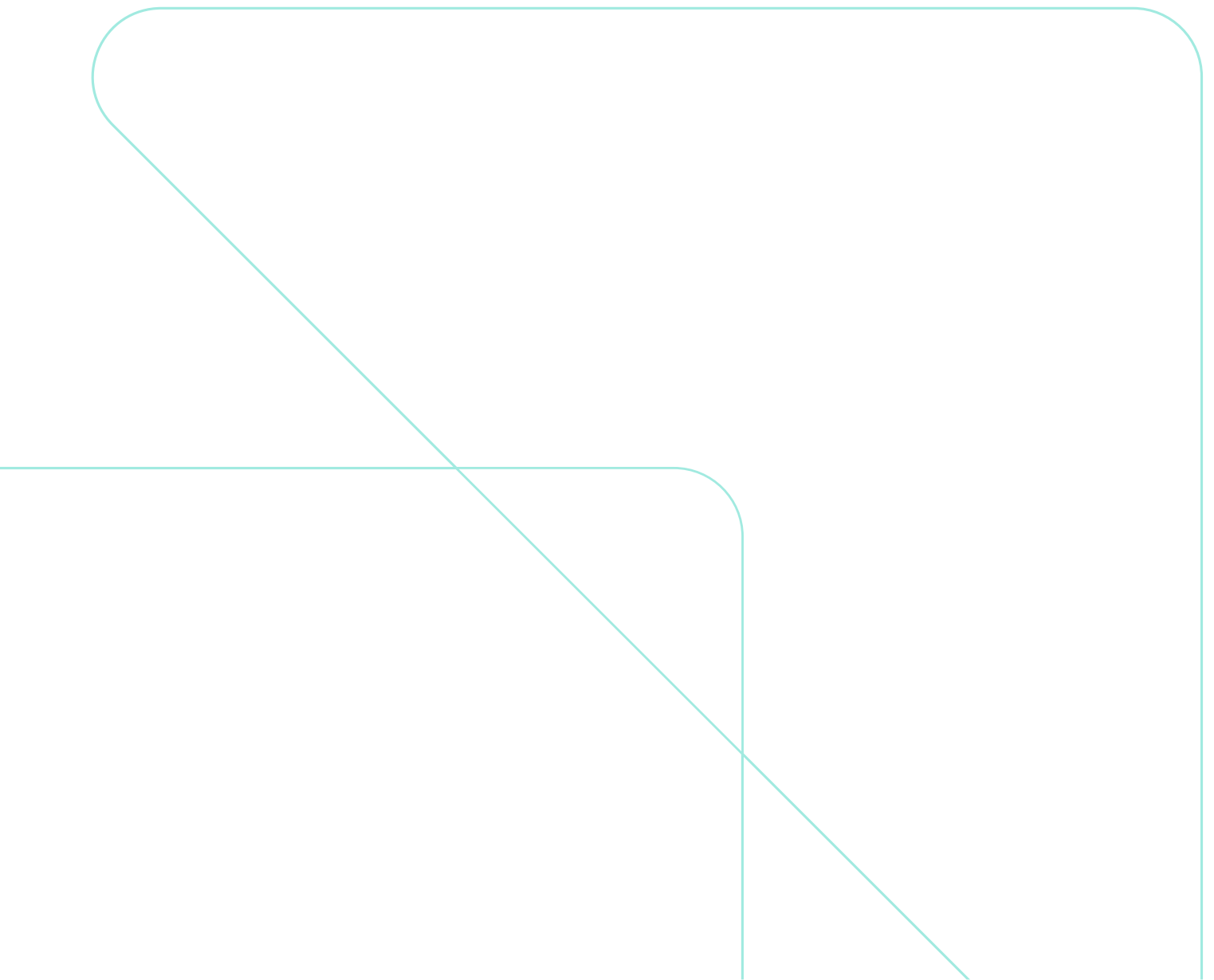


Annual Compliance Report

Werris Creek Coal Mine

March 2025

EPBC 2010/5571



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Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.



Signed:

Full name (please print):

Andrew Wright

Position (please print):

Superintendent – Group Biodiversity

Organisation (please print including ABN/CAN if applicable):

Whitehaven Coal Limited (ABN 68 124 425 396)

Date:

19/03/2025

1. Introduction

The Werris Creek Coal Mine (WCCM) is located approximately 4 km south of Werris Creek and 11 km north-northwest of Quirindi, within the Liverpool Plains Local Government Area (LGA). Approval for the WCCM was granted under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 21 December 2011 (EPBC 2010/5571). EPBC 2010/5571 has undergone five variations, dated 10 June 2014, 27 January 2015, 12 January 2016, 20 December 2016 and 30 April 2018.

This Compliance Report has been prepared to address the requirements of EPBC 2010/5571 in accordance with the Annual Compliance Report Guidelines (the Guidelines), published by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) (the Department).

1.1 Description of activities

This compliance report covers the approval and period detailed in Table 1.

Table 1: Project details

Item	Details
EPBC Approval number	2010/5571
Project name	Werris Creek Mine Extension Project
Approval holder	Whitehaven Coal Limited
ACN or ABN	124 425 396
Approved action	To extend existing open cut mining operations and associated infrastructure at the Werris Creek Coal Mine, near Werris Creek New South Wales.
Location of the project	Approximately 4 km south of Werris Creek and 11 km north-northwest of Quirindi
Reporting period of the report	23 December 2023 to 22 December 2024
Date of preparation of the report	19 March 2025

1.2 Compliance report overview

Table 2 provides an overview of the compliance report requirements outlined in EPBC 2010/5571.

Table 2: Compliance report requirements

Relevant condition	Comment
<i>4. Within three months of every 12 month anniversary of the commencement of construction, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the compliance report is published.</i>	This Compliance Report has been prepared for the Reporting Period from 22 December 2023 to 22 December 2024. Regular reporting documentation for the WCCM, including the Compliance Reports, can be accessed via: https://whitehavencoal.com.au/our-business/our-assets/werris-creek-mine/

2. Compliance assessment

2.1 Compliance with the Conditions of Approval

Details of compliance with the EPBC 2010/5571 approval conditions, including supporting evidence is provided in Appendix A. Documentation of the implementation of management plans can be made available to the Department upon request.

A summary of the compliance with the EPBC 2010/5571 approval conditions during the reporting period is provided in Table 3.

Table 3: Summary of performance during reporting period

Status	Description	Total number
Compliant	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.	6
Non-compliant	A designation of 'non-compliant' must be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.	0
Not applicable	A designation of 'not applicable' must be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition that applies to an activity that has not yet commenced.	5
Total		11

3. Correcting non-compliances

During the reporting period, there were no instances of non-compliance identified. All activities and operations were conducted in full accordance with the approval EPBC 2016/7649.

4. New environmental risks

No new environment risks were identified during the reporting period.

Appendix A Summary of Compliance

Table A-1: EBPC compliance table

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
1.	To offset the impact to the White Box Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community and foraging habitats of the Regent Honeyeater and Swift Parrot the person taking the action must register a legally binding conservation mechanism over the Werris Creek Life of Mine (LOM) Extension Project Biodiversity Offset Strategy (BOS) sites identified in the map at Appendix 1 and an additional area of at least 74 hectares of White Box-Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological community (together, the Offset Areas). The mechanism/s must provide enduring projection for the offset area and unless otherwise agreed to in writing by the Minister must be registered by 31 December 2018. Written notification of registration must be provided to the Department within 2 weeks of registration of the offset area.	Compliant	NSW Conveyancing Act 1919 Section 88E Instruments were signed by Whitehaven Coal and the former NSW Department of Planning and Environment (DPE) (now DPHI) then registered with NSW Land Registry Services on 20 July 2018 and 2 August 2018. Subsequently, the former Department of the Environment and Energy (DoEE) (now DCCEEW) were notified of the registration of Werris Creek offset security on 25 July 2018 and 3 August 2018.
2.	To offset the impacts to the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community, Regent Honeyeater and Swift Parrot, the person taking the action must submit to the Minister for approval an Offset Management Plan for all of the Offset Areas within 12 months of the date of this approval. The Offset Management Plan must be implemented. The Offset Management Plan must include, at a minimum, the following information: a) a textual description and map to clearly define the location and boundaries of all of the Offset Areas. This must be accompanied with the offset attributes and a shapefile. b) details of management actions to protect and enhance the extent and condition of habitat values of the offset site, including, but not limited to rehabilitation, weed control, fire management, erosion and sediment control, management of livestock and any restrictions on access of no less than: (i) 310.2 hectares of habitat for the Regent Honeyeater and Swift Parrot; and (ii) 731 hectares White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community; c) the timing, responsibilities and performance criteria for management actions; d) a monitoring plan including the undertaking of ecological surveys by a qualified ecologist, to assess the success of the management actions measured against identified milestones and objectives; e) a process to report, to the department, the progress of management actions undertaken in the offset areas and the outcome of those actions, including identifying any need for improved management and actions to undertake such improvements; f) a description of the potential risks to successful management and rehabilitation in the offset areas, and a description of the contingency measures that would be implemented to mitigate these risks; and g) details of parties responsible for management, monitoring and otherwise implementing the plan, including their position or status as a separate contractor.	Compliant	The current version of the Biodiversity and Offset Management Plan (BOMP) was approved by DoEE (now DCCEEW) on 4 July 2017. All applicable information associated with this condition is included within the approved plan. Documentation of implementation evidence for the BOMP during the Reporting Period is outlined in the Werris Creek Coal Mine Annual Review Report that includes: - Annual flora monitoring - Annual fauna monitoring - Winter bird surveys - Routine inspections of tracks, fencing, gates and signage - Annual fuel load and bushfire hazard assessment plus fire management - Habitat management (i.e. annual nest box installation and habitat monitoring) - Ecological thinning management - Weed management (i.e. seasonal assessment and annual control programs) - Pest management (i.e. routine monitoring, monthly sightings and control) - Seed Management (i.e. assessment and collection) - Annual heritage management inspection - Annual erosion inspections of tracks and sites - Annual stock incursion management
3.	Within 14 days after the commencement of construction, the person taking the action must advise the department in writing of the actual date of commencement of construction.	Compliant	Correspondence was provided to the former Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) (now DCCEEW) notifying the commencement of construction was dated 23 December 2011.
4.	Within three months of every 12 month anniversary of the commencement of construction, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the compliance report is published.	Compliant	This Compliance Report has been prepared for the Reporting Period from 23 December 2023 to 22 December 2024. Regular reporting documentation for the WCCM, including the Compliance Reports, can be accessed via: https://whitehavencoal.com.au/our-business/our-assets/werris-creek-mine/ . On completion of publishing annual EPBC Compliance Reports, an email containing a link to the report and a screenshot showing it's availability on the Whitehaven website is sent to Commonwealth DCCEEW, to ensure compliance with Condition 4.
5.	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Not applicable	No direction received to date.
6.	If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans, as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the revised plan in writing. The Minister will not approve a revised plan, unless the revised plan would result in an equivalent or improved environmental outcome. If the Minister approves the revised plan that plan must be implemented in place of the plan originally approved.	Not applicable	All actions have been carried out in accordance with approved Plans. Any revised Plans submitted to DCCEEW have not commenced until the revised Plan has been approved in writing.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
7.	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities or listed migratory species to do so, the Minister may request that the person taking the action make specified revisions to the management plan specified in the conditions and submit the revised plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved plan must be implemented. Unless the Minister has approved the revised plan then the person taking the action must continue to implement the originally approved plan, as specified in the conditions.	Not applicable	No direction received to date.
8.	If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Not applicable	The Action commenced on 23 December 2011.
9.	The person taking the action must maintain accurate records substantiating all activities and outcomes associated with or relevant to the above conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the department.	Compliant	Records are maintained for all activities in accordance with the approved management plan but have not been requested by DCCEEW.
10.	Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department's website. The results of audits may also be publicised through the general media.	Not applicable	Records are maintained for all activities in accordance with the approved management plan but have not been subject to an independent audit
11.	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within 1 month of being approved.	Compliant	The approved BOMP is available on the Whitehaven website and can be accessed via: https://whitehavencoal.com.au/our-business/our-assets/werris-creek-mine/ .