

SSD-5850 and DA 80/952 – 2023 Independent Environmental Audit

Mt Owen / Glendell Operations

MT OWEN PTY LIMITED

Version 1

22 January 2024



Document review

Version	Date	Revision description	Prepared by	Approved by
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Abbreviations

Abbreviation	Definition
ACHMP	Aboriginal Cultural Heritage Management Plan
ANC	administrative non-compliance
AQGHGMP	Air Quality and Greenhouse Gas Management Plan
BAM	Biodiversity Assessment Method
BCD	Biodiversity and Conservation Division
BCF	Biodiversity Conservation Fund
BCT	Biodiversity Conservation Trust
BOA	Biodiversity Offset Area
BOMPS	Biodiversity and Offset Management Plan and Strategy
BOS	Biodiversity Offset Strategy
BSA	Biodiversity Stewardship Agreement
CA	corrective action; Conservation Agreement
CCC	Community Consultative Committee
CDMP	Creek Diversion Management Plan
CHPP	coal handling and preparation plant
CL	coal lease
CST	Credit Supply Taskforce
DNAT	Dust and Noise Analysis Tool
DPE	Department of Planning and Environment
EMS	Environmental Management Strategy
EPA	Environment Protection Authority
EPL	Environmental Protection Licence
ESCP	Erosion and Sediment Control Plan
Glencore	Glencore Coal Pty Limited
Glendell	Glendell Open Cut Mine
GMMP	Groundwater Management and Monitoring Plan
GRAWTS	Greater Ravensworth Area Water and Tailings Strategy
ha	hectares
HHMP	Historic Heritage Management Plan
HRSTS	Hunter River Salinity Trading Scheme
IEA	Independent Environmental Audit
MGO	Mt Owen/Glendell Operations
ML	mining lease
MOCO	Mt Owen Continued Operations
Mt	million tonne

Abbreviation	Definition
MTO Complex	Mt Owen Complex, comprising: – Mt Owen Open Cut Mine (Mt Owen) (i.e. North Pit), including the Coal Handling and Preparation Plant (CHPP); – Ravensworth East Open Cut Mine (Ravensworth East) (i.e. Bayswater North Pit); and – Glendell Open Cut Mine (Glendell) (i.e. Barrett Pit).
Mt Owen	Mt Owen Open Cut Mine
Mtpa	million tonnes per annum
NMP	Noise Management Plan
OFI	opportunity for improvement
Onward Consulting	Onward Consulting Pty Ltd
PIRMP	Pollution Incident Response Management Plan
POEO Act	<i>Protection of the Environment Operations Act 1997 (NSW)</i>
Ravensworth East	Ravensworth East Open Cut Mine
RL	real level
RMP	Rehabilitation Management Plan
ROM	run-of-mine
RS	Rehabilitation Strategy
SSD	State Significant Development
SWGRP	Surface Water and Groundwater Response Plan
SWMMP	Surface Water Management and Monitoring Plan
t	tonnes
TARP	Trigger Action Response Plan
TEC	Threatened Ecological Community
TEOM	tapered element oscillating microbalance
WMP	Water Management Plan
Zephyr	Zephyr Environmental Pty Ltd

Executive summary

Onward Consulting Pty Ltd (Onward Consulting) was engaged by Mt Owen/Glendell Operations (MGO) to conduct an Independent Environmental Audit (IEA) of the Mt Owen Complex, which are open cut coal mines operated under a single overarching management structure and individual operations teams comprising:

- Mt Owen Open Cut Mine (Mt Owen) (i.e. North Pit), including the Coal Handling and Preparation Plant (CHPP);
- Ravensworth East Open Cut Mine (Ravensworth East) (i.e. Bayswater North Pit); and
- Glendell Open Cut Mine (Glendell) (i.e. Barrett Pit).

The Mt Owen Complex is located on Hebden Road at Ravensworth, approximately 20 km north-west of Singleton, NSW and approximately 26 km south-east of Muswellbrook, NSW.

The IEA was undertaken in accordance with the requirements of:

- Schedule 5, Conditions 11 and 12 of State Significant Development (SSD) 5850;
- Schedule 5, Conditions 11 and 12 of DA 90/952; and
- the *Independent Audit Post Approval Requirements* (DPIE, 2020).

The audit period to which this audit applies is inclusive of the period from 2 December 2020 to 17 November 2023. This report presents the findings of this audit.

The audit team consisted of Elliot Holland (Lead Auditor) from Onward Consulting, with technical specialists Damon Roddis (air quality) of Zephyr Environmental Pty Ltd (Zephyr) and Mark Vile (rehabilitation) of Onward Consulting.

The audit was inclusive of the following:

- a one day site inspection at the Mt Owen Complex which included interviews with key site personnel and inspection of all key aspects of the development (Section 2.2 and Appendix I of the IEA report);
- consultation with regulatory agencies and the chair of the Community Consultative Committee (CCC) to obtain feedback and identification of any key issues to focus on during the audit (Section 2.3 and Appendix C of the IEA report);
- the status of implementation of the previous IEA findings, recommendations and actions (Section 3.1 of the IEA report);
- an assessment of compliance against all conditions of:
 - SSD-5850 (Section 3.3.1 and Appendix D of the IEA report);
 - DA 80/952 (Section 3.3.2 and Appendix E of the IEA report);
 - Environmental Protection Licence (EPL) 4460 (Section 3.3.3 and Appendix F of the IEA report);
 - EPL 12840 (Section 3.3.4 and Appendix G of the IEA report);
 - the most relevant mining leases (ML) (i.e. ML 1355 and Coal Lease [CL] 358) (Section 3.3.5 of the IEA report);
 - Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Section 3.3.5 and Appendix H of the IEA report); and
 - the most relevant water licensing/approvals (Section 3.3.6 of the IEA report).
- a review of the adequacy of the environmental management strategies, plans and programs required under the consent (Section 3.4 of the IEA report);
- identification and discussion of complaints and incidents that occurred during the audit period (Section 3.5 of the IEA report);
- an assessment of the environmental performance of the development through review of the implementation of key environmental management strategies, plans and programs (Section 4 of the IEA report); and
- identification of relevant Corrective Actions and/or Opportunities for Improvement (Section 5 of the IEA report).

Audit findings summary

The IEA identified a total of seven non-compliances, with overall compliance with conditions of relevant approvals, licenses and leases noted to be high, as follows:

- **SSD-5850:** Compliance with approximately 94% of conditions (i.e. 95 of 101 conditions) (Appendix D), with non-compliances noted as follows:
 - **NC01** (i.e. Schedule 2, Condition 2); and
 - **NC02** (i.e. Schedule 3, Conditions 27, 29, 29B, 29C, and 29D).
- **DA 80/952:** Compliance with approximately 97% of conditions (i.e. 95 of 98 conditions) (Appendix E), with non-compliances noted as follows:
 - **NC01** (i.e. Schedule 2, Condition 2);
 - **NC02** (i.e. Schedule 3, Condition 36A); and
 - **NC03** (i.e. Schedule 3, Condition 2).
- **EPL 4460:** Compliance with approximately 96% of conditions (i.e. 87 of 91 conditions) (Appendix F);
 - **NC04** (i.e. Condition O6.1);
 - **NC05** (i.e. Conditions M2.1 and M2.2); and
 - **NC06** (i.e. Condition R5.6).
- **EPL 12840:** Compliance with approximately 96% of conditions (i.e. 89 of 93 conditions) (Appendix G);
 - **NC03** (i.e. Conditions L3.3);
 - **NC05** (i.e. Conditions M2.1 and M2.3); and
 - **NC07** (i.e. Condition L2.3).

Table E1 Non-compliance summary

Finding ID	Non-compliance	Source	Condition	Risk rating
NC01	Non-compliance with this condition is noted in relation to non-compliances with other conditions of consent.	SSD-5850	Schedule 2, Condition 2	ANC
		DA 80/952		Low
NC02	Review of relevant documentation indicates Biodiversity Offset Areas and Biodiversity Stewardship Agreements, including retirement of biodiversity credits, have not been secured in accordance with relevant conditions of SSD-5850 and DA 80/952 resulting in an ANC with relevant requirements of this condition.	SSD-5850	Schedule 3, Condition 27	ANC
		SSD-5850	Schedule 3, Condition 29	ANC
		SSD-5850	Schedule 3, Condition 29B	ANC
		SSD-5850	Schedule 3, Condition 29C	ANC
		SSD-5850	Schedule 3, Condition 29D	ANC
		DA 80/952	Schedule 3, Condition 36A	ANC
NC03	Exceedance of noise criteria at location N9 on 10 August 2021, resulting in a low risk non-compliance.	DA 80/952	Schedule 3, Condition 2	Low
		EPL 12840	L3.3	Low
NC04	In 2022/2023, MGO disposed of heavy plant tyres without ensuring the minimum 10 m separation between sites, as required by Condition O6.1(b).	EPL 4460	O6.1	ANC

Finding ID	Non-compliance	Source	Condition	Risk rating
NC05	During all reporting years (i.e. 2020/2021, 2021/2022, 2022/2023, and 2023/2024), there were (self-reported) non-compliances due to 24-hour average PM ₁₀ results not being captured continuously by the air quality monitoring unit due to a technical fault, routine maintenance, or reasons outside foreseeable control of MGO.	EPL 4460	M2.1	ANC
			M2.2	ANC
		EPL 12840	M2.1	ANC
			M2.3	ANC
NC06	In 2022/2023, MGO disposed of heavy plant tyres without recording the coordinates of the location where each tyre was disposed of, as required by Condition R5.6(e).	EPL 4460	R5.6	ANC
NC07	In 2021/2022, MGO disposed of approximately 932.7 t of heavy plant tyres, which is above the 600 t annual limit.	EPL 12840	L2.3	ANC

Furthermore, these non-compliances were already identified in Annual Reviews required by conditions of SSD-5850, DA 80/952, and Annual Returns required by conditions of EPL 4460 and EPL 12840.

Non-compliances identified against relevant approvals are discussed in Section 3.3, Appendix D (SSD-5850), Appendix E (DA 80/952), and Appendix F (EPL 4460), and Appendix G (EPL 12840).

A summary of MGO's overall environmental performance is summarised in Section 4, and Corrective Actions or Opportunities for Improvement are summarised in Section 5.

Audit conclusion

With regard to environmental management of the Mt Owen Complex, MGO is led by a competent and knowledgeable environmental department who provided all evidence requested during the audit and diligently facilitated the site inspection component of the audit.

The Mt Owen Complex Environment & Community team has implemented the environmental management systems for the Mt Owen Complex to ensure processes are system-dependent as opposed to people-dependent. This approach is complemented by the established systems which include corporate Glencore systems and internal site-specific measures, including where there are shared responsibilities with nearby Glencore mine sites under the Greater Ravensworth Area Water Tailings Strategy (GRAWTS).

MGO were transparent with the provision of information and open to receiving feedback and discussing with the audit team.

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1. Introduction

1.1 Background of the projects

The Mt Owen/Glendell Operations (MGO) are open cut coal mines operated as a complex (i.e. Mt Owen Complex) under a single overarching management structure comprising:

- Mt Owen Open Cut Mine (Mt Owen) (i.e. North Pit), including the Coal Handling and Preparation Plant (CHPP);
- Ravensworth East Open Cut Mine (Ravensworth East) (i.e. Bayswater North Pit); and
- Glendell Open Cut Mine (Glendell) (i.e. Barrett Pit).

The Mt Owen Complex is located on Hebden Road at Ravensworth, approximately 20 km north-west of Singleton, NSW and approximately 26 km south-east of Muswellbrook, NSW. The Mt Owen Complex is owned and operated by Mt Owen Pty Limited, which is a wholly-owned subsidiary of Glencore Coal Pty Limited (Glencore). Until 31 December 2022, Mt Owen was operated by Thiess Pty Ltd.

Mt Owen and Ravensworth East are operated under the Mt Owen Continued Operations (MOCO) State Significant Development (SSD) Consent SSD-5850, which was granted on 3 November 2016, and Environment Protection Licence (EPL) 4460. Glendell is operated under Development Approval (DA) 80/952, which was granted on 5 May 1993, and EPL 12840 (Figure 1.1).

As required by Schedule 5, Condition 11 of SSD-5850 and Schedule 5, Condition 11 of DA 80/952, MGO is required to complete an independent environmental audit (IEA) for the Mt Owen Complex every three years, with a single report covering both consents.

1.1.1 Department of Planning and Environment endorsement

MGO engaged Lead Auditor Elliot Holland from Onward Consulting Pty Ltd (Onward Consulting) to carry out an IEA of the Mt Owen Complex, with the following technical specialists included in the audit team:

- air quality – Damon Roddis of Zephyr Environmental Pty Ltd (Zephyr); and
- rehabilitation – Mark Vile of Onward Consulting.

The Department of Planning and Environment (DPE) endorsed the appointment of the audit team to conduct the IEA on 4 October 2023. The letter of endorsement is included in Appendix A.

1.1.2 Period covered by the audit

The audit period is from 2 December 2020 (i.e. the last day of previous IEA completed by Jacobs Group [Australia] Pty Ltd) to 17 November 2023 (i.e. the day of the 2023 IEA site inspection).

1.2 Site description and history

The Mt Owen Complex has approval to extract up to 18.5 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal (e.g. 4 Mt of ROM coal at Ravensworth East, 10 Mt at Mt Owen and 4.5 Mt at Glendell) and can process up to 17 Mt of coal per annum. The high-quality thermal and semi-soft coking coals predominantly exported to South-East Asia for domestic power generation and use in steel production.

1.2.1 Mt Owen

Mt Owen commenced open cut mining operations in 1993 under the management of Hunter Valley Coal Corporation Pty Limited, with production increasing following subsequent approvals. Xstrata (now Glencore) acquired Mt Owen in 2003, and in December 2004 DA 14-1-2004 was granted for an expansion to existing approved mining operations at Mt Owen.

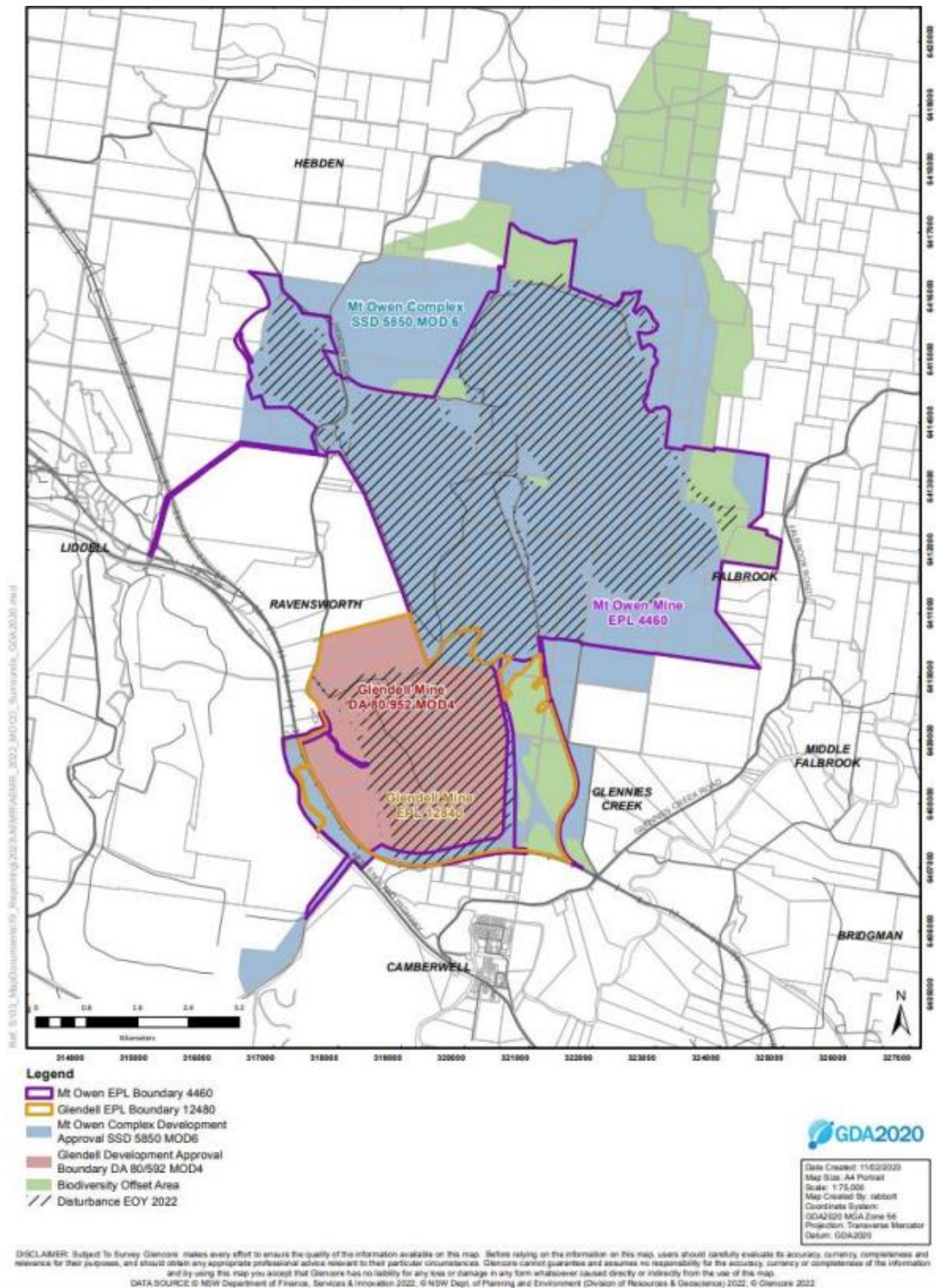


Figure 1.1 Mt Owen Complex overview and disturbance at 31 December 2022¹

¹ Source: Mt Owen. (2023). *Mt Owen Glendell Operations 2022 Annual Review*.

A modification to DA 14-1-2004 was approved in December 2010, which allowed for the construction and operation of a rail facility on the Mt Owen rail loop, while a further modification was approved in 2014 to increase the CHPP to 17 Mtpa ROM coal equivalent from Mt Owen, Glendell and Ravensworth East.

Following the approval of the MOCO Project (i.e. SSD-5850), an application to surrender DA 14-01-2004 (as modified) was made to DPE in January 2018, with approval to surrender received from DPE on 29 May 2018. Six modifications to SSD-5850 have been approved including:

- Modification 1 (approved August 2017): to allow for the inclusion of the Greater Ravensworth Area Water Sharing Scheme (GRAWTS), and the construction of a water pipeline from Integra Underground Mine to the Mt Owen Complex;
- Modification 2 (approved September 2019): to allow an increased disturbance area and extend mining operations to 31 December 2037;
- Modification 3 (approved January 2020): an administrative modification in which a land parcel was included within the Schedule of Land;
- Modification 5 (approved January 2021): to remove the Travelling Stock Reserve Offset Site from the Biodiversity Offset Strategy (BOS) and replace with equivalent biodiversity offset credits to be retired;
- Modification 6 (approved June 2021): to upgrade and realign the Narama Pipeline, increasing the transfer capacity between the Mt Owen Complex and Ravensworth Operations; and
- Modification 7 (approved May 2023): to realign existing water and tailings pipelines.

As modified, SSD-5850 provides for the extraction of up to 14 Mtpa of ROM coal from Ravensworth East (i.e. Bayswater North Pit) and Mt Owen (i.e. North Pit), until 31 December 2037.

1.2.2 Ravensworth East

Ravensworth East, formerly known as Swamp Creek Mine, was previously mined by Hebden Mining Company. Mining ceased at Swamp Creek Mine in April 1991 following the completion of contracted coal supplies. Prior to its reopening, the site was under a care and maintenance contract.

Ravensworth East was acquired by Peabody Resources Ltd in 1997. In March 2000, DA 52-03-99 was granted to enable production of up to 4 Mtpa, with operations re-commencing in August 2000 and continuing for up to 21 years.

Ravensworth East Mine was purchased by Enx Resources (now Glencore) in 2002 and was integrated into the Mt Owen Complex in 2004. Ravensworth East is now included under SSD-5850, with extraction activities undertaken in the Bayswater North Pit.

1.2.3 Glendell

Glendell was granted DA 80/952 by the then Minister for Planning and Environment on 5 May 1983 whilst under the joint venture ownership of Renison Goldfields Limited and Dalgety Australia Ltd. DA 80/952 allowed for the extraction of coal from an undeveloped coal reserve, totalling 3.6 Mtpa of ROM coal, and the construction of a CHPP and a rail loop to transport coal to the Northern Rail line.

Four modifications to DA 80/952 have been approved including:

- Modification 1 (approved 16 February 1997): to enable the construction of a haul road to take coal to the Liddell CHPP and the use of the Ravensworth East void for water storage and overburden disposal.;
- Modification 2 (approved 25 February 2008): to allow for mining operations to continue until the end of June 2024, to permit extraction of up to 4.5 Mt of ROM coal annually, and the sharing of infrastructure with Mt Owen and Ravensworth East, including the CHPP and rail loading facilities;
- Modification 3 (approved December 2016): permitted the relocation of a section of 132 kilovolt powerlines, to allow for the continuation of mining in the Barrett Pit; and
- Modification 4 (approved 4 March 2020): an extension to the approved Barrett pit shell to access additional ROM coal and to install a western haul road.

Extraction operations at Glendell ceased in November 2022, with works after this time related to water management and rehabilitation activities. During active mining, the processing of coal mined from Glendell and the transportation of coal was regulated under SSD-5850, with an annual processing rate of 17 Mtpa.

1.3 Audit objectives

Onward Consulting was commissioned to undertake an IEA of the Mt Owen Complex on behalf of MGO. Primarily, the purpose of this audit was to satisfy Schedule 5, Condition 11 of SSD-5850 and Schedule 5, Condition 11 of DA 80/952, which require completion of an IEA every three years.

The IEA was undertaken in accordance with the requirements of Schedule 5, Conditions 11 and 12 of SSD-5850 (Table 1.1) and Schedule 5, Conditions 11 and 12 of DA 90/952 (Table 1.2); and the requirements of the *Independent Audit Post Approval Requirements* (DPIE, 2020).

Table 1.1 Requirements for this IEA (SSD-5850)

Condition	Requirements	Reference to report section
Schedule 5, Condition 11	Within one year of the date of commencement of development under this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must: <i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i>	
(a)	be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	Section 2.1 Appendix A Appendix B
(b)	include consultation with the relevant agencies and the CCC;	Section 2.3 Appendix C
(c)	assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease or necessary water licences (including any assessment, plan or program required under these approvals);	Sections 3 and 4 Appendix D Appendix F Appendix H
(d)	review the adequacy of strategies, plans or programs required under the abovementioned approvals (including whether the development has met or is trended towards the progressive performance and completion criteria detailed in these strategies, plans or programs);	Section 3.4
(e)	recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals; and	Section 5
(f)	be conducted and reported to the satisfaction of the Secretary	Outside the audit process
Schedule 5, Condition 12	Within 12 weeks of commissioning of this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW Government agency that request it, together with its response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations, as required. The Applicant must implement the audit report recommendations, to the satisfaction of the Secretary.	Outside the audit process

Table 1.2 Requirements for this IEA (DA 80/952)

Condition	Requirements	Reference to report section
Schedule 5, Condition 11	By the end of December 2010, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:	
(a)	be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Secretary;	Section 2.1 Appendix A Appendix B
(b)	be conducted by a suitably qualified, experienced, and independent team of experts (including any expert in field/s specified by the Secretary) whose appointment has been endorsed by the Secretary;	Section 2.1 Appendix A Appendix B
(c)	include consultation with the relevant agencies and the CCC;	Section 2.3 Appendix C
(d)	assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease or necessary water licences (including any assessment, plan or program required under these approvals);	Sections 3 and 4 Appendix E Appendix G Appendix H
(e)	review the adequacy of strategies, plans or programs required under the abovementioned approvals (including whether the development has met or is trended towards the progressive performance and completion criteria detailed in these strategies, plans or programs);	Section 3.4
(f)	recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals; and	Section 5
(g)	be conducted and reported to the satisfaction of the Secretary	Outside the audit process
Schedule 5, Condition 12	Within 12 weeks of commissioning of this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW Government agency that request it, together with its response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations, as required. The Applicant must implement the audit report recommendations, to the satisfaction of the Secretary.	Outside the audit process

1.4 Audit commencement

An inception meeting was held between Onward Consulting and MGO on 9 October 2023 to discuss the audit methodology, identify relevant personnel involved in the project, key activities and systems occurring on site, documentation for review and to schedule a date for the site inspection. Commencement of the IEA occurred on 9 October 2023, following completion of engagement of technical specialists required for the IEA (Section 1.1 and Appendix A).

An extension of time for submission of the final audit report by 26 January 2024, along with MGO's response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations (in accordance with Schedule 5, Condition 12 of SSD-5850 and DA 80/952), was approved by DPE on 5 November 2023 (Appendix A).

1.5 Limitations

This report has been prepared by Onward Consulting for MGO and may only be used and relied on by MGO for the purpose agreed between Onward Consulting and MGO as set out in Section 1.3 of this report.

Onward Consulting otherwise disclaims responsibility to any person other than MGO arising in connection with this report. Onward Consulting also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by Onward Consulting in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out Section 1.3.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. Onward Consulting has no responsibility or obligation to update this report to account for events or changes occurring after the date that the report was prepared.

2. Audit methodology

This IEA was undertaken in accordance with *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020) and AS/NZS ISO 19011:2019 *Guidelines for auditing management systems and this guideline*.

A desktop review of all relevant documents including management plans, monitoring data and complaints was used to determine the contents of the audit protocol to be used during the site inspection and personnel interviews. Evidence was collected and reviewed as part of the audit, including monitoring records, reports, and correspondence. Relevant evidence to select compliance ratings for the conditions of SSD-5850, DA 80/952, EPL 4460, and EPL 12840 are presented within Appendix D, Appendix E, Appendix F and Appendix G, respectively. The audit also considered compliance with conditions of:

- Mining Lease (ML) 1355 and Coal Lease (CL) 358:
 - up to 30 June 2022; and
 - from 1 July 2022, including Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Appendix H).
- the most relevant water licensing/approvals (i.e. high security Water Access Licence [WAL] 7814, water supply works [Swamp Creek Lower Diversion] 20WA211430, and groundwater licence [monitoring bore] 20BL168116) held by MGO under *Water Management Act 2000* (NSW) (Appendix H).

Documents and data collected during the audit process were reviewed prior to the on-site component of the audit where possible. Additional documents were provided to the audit team during, and following completion of, the on-site component of the audit.

All information obtained during the audit process was verified by the audit team. Statements made by site personnel were verified by viewing relevant documentation and/or visual observations made during the site inspection. , Audit findings have been outlined in this report including where suitable evidence was unable to be obtained.

2.1 Audit participants

The personnel listed in Table 2.1 were involved during the audit, including the audit team as approved by DPE on 4 October 2023 (Appendix A) and relevant personnel of MGO.

The audit was led by Elliot Holland, Lead Auditor – Environmental Management Systems (number: 115351) with involvement of technical specialists for rehabilitation and air quality.

Table 2.1 Audit participants

Audit participant	Organisation	Role	Qualifications
Elliot Holland	Onward Consulting	Auditor: Lead Auditor and Project Manager	Lead Auditor – Environmental Management Systems (number: 115351) Bachelor of Environmental Science and Management
Mark Vile	Onward Consulting	Auditor: Technical Specialist – Rehabilitation	Bachelor of Environmental Science (Honours)
Damon Roddis	Zephyr	Auditor: Technical Specialist – Air Quality	Bachelor of Science (Hons) – Environmental Science Certified Air Quality Professional Certified Environmental Practitioner
Sebastien Moreno	MGO	Auditee: Environment & Community Manager	N/A
Anthony Billings	MGO	Auditee: Environment & Community Coordinator	N/A
Chris Gerard ¹	MGO	Auditee: Operations Manager	N/A

Audit participant	Organisation	Role	Qualifications
Nathan Donegan ¹	MGO	Auditee: Project Manager	N/A
Evan Fleming ¹	MGO	Auditee: Mining Manager	N/A

Note 1: Participant was involved in the opening meeting only.

2.2 Audit site inspection

2.2.1 Opening and closing meetings

The opening and closing meetings were held at the MGO office during the site inspection completed on 17 November 2023.

The objectives of the closing meeting were to discuss any outstanding matters, present preliminary findings, and outline the process for finalising the audit report.

2.2.2 Audit interviews

During the on-site component of the audit, interviews were conducted with the list of auditees included in Table 2.1.

2.2.3 Site inspection

A detailed site inspection of the Mt Owen Complex was undertaken on 17 November 2023. During the inspection, site documentation and the physical aspects of environmental management as well as implementation of plans and programs were reviewed.

Conditions on the day of the site inspection were noted to be:

- up to 24 degrees Celsius;
- winds up to 7.7 metre per second (m/s) (, predominantly from the south-east; and
- overcast, with generally no precipitation; however, short periods of light rainfall did occur in the morning.

The locations inspected during the audit included:

- monitoring units, including air quality (i.e. EPL 12840 Monitoring Point 13 [SX13 D5 'EBAM2'], SX13 D1, EPL 4460 Monitoring Point 9 ['SX13 D10']), meteorological station (i.e. EPL 4460 Monitoring Point 17 [SX13M2]), and noise (i.e. N3) (e.g. Image 1 and 23 of Appendix I);
- river oak plantings on Bowmans Creek (Image 2 of Appendix I);
- fenced Aboriginal sites near Bowmans Creek and Yorks Creek (Image 3 of Appendix I);
- Workshop area, including bundled above-ground tanks, oily rags bins, spill kits, waste disposal, and fire extinguishers (Images 4, 5, and 6 of Appendix I);
- heavy plant tyre storage (Image 6 of Appendix I);
- CHPP, including product stockpile, Raw Water Dam and Environmental Control Dam 2 (Images 8, 9, and 10 of Appendix I);
- rail loading facility and rail loop (Image 11 of Appendix I);
- rehabilitation at West Pit (i.e. RL170) (Images 12 and 13 of Appendix I);
- Ravensworth East (i.e. Bayswater North Pit) look out (Image 14 of Appendix I);
- tailings storage at the West Pit (Image 15 of Appendix I);
- Glendell (i.e. Barrett Pit) look out (Image 16 of Appendix I);

- rehabilitation at Glendell, including sighting a variety of nest boxes and timber stockpiles for fauna habitat (Images 17, 18, and 19 of Appendix I);
- Bettys Creek Middle Diversion (Images 21 and 22 of Appendix I);
- Mt Owen (i.e. North Pit) look out (Image 28 of Appendix I); and
- Rehabilitation north of the administration building, including sighting a variety of nest boxes and evidence of weed management (Image 24 and 25 of Appendix I).

2.3 Agency/stakeholder consultation

The audit team attempted consultation via email with the following agency and administrative organisations:

- DPE, including various departments such as Compliance, Biodiversity and Conservation Division (BCD), Heritage NSW, Crown Lands, and the Environment Protection Authority (EPA);
- NSW Resources Regulator;
- Singleton Council; and
- Mt Owen Complex Community Consultative Committee (CCC) Chairperson.

Responses were not received from the DPE – Crown Lands or Singleton Council. Agency and administrative organisation responses to the IEA request for input are provided in Table 2.2 and Appendix C.

Table 2.2 Agency and administrative organisation IEA requirements

Auditor to consider	Response and/or relevant section reference
DPE – Compliance	
Take into consideration the following factors during the 2023 IEA of the Mt Owen Complex:	
– Air Quality and Greenhouse Gas Management Plan (AQGHGMP), including response to weather enhancing factors and implementation of controls to eliminate airborne pollutants.	3.3.4 – AQGHGMP 4.4 – Air quality Appendix D – SSD-5850 Appendix E – DA 80/952 Appendix F – EPL 4460 Appendix G – EPL 12840
– Rehabilitation Management Plan, in particular, the rehabilitation program has been progressively implemented, monitored and reported.	4.2 – Rehabilitation Appendix D – SSD-5850 Appendix E – DA 80/952 Appendix H – Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW)
– Implementation of the Biodiversity and Offset Management Plan, in particular, the long-term offset mechanisms.	4.3 – Biodiversity Appendix D – SSD-5850 Appendix E – DA 80/952

Auditor to consider	Response and/or relevant section reference
NSW Resources Regulator	
The IEA is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.	The auditor reviewed the relevance of the mining leases and audited ML 1355 and CL 358 as those most relevant to the current operation of the Mt Owen Complex noting that many lease clauses are the same
From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 19 mining leases have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.	3.3 – Summary of non-compliances 3.3.5 – Leases Appendix H – Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW)
The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.	4.2 – Rehabilitation
Heritage NSW	
In respect to the scope of the audit for Aboriginal cultural heritage, Heritage NSW notes Schedule 3 Conditions 33-34 of SSD-5850, Schedule 3 Condition 44 of DA80/952, and the Aboriginal Cultural Heritage Management Plan (ACHMP) (and associated archaeological methodologies) for archaeological investigations and compliance with these documents. It is recommended that the Department of Planning and Environment's Compliance Team be contacted to determine if there is any non-compliance with Conditions of Consent for the project.	3.4.8 – ACHMP 4.8.1 – Aboriginal cultural heritage Appendix D – SSD-5850 Appendix E – DA 80/952
CCC	
I wish to advise that I have not received any feedback from the CCC members in relation to the IEA. I confirm that the CCC meets twice a year - May & October. The companies provide a comprehensive presentation to the committee and respond to members' enquiries in a timely manner.	N/A
EPA	
The EPA encourages the preparation of audits as useful tools for industry and proponents to meet statutory obligations and to improve their environmental performance. As a regulatory authority, the EPA does not review or comment on such documents, as our role is to administer and regulate statutes for environmental management and protection that we regulate.	N/A

2.4 Approvals and documents list

2.4.1 Approvals

Licences and approvals assessed for compliance are listed in Table 2.3.

Table 2.3 Approvals audited

Approval document	Relevant section reference
SSD-5850	Section 3.3.1 and Appendix D
DA 80/952	Section 3.3.2 and Appendix E
EPL 4460	Section 3.3.3 and Appendix F
EPL 12840	Section 3.3.4 and Appendix G
ML 1355	Section 3.3.5.1
CL 358	Section 3.3.5.2
Relevant water licensing and approvals	Section 3.3.6
Recommendations from the 2020 IEA	Section 3.1

2.4.2 Management plans

Management plans required by conditions of SSD-5850 and DA 80/952 that were evaluated are listed in Table 2.4.

Table 2.4 Management plans evaluated

Management plan	Version and date	Report section reference
Environmental Management Strategy (EMS) (MGOOC-1779562647-11191)	Rev 8, 3 October 2023	Section 3.4.1 Appendix D Appendix E
Rehabilitation Strategy (RS) (MGOOC-1779562647-11610)	Rev 4, 29 November 2021	Section 3.4.2 Appendix D Appendix E
Rehabilitation Management Plan (RMP) (MGOOC-1779562647-12433)	Rev 2, 19 August 2022	Section 3.4.3 Appendix D Appendix H
Water Management Plan (WMP) (MGOOC-1779562647-11480)	Rev 5, 3 October 2023	Section 3.4.4 Appendix D Appendix E
Surface Water Management and Monitoring Plan (SWMMP) (MGOOC-1779562647-11190)	Rev 6, 3 October 2023	Section 3.4.4.1 Appendix D Appendix E
Erosion and Sediment Control Plan (ESCP) (MGOOC-1779562647-10974)	Rev 7, 3 October 2023	Section 3.4.4.2 Appendix D Appendix E
Groundwater Management and Monitoring Plan (GMMP) (MGOOC-1779562647-11186)	Rev 6, 3 October 2023	Section 3.4.4.3 Appendix D Appendix E

Management plan	Version and date	Report section reference
Surface Water and Groundwater Response Plan (SWGRP) (MGOOC-1779562647-11187)	Rev 6, 3 October 2023	Section 3.4.4.4 Appendix D Appendix E
Creek Diversion Management Plan (CDMP) (MGOOC-1779562647-10971)	Rev 5, 4 May 2020	Section 3.4.4.5 Appendix D Appendix E
AQGHGMP (MGOOC-1779562647-4392)	Rev 6, 15 October 2021	Section 3.4.5 Appendix D Appendix E
Noise Management Plan (NMP) (MGOOC-1779562647-10975)	Rev 5, 3 October 2023	Section 3.4.6 Appendix D Appendix E
Blast Management Plan (MGOOC-1779562647-11183)	Rev 7, 3 October 2023	Section 3.4.7 Appendix D Appendix E
ACHMP (MGOOC-1779562647-4159)	Rev 9, 3 October 2023	Section 3.4.8 Appendix D Appendix E
Historic Heritage Management Plan (HHMP) (MGOOC-1779562647-4225)	Rev 7, 3 October 2023	Section 3.4.9 Appendix D Appendix E
Biodiversity and Offset Management Plan and Strategy (BOMPS) (MGOOC-899305957-16)	Rev 4, 3 October 2023	Section 3.4.10 Appendix D Appendix E

2.5 Definitions

Audit reporting was undertaken generally in accordance with the requirements of the *Independent Audit Post Approval Requirements* (DPIE, 2020).

Compliant

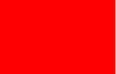
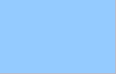
The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.

Non-compliant

The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.

In addition, while not required by *Independent Audit Post Approval Requirements* (DPIE, 2020), risk ratings have also been assigned for non-compliances as identified in Table 2.5.

Table 2.5 Risk ratings for non-compliances

Risk level	Colour code	Description
High		Non-compliance, with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium		Non-compliance, with: – 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: – potential for moderate environmental consequences, but is unlikely to occur; or – potential for low environmental consequences, but is likely to occur.
Administrative (ANC)		Only 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).

Not triggered

A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

Note

A statement or fact, where no assessment of compliance is required.

Corrective action (CA)

Is identified where there is an issue of compliance, and the action needs to be undertaken to close out the compliance issue.

Opportunity for improvement (OFI)

Has generally been identified where there is not an issue of compliance, but improvements could be made to enhance tracking of compliance.

3. Audit findings

3.1 Previous independent audit and status

The recommendations made in the 2020 IEA prepared by Jacobs Group (Australia) Pty Ltd, and the status of recommendations as at 17 November 2023 are detailed in Table 3.1.

Table 3.1 Status of 2020 IEA findings/recommendations

Condition	2020 IEA finding/recommendation	2023 IEA finding	Status
SSD-5850			
Schedule 2, Condition 17	Finding: No evidence of consultation in the development of the Voluntary Planning Agreement noted in Schedule 2, Condition 16. Recommendation 01: Ensure all required consultation is documented in CMO (NC001). Timing: N/A – Complete at time of submission of response to recommendations.	Review of relevant documentation indicates this was completed in July 2021 following finalisation of the planning agreement with Singleton Council.	Closed
Schedule 3, Condition 5	Finding: From 17 June 2020, N1 exceeded site criteria and were valid measurements with regard to meteorological conditions, indicating a non-compliance against SSD-5850 noise criteria. Recommendation 02: Conduct an internal review of the NMP and operating procedures relating to noise to determine if any improvements can be made and communication to those with responsibility for noise control (NC002). Timing: N/A – Complete at time of submission of response to recommendations.	This recommendation was closed prior to submission of the 2020 Annual Review. Review of relevant documentation indicates MGO reviewed the NMP and associated noise management processes which did not identify the need for further action or updates to the NMP. A record of the review of NMP was submitted to DPE on 4 August 2020. Furthermore, it is noted the NMP has been revised during the audit period, with the most recently approved revision approved by DPE on 3 October 2023.	Closed
Schedule 3, Condition 15	Finding: A blast was fired on 5 September 2018 while the MOC 1 Blast monitor was offline being serviced. Resulted in a failure to monitor which is a noncompliance with the approved Blast Management Plan (Schedule 3, Condition 15[b]). Recommendation 03: Ensure Pre-blast procedures are compliant with the Blast Management Plan and the approvals and reinforce with training the timing requirements of the Blast Management Plan and approvals (NC003). Timing: N/A – Complete at time of submission of response to recommendations.	This recommendation was closed prior to submission of the 2020 Annual Review. Review of relevant documentation indicates MGO implemented improved communication methods to ensure that personnel servicing blast monitoring equipment and their respective task coordinators were aware of blasting activities at both Glendell and Mt Owen mining areas. In addition, pre-blast assessments were updated to require review of monitor status prior to blasting.	Closed

Condition	2020 IEA finding/recommendation	2023 IEA finding	Status
Schedule 3, Condition 15	Finding: The Blast Management Plan does not include a road closure plan in contravention of Schedule 3, Condition 15(c). Recommendation 04: Condition 15(c) is explicit in requiring a Road Closure plan however mine plans indicate that this will not be required in life of mine. MGO should seek permission from DPIE to forego the requirement for a road closure plan (NC004). Timing: N/A – Complete at time of submission of response to recommendations.	This recommendation was closed in June 2021. Correspondence from DPE dated 17 June 2021 confirms a Road Closure Management Plan is only required to be prepared when blasting is proposed to be conducted within 500 m of a public road.	Closed
Schedule 3, Condition 16	Finding: PM₁₀ dust monitor SX10-G2 recorded a project specific result of 50.6 µg/m³ on 24 July 2018. This exceeded the short-term impact assessment criterion of 50 µg/m³ for PM₁₀, which is non-Compliant with Table 6 (Short-term impact assessment criteria for PM₁₀ in Schedule 3, Condition 1). Recommendation 05 and 07: Ensure compliance with the Air Quality Management Plan and approvals requirements when managing air quality. Review training needs and retrain if required (NC005, NC006, and NC010). Timing: N/A – Complete at time of submission of response to recommendations.	The recommendation is considered to have been addressed with MGO continuing to implement the controls identified in the AQGGMP to maintain compliance with approval conditions. The controls include training in management of air quality for mine personnel. MGO has reviewed training skills of all personnel and actions were placed into CMO for air quality training to be completed for those who had not previously. In addition, the Environment and Community awareness package was updated in Q2 2021, with its completion required by all personnel as part of the site induction process.	Closed
Schedule 3, Condition 18	Finding: A breach of Air Quality Operating Conditions, with a Penalty Notice received due to an event on 16 August 2019. Particulars of the Breach received by DPIE: <i>Mt Owen has failed to comply with Schedule 3, Condition 18 (a) and (b) of SSD-5850 (the consent) for the Mt Owen Open Cut.</i> Recommendation 05: Refer to discussion at Schedule 3, Condition 16 of SSD-5850. Timing: N/A – Complete at time of submission of response to recommendations.	Refer to discussion at Schedule 3, Condition 16 of SSD-5850.	Closed
DA 80/952			
Schedule 3, Condition 2	Refer to discussion at Schedule 3, Condition 5 of SSD-5850.	Refer to discussion at Schedule 3, Condition 5 of SSD-5850.	Closed
Schedule 3, Condition 4	Finding: There is no evidence the noise monitoring reports or in the Annual Reviews that compliance against this condition is assessed. There is no statement of compliance in the quarterly noise summary in accordance with the approved NMP. Recommendation 06: Revise the quarterly noise monitoring summary report by inclusion of a statement of compliance for cumulative noise (NC009). Timing: Quarter 3, 2021.	This recommendation was closed in June 2021, with review of quarterly noise monitoring summary reports indicating a statement of compliance for cumulative noise is now included in monitoring reports.	Closed

Condition	2020 IEA finding/recommendation	2023 IEA finding	Status
Schedule 3, Condition 20	Finding: PM₁₀ dust monitor SX10-G2 recorded a project specific result of 50.6 µg/m³ on 24 July 2018. This exceeded the short-term impact assessment criterion of 50 µg/m³ for PM₁₀. Recommendation 07: Refer to discussion at Schedule 3, Condition 16 of SSD-5850. Timing: N/A – Complete at time of submission of response to recommendations.	Refer to discussion at Schedule 3, Condition 16 of SSD-5850.	Closed
EPL 4460 and EPL 12840			
EPL 4460: M2.1 and M2.2 EPL 12840: M2.1 and M2.3	Finding: Instances where air quality monitoring did not occur due to a technical fault, planned maintenance and energy outage. Recommendation 08: The EPL data loss issue requires addressing. Mt Owen should investigate means of better guaranteeing data collection particularly for air quality units. Timing: N/A – Complete at time of submission of response to recommendations.	MGO notes maintenance contractors review data daily for any unscheduled downtime to ensure data capture. Additionally, evidence of air quality monitoring equipment maintenance and replacement was provided for the audit period. Therefore, the 2020 IEA recommendation, in its current form, is considered closed.	Closed

3.2 Summary of agency notices, orders, penalty notices or prosecutions

Review of documentation and conduct of audit interviews did not identify any agency notices, orders, penalty notices or prosecutions during the audit period.

3.3 Summary of non-compliances

The IEA identified a total of seven non-compliances, with overall compliance with conditions of relevant approvals, licenses and leases noted to be high, as follows:

- **SSD-5850:** Compliance with approximately 94% of conditions (i.e. 95 of 101 conditions) (Appendix D), with non-compliances noted as follows:
 - **NC01** (i.e. Schedule 2, Condition 2); and
 - **NC02** (i.e. Schedule 3, Conditions 27, 29, 29B, 29C, and 29D).
- **DA 80/952:** Compliance with approximately 97% of conditions (i.e. 95 of 98 conditions) (Appendix E), with non-compliances noted as follows:
 - **NC01** (i.e. Schedule 2, Condition 2);
 - **NC02** (i.e. Schedule 3, Condition 36A); and
 - **NC03** (i.e. Schedule 3, Condition 2).
- **EPL 4460:** Compliance with approximately 96% of conditions (i.e. 87 of 91 conditions) (Appendix F);
 - **NC04** (i.e. Condition O6.1);
 - **NC05** (i.e. Conditions M2.1 and M2.2); and
 - **NC06** (i.e. Condition R5.6).
- **EPL 12840:** Compliance with approximately 96% of conditions (i.e. 89 of 93 conditions) (Appendix G);
 - **NC03** (i.e. Conditions L3.3);
 - **NC05** (i.e. Conditions M2.1 and M2.3); and
 - **NC07** (i.e. Condition L2.3).
- **Relevant leases²:**
 - **ML 1355:**
 - up to 30 June 2022: Compliance with 100% of conditions; and
 - from 1 July 2022: Compliance with 100% of conditions (Appendix H).
 - **CL 358:**
 - up to 30 June 2022: Compliance with 100% of conditions; and
 - from 1 July 2022: Compliance with 100% of conditions (Appendix H).
 - **Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW):** Compliance with 100% of requirements (Appendix H).
- **Relevant water licensing and approvals:** Compliance with 100% of conditions (Appendix H).

² As discussed in Section 2.3, the auditor reviewed the relevance of the mining leases and audited ML 1355 and CL 358, with these the most relevant to the current operation of the MGO Complex noting that many lease clauses are the same.

3.3.1 SSD-5850

The review of compliance with SSD-5850 identified two non-compliances, of which two are duplicates of non-compliances associated with DA 80/952 (i.e. **NC01** and **NC02**). This resulted in non-compliance with six conditions of SSD-5850, with all identified as ANC (Appendix D). A summary of non-compliances is detailed in Table 3.2.

Table 3.2 Non-compliances with conditions of SSD-5850

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC01	Schedule 2, Condition 2	The Applicant must carry out the development: (b) in accordance with the conditions of this consent.	Non-compliance with this condition is noted in relation to non-compliances with other conditions of SSD-5850. These include Schedule 3, Conditions 27, 29, 29B, 29C, and 29D.	ANC	N/A
NC02	Schedule 3, Condition 27	The Applicant must implement the Biodiversity Offset Strategy described in the EIS, summarised in Table 9 and shown conceptually in Appendix 5 and 7.	Review of relevant documentation indicates Biodiversity Offset Areas (BOAs) and Biodiversity Stewardship Agreements (BSAs) have not been secured in the required timeframe resulting in an ANC with relevant requirements of this condition. However, it is noted MGO has been working with the regulator including the Credit Supply Taskforce (CST) during the audit period to progress BSAs applications including: – the Mitchell Hills, Cross Creek and Stringybark BSAs were signed by Glencore and Biodiversity Conservation Trust (BCT) representatives in 2022, with these BSAs now in the process of completing payment of the Total Fund Deposit (TFD), retirement of credits and execution from the CST; and – completion of an inspection of the Belford and Bulga Offsets by the CST in November and December 2022. While MGO is continuing to liaise with CST to progress the Esparanga Offset, there have been delays with the purchase of a Crown road at Esparanga from Crown Lands to enable retirement of the required biodiversity credits. During the Audit interview, MGO indicated purchase of the Crown road from Crown Lands was unlikely to be achievable due to a Native title claim in the area. However, recent consultation with CST and DPE has determined that the requirement for this paper road area to be included as part of the Esparanga BOA should be removed from relevant conditions of SSD-5850 during the next modification (i.e. Modification 8). It is understood Modification 8 will be sought, and likely approved, during the 2026 audit period. Therefore, CA01 has been identified. In addition, it is noted submission of an application for BCT to issue a Charge Quote to make payment of all outstanding Biodiversity credits into the Biodiversity Conservation Fund (BCF) was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing.	ANC	CA01

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC02	Schedule 3, Condition 29	The Applicant must make suitable arrangements for the long term protection of the areas identified in Table 9, to the satisfaction of the Secretary. These arrangements must be implemented by: (a) the end of June 2018, unless the Secretary agrees otherwise, for all on-site and off-site offsets excluding the Rehabilitation Woodland offset area; and...	Refer to discussion for Schedule 3, Condition 27, with CA01 identified in relation to the Esparanga BOA.	ANC	CA01
NC02	Schedule 3, Condition 29B	Within 12 months of the determination of Mod 5, unless otherwise agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 9B...	Approval of SSD-5850 (Modification 2) occurred on 4 September 2019, meaning biodiversity credit retirement was due by 4 September 2021. However, an extension to 4 September 2022 was approved by DPE on 10 August 2021. Retirement of credits for Schedule 3, Condition 29B (Table 9A) was not achieved by 4 September 2022, resulting in an ANC with the requirements of this condition. However, it is noted MGO provided a notification of non-compliance to DPE on 11 September 2022. As this ANC has already been reported and is being progressed in consultation with CST, no CA has been deemed relevant.	ANC	CA02

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
			Review of relevant documentation otherwise indicates: – in accordance with the note to Table 9A, credit requirements were converted to reasonably equivalent biodiversity credits within the meaning of the <i>Biodiversity Conservation Act 2016</i> (NSW). Credit retirement requirements were confirmed in MGO's letter to DPE dated 22 August 2022, with 741 credits required for Mt Owen SSD-5850 Modification 2 as follows: – 680 credits for HU815/PCT 1601; – 6 credits for HU945/PCT 1731; and – 55 credits for HU906/PCT 1692). – preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via BSA. These properties are identified as Esparanga, Mitchell Hills, Stringybark and Cross Creek offset areas. Correspondence from MGO dated 3 September 2022 indicates credit retirement would be achieved through these BSAs as follows: – PCT 1601 (HU815) (Threatened Ecological Communities [TEC] offset trading group) – 687 credits available, with 437 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); – PCT 1601 (HU815) (non-TEC offset trading group) – 290 credits available, with 282 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); – PCT 1692 (HU906) (non-TEC offset trading group) – 79 credits available, with 55 credits required (i.e. per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 13 of Schedule 3, Condition 36A of DA 80/952); – PCT 1731 (HU945) (non-TEC offset trading group) – 22 credits available, with 6 credits required (i.e. per converted credit requirements against Table 9A of Schedule 3, Condition 29B); and – brush-tailed phascogale (<i>Phascogale tapoatafa</i>) – Nil available, with 177 credits required. – retirement of brush-tailed phascogale (<i>Phascogale tapoatafa</i>) credits was achieved 10 December 2021, with 177 credits retired; and – submission of an application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. Therefore, CA02 has been identified.		

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC02	Schedule 3, Condition 29C	Within 12 months of the determination of Mod 5, unless otherwise agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 9B...	Approval of SSD-5850 (Modification 5) occurred on 15 January 2021, meaning biodiversity credit retirement was due by 15 January 2022. However, an extension to 4 September 2022 was approved by DPE on 10 August 2021. Retirement of credits for Schedule 3, Condition 29C (Table 9B) was not achieved by 4 September 2022. Therefore, an ANC has been identified in relation to this condition. However, as this ANC has already been reported and is being progressed in consultation with CST, a CA or OFI has been determined to not be required. Review of relevant documentation indicates: - credit retirement requirements were confirmed in MGO's letter to DPE dated 22 August 2022, with 394 credits required for Mt Owen SSD-5850 Modification 5; - preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via Biodiversity Stewardship Agreement (BSA). These properties are identified as Esparanga, Mitchell Hills, Stringybark and Cross Creek offset areas. Correspondence from MGO dated 3 September 2022 indicates credit retirement would be achieved through these BSAs as follows: - PCT 1598 – 6 credits available, with 2 credits required (i.e. per Table 9B of Schedule 3, Condition 29C); - PCT 1601 (HU815) (TEC offset trading group) – 687 credits available, with 437 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); - PCT 1601 (HU815) (non-TEC offset trading group) – 290 credits available, with 282 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); and - squirrel glider – 541 credits available, with 197 credits required (i.e. per Table 9B of Schedule 3, Condition 29C). - submission of an application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. Therefore, CA02 has been identified.	ANC	CA02
NC02	Schedule 3, Condition 29D	Within 12 months of the determination of Mod 6, unless otherwise agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 9C...	Approval of SSD-5850 (Modification 6) occurred on 11 June 2021, meaning biodiversity credit retirement was due by 11 June 2022. However, an extension to 4 September 2022 was approved by DPE on 10 August 2021. Retirement of credits for Schedule 3, Condition 29C (Table 9B) was not achieved by 4 September 2022. Therefore, an ANC has been identified in relation to this condition. However, as this ANC has already been reported and is being progressed in consultation with CST, a CA or OFI has been determined to not be required.	ANC	CA02

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
			Review of relevant documentation indicates: – credit retirement requirements were confirmed in MGO's letter to DPE dated 22 August 2022, with 64 credits required for Mt Owen SSD-5850 Modification 6; – preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via Biodiversity Stewardship Agreement (BSA). These properties are identified as Esparanga, Mitchell Hills, Stringybark and Cross Creek offset areas. Correspondence from MGO dated 3 September 2022 indicates credit retirement would be achieved through these BSAs as follows: – PCT 1603 – 138 credits available, with 7 credits required (i.e. per Table 9C of Schedule 3, Condition 29D); – PCT 1604 (TEC offset trading group) – 131 residual PCT 1603 credits available, with 23 credits required (i.e. per Table 9C of Schedule 3, Condition 29D); and – eastern cave bat (<i>Vespadelus troughtoni</i>) – Nil available, with 34 credits required. – retirement of eastern cave bat (<i>Vespadelus troughtoni</i>) credits was achieved 3 February 2023, with 34 credits retired (i.e. per Table 9C of Schedule 3, Condition 29D); and – submission of an application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. Therefore, CA02 has been identified.		

3.3.2 DA 80/952

The review of compliance with DA 80/952 identified three non-compliances, of which two are duplicates of non-compliances associated with SSD-5850 (i.e. **NC01** and **NC02**) and one is a duplicate of a non-compliance associated with EPL 12840 (i.e. **NC03**). This resulted in non-compliance with three conditions of DA 80/952, with two identified as low risk and one identified as an ANC (Appendix E). A summary of non-compliances is detailed in Table 3.3.

Table 3.3 Non-compliances with conditions of DA 80/592

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC01	Schedule 2, Condition 2	The Applicant must carry out the development: (b) in accordance with...the conditions of this consent.	Non-compliance with this condition is noted in relation to non-compliances with other conditions of DA 80/952. These include Schedule 3, Conditions 2 and 36A.	Low	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC03	Schedule 3, Condition 2	The Applicant must ensure that the noise generated by the development 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.	One exceedance of noise criteria under Schedule 3, Condition 2 was noted to have occurred at location N9 on 10 August 2021. Based on the following considerations, a CA or OFI has been determined to not be required: – the incident was investigated and corrective actions implemented, including additional noise monitoring within one week of the exceedance (on 14 August 2021); – DPE and the EPA were notified via email on 11 August 2021, with a noise exceedance report and corrective action plan submitted, and no further corrective actions requested by either agency; – no complaints were received in relation to this exceedance; – affected sensitive receivers were notified of the exceedance, as well as result from the additional noise monitoring completed on 14 August 2021; and – the NMP was reviewed in accordance with Schedule 5, Condition 6 of DA 80/952. – DPE considered the management actions implemented in response to the exceedance were consistent with the approved Noise Management Plan.	Low	N/A
NC02	Schedule 3, Condition 36A	Within 6 months of the approval of Modification 4, or other timeframe agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 12...	Schedule 3, Condition 36A requires MGO to retire the specified biodiversity credits by 28 April 2023 (i.e. within 6 months of approval of Modification 4 of DA 80/952), which was not achieved. Therefore, an ANC has been identified in relation to this condition. However, as this ANC has already been reported and is being progressed in consultation with CST, a CA or OFI has been determined to not be required. Review of relevant documentation indicates: – credit retirement requirements were confirmed in MGO's letter to DPE dated 22 August 2022, with 109 credits required for Glendell DA 80/952 Modification 4; – preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via BSA. These properties were identified as Bulga and Belfort properties. However, MGO decided to take a different approach following discussions with DPE and CST in 2023. An application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with a Charge Quote (ID: Q00306) received from BCT on 25 October 2023 for 21 Biodiversity Assessment Method (BAM) Credits for PCT 1692 and 88 BAM Credits for PCT 1691. Therefore, a CA or OFI has been determined to not be required.	ANC	N/A

3.3.3 EPL 4460

The review of compliance with EPL 4460 identified three non-compliances, of which one is a duplicate of a non-compliance associated with EPL 12840 (i.e. **NC05**). This resulted in non-compliance with 4 conditions of EPL 4460, with all identified as ANCs (Appendix F). A summary of non-compliances is detailed in Table 3.4.

Table 3.4 Non-compliances with conditions of EPL 4460

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC04	O6.1	The Licensee is authorised to dispose of heavy plant tyre waste generated on the premises, in the waste rock/overburden emplacements. The Licensee must: b) ensure that heavy plant waste tyres are laid flat with a maximum of 10 tyres per site and a minimum distance of 10 m between sites;	In the 2022/2023 reporting period, MGO disposed of heavy plant tyres without ensuring the minimum 10 m separation between sites, as required by Condition O6.1(b). This ANC has already been reported by MGO and has not reoccurred during the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.	ANC	N/A
NC05	M2.1	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:	During all reporting years (i.e. 2020/2021, 2021/2022, 2022/2023, and 2023/2024), there were (self-reported) non-compliances due to 24-hour average PM ₁₀ results not being captured continuously by the air quality monitoring unit due to a technical fault, routine maintenance, or reasons outside foreseeable control of MGO. While MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture, it is noted MGO owns the air quality monitoring hardware and is therefore responsible for data losses due to hardware issues. Review of data indicates a high amount of data capture for relevant monitoring points (i.e. >85%); however, data capture at EPA Monitoring Point 8 has been declining each year of the audit period (i.e. 96% in 2020/2021, 87% in 2021/2022, and 86% in 2022/2023). Therefore, OFI01 has been identified.	ANC	OFI01
NC05	M2.2	Air Monitoring Requirements	Refer to discussion at Condition M2.1.	ANC	OFI01

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC06	R5.6	The Licensee must provide the EPA with an Annual Heavy Plant Tyre Disposal Report. The Report must be submitted with the licence Annual Return each year and must include a plan of the disposed heavy plant tyres on the premises for the period that includes: e) co-ordinates (easting and northings) of the location where each tyre was disposed of by burial	In 2022/2023, MGO disposed of heavy plant tyres without recording the coordinates of the location where each tyre was disposed of, as required by Condition R5.6l. This ANC has already been reported by MGO and has not reoccurred during the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.	ANC	N/A

3.3.4 EPL 12840

The review of compliance with EPL 12840 identified three non-compliances, of which one is a duplicate of a non-compliance associated with DA 80/952 (i.e. **NC03**) and another is a duplicate of a non-compliance associated with EPL 4460 (i.e. **NC05**). This resulted in non-compliance with four conditions of EPL 12840, with one identified as a low-risk non-compliance and three identified as ANCs (Appendix G). A summary of non-compliances is detailed in Table 3.5.

Table 3.5 Non-compliances with conditions of EPL 12840

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC07	L2.3	The Licensee must not dispose of more than 600 tonnes (t) of heavy Plant-tyres on the premises in any annual return year period.	In 2021/2022, MGO disposed of approximately 932.7 t of heavy plant tyres, which is above the 600 t annual limit. Review of the Annual Return for 2022/2023 identified compliance with this condition. The audit determined compliance for the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.	ANC	N/A
NC03	L3.3	Noise generated at the premises must not exceed the noise limits presented in the table...	Review of relevant documentation indicates general compliance with the requirements of this condition; however, an exceedance of criteria at location N9 occurred on 10 August 2021, with noise from Glendell Mine being audible as mining noise continuum, rear dump trucks and dozer tracks during the measurement. As this was a singular event and not an ongoing issue, a CA or OFI has been determined to not be required.	Low	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC05	M2.1	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:	During all reporting years (i.e. 2020/2021, 2021/2022, 2022/2023, and 2023/2024), there were (self-reported) non-compliances due to 24-hour average PM₁₀ results not being captured continuously by the air quality monitoring unit due to a technical fault, routine maintenance, or reasons outside foreseeable control of MGO. While MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture, it is noted MGO owns the air quality monitoring hardware and is therefore responsible for data losses due to hardware issues. Review of data indicates a high amount of data capture for relevant monitoring points (i.e. >85%). Therefore, no CA or OFI is deemed relevant.	ANC	N/A
NC05	M2.3	Air Monitoring Requirements	Refer to discussion at Condition M2.1.	ANC	N/A

3.3.5 Leases

3.3.5.1 Mining Lease 1355

The review of compliance with ML 1355 did not identify any non-compliances with conditions up to 30 June 2022 or from 1 July 2022 (Appendix H).

3.3.5.2 Coal Lease 358

The review of compliance with CL 358 did not identify any non-compliances with conditions up to 30 June 2022 or from 1 July 2022 (Appendix H).

3.3.5.3 Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016

The review of compliance with the Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) did not identify any non-compliances (Appendix H).

3.3.6 Compliance with water licensing and approvals

MGO holds WALs, water supply works and water use approvals under the *Water Management Act 2000* (NSW) for extraction of water from Glennies Creek (Glennies Creek management zone), under the *Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022*.

Not all water licences were reviewed, with the licences considered thought to best represent the active licences relevant to the operation of the Mt Owen Complex. These included:

- high security WAL (Glennies Creek management zone): WAL 7814;
- water supply works (Swamp Creek Lower Diversion): 20WA211430; and
- groundwater licence (monitoring bore): 20BL168116.

Review of compliance with the conditions of these water licences and approvals is provided in Appendix H and did not identify any non-compliances.

3.4 Adequacy of any strategies/plans, programs and compliance documents

3.4.1 Environmental Management Strategy

The EMS (MGOOC-1779562647-11191) (Rev 8, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including Schedule 5, Conditions 2 and 3; and
- DA 80/952, including Schedule 5, Conditions 2 and 3.

The EMS (MGOOC-1779562647-11191) (Rev 8, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix 4 of the revised EMS and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the EMS (MGOOC-1779562647-11191) (Rev 8, 3 October 2023).

3.4.2 Rehabilitation Strategy

The RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021) has been written and implemented in accordance with SSD-5850, including:

- Schedule 3, Condition 43 (RS); and
- Schedule 5, Condition 3 (Management Plan Requirements).

A specific condition requiring development of an RS is not included in DA 80/952.

Approval is included as Appendix C of the RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021) and was provided by DPE on 24 September 2021. This version was available on the MGO website from 29 November 2021.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021).

3.4.3 Rehabilitation Management Plan

The RMP (MGOOC-1779562647-12433) (Rev 2, 19 August 2022) has been written and implemented in accordance with:

- relevant Standard Conditions (Schedule 8A, Part 2) of the *Mining Regulation 2016* (NSW);
- relevant Resources Regulator Form and Way and Guideline documents;
- SSD-5850, specifically:
 - Schedule 3, Condition 42 (Rehabilitation Objectives);
 - Schedule 3, Condition 44 (Progressive Rehabilitation); and
 - Schedule 3, Condition 45 (RMP).
- DA 80/952, specifically:
 - Schedule 3, Conditions 37 and 37A (Rehabilitation);
 - Schedule 3, Condition 37C (Revegetation and Compensatory planting); and
 - Schedule 3, Condition 40 (Rehabilitation and Offset Management Plan).
- SSD-5850 and DA 80/952 Schedule 5, Condition 3 (Management Plan Requirements).

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the RMP (MGOOC-1779562647-12433) (Rev 2, 19 August 2022), with the following related documents sighted during the audit:

- *Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022 (14 April 2023)*; and
- *Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025*.

3.4.4 Water Management Plan

The WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 2, Condition 23 (GRAWTS);
 - Schedule 3, Condition 21 (Water Supply);
 - Schedule 3, Condition 23 (Water Pollution);
 - Schedule 3, Condition 25 (Water Management Performance Measures);
 - Schedule 3, Condition 26 (WMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 25 (Discharge Limits);
 - Schedule 3, Condition 31 (Site Water Balance);
 - Schedule 3, Condition 29 (Site WMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix B of the WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the WMP (MGOOC-1779562647-11190) (Rev 5, 3 October 2023).

3.4.4.1 Surface Water Management and Monitoring Plan

The SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 26(c)(iv) (Surface WMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 29(c) (SWMMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix B of the SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023).

3.4.4.2 Erosion and Sediment Control Management Plan

The ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 26(c)(iii) (ESCP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 29(c) (ESCP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix B of the ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023).

3.4.4.3 Groundwater Management and Monitoring Plan

The GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 26(c)(v) (Groundwater Management Plan); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 29(c) (Groundwater Monitoring Program); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix A of the GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023).

3.4.4.4 Surface Water and Groundwater Response Plan

The SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023) has been written and implemented in accordance with:

- DA 80/952, including:
 - Schedule 3, Condition 29(c) (SWGRP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

A specific condition requiring development of a SWGRP is not included in SSD-5850.

The SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix B of the SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023).

3.4.4.5 Creek Diversion Management Plan

The CDMP (MGOOC-1779562647-10971) (Rev 5, 4 May 2020) has been written and implemented in accordance with:

- DA 80/952, including:
 - Schedule 3, Condition 29(c) (Bettys Creek and Swamp Creek Diversion Plan/s);
 - Schedule 3, Condition 30 (Bettys Creek and Swamp Creek Diversion Plan/s); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

A specific condition requiring development of a CDMP is not included in SSD-5850.

Approval is included as Appendix B of the CDMP (MGOOC-1779562647-10971) (Rev 5, 4 May 2020) and was provided by DPE on 15 April 2020. This version was available on the MGO website from 7 May 2020.

There has been no change to the approved CDMP since the 2020 IEA, with no major findings from the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the CDMP.

3.4.5 Air Quality and Greenhouse Gas Management Plan

The AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 15 October 2021) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 19 (AQGHGMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 23A (AQGHGMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

Approval is included as Appendix C of the revised AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 15 October 2021) and was provided by DPE on 29 September 2021. This version was available on the MGO website from 19 October 2021.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 15 October 2021). During February and March 2021, consultation undertaken with DPE regarding rationalising of dust deposition monitoring program in the AQGHGMP. MGO agreed to illustrate and justify which dust deposition monitoring locations were to be removed in the next revision of the AQGHGMP. This was addressed by the current AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 15 October 2021).

3.4.6 Noise Management Plan

The NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 7 (NMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 8 (Noise Monitoring Program); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix C of the revised NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023).

3.4.7 Blast Management Plan

The Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 15 (Blast Management Plan); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 19 (Blast Monitoring Program); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix B of the revised Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).

3.4.8 Aboriginal Cultural Heritage Management Plan

The ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 34 (ACHMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 44 (ACHMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix C of the revised ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023).

3.4.9 Historic Heritage Management Plan

The HHMP (MGOOC-1779562647-4225) (Rev 7, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850, including:
 - Schedule 3, Condition 35 (HHMP); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

A specific condition requiring development of a HHMP is not included in DA 80/952.

The HHMP (MGOOC-1779562647-4225) (Rev 7, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix A of the revised HHMP (MGOOC-1779562647-4225) (Rev 7, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the HHMP (MGOOC-1779562647-4225) (Rev 7, 3 October 2023).

3.4.10 Biodiversity and Offset Management Plan and Strategy

The BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023) has been written and implemented in accordance with:

- SSD-5850:
 - Schedule 3, Condition 27 (Biodiversity Offset Strategy);
 - Schedule 3, Condition 29A (Modification 2 Biodiversity Offset Strategy);
 - Schedule 3, Condition 31 (Biodiversity Management Plan); and
 - Schedule 5, Condition 3 (Management Plan Requirements).
- DA 80/952, including:
 - Schedule 3, Condition 36 (Offset Strategy implementation);
 - Schedule 3, Condition 39 (Landscape Management Plan [also partially addressed by the RMP]);
 - Schedule 3, Condition 40 (Rehabilitation and Offset Management Plan [also partially addressed by the RMP]); and
 - Schedule 5, Condition 3 (Management Plan Requirements).

The BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023) has been updated during the audit period, with the most recent update being in relation to administrative changes required to reflect the current consolidated conditions of consent for SSD-5850, which were updated following approval of Modification 7 on 15 May 2023 for the GRAWTS Stage 2 Modification. Approval is included as Appendix B of the revised BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023) and was provided by DPE on 3 October 2023. This version was available on the MGO website from 17 October 2023.

The approval provided by DPE on 3 October 2023 verified consultation with relevant parties, in accordance with Schedule 2, Condition 18 of SSD-5850 and Schedule 2, Condition 17 of DA 80/952, was not required due to the administrative nature of the changes.

There were no issues identified during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023).

3.5 Complaints and reportable incidents

3.5.1 Complaints

Review of complaints data for the audit period indicate a downward trajectory for complaints, with complaints reducing from 148 complaints during the 2020 IEA period (i.e. an average of 37 complaints per year) to 13 complaints during the 2023 IEA period (i.e. an average of four complaints per year). This represents an approximate 91% reduction in complaints.

A summary of complaints, by type is provided in Table 3.6.

Table 3.6 Total complaints by year in the audit period

Complaint type	3-31 December 2020		2021		2021/2022		1 January to 17 November 2023	
	Mt Owen	Glendell	Mt Owen	Glendell	Mt Owen	Glendell	Mt Owen	Glendell
Noise	-	-	1 ¹	2	1	1	2	-
Air quality/dust	-	-		1	2	-	1	-
Blasting	-	-	-	-	1	-	1	-
Total	0	0	1	3	4	1	4	0
Combined total	0		4		5		4	

Note 1: Single complaint relating to both noise and air quality/dust.

All complaints were documented with commentary around the response to the complainant, where this was possible (i.e. a response not being possible where a complaint was made anonymously).

3.5.2 Reportable incidents under the Protection of the Environment Operations Act 1997

During the review of relevant documentation and audit interviews conducted there were no identification of incidents that have occurred during the audit period, whether in relation to Section 120 (Prohibition of pollution of waters) or Section 148 (Pollution incidents causing or threatening material harm to be notified) of the *Protection of the Environment Operations Act 1997* (NSW).

4. Environmental performance

MGO demonstrated a high level of environmental performance during the audit period and site inspection, as demonstrated in the general lack of exceedances of relevant criteria in SSD-5850 (Appendix D), DA 80/952 (Appendix E), EPL 4460 (Appendix F), EPL 12840 (Appendix G), and site inspection observations provided in Appendix I.

4.1 General environmental management

The following general observations are made based on evidence from the site interviews supported by onsite inspection:

- equipment lay down areas are tidy and free of contamination;
- oil recycling areas and wash down area were in good condition and tidy;
- the workshop was relatively free of spills and was tidy and well organised; and
- the auditors observed the use of dust suppression, with a water truck observed to be in use during the site inspection.

As part of the Environmental Management System, , the Mt Owen Complex operates:

- a repository web interface that saves and displays the data recorded at all the real-time monitoring units (i.e. dust monitor, noise monitor, weather stations); and
- a Dust and Noise Analysis Tool (DNAT), which assists MGO in complying with air quality and noise criteria specified in conditions of SSD-5850, DA 80/952, EPL 4460, and EPL 12840.

The DNAT assist in avoiding and minimising potential impacts on the nearby community living in Camberwell, Falbrook and Middle Falbrook areas, enabling MGO to plan and modify operational controls in adverse conditions, with a Trigger Action Response Plan (TARP) threshold system to identify the need to revise operations as follows:

- green: indicates no issues;
- orange: indicates potential issues, and the need to remain vigilant and potentially consider revising operations; and
- red: indicates levels are progressing toward exceedance of air quality and/or noise criteria and operations need to be revised or cease to ensure exceedance does not occur.

Actions taken are saved in DNAT and can be reviewed as needed .

Other observations during conduct of the audit, including the site inspection and interviews, is provided in Sections 4.2 to 4.11.

4.2 Rehabilitation

Review of relevant documentation indicates relevant plans for rehabilitation during the audit period included:

- *MGO Mining Operations Plan Amendment C 1 January 2020 to 30 June 2024* (630.30164, 12 July 2021) (MOP) – up to 31 July 2022;
- RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021)
- RMP (MGOOC-1779562647-12433) (Rev 2, 19 August 2022) – from 1 August 2022.

4.2.1 Progressive rehabilitation

The Annual Review for 2022 indicates approximately 1,666 hectares (ha) of land was under active rehabilitation during the 2022 reporting period, predicting this would increase to approximately 1,752 ha during the 2023 reporting period. An overview of rehabilitation activities during the 2020, 2021 and 2022 reporting periods is provided in Table 4.1, verifying appropriate implementation of the MOP and RMP during the audit period.

Progressive rehabilitation during the 2023 reporting period was noted to include active rehabilitation of the West Pit – RL170. This area was observed during the site inspection, with topsoil spreading completed in preparation for application of amelioration (i.e. gypsum), followed by ripping and seeding (Images 12 and 13 of Appendix I). In addition, review of the *Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025* indicates rehabilitation planning during this period as follows:

- 2023: Approximately 23.15 ha of land prepared for rehabilitation, and approximately 23.15 ha proposed for active rehabilitation;
- 2024: Approximately 90.4 ha of land prepared for rehabilitation, and approximately 67.25 ha proposed for active rehabilitation; and
- 2025: Approximately 186.72 ha of land prepared for rehabilitation, and approximately 96.31 ha proposed for active rehabilitation.

Table 4.1 Progressive rehabilitation during the audit period

Reporting year	Site	Rehabilitation completed	MOP / RMP prediction	Commentary
2020	Mt Owen and Ravensworth East	38.8 ha	–	Rehabilitation included 38.8 ha of open forest rehabilitation.
	Glendell	56.5 ha	–	Rehabilitation included: – 35.1 ha of open grassland or pasture areas; and – 21.4 ha of open woodland areas.
	<i>Mt Owen Complex total</i>	95.3 ha	84.8 ha	N/A
2021	Mt Owen and Ravensworth East	21.4 ha	–	Rehabilitation included 21.4 ha of open forest rehabilitation.
	Glendell	53.6 ha	–	Rehabilitation included: – 46.93 ha of open grassland or pasture areas; and – 6.67 ha of open woodland areas.
	<i>Mt Owen Complex total</i>	75.0 ha	67.1 ha	N/A
2022	Mt Owen and Ravensworth East	23.32 ha	–	Rehabilitation included 23.32 ha of open forest rehabilitation.
	Glendell	8.1 ha	–	Rehabilitation included 8.1 ha of open woodland areas.
	<i>Mt Owen Complex total</i>	31.42 ha	30.25 ha	N/A

During the audit interview MGO indicated drones, helicopters, and tractors are sometimes used for rehabilitation activities. Successful establishment of a vegetated rehabilitation area at Glendell (i.e. DA 80/952), which had used helicopters to complete seeding in 2019, was observed during the site inspection (Image 17 of Appendix I).

4.2.2 Rehabilitation design

Conduct of the audit indicated rehabilitation at the Mt Owen Complex moved toward implementation of geomorphic design principles for new mine rehabilitation areas in approximately 2019 at Mt Owen, with older rehabilitation (i.e. prior to 2019) being completed using more traditional rehabilitation techniques. The intention of implementing geomorphic design principles is to provide safe, stable, ecologically functional, and aesthetically pleasing final landform.

This approach by MGO is in-line with current best practice principles generally adopted by the NSW Resources Regulator, with the goal being to complete rehabilitation such that it incorporates micro-relief and integrates into the surrounding landscape, and contains any waste material over geological time with little or no maintenance.

The site inspection verified structures such as tree hollows, logs, stag trees, rock material and other woody debris to augment the target habitat value of rehabilitation areas (Image 19 of Appendix I). In addition, a variety of specifically designed nest boxes were observed in rehabilitation areas during the site inspection (Image 25 of Appendix I).

Conduct of the audit verifies rehabilitation is established to ensure woodland and habitat connectivity within the rehabilitated landscape, with native ecosystems targeted for re-establishment generally focussed on establishing flora species assemblages characteristic of Central Hunter Box – Spotted Gum – Grey Box Forest. However, rehabilitation is also focussed on establishing other communities in appropriate parts of the terrain, such as:

- Hunter Lowland Red Gum Forest;
- Central Hunter Grey Box – Ironbark Woodland;
- wet variants of Central Hunter Box – Spotted Gum – Grey Box Forest; and
- Hunter Valley River Oak Forest.

Finally, MGO has developed a seed collection program, with seed collection areas established within existing rehabilitation areas and sighted during the site inspection. It is understood seed collection is undertaken generally in accordance with *Florabank Seed Collection Guidelines* (Greening Australia, 1999).

4.2.3 Rehabilitation management and monitoring

Conduct of the audit verified active rehabilitation management is undertaken by MGO.

The audit interviews indicate rehabilitation management and monitoring planning is achieved through:

- mapping/tracking of areas with erosion/rilling issues to assist with prioritising maintenance activities to fix identified issues;
- separation of rehabilitation and mapping/tracking across two distinct time periods:
 - initial establishment monitoring – rapid monitoring of rehabilitation aged 1 to 3 years, mainly focussing on native species germination success, landform stability (i.e. erosion issues) and early identification of problematic weeds; and
 - long-term monitoring – detailed scientific monitoring of older rehabilitation (≥4 years) to evaluate and track progress toward defined rehabilitation objectives and completion criteria.
- completion of annual and quarterly monitoring, with separate areas targeted in each.

Review of the *Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022* indicates annual rehabilitation monitoring was conducted in October 2022, with field surveys inspecting approximately 375.5 ha of rehabilitation consisting of approximately:

- 89.4 ha of open grassland or pasture areas;
- 94.9 ha of non-specific native vegetation; and
- 191.2 ha of targeted native ecosystems.

Monitoring methods incorporated and addressed the requirements specified in the RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022), including a combination of:

- plot-based monitoring in accordance with the NSW Biodiversity Assessment Method (to assess native vegetation); and
- nested 1 m² quadrat along a 50 m linear transect (to assess pasture rehabilitation).

This monitoring indicated rehabilitation is moving toward achieving final land use objectives, with management recommendations identified to improve the condition of rehabilitation areas and ensure they ultimately achieve final land use objectives.

Evidence of rehabilitation area management was observed during the site inspection including:

- use of a variety of weed control techniques, including:
 - poisoning completed by hand and through use of booms on vehicles (Image 24 of Appendix I);
 - mulching of weeds following die-off; and
 - investigation into the potential for fire management for specific weed species.
- planting of tubestock in areas of Glendell (i.e. DA 80/952) originally rehabilitated to open grassland or pasture areas, but required to be rehabilitated to open woodland areas (Image 18 of Appendix I). Of note, this is being achieved without complete re-disturbance of the rehabilitation area which could potentially result in soil degradation and erosion. Instead, MGO is looking to transition to these open grassland or pasture areas to an open woodland areas by spot-poisoning across the rehabilitation area in small circular footprints (e.g. a diameter of 1 m) and later planting tubestock in each circle following die-off.

4.3 Biodiversity

4.3.1 Biodiversity Offset Areas and Conservation Agreements

Biodiversity Offset Areas currently managed under the BOMP include Cross Creek Offset Site, Stringybark Habitat Corridor Offset Site, Esparanga Offset Site, and Mitchell Hills Offset Site.

In addition, MGO manage Bettys Creek (Enex Foydell) CA, Bettys Creek (Glendell) CA, Mount Owen Offsets CA (which is represented by a cluster of four smaller offset areas North-East Offset, Forest East Offset, South-East Offset, and South-East Corridor Offset), Southern Remnant CA, and North-West Offset CA.

4.3.2 Securing of offsets and retirement of biodiversity credits

Review of relevant documentation indicates BOAs and BSAs have not been secured resulting in an ANC with relevant requirements of Schedule 3, Conditions 27, 29, 29B, 29C and 29D of SSD-5850 (Section 3.3.1) and Schedule 3, Condition 36A of DA 80/952 (Section 3.3.2).

Review of relevant documentation indicates BOAs and CAs have been managed in accordance with the BOMP. However, MGO is not compliant with the Schedule 3, Conditions 27, 29, 29B, 29C and 29D of SSD-5850 (Section 3.3.1) and Schedule 3, Condition 36A of DA 80/952 (Section 3.3.2).

4.3.2.1 Esparanga Offset Site

During the audit interviews MGO indicated the purchase of the Crown road from Crown Lands was unlikely to be achievable in the due timeframe. Therefore, consultation with CST and DPE has determined the requirement for this area to be included as part of the Esparanga BOA should be removed from relevant conditions of SSD-5850 during the next modification (i.e. MOCO Modification 8). It is understood Modification 8 will be sought, and likely approved, during the 2026 audit period. As a result, **CA01** has been identified.

4.3.2.2 Retirement of biodiversity credits

Retirement of credits for Schedule 3, Conditions 29B (Table 9A), 29C (Table 9B), and 29D (Table 9C) of SSD-5850 and Schedule 3, Condition 36A (Table 12) of DA 80/952 was not achieved by 4 September 2022, resulting in an ANC with the requirements of these conditions. However, MGO provided a notification of these non-compliances to DPE on 11 September 2022.

In addition, MGO submitted applications on 24 October 2023 for BCT to issue Charge Quotes for SSD-5850 and DA80/952 to enable MGO to make payment of outstanding Biodiversity credits into the Biodiversity Conservation Fund (BCF). Review of documentation indicates:

- processing of the Charge Quote application for SSD-5850 is still ongoing. Therefore, **CA02** has been identified (Section 5); and
- the Charge Quote for DA 80/952 has been processed and paid.

4.3.3 Management and monitoring

Conduct of the audit indicates flora and fauna monitoring of Mt Owen Complex biodiversity offsets is undertaken on an annual basis, including:

- photo monitoring for comparison to baseline photos;
- quadrat monitoring for comparison to benchmark data, including Central Hunter Ironbark — Spotted Gum – Grey Box Forest endangered ecological community and Central Hunter Ironbark – Spotted Gum – Grey Box Forest endangered ecological community, with recommendations made and implemented (where relevant);
- walkthrough assessment, including identification of:
 - fire impacts, as relevant;
 - weeds (e.g. any new infestations);
 - pests (e.g. evidence of pest animals);
 - impacts as a result of authorised and unauthorised (as relevant) access;
 - natural regeneration of previously disturbed areas; and
 - threatened species.
- completion of fauna surveys, including:
 - diurnal woodland bird surveys;
 - targeted winter bird surveys;
 - micro-bat echolocation call surveys;
 - diurnal herpetofauna surveys;
 - call playback surveys; and
 - remote camera surveys.
- several species have been identified at the Mt Owen Complex during the audit period, including spotted-tailed quoll (all years), squirrel glider (all years), brush-tailed phascogale (all years), eastern bent-wing bat (2021 and 2022), east-coast freetail bat (2021 and 2022), speckled warbler (all years), little lorikeet (2020), and grey-crowned babbler (all years).

Relevant management actions noted to have occurred during the audit period include:

- seed collection undertaken generally in accordance with *Florabank Seed Collection Guidelines* (Greening Australia, 1999);
- completion of weed and pest management;
- removal of waste materials, as relevant;
- investigation of seeding options, including completion of direct seeding; and
- habitat augmentation has been undertaken for the spotted-tailed quoll and micro-bats.

4.4 Air quality

During the site inspection, MGO representatives were forthcoming in producing any evidence requested, and showed that the Mt Owen Complex has exhibited best practice air management in accordance with their AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 29 September 2021) during the audit period. The audit found:

- only four air quality complaints (i.e. three for Mt Owen and one for Glendell) were received during the audit period, which is a significant reduction from the 2020 IEA period;
- complaints were documented with commentary around the response to the complainant, where this was possible (i.e. a response not being possible where a complaint is made anonymously);
- operators displayed proactive air quality management, including:
 - use of the DNAT to monitor current meteorological conditions and particulate matter levels, with further discussion provided in Section 4.1; and
 - thorough understanding of their roles and the DNAT, and were able to explain what is done when there are elevated particulate matter levels indicated on the DNAT.
- operation of the DNAT that uses a combination of:
 - tapered element oscillating microbalance (TEOM) monitors deployed between mining operations, and at sensitive receiver locations in the vicinity; and
 - predictive meteorological forecasting to appropriately plan mining operations and equipment usage for the day.
- compliance with air quality criteria under SSD-5850, DA 80/952, EPL 4460, and EPL 12840; and
- a range of activities have been undertaken and show continuous improvement, including:
 - implementation of two PM_{2.5} TEOMs;
 - upgrade of TEOMs, as required;
 - improvements to monitoring station enclosures;
 - review and simplification of dust alarm response; and
 - introduction of a new water fill point installed near the Western-Out-of-Pit emplacement area closer to active operations at the Mt Owen North Pit.

4.5 Noise management

During the site inspection, MGO representatives were forthcoming in producing any evidence requested, and showed that Mt Owen Complex has exhibited best practice noise management in accordance with their NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023) during the audit period. The audit found:

- only seven noise complaints (i.e. four for Mt Owen and three for Glendell) were received during the audit period, which is a significant reduction from the 2020 IEA period;
- complaints were documented with commentary around the response to the complainant, where this was possible (i.e. a response not being possible where a complaint is made anonymously);
- regular completion of attended noise monitoring in accordance with the NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023);
- operators displayed proactive noise management, including:
 - use of the DNAT to monitor current meteorological conditions and noise levels, with further discussion provided in Section 4.1;
 - thorough understanding of their roles and the DNAT, and were able to explain what is done when there are elevated noise levels or when a noise alarm is triggered; and
 - record all equipment usage throughout the day, and availability of directional real-time noise units enabling identification of which equipment is potentially causing an issue in relation to noise levels.

- operation of the DNAT that uses a combination of:
 - real-time Sentinex monitors deployed between mining operations, and at sensitive receiver locations in the vicinity; and
 - predictive meteorological forecasting to appropriately plan mining operations and equipment usage for the day.
- general compliance with relevant noise assessment criteria in SSD-5850, DA 80/952, EPL 4460, and EPL 12840. One exceedance of noise criteria under Schedule 3, Condition 2 of DA 80/952 and Condition L3.3 of EPL 12840 was noted to have occurred at location N9 on 10 August 2021 (i.e. **NC03**). Based on the following considerations, no CA or OFI has been deemed relevant:
 - the incident was investigated and corrective actions implemented, including additional noise monitoring within one week of the exceedance (on 14 August 2021);
 - DPE and the EPA were notified via email on 11 August 2021, with a noise exceedance report and corrective action plan submitted and no further corrective actions identified by either agency;
 - no complaints were received in relation to this exceedance;
 - affected sensitive receivers were notified of the exceedance, as well as result from the additional noise monitoring completed on 14 August 2021; and
 - the NMP was reviewed in accordance with Schedule 5, Condition 6 of DA 80/952.

4.6 Blasting

During the site inspection, MGO representatives were forthcoming in producing any evidence requested, and showed that the Mt Owen Complex has exhibited best practice noise management in accordance with their Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023) during the audit period. The audit found:

- only two blasting complaints (i.e. both for Mt Owen) were received during the audit period, which is a significant reduction from the 2020 IEA;
- complaints were documented with commentary around the response to the complainant, where this was possible (i.e. a response not being possible where a complaint is made anonymously);
- operators displayed proactive blasting management, including:
 - use of the DNAT system, with further discussion provided in Section 4.1, to:
 - predict meteorological forecasting to appropriately plan mining operations and equipment usage for the day/week; and
 - monitor current meteorological conditions and prevailing wind directions.
 - blasting originally planned for 16 November 2023 rescheduled to occur on 17 November 2023 due to unfavourable meteorological conditions. This blast was observed from a distance during the site inspection, with no exceedance of blasting criteria occurring and dust generated blown in a northerly direction away from sensitive receivers and settling quickly (Image 20 of Appendix I).
- compliance with blasting criteria under SSD-5850, DA 80/952, EPL 4460, and EPL 12840.

4.7 Water management

4.7.1 Hunter River Salinity Trading Scheme

During the audit period, MGO participated in the Hunter River Salinity Trading Scheme (HRSTS), with a total of five credits as a non-discharging participant of the scheme (i.e. the Mt Owen Complex does not have a licensed discharge point). MGO participates in the GRAWTS along with other Glencore sites (Ravensworth Complex, Liddell Coal Operations and Integra Underground), with transfers between the sites allowing for water sharing and storage. Therefore, this allows MGO to transfer excess water to other discharging sites as part of the GRAWTS, with MGO credits transferred to the relevant discharge site if discharge is to occur.

4.7.2 Water supply and site water balance

Review of relevant documentation indicates the site water balance is updated annually as part of Annual Reviews, with adequate systems and procedures to ensure water supply was available during the audit period and into the future.

Annual Reviews note that in average to dry rainfall periods, the Mt Owen Complex is predicted to operate with a water deficit in the absence of water imports from either the GRAWTS or from licensed surface water allocations. However, the WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) notes the risk of a shortfall of water to meet the daily operational requirements at the Mt Owen Complex is low. Furthermore, should extended dry periods or drought led to a water shortage, the WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) indicates MGO would either reduce production to a level to suit water availability or additional water would be sourced from external sources, including additional water allocations or from other mining operations.

4.7.3 Water licensing and approvals

The audit also considered performance against water licences, with review of relevant documentation indicating water take was within the relevant entitlements (which exceed the current and forecast take) and is otherwise in accordance with the requirements of the licences held by MGO (Appendix H). Licensed take is noted to be reported in Annual Reviews for the Mt Owen Complex.

4.7.4 Erosion and sediment control

Review of relevant documentation indicates compliance with the requirements of this condition. MGO are noted to complete regular inspections of erosion and sediment controls with a specialist engaged to complete quarterly inspections. Any issues identified during these inspections were generally addressed (e.g. construction of a diversion bund or sediment dam, remediation works to repair riling, replacement/installation of sediment fences etc.) prior to the completion of the next quarterly inspection.

Observations during the site inspection verified erosion and sediment control measures (where required) had been used and are maintained. There were no observations made during the site inspection that would indicate issues with the potential for offsite discharge.

4.8 Heritage management

Review of the Mt Owen Complex Induction indicates Aboriginal cultural heritage and historic heritage awareness are covered and presented to any new employee or contractor. The Induction pack includes reference to requirements such as:

- relevant heritage values at the Mt Owen Complex;
- the existence of the ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023) and HHMP (MGOOC-1779562647-4225) (Rev 7, 3 October 2023);
- offences under the *National Parks and Wildlife Act 1974* (NSW) and the *Heritage Act 1997* (NSW), including the definition of harm; and
- when supervisors and/or the Environment & Community Department should be contacted.

4.8.1 Aboriginal cultural heritage

From the site inspection and interviews, relevant personnel were generally aware of the requirements of the ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023) relevant to their role and the monitoring and management requirements are being undertaken in accordance with the ACHMP.

Several fenced Aboriginal cultural heritage locations were observed across the Mt Owen Complex during the site inspection completed on 17 November 2023 (Image 3 of Appendix I). Furthermore, documentary review indicates no complaints or incidents regarding Aboriginal cultural heritage occurred during the audit period.

Actions undertaken by MGO during the audit period include:

- meetings with Aboriginal representatives in the Aboriginal Cultural Heritage Working Group;
- quarterly monitoring completed in collaboration with registered Aboriginal parties and a qualified archaeologist across the Mt Owen Complex, related to:
 - site condition monitoring for previously recorded sites to evaluate the conditions of the sites; and
 - identification of any management recommendations to improve the condition of sites (as relevant).
- following an offsite bushfire in October 2023, which affected mine-owned land either side of Bowmans Creek and burned through fenced sites, an archaeologist was engaged to complete an inspection of affected sites to determine if any impacts had occurred and identify any relevant management recommendation (e.g. replace fencing and signage where applicable)

The audit has not identified any areas of non-compliance in relation to Aboriginal cultural heritage.

4.8.2 Historic heritage

From the site inspection and interviews, relevant personnel were generally aware of the requirements of the HHMP (MGOOC-1779562647-4225) (Rev 7, 3 October 2023) relevant to their role and the monitoring and management requirements are being undertaken in accordance with the HHMP.

Actions undertaken by MGO during the audit period include:

- quarterly monitoring for historic heritage sites, identifying any relevant management recommendations to improve the condition of the sites; and
- ongoing maintenance of the sites.

The audit has not identified any areas of non-compliance in relation to historic heritage.

4.9 Management of visual amenity and lighting impacts

Review of relevant documentation and conduct of site interviews indicates management of visual and lighting impacts has been undertaken satisfactorily, with no complaints received during the audit period and all mobile lighting plants strategically positioned to avoid light being directed towards MGO's neighbours and other identified potential sensitive receivers. This was confirmed by the findings of a lighting impact review conducted in October 2023, which determined compliance with the requirements of SSD-5850 and DA 80/952.

Furthermore, the site inspection determined there are few locations where mining operations at the Mt Owen Complex are visible, with efforts made to reduce visual impacts (e.g. with tree screens to shield potential views of operations).

The audit has not identified any areas of non-compliance in relation to visual amenity and lighting impacts.

4.10 Bushfire management

Conduct of the audit determined compliance in accordance with relevant conditions of SSD-5850 and DA 80/952 in relation to bushfire management. MGO have a Bushfire Emergency Response Plan (Rev 1, 19 October 2023), which was revised during the audit period.

Bushfires were noted to have occurred during the audit period, in the months/weeks prior to the site inspection. One fire east of the MGO rail spur on mine-owned land (i.e. Lot 5 of DP 859544) was caused by lightning and properly controlled by site personnel with the assistance of the local Rural Fire Service. The site inspection observed:

- only a minor area of burnt land despite the fire moving uphill from the rail spur (i.e. fires move faster uphill); and
- the fire did not leave the SSD-5850 consent boundary.

In addition, an off-site fire originating from the west moved onto mine-owned land (i.e. Lot 5 of DP 1077004, Lot 2A of DP 6842, Lot 2 of DP 6842, and Lot 1 of DP 940619) and burned across Bowmans Creek and Swamp Creek. This fire impacted land within the consent boundaries for SSD-5850 and DA 80/952, including damaging recent River Oak plantings on the western side of Bowmans Creek south of Hebden Road. It is understood the Rural Fire Service attended the fire and assisted with putting the fire out. Furthermore, continued active management of the impact area was noted as follows:

- site interviews indicated ongoing inspections were completed to identify and manage any smouldering timber materials; and
- during the site inspection, smouldering timber material was identified, with an MGO land management contractor organised to attend to it the same day.

Therefore, it is considered appropriate response to, and management of, bushfires has been undertaken by MGO.

4.11 Waste management

Review of relevant documentation and conduct of interviews indicates MGO undertakes appropriate waste management at the Mt Owen Complex (Images 26 and 27 of Appendix I). Effective waste minimisation during the audit period was observed.

On average, the amount of waste recycled in 2021 and 2022 (i.e. approximately 1,645 t for Mt Owen and 1,508 t for Glendell and Ravensworth East) was higher than during 2018-2020 (i.e. approximately 1,371 t for Mt Owen and 1,289 t for Glendell and Ravensworth East). This represents an increase of approximately 20% for Mt Owen and 17% for Glendell and Ravensworth East.

In addition, MGO disposes of heavy plant tyres generally in accordance with the conditions of the EPL 4460 and EPL 12840, with allowance for disposal of up to 1,150 t and 600 t respectively. However, low risk non-compliances during the audit period were noted as follows:

- EPL 4460: In 2022/2023, MGO disposed of heavy plant tyres without:
 - recording the coordinates of the location where each tyre was disposed of, as required by Condition R5.6(e); and
 - ensuring the minimum 10 m separation between sites, as required by Condition O6.1(b).

Conduct of the audit has determined this issue has not occurred during the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.

- EPL 12840: In 2021/2022, MGO disposed of approximately 932.7 t of heavy plant tyres, which is above the 600 t annual limit specified in Condition L2.3. Review of the Annual Return for 2022/2023 identified compliance with this condition, while conduct of the audit determined compliance during the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.

5. Corrective actions and opportunities for improvement

5.1 Corrective actions

Table 5.1 summarises the CAs made based on the findings of the audit and observations during the site inspection.

Table 5.1 Corrective actions identified during the audit

Consent / licence / lease	Condition	CA ID	CA requirement
SSD-5850	Schedule 3, Condition 27	01	As agreed in consultation with CST and DPE, on receipt of draft revised conditions for Modification 8 of SSD-5850, ensure the requirement for the Crown road to be included in the Esparanga BOA is removed from relevant conditions.
	Schedule 3, Condition 29		
	Schedule 3, Condition 29B	02	Ensure DPE is updated on compliance with Schedule 3, Conditions 29B, 29C and 29D following processing and payment of the Charge Quote application.
	Schedule 3, Condition 29C		
	Schedule 3, Condition 29D		

5.2 Opportunities for improvement

Table 5.2 summarises the OFIs made based on the findings of the audit and observations during the site inspection.

Table 5.2 Opportunities for improvement identified during the audit

Consent / licence / lease	Condition	OFI ID	OFI requirement
EPL 4460	M2.1	01	To ensure the decline in air quality monitoring data at EPL 4460 Monitoring Points 8 does not continue to occur, investigate and implement actions to improve the capture of air quality monitoring data from this location.
	M2.2		

Appendix A

DPE audit team endorsement and extension of time

Our ref: SSD-5850-PA-90

Sebastien Moreno
Environment & Community Manager
Mt Owen Pty Ltd
Wonnaruah Country
158 Hebden Road
Ravensworth NSW 2330

04/10/2023

Sent via the Major Projects Portal only

Subject: Mount Owen Continued Operations - Auditor endorsement - October 2023

Dear Mr Moreno

Reference is made to your post approval matter, SSD-5850-PA-90, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit (IEA) of the Mount Owen Complex, submitted as required by Schedule 5, Condition 11 of development consent SSD 5850 (Mt Owen Open Cut Mine and Ravensworth East Open Cut Mine) and Schedule 5, Condition 11 of development consent DA 80/952 (Glendell Open Cut Mine and Coal Handling Preparation Plant [CHPP]) to NSW Department of Planning and Environment (NSW Planning) on 4 October 2023.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

In accordance with the development consents and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following independent audit team:

- Elliot Holland – Lead Auditor
- Servaes van der Meulen – Alternate Lead Auditor
- Mark Vile – Rehabilitation and Remediation Specialist
- Damon Roddis – Air Quality Specialist

- Russ Francis – Alternate Air Quality Specialist
- Mike Gale – Technical Review

Please ensure this correspondence is appended to the IEA Report.

The IEA must be prepared, undertaken, and finalised in accordance with the conditions of development consents and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

Should you wish to discuss the matter further, please contact Joel Fleming, Senior Compliance Officer on 02 65753416 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

NSW Planning ref: SSD-5850-PA-91

Sebastien Moreno
Environment & Community Manager
Mt Owen Pty Ltd
Wonnaruah Country
158 Hebden Road
Ravensworth NSW 2330

02/11/2023

Sent via the Major Projects Portal only

Subject: Mount Owen Continued Operations - 2023 IEA Extension Request

Dear Mr Moreno

Reference is made to your post approval matter, SSD-5850-PA-91, request for an extension of time to submit the 2023 Independent Environmental Audit (IEA) report and the Response to Audit Recommendations (RAR), submitted to the NSW Department of Planning Environment (NSW Planning) on 26 October 2023.

NSW Planning notes the following reasons Mount Owen /Glendell Operation (MGO) have provided as reasoning for this extension request:

- Key MGO employees and the auditors will be on leave during the Christmas period.
- The project site will be partially shutdown during the Christmas period.

In accordance with Schedule 5, Condition 12 of the consent, I, as nominee of the Planning Secretary, grant an extension of time until 26 January 2024 for the submission of the 2023 IEA report and the RAR.

Should you wish to discuss the matter further, please contact Joel Fleming, Senior Compliance Officer on 02 6575 3416 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Appendix B

Independent Audit Declaration Forms

Declaration of Independence Form

Declaration of Independence – Auditor

Project Name	Mount Owen Continued Operations
Consent Number	SSD 5850
Description of Project	Mount Owen Open Cut Mine, Ravensworth East Open Cut Mine and infrastructure
Project Address	Hebden Road, Ravensworth NSW 2330
Proponent	Mt Owen / Glendell Operations - GLENCORE
Date	14/09/2023

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor	Elliot Holland
Signature	
Qualification	BEnvSc&Mgt
Company	Onward Consulting Pty Ltd
Name of Proposed Auditor	Mark Vile
Signature	
Qualification	B. Env. Sc (Hons)
Company	Onward Consulting Pty Ltd

Declaration of Independence Form

Declaration of Independence – Auditor

Project Name	Glendell Open Cut Mine
Consent Number	DA 80/952
Description of Project	Glendell Open Cut Mine and infrastructure, including Rail loop and CHPP
Project Address	Hebden Road, Ravensworth NSW 2330
Proponent	Mt Owen / Glendell Operations - GLENCORE
Date	14/09/2023

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor	Elliot Holland
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Signature	
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Qualification	BEnvSc&Mgt
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Company	Onward Consulting Pty Ltd
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Name of Proposed Auditor	Mark Vile
--------------------------	-----------

Signature	
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Qualification	B. Env. Sc (Hons)
---------------	-------------------

Company	Onward Consulting Pty Ltd
---------	---------------------------

Declaration of Independence Form

Declaration of Independence – Auditor

Project Name	Mount Owen Continued Operations
Consent Number	SSD 5850
Description of Project	Mount Owen Open Cut Mine, Ravensworth East Open Cut Mine and infrastructure
Project Address	Hebden Road, Ravensworth NSW 2330
Proponent	Mt Owen / Glendell Operations - GLENCORE
Date	

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor	Damon Roddis
Signature	
Qualification	BSc.(Hons), CEnvP, CAQP, RGEA
Company	Zephyr Environmental

Name of Proposed Auditor	Russ Francis
Signature	
Qualification	Senior Air Quality Consultant (Certified Air Quality Professional)
Company	Zephyr Environmental

Declaration of Independence Form

Declaration of Independence – Auditor

Project Name	Glendell Open Cut Mine
Consent Number	DA 80/952
Description of Project	Glendell Open Cut Mine and infrastructure, including Rail loop and CHPP
Project Address	Hebden Road, Ravensworth NSW 2330
Proponent	Mt Owen / Glendell Operations - GLENCORE
Date	

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor	Damon Roddis
Signature	
Qualification	BSc.(Hons), CEnvP, CAQP, RGEA
Company	Zephyr Environmental

Name of Proposed Auditor	Russ Francis
Signature	
Qualification	Senior Air Quality Consultant (Certified Air Quality Professional)
Company	Zephyr Environmental

Appendix C

Agency consultation

Elliot Holland

From: Joel Fleming <joel.fleming@planning.nsw.gov.au>
Sent: Wednesday, October 18, 2023 3:51 PM
To: Elliot Holland
Subject: RE: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - DPE Compliance

Good afternoon Elliot,

In response to your request for NSW Planning consultation, please take into consideration the following factors during the 2023 IEA of MGO:

- Air Quality Management Plan, including response to weather enhancing factors and implementation of controls to eliminate airborne pollutants.
- Rehabilitation Management Plan, in particular, the rehabilitation program has been progressively implemented, monitored and reported.
- Implementation of the Biodiversity and Offset Management Plan, in particular, the long-term offset mechanisms.

If you would like to further discuss this matter, please contact me using the underpinned details.

Thanks.

Joel Fleming
Senior Compliance Officer

Development Assessment | Department of Planning and Environment
T 02 6575 3416 | **M** 0467 715 429 | **E** joel.fleming@planning.nsw.gov.au
The Store, 6 Stewart Avenue, Newcastle West NSW 2302
www.dpie.nsw.gov.au



*The Department of Planning 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: Elliot Holland <elliot.holland@onward.net.au>
Sent: Tuesday, 17 October 2023 8:38 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Joel Fleming <joel.fleming@planning.nsw.gov.au>; Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>; Sebastien.Moreno@glencore.com.au; Anthony.Billings@glencore.com.au; Mike Gale <mike.gale@onward.net.au>
Subject: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - DPE Compliance
Importance: High

Hi,

Mt Owen Pty Limited (Mt Owen) has engaged Onward Consulting to undertake an independent environmental audit (IEA) of their operations associated with their Mt Owen, Ravensworth East and Glendell (Mt Owen/Glendell Operations) open cut mines, which operate as a mine complex (i.e Mt Owen Complex) under a single overarching management structure and individual operations teams.

This audit would be prepared in accordance with the *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020); Schedule 5, Condition 11 of development consent SSD 5850 (Mt Owen Open Cut Mine, Ravensworth East Open Cut Mine, and Coal Handling Preparation Plant [CHPP]) and Schedule 5, Condition 11 of development consent DA 80/952 (Glendell Open Cut Mine).

The focus of the IEA will be:

- compliance with the conditions of:
 - SSD 5850;
 - DA 80/952;
 - EPL 4460;
 - EPL 12840;
 - relevant MLs and CLs, including ML 1355 and CL 358;
 - relevant water access licences; and
 - relevant groundwater licences.
- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of SSD 5850 and DA 80/952;
- compliance with Schedule 8A of Mining Regulation 2016;
- assessment of environmental risks at the site during a site visit; and
- recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

I am writing to you to invite comment from yourself regarding Mt Owen's operations at the Mt Owen Complex (as they relate to SSD 5850 and DA 80/952) so that we may adequately address any concerns during the audit. I also invite you to comment on Mt Owen's performance with other requirements, as you may deem appropriate.

It would be appreciated if you could provide your comments regarding the performance of Mt Owen in meeting these obligations under the following headings:

- compliance with requirements;
- progress to meeting requirements;
- details of incidents of non-compliance;
- adequacy of actions taken; and
- adequacy of the requirements of the approval/licence.

The site visit for the audit is currently scheduled to be conducted Monday and Tuesday, 20/21 November 2023, with the audit team noted to include technical specialists for the following aspects:

- rehabilitation and remediation; and
- air quality.

It would be appreciated if you could submit your written comments by close of business Wednesday, 15 November 2023.

All correspondence in relation to the IEA should be directed to Elliot Holland (Senior Environmental Project Manager / Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliot.holland@onward.net.au.

Regards,

Elliot Holland

Senior Environmental Project Manager / Exemplar Global Lead Auditor – EMS



+61427863567



elliott.holland@onward.net.au



Suite 2, Level 1, 28 Donald Street, Hamilton NSW
2303



www.onward.net.au

Please note my work days are Monday-Thursday. For anything urgent, please contact Mike Gale at mike.gale@onward.net.au. Otherwise, I will respond to your email as soon as possible when I am back in the office.

Where you have received this email outside 8.30am to 5.00pm Monday to Friday, I am sending you this message now because it is a good time for me. Please know, I do not expect you to read, respond or action anything in this message outside your regular hours.

CONFIDENTIALITY NOTICE: This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person.

MAAG0016739

Mr Elliot Holland
Onward Consulting
Suite 2, Level 1
28 Donald Street
Hamilton NSW 2303

By email: elliott.holland@onward.net.au

Dear Mr Holland,

Subject: Mount Owen Mining Complex – Independent Environmental Audit

Thank you for your email dated 17 October 2023 requesting consultation on the independent environmental audit to be undertaken of the Mount Owen Mining Complex which is covered by the following mining leases.

- CCL715 (1973)
- CL358 (1973)
- CL383 (1973)
- ML1355 (1992)
- ML1410 (1992)
- ML1415 (1992)
- ML1419 (1992)
- ML1453 (1992)
- ML1475 (1992)
- ML1476(1992)
- ML1561(1992)
- ML1608 (1992)
- ML1629 (1992)
- ML1673 (1992)
- ML1694 (1992)
- ML1741 (1992)
- ML1794 (1992)
- ML1802 (1992)
- MPL343 (1973)

The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 19 mining leases have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.

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
8 November 2023



Elliot Holland
Senior Environmental Project Manager
Onward Consulting
elliot.holland@onward.net.au

Your reference: SSD-5850
Our reference: DOC23/917840

Dear Elliot,

**Independent Environmental Audit – State Significant Development – Mt Owen Mining
Complex – SSD-5850**

Thank you for your referral seeking comment from Heritage NSW on the scope for the Independent Environmental Audit for the above State Significant Development (SSD). Thank you for the continued opportunity to comment on the project.

In respect to the scope of the audit for Aboriginal cultural heritage, Heritage NSW notes Schedule 3 Conditions 33-34 of SSD-5850, Schedule 3 Condition 44 of DA80/952, and the Aboriginal Cultural Heritage Management Plan (and associated archaeological methodologies) for archaeological investigations and compliance with these documents. It is recommended that the Department of Planning and Environment's Compliance Team be contacted (info@environment.nsw.gov.au) to determine if there is any non-compliance with Conditions of Consent for the project.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 6229 7079 and corey.odriscoll@environment.nsw.gov.au

Yours sincerely

Corey O'Driscoll
Senior Assessment Officer
Heritage NSW
Department of Planning and Environment
(As Delegate under National Parks and Wildlife Act 1974)
Date: 15 November 2023

Elliot Holland

From: Kristy Wilson <kristy.wilson@epa.nsw.gov.au>
Sent: Friday, November 10, 2023 4:59 PM
To: Elliot Holland
Subject: NSW EPA - Re: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - EPA

Good morning Elliot,

I am writing to you in regards to your email sent the EPA's environment line on 17/10/2023 regarding comments on Mt Owen Pty Limited performance for the independent environmental audit.

I left you a voicemail on Monday 6th November 2023 stating that the EPA does not make comment on these matters.

If you have any questions relating to the above, I can be contacted on the details undersigned.

Kind regards,

Kristy Wilson
Operations Assistant - Operations
NSW Environment Protection Authority
P (02) 9873 8527 | E kristy.wilson@epa.nsw.gov.au

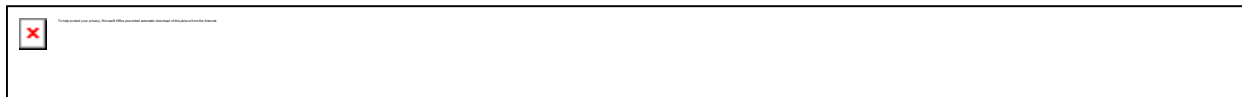
117 Bull Street, Newcastle West NSW 2302



www.epa.nsw.gov.au @NSW EPA

*The EPA acknowledges the Traditional Custodians of the land, waters and sky where we work.
As part of the world's oldest surviving cultures we pay our respect to Aboriginal Elders past, present and emerging.*

I work on Awabakal Country.



Report pollution and environmental incidents 131 555 or +61 2 9995 5555

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.
If you are not the intended recipient, please notify the sender and then delete it immediately.
Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Elliot Holland

From: Giorginna Xu <giorginna.xu@environment.nsw.gov.au>
Sent: Tuesday, November 14, 2023 1:02 PM
To: Elliot Holland
Cc: EHG HCC Planning Mailbox; Steven Crick
Subject: RE: For action - Due 15 Nov 2023- MGO-001: Mt Owen Mining Complex 2023 IEA - Independent environmental audit - Consultation - BCS Division

Hi Elliot,

Thank you for the opportunity to provide input into the audit process however, in this case, BCD does not have any specific concerns to raise for the audit.

Good luck with the audit.

Thanks,
Giorginna

Giorginna Xu
Senior Conservation Planning Officer
Hunter Central Coast Branch
Biodiversity and Conservation Division
Department of Planning and Environment

M 0455 784 138 **T** (02) 49273185 **E** giorginna.xu@environment.nsw.gov.au
dpie.nsw.gov.au

6 Stewart Avenue, Newcastle, NSW 2300
(Locked Bag 1002, Dangar NSW 2309)

Working days Monday to Friday



**Planning,
Industry &
Environment**

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: Sarah Warner <sarah.warner@environment.nsw.gov.au> **On Behalf Of** EHG HCC Planning Mailbox
Sent: Monday, 30 October 2023 5:05 PM
To: Giorginna Xu <giorginna.xu@environment.nsw.gov.au>
Cc: Robert Gibson <Robert.Gibson@environment.nsw.gov.au>
Subject: FW: For action - Due 15 Nov 2023- MGO-001: Mt Owen Mining Complex 2023 IEA - Independent environmental

audit - Consultation - BCS Division

Importance: High

Hi Giorginna

Are you able to look at this one?

Thanks

Sarah

From: Bernadette Hughes <Bernadette.Hughes@environment.nsw.gov.au> **On Behalf Of** OEH ROD Hunter Central Coast Mailbox

Sent: Wednesday, 18 October 2023 10:15 AM

To: EHG HCC Planning Mailbox <hcc.planning@environment.nsw.gov.au>

Cc: OEH ROD Hunter Central Coast Mailbox <huntercentralcoast@environment.nsw.gov.au>

Subject: For action - Due 15 Nov 2023- MGO-001: Mt Owen Mining Complex 2023 IEA - Independent environmental audit - Consultation - BCS Division

Importance: High

Hi Sarah,

Please see email below from Onward consulting RE: MGO-001: Mt Owen Mining Complex 2023 IEA - Independent environmental audit - Consultation - BCS Division

CM9 link attached

Kind regards

Bernie

Bernadette Hughes

Coordination and Planning Officer

Hunter Central Coast Branch

Biodiversity and Conservation Division

Department of Planning and Environment

From: Elliot Holland <elliot.holland@onward.net.au>

Sent: Tuesday, 17 October 2023 8:38 AM

To: OEH ROD Hunter Central Coast Mailbox <huntercentralcoast@environment.nsw.gov.au>

Cc: Sebastien.Moreno@glencore.com.au; Anthony.Billings@glencore.com.au; Mike Gale <mike.gale@onward.net.au>

Subject: HPE CM: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - BCS Division

Importance: High

Hi,

Mt Owen Pty Limited (Mt Owen) has engaged Onward Consulting to undertake an independent environmental audit (IEA) of their operations associated with their Mt Owen, Ravensworth East and Glendell (Mt Owen/Glendell Operations) open cut mines, which operate as a mine complex (i.e Mt Owen Complex) under a single overarching management structure and individual operations teams.

This audit would be prepared in accordance with the *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020); Schedule 5, Condition 11 of development consent SSD 5850 (Mt Owen Open Cut Mine, Ravensworth East Open Cut Mine, and Coal Handling Preparation Plant [CHPP]) and Schedule 5, Condition 11 of development consent DA 80/952 (Glendell Open Cut Mine).

The focus of the IEA will be:

- compliance with the conditions of:
 - SSD 5850;
 - DA 80/952;
 - EPL 4460;
 - EPL 12840;
 - relevant MLs and CLs, including ML 1355 and CL 358;
 - relevant water access licences; and
 - relevant groundwater licences.
- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of SSD 5850 and DA 80/952;
- compliance with Schedule 8A of Mining Regulation 2016;
- assessment of environmental risks at the site during a site visit; and
- recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

I am writing to you to invite comment from yourself regarding Mt Owen's operations at the Mt Owen Complex (as they relate to SSD 5850 and DA 80/952) so that we may adequately address any concerns during the audit. I also invite you to comment on Mt Owen's performance with other requirements, as you may deem appropriate.

It would be appreciated if you could provide your comments regarding the performance of Mt Owen in meeting these obligations under the following headings:

- compliance with requirements;
- progress to meeting requirements;
- details of incidents of non-compliance;
- adequacy of actions taken; and
- adequacy of the requirements of the approval/licence.

The site visit for the audit is currently scheduled to be conducted Monday and Tuesday, 20/21 November 2023, with the audit team noted to include technical specialists for the following aspects:

- rehabilitation and remediation; and
- air quality.

It would be appreciated if you could submit your written comments by close of business Wednesday, 15 November 2023.

All correspondence in relation to the IEA should be directed to Elliot Holland (Senior Environmental Project Manager / Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliot.holland@onward.net.au.

Regards,

Elliot Holland

Senior Environmental Project Manager / Exemplar Global Lead Auditor – EMS



+61427863567



elliott.holland@onward.net.au



Suite 2, Level 1, 28 Donald Street, Hamilton NSW
2303



www.onward.net.au

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment, Energy and Science.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Elliot Holland

From: Lisa Andrews <lisaandrews.ic@gmail.com>
Sent: Wednesday, November 15, 2023 3:56 PM
To: Elliot Holland
Subject: Re: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - CCC
Attachments: Annual Report CCC 2022 - Mount Owen Complex CCC.docx

Hi Elliot

I wish to advise that I have not received any feedback from the CCC members in relation to the IEA.

I confirm that the CCC meets twice a year - May & October. The companies provide a comprehensive presentation to the committee and respond to members' enquiries in a timely manner.

Attached is the latest CCC annual report which I provide to DPE.

Best regards
Lisa

Lisa Andrews
Independent Chairperson &
Director
Articulate Solutions Pty Ltd
t: 0401 609 693
e: lisaandrews.ic@gmail.com

The information contained in this email and attachments is confidential and may be subject to privilege and is intended for the exclusive use of the addressees. You may not disclose or use the information in the email and attachments without the prior consent of the sender. If you have received this email in error, please notify the sender and delete this email. The unauthorised use of this email may result in liability for breach of confidentiality, privilege or copyright. No warranties are provided that the email is computer virus or other defect free.

On Tue, Oct 17, 2023 at 8:37 AM Elliot Holland <elliott.holland@onward.net.au> wrote:

Hi,

Mt Owen Pty Limited (Mt Owen) has engaged Onward Consulting to undertake an independent environmental audit (IEA) of their operations associated with their Mt Owen, Ravensworth East and Glendell (Mt Owen/Glendell Operations) open cut mines, which operate as a mine complex (i.e Mt Owen Complex) under a single overarching management structure and individual operations teams.

This audit would be prepared in accordance with the *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020); Schedule 5, Condition 11 of development consent SSD 5850 (Mt Owen Open Cut Mine, Ravensworth East Open Cut Mine, and Coal Handling Preparation Plant [CHPP]) and Schedule 5, Condition 11 of development consent DA 80/952 (Glendell Open Cut Mine).

The focus of the IEA will be:

- compliance with the conditions of:
 - SSD 5850;
 - DA 80/952;

- EPL 4460;
- EPL 12840;
- relevant MLs and CLs, including ML 1355 and CL 358;
- relevant water access licences; and
- relevant groundwater licences.
- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of SSD 5850 and DA 80/952;
- compliance with Schedule 8A of Mining Regulation 2016;
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- air quality.

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All correspondence in relation to the IEA should be directed to Elliot Holland (Senior Environmental Project Manager / Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,

Elliot Holland



☎ +61427863567

✉ elliott.holland@onward.net.au

🏠 Suite 2, Level 1, 28 Donald Street, Hamilton NSW
2303

🌐 www.onward.net.au

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Elliot Holland

From: Elliot Holland
Sent: Tuesday, October 17, 2023 8:38 AM
To: maitland.crownlands@crownland.nsw.gov.au
Cc: hannah.muir@crownland.nsw.gov.au; matt.holloway@crownland.nsw.gov.au; Sebastien.Moreno@glencore.com.au; Anthony.Billings@glencore.com.au; Mike Gale
Subject: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - DPE Crown Lands
Importance: High

Hi,

Mt Owen Pty Limited (Mt Owen) has engaged Onward Consulting to undertake an independent environmental audit (IEA) of their operations associated with their Mt Owen, Ravensworth East and Glendell (Mt Owen/Glendell Operations) open cut mines, which operate as a mine complex (i.e Mt Owen Complex) under a single overarching management structure and individual operations teams.

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Regards,

Elliot Holland

Senior Environmental Project Manager / Exemplar Global Lead Auditor – EMS



+61427863567



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Elliot Holland

From: Elliot Holland
Sent: Tuesday, October 17, 2023 8:37 AM
To: council@singleton.nsw.gov.au
Cc: sgeorge@singleton.nsw.gov.au; Sebastien.Moreno@glencore.com.au; Anthony.Billings@glencore.com.au; Mike Gale
Subject: MGO-001: Mt Owen Mining Complex 2023 IEA Consultation - Singleton Council
Importance: High

Hi,

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Regards,

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Appendix D

SSD-5850

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Schedule 2 - ADMINISTRATIVE CONDITIONS			
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
1	In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Compliant	– This audit. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Environmental Monitoring reports for the audit period. – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with no events or incidents occurring with the potential to cause material harm to the environment.
	TERMS OF CONSENT			
2	The Applicant must carry out the development (a) generally in accordance with the EIS, EA (Mod 1), SEE (Mod 2), SEE (Mod 5), SEE (Mod 6), Modification Report (Mod 7) and the Development Layout Plans; and (b) in accordance with the conditions of this consent. <i>Note: The Development Layout Plans for the development are shown in Appendix 2.</i>	Non-compliant (Administrative)	– This audit. – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	Non-compliance with this condition is noted in relation to non-compliances with other conditions of SSD-5850. These include Schedule 3, Conditions 27, 29, 29B, 29C, and 29D.
3	Consistent with the requirements in this consent, the Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition 3(a).	Compliant	– Site interviews completed 17 November 2023. – Management plans have consultation evidence attached (both submissions and comments registers). – DPE Noise Management Plan (NMP) – Request for Additional Information dated 23 November 2021, with a response provided 6 December 2021. – Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.
4	The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition 2(a). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 2(a), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Note	N/A.	N/A.
	LIMITS ON CONSENT			
	Mining Operations			
5	The Applicant may carry out mining operations within the approved disturbance area on the site until 31 December 2037. <i>Notes:</i> • Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard. • Mining operations and rehabilitation are also regulated under the Mining Act 1992.	Compliant	– Site inspection completed 17 November 2023. – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Still within approved period.
	Coal Extraction and Transportation			
6	The Applicant must not extract more than 14 million tonnes of ROM coal from the site in any calendar year, comprising: (a) up to 4 million tonnes of ROM coal from the Ravensworth East Mine; and (b) up to 10 million tonnes of ROM coal from the Mount Owen Mine (North Pit).	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: – 2020: 8.06 million tonnes (Mt) for Mt Owen and 1.2 Mt for Ravensworth East Mine;

Condition #	Details	Compliance status	Relevant evidence	Commentary
				– 2021: 7.78 Mt for Mt Owen and 0.96 Mt for Ravensworth East Mine; and – 2022: 7.4 Mt for Mt Owen and 2.53 Mt for Ravensworth East Mine.
7	The Applicant may process up to 17 million tonnes of ROM coal from the Mount Owen Complex at the Mount Owen coal handing and preparation plant in a calendar year.	Compliant	– Annual Reviews for 2020, 2021, and 2022, including Appendix B. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: – 2020: 7.48 Mt – 2021: 7.08 Mt; and – 2022: 6.65 Mt.
8	The Applicant must: (a) transport coal from the site by rail using the Mount Owen Rail Loop or by conveyor to the Bayswater and/or Liddell Power Stations; and (b) not transport more than 2 Mtpa of ROM coal and/or crushed gravel by conveyor to the Liddell Coal Mine and/or Ravensworth Coal Terminal.	Compliant	– Annual Reviews for 2020, 2021, and 2022, including Appendix B. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site inspection completed 17 November 2023.	Review of relevant documentation verifies compliance with the requirements of this condition. However, it is noted the following has not occurred during the audit period: – transport to the Bayswater and/or Liddell Power Stations; and – transport to the Liddell Coal Mine and/or Ravensworth Coal Terminal.
8A	Prior to commencing mining operations in the Mod 2 disturbance area, or other timeframe agreed by the Secretary, the Applicant must provide to the Department a survey plan (or spatial files in a format agreed by the Secretary) identifying the following: (a) the “Additional Disturbance Area” as shown in Figure 2A of Appendix 2; and (b) the “Proposed Modification Pit Boundary” as shown in Figure 1.3 of SEE (Mod 2).	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2020 IEA.
	NOTIFICATION OF COMMENCEMENT			
9	Prior to physically commencing development under this consent, the Applicant must notify the Department in writing of the date that it intends to commence development permitted under this consent.	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2017 IEA.
	SURRENDER OF CONSENTS			
10	Within 12 months of the date of commencement of development under this consent, or as otherwise agreed by the Secretary, the Applicant must surrender the existing development consents DA 14-1-2004 for the Mount Owen Mine and DA 52-03-99 for the Ravensworth East Mine, in accordance with Section 104A of the EP&A Act, and to the satisfaction of the Secretary. Following the commencement of development under this consent, the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of the development consents DA 14-1-2004 and DA 52-03-99, prior to the surrender of those consents. <i>Notes:</i> • <i>This consent will apply to all components of the existing operations at the Mount Owen Mine and Ravensworth East Mine, from the commencement of development under this consent.</i> • <i>This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used.</i>	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2020 IEA.
	STRUCTURAL ADEQUACY			
11	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA and SANSW. <i>Notes:</i> • <i>Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates (where applicable) for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.</i> • <i>The development is located in the Patrick Plains Mine Subsidence District. Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of SANSW's approval before carrying out certain development in a Mine Subsidence District.</i>	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Site interviews completed 17 November 2023.	Review of relevant documentation and site interviews indicates this condition has not been triggered during the audit period.
	DEMOLITION			
12	The Applicant must ensure that all demolition work undertaken in relation to the development is carried out in accordance with AS 2601-2001: The Demolition of Structures, or its latest version.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Site interviews completed 17 November 2023.	Review of relevant documentation and site interviews indicates this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	PROTECTION OF PUBLIC INFRASTRUCTURE			
13	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to any damage to public infrastructure subject to compensation payable under the Coal Mine Subsidence Compensation Act 2017, or to damage to roads caused as a result of general road usage.</i>	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation and site interviews indicates this condition has not been triggered during the audit period.
	OPERATION OF PLANT AND EQUIPMENT			
14	The Applicant must ensure that all plant and equipment used on site, or to monitor the performance of the development, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	- Site inspection completed 17 November 2023. - Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. - Equipment induction to site MDG15 Compliance Inspection samples – dated 16 June 2023 (tractor mulcher) and 22 May 2023 (loader). - Mt Owen Complex Maintenance Skills Matrices dated 22 October 2023 for: - equipment; - high risk activities; and - procedurals reporting learnings and modules. - Blast Signoff (Blast Pack) Competency Assessment Samples (x2) both dated 24 January 2023. - Mt Owen Complex – Blast Sign Off Pack Tracking Spreadsheet. - Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. - Mt Owen Complex – E&C Training Tracking Spreadsheet.	Review of relevant documentation verifies compliance with the requirements of this condition.
	PLANNING AGREEMENT			
15	Within 6 months of the date of commencement of development under this consent, unless the Secretary agrees otherwise, the Applicant must enter into a VPA with Council in accordance with: (a) Division 6 of Part 4 of the EP&A Act; and (b) the terms of the Applicant's offer in Table 1 of Appendix 8.	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2017 IEA.
16	Within 6 months of the determination of Modification 2, unless the Secretary agrees otherwise, the Applicant must enter into a PA with Council in accordance with: (a) Division 7.1 of Part 7 of the EP&A Act; and (b) the terms of the Applicant's offer in Table 2 of Appendix 8. The VPA required under condition 15 above and the PA required under this condition may be consolidated into a single agreement.	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2020 IEA.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	EVIDENCE OF CONSULTATION			
17	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document; and (b) provide the Department with details of the consultation undertaken including: - the outcome of that consultation, matters resolved and unresolved; and - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Compliant	- Site interviews completed 17 November 2023. - Management plans have consultation evidence attached (both submissions and comments registers). - Annual review DPE comments provided. - DPE NMP – Request for Additional Information dated 23 November 2021, with a response provided 6 December 2021. - Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	2020 IEA Recommendation R01: Ensure all required consultation is documented in CMO (NC001). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> Review of relevant documentation indicates this was completed in July 2021 following finalisation of planning agreement with Singleton Council. <u>2023 IEA Findings</u> Review of relevant documentation indicates compliance with the requirements of this condition.
	STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS			
18	With the approval of the Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and (d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management. If the Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Compliant	- Site interviews completed 17 November 2023. - Management plans have consultation evidence attached (both submissions and comments registers). - Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.
	COMPLIANCE			
19	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Compliant	- Site inspection completed 17 November 2023. - Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. - Mt Owen Complex Maintenance Skills Matrices dated 22 October 2023 for: - equipment; - high risk activities; and - procedurals reporting learnings and modules. - Blast Signoff (Blast Pack) Competency Assessment Samples (x2) both dated 24 January 2023. - Mt Owen Complex – Blast Sign Off Pack Tracking Spreadsheet. - Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. - Mt Owen Complex – E&C Training Tracking Spreadsheet.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary						
	APPLICABILITY OF GUIDELINES									
20	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Compliant	- Site interviews completed 17 November 2023. - Management plans have consultation evidence attached (both submissions and comments registers). - Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.						
21	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Note	N/A.	N/A.						
	CROWN LAND									
22	The Applicant must consult with DPE Crown Lands prior to undertaking any development on Crown Land or Crown Roads. Notes: - Under section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with DPE Crown Lands prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease. - Under section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with DPE Crown Lands prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023. - Letter dated 26 August 2021 for ASZA Pastoral Holdings Pty Ltd Crown Road Closure and Purchase Application Extinguishment of Native Title in Crown Roads, with email submission dated 26 August 2021.	Review of relevant documentation indicates compliance with the requirements of this condition. While MGO is continuing to liaise with CST to progress the Esparanga Biodiversity Offset Area (BOA), there have been delays with the purchase of a Crown road at the Esparanga BOA from Crown Lands to enable retirement of the required biodiversity credits. Conduct of the audit interviews indicate purchase of the Crown road from Crown Lands is unlikely to be achievable. Therefore, consultation with CST and DPE has determined the requirement for this area to be included as part of the Esparanga BOA should be removed relevant conditions of SSD-5850 during the next modification (i.e. Modification 8). It is understood Modification 8 will be sought, and likely approved, during the 2026 audit period.						
	Greater Ravensworth Area Water and Tailings Scheme									
23	The Applicant must ensure that transfer of water and tailings to and from surrounding mines via the GRAWTS occurs generally in accordance with the documents referenced in Condition 2(a) of Schedule 2, in particular, SEE (Mod 2) and Modification Report (MOD 4).	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Surface Water Management and Monitoring Plan (SWMMP) (MGOOC-1779562647-11190) (Rev 6, dated 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.						
	Schedule 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS									
	ACQUISITION UPON REQUEST									
1	Upon receiving a written request from the owner of any land listed in Table 1, the Applicant must acquire the land in accordance with the procedures in conditions 5 and 6 of Schedule 4. <i>Table 1: Land subject to acquisition upon request</i> <table><tr><th>Acquisition Basis</th><th>Land ^a</th></tr><tr><td>Air Quality</td><td>105^b, 114, 115, 116^c, 133^c, 4, 112, 143^d, 150^d, 152^d, 154^d, 155^d, 156^d, Lot 4 DP 1166047^d, Lot 5 DP 1166047^d, Lot 175 DP 1002770^d and Lot 106 DP 855187^d</td></tr><tr><td>Noise</td><td>21, 22^e, 23</td></tr></table> <i>a The location of the land referred to in Table 1 is shown on the figure in Appendix 3.</i> <i>b The Applicant is only required to acquire property 105, if its acquisition is not reasonably achievable under the approval for the Rix's Creek North open cut mine.</i> <i>c The Applicant is only required to acquire Lot 31 DP6842 and Lot 2 DP1175728 within property 133.</i> <i>d The Applicant is only required to acquire the identified land if acquisition is not reasonably achievable under the development consents for the Ashton South East Open Cut Project (MP 08_0182), the Glendell Open Cut Coal Mine (DA 80/952), Ravensworth Operations Project (MP 09_0176), Rix's Creek South Continuation of Mining Project (SSD 6300) or the Rix's Creek North Open Cut Project (MP 08_0102).</i> <i>e The identified land has been acquired by the Applicant.</i>	Acquisition Basis	Land ^a	Air Quality	105 ^b , 114, 115, 116 ^c , 133 ^c , 4, 112, 143 ^d , 150 ^d , 152 ^d , 154 ^d , 155 ^d , 156 ^d , Lot 4 DP 1166047 ^d , Lot 5 DP 1166047 ^d , Lot 175 DP 1002770 ^d and Lot 106 DP 855187 ^d	Noise	21, 22 ^e , 23	Compliant	- Email request for acquisition of Lots 1 and 2 Section 8 in DP758214 (29 and 30 Lethbridge Street, Camberwell dated 29 June 2021). - Executed land access licence agreement between MGO (as land owner) and former land owner for Lot 8 DP 851867, verifying acquisition had occurred. - Email request by MGO for preparation of valuation report, including separate advice for reasonable costs and compensation in accordance with the land acquisition conditions of SSD-5850, dated 29 June 2021. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates two properties were acquired during the 2021 Annual Review period, while one property was acquired during the 2022 Annual Review period. One property requested for acquisition during the audit period ended up being acquired under the approval for the Rix's Creek South Continuation Project (i.e. SSD-6300), due to the acquisition rights under this consent pre-dating the acquisition rights under SSD-5850.
Acquisition Basis	Land ^a									
Air Quality	105 ^b , 114, 115, 116 ^c , 133 ^c , 4, 112, 143 ^d , 150 ^d , 152 ^d , 154 ^d , 155 ^d , 156 ^d , Lot 4 DP 1166047 ^d , Lot 5 DP 1166047 ^d , Lot 175 DP 1002770 ^d and Lot 106 DP 855187 ^d									
Noise	21, 22 ^e , 23									

Condition #	Details	Compliance status	Relevant evidence	Commentary				
	ADDITIONAL MITIGATION UPON REQUEST							
2	Upon receiving a written request from the owner of any residence listed in Table 1 or Table 2, the Applicant must implement additional mitigation measures at the residence, in consultation with the landowner, in respect of the basis on which that residence is identified in Table 1 or Table 2. These measures must be reasonable and feasible, and directed towards reducing the air quality and/or noise impacts of the development on the residence. In the case of air quality, mitigation may include measures such as air filters, a first flush drainage system and/or air conditioning. In the case of noise, mitigation may include measures such as double-glazing, insulation and/or air conditioning. If within 3 months of receiving this request from the owner, the Applicant and the owner 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 Secretary for resolution. <i>Table 2: Land subject to additional mitigation upon request</i> <table><tr><th>Mitigation Basis</th><th>Residence^a</th></tr><tr><td>Noise</td><td>13, 19, 93</td></tr></table> ^a The location of the land referred to in Table 2 is shown on the figure in Appendix 3.	Mitigation Basis	Residence ^a	Noise	13, 19, 93	Compliant	– Email from MGO dated 14 February noting phone conversations regarding recommencement of mitigation works at residence, with follow-up email date 1 May 2023 from MGO organising a visit to the property (confirmed for site inspection Monday 8 May 2023). – Email request for additional mitigation dated 27 June 2023 following same day visit by MGO, with additional clarification provide 28 June 2023. – MGO email request to Strike Force for quote to complete noise mitigation works dated 27 June 2023, with a quote provided on 20 July 2023 following an inspection of the property. – Response from MGO provided 5 July 2023. – Email from STR8 BUILDING organising a site inspection for 15 September 2023 (dated 13 September 2023). – Strike force quotation for air conditioner repairs, including inspection sheet, dated 17 October 2023, with MGO same day response request for: – the work be scheduled for completion; and – quote for annual air conditioning inspection. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
Mitigation Basis	Residence ^a							
Noise	13, 19, 93							
	NOISE							
	Construction – Hebden Road, Rail Line Works and Water Pipeline Infrastructure							
3	The Applicant must manage noise from construction activities associated with the Hebden Road upgrade works, additional rail line and water pipeline infrastructure described in SEE (Mod 6) in accordance with the noise management levels defined in Table 2 of the Interim Construction Noise Guideline. The Applicant must also ensure that the combined operational and construction noise from the development does not exceed a level of 5 dB(A) above the daytime operational LAeq(15min) noise criteria in Table 3 during Standard Construction Hours (7 am to 6 pm, Monday to Friday; and 8 am to 1 pm on Saturdays) and does not exceed the evening or night time operational LAeq(15min) noise criteria in Table 3, except where an alternative temporary limit has been approved by the Secretary for specific works or where the Applicant has an agreement with the owner/s of the relevant residence/land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.	Note	N/A.	N/A. Occurred prior to 2020.				
4	In seeking an alternative temporary construction noise limit above the levels identified in condition 3, the Applicant must submit a Construction Noise Work Protocol to the Secretary for approval, prior to undertaking the nominated construction works. This protocol must: (a) be prepared to the satisfaction of the Secretary; (b) be prepared in consultation with the EPA and any landowners who may be affected by the proposed variation; and (c) address the relevant requirements of the Interim Construction Noise Guideline. The Applicant may only undertake construction activities that require a Construction Work Noise Protocol, in accordance with an approved Construction Noise Work Protocol as approved from time to time by the Secretary.	Note	N/A.	N/A. Occurred prior to 2020.				

Condition #	Details	Compliance status	Relevant evidence	Commentary																																																												
	Noise Criteria																																																															
5	The Applicant must ensure that the noise generated by the development (including rail movements along the Mount Owen Rail Loop, but excluding the construction works specified in condition 3), does not exceed the criteria in Table 3 at any residence on privately-owned land. Table 3: Noise criteria dB(A) <table><tr><th>Residence^a</th><th>Day / Evening / Night L_{Aeq}(15min)</th><th>Night L_{A1}(1min)</th></tr><tr><td>41, 48</td><td>36 / 35 / 35</td><td>45</td></tr><tr><td>91</td><td>37 / 37 / 36</td><td>45</td></tr><tr><td>14, 92</td><td>37 / 37 / 37</td><td>45</td></tr><tr><td>10, 11</td><td>37 / 37 / 37</td><td>46</td></tr><tr><td>13</td><td>38 / 38 / 38</td><td>45</td></tr><tr><td>12, 94, 95, 112</td><td>38 / 38 / 38</td><td>46</td></tr><tr><td>111</td><td>39 / 39 / 36</td><td>45</td></tr><tr><td>19</td><td>39 / 39 / 39</td><td>45</td></tr><tr><td>93</td><td>40 / 40 / 40</td><td>46</td></tr><tr><td>21, 23</td><td>41 / 41 / 41</td><td>45</td></tr><tr><td>122</td><td>42 / 42 / 42</td><td>50</td></tr><tr><td>All other residences Area 4 – South</td><td>37 / 37 / 36</td><td>46</td></tr><tr><td>All other residences Area 4 – North and all other residences Area 5</td><td>37 / 37 / 35</td><td>45</td></tr><tr><td>All other residences Area 6</td><td>40 / 40 / 40</td><td>50</td></tr><tr><td>All other residences Area 7</td><td>40 / 40 / 38</td><td>48</td></tr><tr><td>All other residences Area 8 – East</td><td>39 / 39 / 35</td><td>45</td></tr><tr><td>All other residences Area 8 – West</td><td>44 / 44 / 42</td><td>52</td></tr><tr><td>All other residences Area 9</td><td>48 / 48 / 43</td><td>53</td></tr><tr><td>Other privately-owned residences</td><td>35 / 35 / 35</td><td>45</td></tr></table> ^a The location of the land referred to in Table 3 is shown on the figure in Appendix 3. Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time-to-time). Appendix 4 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria. However, these criteria do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.	Residence ^a	Day / Evening / Night L _{Aeq} (15min)	Night L _{A1} (1min)	41, 48	36 / 35 / 35	45	91	37 / 37 / 36	45	14, 92	37 / 37 / 37	45	10, 11	37 / 37 / 37	46	13	38 / 38 / 38	45	12, 94, 95, 112	38 / 38 / 38	46	111	39 / 39 / 36	45	19	39 / 39 / 39	45	93	40 / 40 / 40	46	21, 23	41 / 41 / 41	45	122	42 / 42 / 42	50	All other residences Area 4 – South	37 / 37 / 36	46	All other residences Area 4 – North and all other residences Area 5	37 / 37 / 35	45	All other residences Area 6	40 / 40 / 40	50	All other residences Area 7	40 / 40 / 38	48	All other residences Area 8 – East	39 / 39 / 35	45	All other residences Area 8 – West	44 / 44 / 42	52	All other residences Area 9	48 / 48 / 43	53	Other privately-owned residences	35 / 35 / 35	45	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Noise Monitoring Reports for the audit period. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	2020 IEA Recommendation R02: Conduct an internal review of the NMP and operating procedures relating to noise to determine if any improvements can be made and communication to those with responsibility for noise control (NC002). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> This recommendation was closed prior to submission of the 2020 Annual Review. Review of relevant documentation indicates MGO review the NMP and associated noise management processes which did not identify the need for further action or updates to the NMP, with a record of the review of NMP submitted to DPE on 4 August 2020. Furthermore, it is noted the NMP has been revised during the audit period, most recently revised in 2023, with DPE approval dated 3 October 2023. <u>2023 IEA Findings:</u> Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Table 3.
Residence ^a	Day / Evening / Night L _{Aeq} (15min)	Night L _{A1} (1min)																																																														
41, 48	36 / 35 / 35	45																																																														
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Other privately-owned residences	35 / 35 / 35	45																																																														
	Noise Operating Conditions																																																															
6	The Applicant must: (a) implement all reasonable and feasible mitigation measures, to minimise the construction, operational, low frequency, road and on-site rail noise of the development, with a particular focus on managing noise impacts during adverse weather conditions; (b) identify any mobile plant or equipment (other than light vehicles) that will operate in noise sensitive areas (i.e. areas with the potential to generate increased noise at privately-owned residences, such as areas near the boundary of the site or elevated land/overburden emplacements) and ensure that this mobile plant or equipment is fitted with reasonable and feasible noise attenuation within 12 months of commencing development under this consent; (c) operate a comprehensive noise management system that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent; (d) minimise the noise impacts of the development during meteorological conditions when the noise limits in this consent do not apply (see Appendix 4); (e) ensure that the Mount Owen Rail Loop is only accessed by locomotives that are approved to operate on the NSW rail network in accordance with the noise limits in ARTC's EPL; (f) use reasonable endeavours to ensure that rolling stock is selected to minimise noise;	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Noise Monitoring Reports for the audit period. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Table 3. Furthermore, minimal noise complaints have been received during the audit period, as follows: 2020: nil; 2021: 1 complaint; 2022: 1 complaint; and 2023 (to date): 2 complaints. Review of complaints data indicates MGO are responsive to complaints and revise operations as applicable to reduce noise emissions.																																																												

Condition #	Details	Compliance status	Relevant evidence	Commentary
	(g) use its best endeavours to co-ordinate noise management with nearby mines (i.e.. Glendell, Integra Underground and Rix's Creek North Mines) to reasonably and feasibly minimise cumulative noise impacts; and (h) engage a suitably qualified and experienced persona to carry out regular attended monitoring to determine whether the development is complying with the relevant conditions of this consent. ^a In this condition a 'suitably qualified and experienced person' means a member of the Australian Acoustical Society, the Association of Australian Acoustical Consultants, or an appropriately qualified person whose appointment has been endorsed by the EPA.			
	Noise Management Plan			
7	The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions in this consent; (c) describe the noise management system in detail; and (d) include a monitoring program that: - evaluates and reports on: - the effectiveness of the noise management system; - compliance with the noise criteria in this consent; and - compliance with the noise operating conditions; - includes a program to validate the real-time noise monitoring results with the attended monitoring results over time (so the real-time noise monitoring program can be used as a better indicator of compliance with the noise criteria in this consent and a trigger for further attended monitoring); - includes a protocol for distinguishing noise emissions of the development from any neighbouring developments; and - includes a protocol for identifying a noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events. The Applicant must implement the Noise Management Plan as approved by the Secretary.	Compliant	- NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Letter of Approval of NMP dated 3 October 2023. - Letter from EPA dated 21 July 2021 declining to review the NMP.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary																																																																										
	BLASTING																																																																													
	Blasting Criteria																																																																													
8	The Applicant must ensure that blasting on site does not cause exceedances of the criteria in Table 4. Table 4: <i>Blasting criteria</i> <table><tr><th>Location</th><th>Airblast overpressure (dB(Lin Peak))</th><th>Ground vibration (mm/s)</th><th>Allowable exceedance</th></tr><tr><td rowspan="2">Residence on privately-owned land ^a</td><td>120</td><td>10</td><td>0%</td></tr><tr><td>115</td><td>5</td><td>5% of the total number of blasts over a calendar year</td></tr><tr><td colspan="4">Historic buildings and structures</td></tr><tr><td rowspan="2">St Clements Church</td><td>120</td><td>5</td><td>0%</td></tr><tr><td>115</td><td>2</td><td>5% of the total number of blasts over a calendar year</td></tr><tr><td>Ravensworth Homestead</td><td>126</td><td>5</td><td>0%</td></tr><tr><td>Chain of Ponds Inn</td><td>133</td><td>10</td><td>0%</td></tr><tr><td>Kangory (Dulwich) Homestead</td><td>126</td><td>5</td><td>0%</td></tr><tr><td>Former Hebden Public School</td><td>-</td><td>16</td><td>0%</td></tr><tr><td>John Winter Memorial</td><td>-</td><td>250</td><td>0%</td></tr><tr><td colspan="4">Infrastructure</td></tr><tr><td>Electricity transmission lines ^b</td><td>-</td><td>50</td><td>0%</td></tr><tr><td>Prescribed dams ^c</td><td>-</td><td>50</td><td>0%</td></tr><tr><td>Main Northern Rail Line ^b</td><td>-</td><td>25</td><td>0%</td></tr><tr><td>Public roads ^b</td><td>-</td><td>100</td><td>0%</td></tr><tr><td>Integra Underground Mine's surface facilities ^d</td><td>-</td><td>25 or 100 ^e</td><td>0%</td></tr><tr><td>Integra Underground Mine's underground workings ^d</td><td>-</td><td>10 or 250 ^f</td><td>0%</td></tr><tr><td>All other public infrastructure ^b</td><td>-</td><td>50</td><td>0%</td></tr></table> ^a Unless otherwise agreed with the relevant owner/s of the residence, and the Applicant has advised the Department in writing of the terms of this agreement. ^b Unless otherwise agreed with the relevant infrastructure provider or owner, and the Applicant has advised the Department in writing of the terms of this agreement. ^c Unless otherwise agreed to by the Dam Safety Committee, and the Applicant has advised the Department in writing of the terms of this agreement. ^d Unless otherwise agreed to by the relevant infrastructure owner and the Secretary (in writing). ^e 25 mm/s for occupied non-sensitive sites (e.g. factories or commercial premises) or 100 mm/s for unoccupied structures of reinforced concrete or steel construction. ^f 10 mm/s safety and personnel withdrawal limit for occupied underground workings and 250 mm/s structural limit for unoccupied workings.	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land ^a	120	10	0%	115	5	5% of the total number of blasts over a calendar year	Historic buildings and structures				St Clements Church	120	5	0%	115	2	5% of the total number of blasts over a calendar year	Ravensworth Homestead	126	5	0%	Chain of Ponds Inn	133	10	0%	Kangory (Dulwich) Homestead	126	5	0%	Former Hebden Public School	-	16	0%	John Winter Memorial	-	250	0%	Infrastructure				Electricity transmission lines ^b	-	50	0%	Prescribed dams ^c	-	50	0%	Main Northern Rail Line ^b	-	25	0%	Public roads ^b	-	100	0%	Integra Underground Mine's surface facilities ^d	-	25 or 100 ^e	0%	Integra Underground Mine's underground workings ^d	-	10 or 250 ^f	0%	All other public infrastructure ^b	-	50	0%	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of blasting criteria in Table 4.
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																																																																											
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Integra Underground Mine's surface facilities ^d	-	25 or 100 ^e	0%																																																																											
Integra Underground Mine's underground workings ^d	-	10 or 250 ^f	0%																																																																											
All other public infrastructure ^b	-	50	0%																																																																											
	Blasting Hours																																																																													
9	The Applicant must only carry out blasting on site between 9 am and 5 pm (Monday to Saturday inclusive), with the exception of an allowable maximum of 12 blasts in a calendar year which may be undertaken between 7 am and 9 am (Monday to Saturday inclusive). No blasting is allowed on Sundays, public holidays or any other time without the agreement of the Secretary.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.																																																																										

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Blasting Frequency			
10	The Applicant may carry out a maximum of: (a) 2 blasts a day at the Ravensworth East Mine; (b) 2 blasts a day at the Mount Owen Mine; (c) 5 blasts a week at the Ravensworth East Mine, averaged over a calendar year; and (d) 8 blasts a week at the Mount Owen Mine, averaged over a calendar year. This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blast misfires or blasts required to ensure the safety of the mine, its workers or the general public. Notes: • For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine. • For the avoidance of doubt, should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast, for the purpose of calculating the maximum number of daily and weekly blasts under this condition.	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Blast Monitoring Reports for the audit period. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
	Property Inspections			
11	If the Applicant receives a written request from the owner of any privately-owned land within 3 kilometres of any approved open cut mining pit on site for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection updated, then within 2 months of receiving this request the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to: • establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and • identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and/or structures; and (b) give the landowner a copy of the new or updated property inspection report. If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Secretary for resolution.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Blast Monitoring Reports for the audit period. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). – Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
12	If the owner of any privately-owned land within 3 kilometres of any approved open cut mining pit on site claims that buildings and/or structures on his/her land have been damaged as a result of blasting on the site, then within 2 months of receiving this claim the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and (b) give the landowner a copy of the property investigation report. If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Secretary. If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Blast Monitoring Reports for the audit period. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). – Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
	Blast Operating Conditions			
13	The Applicant must: (a) implement all reasonable and feasible measures to: • protect the safety of people and livestock from blasting impacts in the areas surrounding blasting operations; • protect public or private infrastructure/property in the surrounding area from damage from blasting operations; • minimise blasting impacts on the Main Creek alluvial aquifer; • minimise the dust and fume emissions of any blasting; (b) ensure that blasting on the site does not damage heritage items, and develop specific measures to protect the Ravensworth Homestead, Chain of Ponds Inn, Kangory (Dulwich) Homestead, Former	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Blast Monitoring Reports for the audit period. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). – Site interviews completed 17 November 2023. – Complaints register. – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Table 4. Furthermore, minimal blasting complaints have been received during the audit period, as follows: – 2020: nil; – 2021: nil; – 2022: 1 complaint; and – 2023 (to date): 1 complaint. Review of complaints data indicates MGO are responsive to complaints and revise operations as applicable to reduce blasting impacts.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Hebden Public School and John Winter Memorial from any blasting damage associated with the development; (c) minimise the frequency and duration of any road closures, and use all reasonable efforts to avoid road closures for blasting during peak traffic periods; (d) operate a suitable system to enable members of the public to get up-to-date information on the proposed blasting schedule on site and associated road closures, including, on request, notification via SMS message of the blasting schedule and associated public road closures for that day and any variations to that schedule and closures; (e) use all reasonable endeavours to co-ordinate the timing of blasting at the site with any nearby mines (including the Glendell and Rix's Creek North Mines) to minimise cumulative blasting impacts; and (f) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent. <i>Note: For the location of the heritage items referred to in paragraph (b) above, refer to Appendix 6</i>			
14	The Applicant must not undertake blasting on site within 500 metres of any public road or any land outside the site not owned by the Applicant, unless the Applicant has: (a) a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the infrastructure or land, and the Applicant has advised the Department in writing of the terms of this agreement; or (b) demonstrated to the satisfaction of the Secretary that the blasting can be carried out closer to the infrastructure or land without compromising the safety of people or livestock or damaging the infrastructure and/or other buildings and structures, and the Secretary has approved an updated Blast Management Plan that includes specific mitigation measures to be implemented while blasting is being carried out within 500 metres of the infrastructure or land.	Not triggered	– Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, dated 3 June 2023). – Letter of Approval of BMP dated 3 October 2023. – Letter from DPE dated 17 June 2021 regarding Road Closure Management Plan. – Letter from EPA dated 21 July 2021 declining to review the BMP.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
	Blast Management Plan			
15	The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) describe the measures that will be implemented to ensure compliance with the blast criteria and operating conditions of this consent; (c) include a road closure management plan for blasting within 500 metres of a public road, that has been prepared in consultation with applicable roads authorities and includes provisions for: • notifying relevant roads authorities of any planned public road closures; • minimising the duration of closures, both on a per event basis and weekly basis; • avoiding peak traffic periods as far as practicable; and • coordinating with neighbouring mines to minimise the cumulative effect of road closures; (d) propose and justify any agreed alternative ground vibration limits for public infrastructure in the vicinity of the site (if relevant); (e) include an agreed strategy for the management of potential blast interactions within 500 metres of any approved and/or developed underground workings for the Integra Underground Mine, and includes details of: • systems for the prior and timely notification of scheduled blasting and subsidence activities; • personnel evacuation and safety protocols for specific blast events; and • procedures and protocols for managing the interaction of the two mines; and (f) include a monitoring program for evaluating and reporting on compliance with the blasting criteria and operating conditions of this consent. The Applicant must implement the Blast Management Plan as approved by the Secretary.	Compliant	– Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, dated 3 June 2023). – Letter of Approval of BMP dated 3 October 2023. – Letter from DPE dated 17 June 2021 regarding Road Closure Management Plan. – Letter from EPA dated 21 July 2021 declining to review the BMP. – Site inspection completed 17 November 2023.	2020 IEA Recommendation R03: Ensure Pre-blast procedures are compliant with the Blast Management Plan and the approvals and reinforce with training the timing requirements of the BMP and approvals. (NC003). R04: Condition 15(c) is explicit in requiring a Road Closure plan however mine plans indicate that this will not be required in life of mine. MGO should seek permission from DPIE to forego the requirement for a road closure plan. (NC004). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> R03: This recommendation was closed prior to submission of the 2020 Annual Review. Review of relevant documentation indicates MGO implemented improved communication methods to ensure that personnel servicing blast monitoring equipment and their respective task coordinators were aware of blasting activities at both Glendell and Mt Owen mining areas. In addition, pre-blast assessments were updated to require review of monitor status prior to blasting. R04: This recommendation was closed in June 2021. Correspondence from DPE dated 17 June 2021 confirms a Road Closure Management is only required to be prepared when blasting is proposed to be conducted within 500 m of a public road. <u>2023 IEA Findings:</u> Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary																													
	AIR QUALITY																																
	Air Quality Criteria																																
16	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 5, 6 and 7 at any residence on privately-owned land, except for the residences shown in Table 1 as being eligible for acquisition on request on the basis of air quality impacts. <i>Table 5: Long term impact assessment criteria for particulate matter</i> <table><tr><th><i>Pollutant</i></th><th><i>Averaging Period</i></th><th><i>^dCriterion</i></th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a90 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^a25 µg/m³</td></tr><tr><td>Particulate matter < 2.5 µm (PM_{2.5})</td><td>Annual</td><td>^a8 µg/m³</td></tr></table> <i>Table 6: Short term impact assessment criterion for particulate matter</i> <table><tr><th><i>Pollutant</i></th><th><i>Averaging Period</i></th><th><i>^dCriterion</i></th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>^b50 µg/m3</td></tr><tr><td>Particulate matter < 2.5 µm (PM2.5)</td><td>24 hour</td><td>^b25 µg/m3</td></tr></table> <i>Table 7: Long term impact assessment criteria for deposited dust</i> <table><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>Maximum increase in deposited dust level</i></th><th><i>Maximum total deposited dust level</i></th></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>^b 2 g/m²/month</td><td>^a 4 g/m²/month</td></tr></table> <i>Tables 5-7:</i> ^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). ^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own). ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method. ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed to by the Secretary. For the purposes of this condition, ‘reasonable and feasible avoidance and mitigation measures’ includes, but is not limited to, the requirements in conditions 18 and 19 to develop and implement a real time air quality management system that ensures effective operational response to the risk of exceedance of the criteria.	<i>Pollutant</i>	<i>Averaging Period</i>	<i>^dCriterion</i>	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 25 µg/m³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^a 8 µg/m³	<i>Pollutant</i>	<i>Averaging Period</i>	<i>^dCriterion</i>	Particulate matter < 10 µm (PM10)	24 hour	^b 50 µg/m3	Particulate matter < 2.5 µm (PM2.5)	24 hour	^b 25 µg/m3	<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase in deposited dust level</i>	<i>Maximum total deposited dust level</i>	^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Air Quality Monitoring Reports for the audit period. - Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (MGOOC-1779562647-4392). (Rev 6, 29 September 2021). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	2020 IEA Recommendation R05: Ensure compliance with the Air Quality Management Plan and approvals requirements when managing air quality. Review training needs and retrain if required. (NC005 and NC006). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> The recommendation is considered to have been addressed with MGO continuing to implement the controls identified in the AQGHGMP to maintain compliance with approval conditions. The controls include training in management of air quality for mine personnel. MGO has reviewed training skills of all personnel and actions were placed into CMO for air quality training to be completed for those who had not previously. These actions were completed by Q1 2021. In addition, the Environment and Community awareness package was updated in Q2 2021, with completion required by all personnel prior to site induction. <u>2023 IEA Findings:</u> The 2020 Annual Review shows that without the extraordinary events (which reside outside of the audit period), the PM₁₀, PM_{2.5}, TSP and dust deposition concentrations at all monitors were below the relevant 24-hour, monthly and annual average criteria and therefore demonstrate compliance with the development consents. The 2021 and 2022 Annual Reviews show that when considering the calculated contribution from the direction of MGO, the PM₁₀, PM_{2.5}, TSP and dust deposition concentrations at all monitors were below the relevant 24-hour, monthly and annual average criteria and therefore demonstrate compliance with the development consents. No exceedances recorded during the audit period.
<i>Pollutant</i>	<i>Averaging Period</i>	<i>^dCriterion</i>																															
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m³																															
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 25 µg/m³																															
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^a 8 µg/m³																															
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<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase in deposited dust level</i>	<i>Maximum total deposited dust level</i>																														
^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month																														
	Mine-owned Land																																
17	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 5, 6 and 7 at any occupied residence on mine-owned land (including land owned by another mining company) unless: (a) the tenant and landowner (if the residence is owned by another mining company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under Schedule 4 of this consent; (b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice; (c) air quality monitoring is regularly undertaken to inform the tenant or landowner (if the residence is owned by another mining company) of the likely particulate emissions at the residence; and (d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Air Quality Monitoring Reports for the audit period. - AQGHGMP (MGOOC-1779562647-4392).	Review of documentation indicates: a) there are no exceedances of the air quality criteria during the audit period. DPE also did not record any extraordinary events during the reporting period. The auditor has reviewed the ‘Mine dust and you’ factsheets and tenant list. b) not triggered during the audit period. c) monitoring of TSP, PM10, PM2.5 and dust deposition has been undertaken at multiple locations. d) not triggered during the audit period.																													

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Air Quality Operating Conditions			
18	The Applicant must: (a) implement all reasonable and feasible measures to minimise the odour, fume, spontaneous combustion and dust (including PM10 and PM2.5) emissions of the development, including through the proactive and reactive management for all emission sources (crustal and combustion); (b) minimise visible air pollution generated by the development; (c) minimise to the greatest extent practicable, the extent of potential dust generating surfaces exposed on the site at any given point in time; (c1) take all reasonable steps to improve energy efficiency and reduce greenhouse gas emissions from the development; (d) operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting and real-time air quality monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent; (e) install and operate a weather station with a 10 m high tower, located approximately between or at either dust monitoring stations SX9 and SX10, for use in managing potential air quality impacts to receivers situated to the south-east of the development; (f) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note d above under Tables 5-7); (g) co-ordinate air quality management on site with the air quality management at nearby mines (i.e.. Glendell and Rix's Creek North mines) to minimise cumulative air quality impacts; and (h) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent, and report on this in the annual review referred to in condition 5 of Schedule 5.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Air Quality Monitoring Reports for the audit period. - AQGHGMP (MGOOC-1779562647-4392). (Rev 6, 29 September 2021). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	2020 IEA Recommendation R05: Ensure compliance with the Air Quality Management Plan and approvals requirements when managing air quality. Review training needs and retrain if required. (NC005 and NC006). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> The recommendation is considered to have been addressed with MGO continuing to implement the controls identified in the AQGHGMP to maintain compliance with approval conditions. The controls include training in management of air quality for mine personnel. MGO has reviewed training skills of all personnel and actions were placed into CMO for air quality training to be completed for those who had not previously. In addition, the Environment and Community awareness package was updated in Q2 2021, with completion required by all personnel prior to site induction. <u>2023 IEA Findings:</u> Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Tables 4, 6 and 7. Furthermore, minimal air quality complaints have been received during the audit period, as follows: 2020: nil; 2021: 1 complaint; 2022: 2 complaints; and 2023 (to date): 1 complaint. Review of complaints data indicates MGO are responsive to complaints and revise operations as applicable to reduce air quality emissions. In addition, the auditor: - sighted the DNAT system which provides predictive air quality forecasting, with audit interviews indicating it is used to manage/minimise air quality impacts (e.g. through water sprays and timing of blasting); - observed air quality is coordinated at a complex-wide level; and - sighted the weather station in good working order during onsite inspection.
	Air Quality and Greenhouse Gas Management Plan			
19	The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) describe the method for the selection of a suitable site and installation timeframe for the weather station to be located approximately between, or at either dust monitoring stations SX9 and SX10; (c) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this consent; (d) describe the air quality management system in detail; (e) include an initial baseline estimate of the emissions of PM2.5 from all diesel engines used for the development; and (f) include an air quality monitoring program that: - adequately supports the air quality management system; - evaluates and reports on the: - the effectiveness of the air quality management system; - compliance with the air quality criteria;	Compliant	- AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 29 September 2021). - Letter of Approval of AQGHGMP dated 29 September 2021. - Letter from EPA dated 16 March 2020 declining to review the AQGHGMP. - Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition. It is noted the AQGHGMP has been reviewed and updated during 2023, and is currently awaiting approval from DPE.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	- compliance with the air quality operating conditions; and • defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents. The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Secretary.			
	METEOROLOGICAL MONITORING			
20	Prior to the commencement of development, the Applicant must ensure that there is a meteorological station in the vicinity of the site that: (a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, unless a suitable alternative (such as wind stability classes) is approved by the Secretary following consultation with the EPA.	Compliant	– Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023. – AQGHGMP (MGOOC-1779562647-4392).	The auditor viewed the meteorological station during the site inspection. The meteorological station was found to be in good working order.
	WATER			
	Water Supply			
21	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations on site to match its available water supply. Notes: • <i>Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development prior to water take occurring.</i> • <i>The Applicant should consult with DPE Water regarding the licensing requirements for the final landform and any associated impacts on the Bowmans Creek and Glennies Creek catchments.</i>	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Water Supply Works approval (20WA210940); – Water Access Licences (WALs). – WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). – SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). – Groundwater Management and Monitoring Plan (GMMP) (MGOOC-1779562647-11186) (Rev 6, 3 October 2023). – Surface Water and Groundwater Response Plan (SWGRP) (MGOOC-1779562647-11187) (Rev 6, 3 October 2023). – Erosion and Sediment Control Plan (ESCP) (MGOOC-1779562647-10974) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition, with the site water balance is updated annually as part of Annual Reviews, with adequate systems and procedures to ensure water supply was available during the audit period and into the future. was available during the audit period and into the future. Annual Reviews note that in average to dry rainfall periods, the Mt Owen Complex is predicted to operate with a water deficit in the absence of water imports from either the GRAWTS or from licensed surface water allocations. However, the WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) notes the risk of a shortfall of water to meet the daily operational requirements at the Mt Owen Complex is low. Furthermore, should extended dry periods or drought led to a water shortage, the WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023) indicates MGO would either reduce production to a level to suit water availability or additional water will be sourced from external sources, including additional water allocations or from other mining operations.
	Compensatory Water Supply			
22	The Applicant must provide a compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than a negligible impact) as a result of the development, in consultation with DPE Water, and to the satisfaction of the Secretary. The compensatory water supply measures must provide an alternative long term supply of water that is equivalent, in quality and volume, to the loss attributable to the development. Equivalent water supply should be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner. If the Applicant 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 Secretary for resolution. If the Applicant is unable to provide an alternative long term supply of water, then the Applicant must provide compensation to the satisfaction of the Secretary. <i>Note: The Water Management Plan (see condition 26) is required to include trigger levels for investigating potentially adverse impacts on water supplies.</i>	Not triggered	– Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023. – Annual Reviews for 2020, 2021, and 2022.	No evidence of water loss by private land owners around the site was provided to the auditors nor observed.

Condition #	Details	Compliance status	Relevant evidence	Commentary										
	Water Pollution													
23	Unless an EPL or the EPA authorises otherwise, the Applicant must comply with Section 120 of the POEO Act. <i>Notes:</i> • <i>The Applicant is required to obtain any necessary approvals or licences under the EP&A Act, POEO Act and/or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 prior to discharging water or tailings off-site via the GRAWTS.</i> • <i>The Applicant is required to comply with the relevant provisions of the POEO Act in relation to any unauthorised discharges.</i>	Compliant	– WMP (MGOOC-1779562647-11480) (Rev 5, 3. October 2023). – SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for audit period. – Surface Water Monitoring Reports for the audit period. – Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.										
	Creek Diversions													
24	The Applicant must construct, maintain and rehabilitate any approved creek diversions associated with the development, including the diversions of Bettys Creek around the Eastern Rail Pit and into Main Creek, to the satisfaction of the Secretary.	Compliant	– Site inspection completed 17 November 2023. – Water Approval (WA) (20WA212660) for Bettys Creek Lower Diversion. – WA (20WA212187) for Bettys Creek Upper and Middle Diversion. – WA (20WA211429) for Yorks Creek Diversion. – Creek Diversion Management Plan (CDMP) (MGOOC-1779562647-10971) (Rev 5, 22 April 2020). – Annual Reviews for 2020, 2021, and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition.										
	Water Management Performance Measures													
25	The Applicant must comply with the performance measures in Table 8. <i>Table 8: Water management performance measures</i> <table><tr><th><i>Feature</i></th><th><i>Performance Measure</i></th></tr><tr><td>Water management – General</td><td> • Minimise the use of clean water on site • Minimise the need for make-up water from external supplies (other than the GRAWTS) </td></tr></table> <table><tr><td>Main, Glennies and Bowmans Creek alluvial aquifers</td><td> • Negligible environmental consequences to the alluvial aquifer as a result of the development, including: – negligible change in groundwater levels; – negligible change in groundwater quality; and – negligible impact to other groundwater users, beyond those predicted in the documents listed in condition 2(a) of Schedule 2. </td></tr><tr><td>Construction and operation of infrastructure</td><td> • Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i>, <i>Volume 2A – Installation of Services</i>, <i>Volume 2C – Unsealed Roads</i>, <i>Volume 2D – Main Road Construction</i> and <i>Volume 2E Mines and Quarries</i> • Design, install and maintain any infrastructure within 40 metres of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (2007)</i>, or its latest version • Design, install and maintain any creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions </td></tr><tr><td>Clean water diversion & storage infrastructure</td><td> • Design, install and maintain the clean water system to convey the 100 year 24 hour ARI event • Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site </td></tr></table>	<i>Feature</i>	<i>Performance Measure</i>	Water management – General	• Minimise the use of clean water on site • Minimise the need for make-up water from external supplies (other than the GRAWTS)	Main, Glennies and Bowmans Creek alluvial aquifers	• Negligible environmental consequences to the alluvial aquifer as a result of the development, including: – negligible change in groundwater levels; – negligible change in groundwater quality; and – negligible impact to other groundwater users, beyond those predicted in the documents listed in condition 2(a) of Schedule 2.	Construction and operation of infrastructure	• Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i>, <i>Volume 2A – Installation of Services</i>, <i>Volume 2C – Unsealed Roads</i>, <i>Volume 2D – Main Road Construction</i> and <i>Volume 2E Mines and Quarries</i> • Design, install and maintain any infrastructure within 40 metres of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (2007)</i>, or its latest version • Design, install and maintain any creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions	Clean water diversion & storage infrastructure	• Design, install and maintain the clean water system to convey the 100 year 24 hour ARI event • Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site	Compliant	– WMP (MGOOC-1779562647-11480) (Rev 5, 3. October 2023). – SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for audit period. – Surface Water Monitoring Reports for the audit period. – Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with the 2022 Annual Review noting: – stream stability trajectory across Bettys Creek diversion monitoring sites remains static, with stability ranging between 63% to 81% among and between the Upper, Middle and Lower groupings; – stream stability remained static across all sites for Swamp Creek with stability ranging between 63% to 78%.
<i>Feature</i>	<i>Performance Measure</i>													
Water management – General	• Minimise the use of clean water on site • Minimise the need for make-up water from external supplies (other than the GRAWTS)													
Main, Glennies and Bowmans Creek alluvial aquifers	• Negligible environmental consequences to the alluvial aquifer as a result of the development, including: – negligible change in groundwater levels; – negligible change in groundwater quality; and – negligible impact to other groundwater users, beyond those predicted in the documents listed in condition 2(a) of Schedule 2.													
Construction and operation of infrastructure	• Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i>, <i>Volume 2A – Installation of Services</i>, <i>Volume 2C – Unsealed Roads</i>, <i>Volume 2D – Main Road Construction</i> and <i>Volume 2E Mines and Quarries</i> • Design, install and maintain any infrastructure within 40 metres of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (2007)</i>, or its latest version • Design, install and maintain any creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions													
Clean water diversion & storage infrastructure	• Design, install and maintain the clean water system to convey the 100 year 24 hour ARI event • Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site													

Condition #	Details		Compliance status	Relevant evidence	Commentary
	Sediment dams	Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries</i>			
	Mine water storages	- Design, install and maintain mine water storage infrastructure to ensure no discharge of mine water to the off-site environment - On-site storages (including mine infrastructure dams, groundwater storage and treatment dams) are suitably designed, installed and maintained (including to minimise permeability) - Ensure adequate freeboards within all pit voids at all times to minimise the risk of discharge to surface waters			
	Tailings storages	Design and maintain tailings storage areas to encapsulate and prevent the movement of tailings seepage/leachate offsite			
	Overburden emplacements	- Design, install and maintain emplacements to encapsulate and prevent migration of tailings, acid forming and potentially acid forming materials, and saline and sodic material - Design, install and maintain out-of-pit emplacements to prevent and/or manage long term saline seepage			
	Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards			
	Creek realignment and restoration works	- Diverted creek lines are hydraulically and geomorphologically stable - Incorporate erosion control measures based on vegetation and engineering revetments - Incorporate persistent/permanent pools for aquatic habitat - Revegetate with suitable native species			
	Aquatic and riparian ecosystems	Develop site-specific in-stream water quality objectives in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW procedures (2006)</i>, or its latest version			
	Water Management Plan				
26	The Applicant must prepare a Water Management Plan for the development. This plan must: (a) be prepared in consultation with DPE Water and EPA, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) include detailed performance criteria and describe measures to ensure that the Applicant complies with the water management performance measures (see Table 8); (c) in addition to the standard requirements for management plans (see condition 3 of Schedule 5), this plan must include a: (i) Water Balance that: - includes details of: - sources and security of water supply, including contingency planning for future reporting periods; - water use and management on site; - any off-site water transfers; and - reporting procedures, including the preparation of a site water balance for each calendar year; and - describes the measures that would be implemented to minimise clean water use by the development; (ii) Salt Balance that: - includes details of: - sources of saline material on the site; - saline material and saline water management on site; and - reporting procedures, including the preparation of a salt balance for each calendar year;		Compliant	- WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). - SWMMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023). - SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023). - ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.

(iii) Erosion and Sediment Control Plan, that: • is consistent with the requirements of Managing Urban Stormwater: Soils and Construction - Volume 1 and Volume 2E Mines and Quarries , or its latest version; • identifies activities that could cause soil erosion, generate sediment or affect flooding; • describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk; • describes the location, function, and capacity of erosion and sediment control structures and flood management structures; and • describes what measures would be implemented to maintain the structures over time; (iv) Surface Water Management Plan, that includes: • relevant baseline data on channel stability, water flows and water quality in the sections and parts of creeks, rivers and waterbodies that are likely to experience a greater than negligible impact as a result of the development; • a detailed description of the water management system on site; • a description of measures used to manage, monitor and report on the transfer of water and/or tailings under the GRAWTS; • an appropriately detailed description of the flood warning signage to be installed along Hebden Road; • appropriately detailed plans, design objectives and performance criteria for: - the Hebden Road realignment and upgrade works (including the construction of a new bridge over Bowmans creek); - construction of an additional rail line and rail bridge crossing over Bettys Creek; - any approved creek diversions associated with the development; - any restoration works to be undertaken on creeks impacted by the development; - sediment and mine water dams; - the small height flood levee and proposed modifications to Dams 5 and 6 described in SEE (Mod 2); - emplacement of tailings, acid forming and potentially acid forming materials, and saline and sodic materials; - re-establishment of free draining second and third order creeks, and their associated catchments, in the final post-mining landform; and - any final voids for the development (see the Rehabilitation Objectives in Table 10); • surface water performance criteria, including trigger levels for investigating any potentially adverse impacts, for the following: - the water management system, including mine water storages and sediment dams; - surface water user supplies; - downstream surface water quality; - downstream flooding impacts; and - stream and riparian vegetation health; • a program to monitor and report on: - the effectiveness of the water management system; - impacts on downstream water users (that are not negligible); - surface water flows and quality, as well as stream and riparian vegetation health in the watercourses that are likely to experience a greater than negligible impact as a result of the development; - acid forming and potential acid forming materials, incorporating the recommendations in Appendix 11 of SEE (Mod 2); and - downstream flooding impacts; and • a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the development; (v) Groundwater Management Plan, that includes: • relevant baseline data on groundwater levels, yield and quality in the region and privately-owned groundwater bores that are likely to experience a greater than negligible impact as a result of the development; • a detailed description of the groundwater management system on site;			
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	• appropriately detailed plans, design objectives and performance criteria, for: - emplacement of tailings, acid forming and potentially acid forming materials, and saline and sodic materials; - any final voids for the development (see the Rehabilitation Objectives in Table 10); • groundwater performance criteria, including trigger levels for investigating any potentially adverse groundwater impacts, for the following: - Main Creek, Glennies Creek, Bettys Creek, York Creek, Swamp Creek and Bowmans Creek alluvial aquifers and the Permian hard rock aquifer; - groundwater user bores; - groundwater inflows to the mining operations; - seepage/leachate from water storages, emplacements, backfilled voids and final voids; and - groundwater dependent ecosystems; • a program to monitor and report on: - groundwater inflows to the mining pits; - seepage/leachate from water storages, emplacements, backfilled voids and final voids; - background changes in groundwater yield/quality against mine-induced changes; - impacts of the development on: - regional and local (including alluvial) aquifers; - groundwater supply of potentially affected landowners; and - groundwater dependent ecosystems and riparian vegetation; • a Trigger Action Response Plan to respond to any exceedances of the groundwater performance criteria, and mitigate any adverse groundwater impacts of the development (including a protocol to install a low permeability barrier in the event that the Main Creek alluvial aquifer is intercepted or a significant decline in alluvial water levels is detected which may be attributable to mining operations); and • consideration of the cumulative groundwater interactions of the development and other nearby mines, including the Glendell Mine and Integra Underground Mine; (vi) a program to periodically validate the water balance, salt balance, surface water take and groundwater model for the development, and compare monitoring results with modelled predictions, unless otherwise agreed by the Secretary; (vii) a protocol to report on the measures, monitoring results and performance criteria identified above, in the annual review referred to in condition 5 of Schedule 5; and (viii) a protocol that has been prepared, using all reasonable endeavours, in consultation with the owner of any nearby mines (including the Glendell, Liddell, Ravensworth Operations, Integra Underground and Rix's Creek North Mines) to: • minimise cumulative water quantity and quality impacts; • review opportunities for water sharing between the mines; • co-ordinate water quality monitoring programs where practicable; and • undertake joint investigations/studies in relation to complaints/exceedances of trigger levels where cumulative impacts are considered likely. The Applicant must implement the Water Management Plan as approved by the Secretary.			
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Condition #	Details	Compliance status	Relevant evidence	Commentary																															
	BIODIVERSITY																																		
	Biodiversity Offset Strategy																																		
27	The Applicant must implement the Biodiversity Offset Strategy described in the EIS, summarised in Table 9 and shown conceptually in Appendix 5 and 7. Table 9: Summary of the Biodiversity Offset Strategy <table><tr><th>Area</th><th>Offset Name ^a</th><th>Size hectares (ha)</th></tr><tr><td rowspan="5">On-site Offsets</td><td>Northwest Offset</td><td>71.4</td></tr><tr><td>Northeast Offset</td><td>83.6</td></tr><tr><td>Southeast Offset</td><td>58.3</td></tr><tr><td>Forest East Offset</td><td>110.9</td></tr><tr><td>Southeast Corridor Offset</td><td>74.1</td></tr><tr><td rowspan="4"></td><td>Southern Remnant Offset</td><td>4.0</td></tr><tr><td>Cross Creek Offset</td><td>367.0</td></tr><tr><td>Stringybark Creek Habitat Corridor Offset</td><td>97.5</td></tr><tr><td>Rehabilitation Woodland</td><td>518.0</td></tr><tr><td rowspan="2">Off-site Offsets</td><td>Esparanga Offset</td><td>303.0</td></tr><tr><td>Mitchell Hills Offset</td><td>143.7</td></tr><tr><td>Total Area</td><td></td><td>1831.5</td></tr></table> ^a To identify the areas referred to in Table 9, see the applicable figures in Appendices 5 and 7.	Area	Offset Name ^a	Size hectares (ha)	On-site Offsets	Northwest Offset	71.4	Northeast Offset	83.6	Southeast Offset	58.3	Forest East Offset	110.9	Southeast Corridor Offset	74.1		Southern Remnant Offset	4.0	Cross Creek Offset	367.0	Stringybark Creek Habitat Corridor Offset	97.5	Rehabilitation Woodland	518.0	Off-site Offsets	Esparanga Offset	303.0	Mitchell Hills Offset	143.7	Total Area		1831.5	Non-compliant (Administrative)	- Annual Reviews for 2020, 2021, and 2022. - BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). - Mt Owen Complex Fauna Monitoring 2021 Annual Report (Forest Fauna Surveys, 20 November 2021). - Mt Owen Complex 2021 Conservation Agreement Monitoring Report (Umwelt, December 2021). - Mt Owen Complex 2022 Conservation Agreement Monitoring Report (Umwelt, 2022). - Esparanga Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2021). - Mitchell Hills Biodiversity Offset Area (Umwelt, 2023). - Cross Creek Biodiversity Offset Area 2021 Ecological Monitoring (Umwelt, 2022). - Cross Creek Biodiversity Offset Area 2022 Ecological Monitoring (Umwelt, 2023). - Stringybark Creek Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). - Stringybark Creek Biodiversity Offset Area 2022 Floristic Monitoring Report (Umwelt, 2023). - Mitchell Hills Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). - Mt Owen Complex Fauna Monitoring 2022 Annual Report (Forest Fauna Surveys, 15 January 2023).	MGO is implementing corrective actions for: - Bettys Creek (Enex Foydell) CA; - Bettys Creek (Glendell) CA; - Mount Owen Offsets CA, represented by a cluster of four smaller offset areas, being; - North-East Offset; - Forest East Offset; - South-East Offset; and - South-East Corridor Offset. - Southern Remnant CA; and - North-West Offset CA. In addition, BOAs currently managed under the BOMPS include: - Cross Creek Offset Site; - Stringybark Habitat Corridor Offset Site; - Esparanga Offset Site; and - Mitchell Hills Offset Site. Review of relevant documentation indicates Biodiversity Offset Areas (BOAs) and Biodiversity Stewardship Agreements (BSAs) have not been secured in the required timeframe resulting in an ANC with relevant requirements of this condition. However, it is noted MGO has been working with the regulator including the Credit Supply Taskforce (CST) during the audit period to progress BSAs applications including: - the Mitchell Hills, Cross Creek and Stringybark BSAs were signed by Glencore and Biodiversity Conservation Trust (BCT) representatives in 2022, with these BSAs now in the process of completing payment of the Total Fund Deposit (TFD), retirement of credits and execution from the CST; and - completion of an inspection of the Belford and Bulga Offsets by the CST in November and December 2022. While MGO is continuing to liaise with CST to progress the Esparanga Offset, there have been delays with the purchase of a Crown road at Esparanga from Crown Lands to enable retirement of the required biodiversity credits. During the Audit interview, MGO indicated purchase of the Crown road from Crown Lands was unlikely to be achievable due to a Native title claim in the area. However, recent consultation with CST and DPE has determined that the requirement for this paper road area to be included as part of the Esparanga BOA should be removed from relevant conditions of SSD-5850 during the next modification (i.e. Modification 8). It is understood Modification 8 will be sought, and likely approved, during the 2026 audit period. Therefore, Corrective Action (CA) 01 has been identified. In addition, it is noted submission of an application for BCT to issue a Charge Quote to make payment of all outstanding Biodiversity credits into the Biodiversity Conservation Fund (BCF) was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. CA01: As agreed in consultation with CST and DPE, on receipt of draft revised conditions for Modification 8 of SSD-5850, ensure the requirement for the Crown road to be included in the Esparanga BOA is removed from relevant conditions.
Area	Offset Name ^a	Size hectares (ha)																																	
On-site Offsets	Northwest Offset	71.4																																	
	Northeast Offset	83.6																																	
	Southeast Offset	58.3																																	
	Forest East Offset	110.9																																	
	Southeast Corridor Offset	74.1																																	
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Off-site Offsets	Esparanga Offset	303.0																																	
	Mitchell Hills Offset	143.7																																	
Total Area		1831.5																																	

Condition #	Details	Compliance status	Relevant evidence	Commentary
27A	The Applicant must rehabilitate the Rehabilitation Woodland offset area required in Table 9 above to a level that meets the EEC listing criteria for the Central Hunter Ironbark – Spotted Gum – Grey Box Forest EEC.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023).	Review of relevant documentation indicates identification of an area of 518 ha of mine rehabilitation to commit as BOA will be completed by March 2024, or any other timeframe as agreed and/or approved by DPE. The BOMPS notes this area would need to be restored to Central Hunter Ironbark – Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions EEC.
	Threatened Species			
28	The Applicant must ensure that the Biodiversity Offset Strategy summarised in Table 9 and the Rehabilitation Strategy for the development focus on the regeneration, enhancement and/or re-establishment of: (a) significant and/or threatened flora communities, including: - Central Hunter Grey Box — Ironbark Woodland EEC; and - Central Hunter Ironbark — Spotted Gum — Grey Box Forest EEC; and (b) habitat and/or foraging resources for other significant and/or threatened flora and fauna species, including: - Spotted-tailed Quoll; - Squirrel Glider; - Koala; - Swift Parrot; - Regent Honeyeater; - Green and Golden Bell Frog; - Brush-tailed Phascogale; - Eastern Bent-wing Bat; - East-coast Freetail Bat; - Southern Myotis; - Speckled Warbler; - Little Lorikeet; - Grey-crowned Babbler; - Diamond Firetail; and - Masked Owl.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). - Mt Owen Complex Fauna Monitoring 2021 Annual Report (Forest Fauna Surveys, 20 November 2021). - Mt Owen Complex 2021 Conservation Agreement Monitoring Report (Umwelt, December 2021). - Mt Owen Complex 2022 Conservation Agreement Monitoring Report (Umwelt, 2022). - Esparanga Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2021). - Mitchell Hills Biodiversity Offset Area (Umwelt, 2023). - Cross Creek Biodiversity Offset Area 2021 Ecological Monitoring (Umwelt, 2022). - Cross Creek Biodiversity Offset Area 2022 Ecological Monitoring (Umwelt, 2023). - Stringybark Creek Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). - Stringybark Creek Biodiversity Offset Area 2022 Floristic Monitoring Report (Umwelt, 2023). - Mitchell Hills Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). - Mt Owen Complex Fauna Monitoring 2022 Annual Report (Forest Fauna Surveys, 15 January 2023).	MGO is implementing corrective actions for: - Bettys Creek (Enex Foydell) CA; - Bettys Creek (Glendell) CA; - Mount Owen Offsets CA, represented by a cluster of four smaller offset areas, being; - North-East Offset; - Forest East Offset; - South-East Offset; and - South-East Corridor Offset. - Southern Remnant CA; and - North-West Offset CA. In addition, BOAs currently managed under the BOMP include: - Cross Creek Offset Site; - Stringybark Habitat Corridor Offset Site; - Esparanga Offset Site; and - Mitchell Hills Offset Site. Review of relevant monitoring reports indicates: - Central Hunter Ironbark — Spotted Gum — Grey Box Forest EEC and Central Hunter Ironbark — Spotted Gum — Grey Box Forest EEC are monitored against relevant benchmarks, with recommendations made and implemented where relevant; - Existing habitat for: - Squirrel glider; - Brush-tailed phascogale; - Grey-crown Babbler; - Habitat augmentation for: - Spotted-tailed Quoll (May 2022); - Micro-bats - The following species have been identified at the Mt Owen Complex during the audit period: - Spotted-tailed Quoll: all years; - Squirrel Glider: all years; - Brush-tailed Phascogale: all years; - Eastern Bent-wing Bat: 2021 and 2022; - East-coast Freetail Bat: 2021 and 2022; - Speckled Warbler: all years; - Little Lorikeet: 2020; and - Grey-crowned Babbler: all years; - The following species have not been identified at the Mt Owen Complex during the audit period: - Koala; - Swift Parrot; - Green and Golden Bell Frog; - Southern Myotis;

Condition #	Details	Compliance status	Relevant evidence	Commentary
				– Regent Honeyeater; – Diamond Firetail; and – Masked Owl.
	Long Term Security of Offsets			
29	The Applicant must make suitable arrangements for the long term protection of the areas identified in Table 9, to the satisfaction of the Secretary. These arrangements must be implemented by: (a) the end of June 2018, unless the Secretary agrees otherwise, for all on-site and off-site offsets excluding the Rehabilitation Woodland offset area; and (b) within 12 months of the finalisation of the location of the Rehabilitated Woodland (see Table 9) under condition 31(c) below, unless the Secretary agrees otherwise. <i>Note: This condition can be satisfied for any area identified in Table 9 that is already subject to long term protection mechanisms under previous development consents for the Mount Owen or Ravensworth East mines, if the Secretary agrees that the existing mechanism/s provide sufficient protection to address the requirements of this condition.</i>	Non-compliant (Administrative)	– Annual Reviews for 2020, 2021, and 2022. – BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). – Mt Owen Complex Fauna Monitoring 2021 Annual Report (Forest Fauna Surveys, 20 November 2021). – Mt Owen Complex 2021 Conservation Agreement Monitoring Report (Umwelt, December 2021). – Mt Owen Complex 2022 Conservation Agreement Monitoring Report (Umwelt, 2022). – Esparanga Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2021). – Mitchell Hills Biodiversity Offset Area (Umwelt, 2023). – Cross Creek Biodiversity Offset Area 2021 Ecological Monitoring (Umwelt, 2022). – Cross Creek Biodiversity Offset Area 2022 Ecological Monitoring (Umwelt, 2023). – Stringybark Creek Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). – Stringybark Creek Biodiversity Offset Area 2022 Floristic Monitoring Report (Umwelt, 2023). – Mitchell Hills Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). – Mt Owen Complex Fauna Monitoring 2022 Annual Report (Forest Fauna Surveys, 15 January 2023).	MGO is implementing corrective actions for: – Bettys Creek (Enex Foydell) CA – Bettys Creek (Glendell) CA; – Mount Owen Offsets CA, represented by a cluster of four smaller offset areas, being; – North-East Offset; – Forest East Offset; – South-East Offset; and – South-East Corridor Offset. – Southern Remnant CA; and – North-West Offset CA. In addition, BOAs currently managed under the BOMPS include: – Cross Creek Offset Site; – Stringybark Habitat Corridor Offset Site; – Esparanga Offset Site; and – Mitchell Hills Offset Site. Schedule 3, Condition 29 requires MGO to have the biodiversity offset arrangements secured for all on-site and off-site offsets excluding the Rehabilitation Woodland offset area (DA 80/952) by the end of June 2018 unless the Secretary agrees otherwise. On 10 August 2021, an extension to 4 September 2022 was approved by DPE to secure the retirement of credits in accordance with Schedule 3, Conditions 29B (Table 9A), 29C (Table 9B), and 29D (Table 9C). Retirement of these credits was not achieved by 4 September 2022, resulting in an ANC with the requirements of Schedule 3, Condition 29. However, it is noted MGO has been working with the Credit Supply Taskforce (CST) during the audit period, including: – the Mitchell Hills, Cross Creek and Stringybark BSAs were signed by Glencore and BCT representatives in 2022, with these BSAs now awaiting execution from the CST; and – completion of an inspection of the Belford and Bulga Offsets by the CST in November and December 2022. While MGO is continuing to liaise with CST to progress the Esparanga Offset, there have been delays with the purchase of a Crown road at Esparanga from Crown Lands to enable retirement of the required biodiversity credits. Conduct of the audit interviews indicate purchase of the Crown road from Crown Lands is unlikely to be achievable. Therefore, consultation with CST and DPE has determined the requirement for this area to be included as part of the Esparanga BOA should be removed relevant conditions of SSD-5850 during the next modification (i.e. Modification 8). It is understood Modification 8 will be sought, and likely approved, during the 2026 audit period. Therefore, CA01 has been identified. In addition, it is noted submission of an application for BCT to issue a Charge Quote to make payment into the Biodiversity Conservation Fund was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing.

Condition #	Details	Compliance status	Relevant evidence	Commentary														
29A	Within 12 months of commencing mining operations in the Mod 2 disturbance area, unless otherwise agreed by the Secretary, the Applicant must provide a Mod 2 Biodiversity Offset Strategy for approval by the Secretary. This strategy must: (a) recalculate, if necessary, in accordance with the BC Act, the number of credits required under condition 29B of Schedule 3; (b) describe how the biodiversity credits in Table 9A (or as recalculated) will be identified, secured and retired; and (c) be prepared in accordance with the NSW Biodiversity Offset Policy for Major Projects and to the satisfaction of BCD. The Applicant must implement the Mod 2 Biodiversity Offset Strategy as approved by the Secretary.	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2020 IEA.														
29B	Within 24 months of commencing mining operations in the Mod 2 disturbance area, unless otherwise agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 9A below (or the equivalent number of credits calculated in accordance with the BC Act) as set out in the Mod 2 Biodiversity Offset Strategy. <i>Table 9A: Biodiversity credit requirements</i> <table><tr><th><i>Credit Type</i></th><th><i>Credits Required</i></th></tr><tr><td colspan="2"><i>Ecosystem Credits</i></td></tr><tr><td>HU815 – Spotted Gum – Narrow-leaved Ironbark – Red Ironbark Shrub – Grass Open Forest Slopes of the Central and Lower Hunter</td><td>984</td></tr><tr><td>HU906 – Bull Oak Grassy Woodland of the Central Hunter Valley</td><td>66</td></tr><tr><td>HU945 – Swamp Oak – Weeping Grass Grassy Riparian Forest of the Hunter Valley</td><td>12</td></tr><tr><td colspan="2"><i>Species Credits</i></td></tr><tr><td>Brush-tailed Phascogale</td><td>177</td></tr></table> <i>Note: The credits in Table 9A were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEH, 2014) and may need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the BC Act, to facilitate retirement.</i> The retirement of the biodiversity credits specified in Table 9A must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.	<i>Credit Type</i>	<i>Credits Required</i>	<i>Ecosystem Credits</i>		HU815 – Spotted Gum – Narrow-leaved Ironbark – Red Ironbark Shrub – Grass Open Forest Slopes of the Central and Lower Hunter	984	HU906 – Bull Oak Grassy Woodland of the Central Hunter Valley	66	HU945 – Swamp Oak – Weeping Grass Grassy Riparian Forest of the Hunter Valley	12	<i>Species Credits</i>		Brush-tailed Phascogale	177	Non-compliant (Administrative)	- Email from DPE approving extension request on 10 August 2021, approving an extension of 12 months for credits required for Modifications 2, 3, 4, 5, and 6 (i.e. to 4 September 2022). - Biobanking Credit Retirement Report for 177 species credits (Brush-tailed Phascogale), dated 10 December 2021. - Letter from DPE rejecting additional extension to secure BOA by 4 September 2022, dated 31 May 2022. - MGO letter dated 31 August 2022 requesting extension to the timeframe to retire Biodiversity Offset Credits required by SSD-5850 Schedule 3 Conditions 29B, 29C and, 29D, and DA 80/952 Schedule 3 Condition 36A. - Email from DPE on 16 September 2022, indicating the function of approving BSAs had been transferred to the Credit Supply Taskforce (CST) (created in mid-2022) and requested MGO liaise with the CST and provide an updated request for extension to DPE with evidence of the consultation with the CST, including an agreed timeframe to deliver the BSAs. - Email relating to a Biodiversity Offset site visit with the CST on 24 November 2022. - Email from CST providing BSA application assessment feedback dated 17 February 2023. - Submission of application for BCT to issue a Charge Quote to make payment into the Biodiversity Conservation Fund (BCF) on 24 October 2023, with responses between BCT and Umwelt between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing.	Approval of SSD-5850 (Modification 2) occurred on 4 September 2019, meaning biodiversity credit retirement was due by 4 September 2021. However, an extension to 4 September 2022 was approved by DPE on 10 August 2021. Retirement of credits for Schedule 3, Conditions 29B (Table 9A) was not achieved by 4 September 2022, resulting in an ANC with the requirements of this condition. However, it is noted MGO provided a notification of non-compliance to DPE on 11 September 2022. Further discussion in provided at Schedule 3, Conditions 29. As this ANC has already been reported and is being progressed in consultation with CST, no CA has been deemed relevant. Review of relevant documentation otherwise indicates: - in accordance with the note to Table 9A, credit requirements were converted to reasonably equivalent biodiversity credits within the meaning of the <i>Biodiversity Conservation Act 2016</i> (NSW). Credit retirement requirements were confirmed in MGO;s letter to DPE dated 22 August 2022, with 741 credits required for Mt Owen SSD-5850 Modification 2 as follows: 680 credits for HU815/PCT 1601; 6 credits for HU945/PCT 1731; and 55 credits for HU906/PCT 1692). - preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via Biodiversity Stewardship Agreement (BSA). These properties are identified as Esparanga, Mitchell Hills, Stringybark and Cross Creek offset areas. Correspondence from MGO dated 3 September 2022 indicates credit retirement would be achieved through these BSAs as follows: - PCT 1601 (HU815) (TEC offset trading group) – 687 credits available, with 437 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); - PCT 1601 (HU815) (non-TEC offset trading group) – 290 credits available, with 282 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); - PCT 1692 (HU906) (non-TEC offset trading group) – 79 credits available, with 55 credits required (i.e. per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 13 of Schedule 3, Condition 36A of DA 80/952); - PCT 1731 (HU945) (non-TEC offset trading group) – 22 credits available, with 6 credits required (i.e. per converted credit requirements against Table 9A of Schedule 3, Condition 29B); and - brush-tailed phascogale (<i>Phascogale tapoatafa</i>) – Nil available, with 177 credits required. - retirement of brush-tailed phascogale (<i>Phascogale tapoatafa</i>) credits was achieved 10 December 2021, with 177 credits retired; and
<i>Credit Type</i>	<i>Credits Required</i>																	
<i>Ecosystem Credits</i>																		
HU815 – Spotted Gum – Narrow-leaved Ironbark – Red Ironbark Shrub – Grass Open Forest Slopes of the Central and Lower Hunter	984																	
HU906 – Bull Oak Grassy Woodland of the Central Hunter Valley	66																	
HU945 – Swamp Oak – Weeping Grass Grassy Riparian Forest of the Hunter Valley	12																	
<i>Species Credits</i>																		
Brush-tailed Phascogale	177																	

Condition #	Details	Compliance status	Relevant evidence	Commentary														
				submission of an application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. CA02: Ensure DPE is updated on compliance with Schedule 3, Conditions 29B, 29C and 29D following processing and payment of the Charge Quote application.														
29C	Within 12 months of the determination of Mod 5, unless otherwise agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 9B below. The retirement of the biodiversity credits specified in Table 9B must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT. <i>Table 9B: Biodiversity credit requirements (Mod 5)</i> <table><tr><th><i>Biodiversity Credit Type</i></th><th><i>Credits Required</i></th></tr><tr><td colspan="2"><i>Ecosystem Credits</i></td></tr><tr><td>PCT 1601 Spotted Gum - Narrow-leaved Ironbark shrub – Red Ironbark shrub - grass open forest of the central and lower Hunter <i>Moderate</i></td><td>193</td></tr><tr><td>PCT 1601 Spotted Gum - Narrow-leaved Ironbark shrub – Red Ironbark shrub - grass open forest of the central and lower Hunter <i>Regenerating</i></td><td>2</td></tr><tr><td>PCT 1598 Forest Red Gum grassy open forest on floodplains of the lower Hunter <i>Moderate</i></td><td>2</td></tr><tr><td colspan="2"><i>Species Credits</i></td></tr><tr><td>Squirrel Glider (<i>Petaurus norfolcensis</i>)</td><td>197</td></tr></table>	<i>Biodiversity Credit Type</i>	<i>Credits Required</i>	<i>Ecosystem Credits</i>		PCT 1601 Spotted Gum - Narrow-leaved Ironbark shrub – Red Ironbark shrub - grass open forest of the central and lower Hunter <i>Moderate</i>	193	PCT 1601 Spotted Gum - Narrow-leaved Ironbark shrub – Red Ironbark shrub - grass open forest of the central and lower Hunter <i>Regenerating</i>	2	PCT 1598 Forest Red Gum grassy open forest on floodplains of the lower Hunter <i>Moderate</i>	2	<i>Species Credits</i>		Squirrel Glider (<i>Petaurus norfolcensis</i>)	197	Non-compliant (Administrative)	- Email from DPE approving extension request on 10 August 2021, approving an extension of 12 months for credits required for Modifications 2, 3, 4, 5, and 6 (i.e. to 4 September 2022). - Biobanking Credit Retirement Report dated 10 December 2021. - Letter from DPE rejecting additional extension to secure BOA by 4 September 2022, dated 31 May 2022. - MGO letter dated 31 August 2022 requesting extension to the timeframe to retire Biodiversity Offset Credits required by SD-5850 Schedule 3 Conditions 29B, 29C and, 29D, and DA 80/952 Schedule 3 Condition 36A. - Email from DPE on 16 September 2022, indicating the function of approving BSAs had been transferred to the CST (created in mid-2022) and requested MGO liaise with the CST and provide an updated request for extension to DPE with evidence of the consultation with the CST, including an agreed timeframe to deliver the BSAs. - Email relating to a Biodiversity Offset site visit with the CST on 24 November 2022.	Approval of SSD-5850 (Modification 5) occurred on 15 January 2021, meaning biodiversity credit retirement was due by 15 January 2022. However, an extension to 4 September 2022 was approved by DPE on 10 August 2021. Retirement of credits for Schedule 3, Condition 29C (Table 9B) was not achieved by 4 September 2022, resulting in an ANC with the requirements of this condition. However, it is noted MGO provided a notification of non-compliance to DPE on 11 September 2022. Further discussion in provided at Schedule 3, Conditions 29. Review of relevant documentation indicates: - credit retirement requirements were confirmed in MGO’s letter to DPE dated 22 August 2022, with 394 credits required for Mt Owen SSD-5850 Modification 5; - preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via Biodiversity Stewardship Agreement (BSA). These properties are identified as Esparanga, Mitchell Hills, Stringybark and Cross Creek offset areas. Correspondence from MGO dated 3 September 2022 indicates credit retirement would be achieved through these BSAs as follows: - PCT 1598 – 6 credits available, with 2 credits required (i.e. per Table 9B of Schedule 3, Condition 29C); - PCT 1601 (HU815) (TEC offset trading group) – 687 credits available, with 437 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); - PCT 1601 (HU815) (non-TEC offset trading group) – 290 credits available, with 282 credits required (per converted credit requirements against Table 9A of Schedule 3, Condition 29B and per Table 9B of Schedule 3, Condition 29C); and - squirrel glider – 541 credits available, with 197 credits required (i.e. per Table 9B of Schedule 3, Condition 29C). - submission of an application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. Therefore, CA02 has been identified (Schedule 3, Condition 29B).
<i>Biodiversity Credit Type</i>	<i>Credits Required</i>																	
<i>Ecosystem Credits</i>																		
PCT 1601 Spotted Gum - Narrow-leaved Ironbark shrub – Red Ironbark shrub - grass open forest of the central and lower Hunter <i>Moderate</i>	193																	
PCT 1601 Spotted Gum - Narrow-leaved Ironbark shrub – Red Ironbark shrub - grass open forest of the central and lower Hunter <i>Regenerating</i>	2																	
PCT 1598 Forest Red Gum grassy open forest on floodplains of the lower Hunter <i>Moderate</i>	2																	
<i>Species Credits</i>																		
Squirrel Glider (<i>Petaurus norfolcensis</i>)	197																	

Condition #	Details	Compliance status	Relevant evidence	Commentary												
29D	Within 12 months of the determination of Mod 6, unless otherwise agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 9C below. The retirement of the biodiversity credits specified in Table 9C must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT. <i>Table 9C: Biodiversity credit requirements (Mod 6)</i> <table><tr><th><i>Biodiversity Credit Type</i></th><th><i>Credits Required</i></th></tr><tr><td colspan="2"><i>Ecosystem Credits</i></td></tr><tr><td>PCT 1604 Narrow-leaved Ironbark – Grey Box – Spotted Gum shrub-grass woodland of the central and lower Hunter</td><td>23</td></tr><tr><td>PCT 1603 Narrow- leaved Ironbark – Bull Oak – Grey Box shrub-grass woodland of the central and lower Hunter Derived Native Grassland Variant</td><td>7</td></tr><tr><td colspan="2"><i>Species Credits</i></td></tr><tr><td>Eastern Cave Bat (<i>Vespadelus troughtoni</i>)</td><td>34</td></tr></table>	<i>Biodiversity Credit Type</i>	<i>Credits Required</i>	<i>Ecosystem Credits</i>		PCT 1604 Narrow-leaved Ironbark – Grey Box – Spotted Gum shrub-grass woodland of the central and lower Hunter	23	PCT 1603 Narrow- leaved Ironbark – Bull Oak – Grey Box shrub-grass woodland of the central and lower Hunter Derived Native Grassland Variant	7	<i>Species Credits</i>		Eastern Cave Bat (<i>Vespadelus troughtoni</i>)	34	Non-compliant (Administrative)	- Email from DPE approving extension request on 10 August 2021, approving an extension of 12 months for credits required for Modifications 2, 3, 4, 5, and 6 (i.e. to 4 September 2022). - Biobanking Credit Retirement Report dated 10 December 2021. - Statement from the Biodiversity Conservation Trust confirming payment into Biodiversity Conservation Fund for 34 credits (i.e. 1604 – <i>Vespadelus troughtoni</i> [eastern cave bat]) dated 3 February 2022 (noted to have been received 21 January 2022). - Letter from DPE rejecting additional extension to secure BOA by 4 September 2022, dated 31 May 2022. - MGO letter dated 31 August 2022 requesting extension to the timeframe to retire Biodiversity Offset Credits required by SD-5850 Schedule 3 Conditions 29B, 29C and, 29D, and DA 80/952 Schedule 3 Condition 36A. - Email from DPE on 16 September 2022, indicating the function of approving BSAs had been transferred to the Credit Supply Taskforce (CST) (created in mid-2022) and requested MGO liaise with the CST and provide an updated request for extension to DPE with evidence of the consultation with the CST, including an agreed timeframe to deliver the BSAs. - Email relating to a Biodiversity Offset site visit with the CST on 24 November 2022.	Approval of SSD-5850 (Modification 6) occurred on 11 June 2021, meaning biodiversity credit retirement was due by 11 June 2022. However, an extension to 4 September 2022 was approved by DPE on 10 August 2021. Retirement of credits for Schedule 3, Condition 29C (Table 9B) was not achieved by 4 September 2022, resulting in an ANC with the requirements of this condition. However, it is noted MGO provided a notification of non-compliance to DPE on 11 September 2022. Further discussion is provided at Schedule 3, Conditions 29. Review of relevant documentation indicates: - credit retirement requirements were confirmed in MGO’s letter to DPE dated 22 August 2022, with 64 credits required for Mt Owen SSD-5850 Modification 6; - preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via Biodiversity Stewardship Agreement (BSA). These properties are identified as Esparanga, Mitchell Hills, Stringybark and Cross Creek offset areas. Correspondence from MGO dated 3 September 2022 indicates credit retirement would be achieved through these BSAs as follows: - PCT 1603 – 138 credits available, with 7 credits required (i.e. per Table 9C of Schedule 3, Condition 29D); - PCT 1604 (TEC offset trading group) – 131 residual PCT 1603 credits available, with 23 credits required (i.e. per Table 9C of Schedule 3, Condition 29D); and - eastern cave bat (<i>Vespadelus troughtoni</i>) – Nil available, with 34 credits required. - retirement of eastern cave bat (<i>Vespadelus troughtoni</i>) credits was achieved 3 February 2023, with 34 credits retired ((i.e. per Table 9C of Schedule 3, Condition 29D); and - submission of an application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with email correspondence between BCT and Umwelt (on behalf of MGO) between 25 October to 2 November indicating processing of the Charge Quote application is still ongoing. Therefore, CA02 has been identified (Schedule 3, Condition 29B).
<i>Biodiversity Credit Type</i>	<i>Credits Required</i>															
<i>Ecosystem Credits</i>																
PCT 1604 Narrow-leaved Ironbark – Grey Box – Spotted Gum shrub-grass woodland of the central and lower Hunter	23															
PCT 1603 Narrow- leaved Ironbark – Bull Oak – Grey Box shrub-grass woodland of the central and lower Hunter Derived Native Grassland Variant	7															
<i>Species Credits</i>																
Eastern Cave Bat (<i>Vespadelus troughtoni</i>)	34															
29E	Prior to carrying out disturbance activities within areas of native vegetation associated with Mod 7, the Applicant must retire the biodiversity credits specified in Table 9D below. The retirement of the biodiversity credits specified in Table 9D must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act. <i>Table 9D: Biodiversity credit requirements (Mod 7)</i> <table><tr><th><i>Biodiversity Credit Type</i></th><th><i>Credits Required</i></th></tr><tr><td colspan="2"><i>Ecosystem Credits</i></td></tr><tr><td>PCT 1604 Narrow-leaved Ironbark – Grey Box – Spotted Gum shrub-grass woodland of the central and lower Hunter</td><td>2</td></tr></table>	<i>Biodiversity Credit Type</i>	<i>Credits Required</i>	<i>Ecosystem Credits</i>		PCT 1604 Narrow-leaved Ironbark – Grey Box – Spotted Gum shrub-grass woodland of the central and lower Hunter	2	Not triggered	- Annual Reviews for 2020, 2021 and 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicates this condition has not been triggered during the audit period.						
<i>Biodiversity Credit Type</i>	<i>Credits Required</i>															
<i>Ecosystem Credits</i>																
PCT 1604 Narrow-leaved Ironbark – Grey Box – Spotted Gum shrub-grass woodland of the central and lower Hunter	2															
	Compensatory Planting															
30	The Applicant must plant and maintain, until established, 10 River Oak trees for every established Rive Oak tree removed during construction of the Greater Ravensworth tailings management infrastructure. Notes: - An established River Oak tree is considered to be two metres or greater in height. - The Greater Ravensworth tailings management infrastructure is shown in Appendix 2.	Compliant	- Site inspection completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022. - Mt Owen Complex Compensatory Planting and Tree Screen Inspection (Atlantech, 24 August 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.												

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Water Pipeline Infrastructure			
30A	During construction of the water pipeline infrastructure, the Applicant must implement the mitigation and management measures specified in EA (Mod 1) (including avoiding disturbance of stags, hollow bearing trees and the Bettys Creek Habitat Management Area) and SEE (Mod 6) (including the measures to avoid and minimise impacts to items of Aboriginal and historic heritage).	Not triggered	N/A.	Review of relevant documentation indicates this is outside the audit period and was considered during the 2020 IEA.
	Biodiversity Management Plan			
31	The Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with BCD, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) describe the short, medium, and long term measures that would be undertaken to: - manage the remnant vegetation and fauna habitat on the site and in the offset areas (see Table 9); - implement the Biodiversity Offset Strategies - minimise the impacts of the development on threatened species, in particular those listed in condition 28 above, and where appropriate, enhance available habitat for and support the recovery of these species on the site; and - integrate the implementation of the Biodiversity Offset Strategies to the greatest extent practicable with the rehabilitation of the Mount Owen Complex and any conservation activities being undertaken in the Ravensworth State Forest and New Forest Area; (c) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategies and include triggers for remedial action, where these performance or completion criteria are not met; (d) include a final location for the Rehabilitated Woodland offset area (see Table 9) within 5 years (or such other period as agreed by the Secretary) of the commencement of development under this consent; (e) include a detailed description of the measures that would be implemented to: - enhance the quality of existing vegetation, vegetation connectivity and fauna habitat on the site, within the East-West Corridor Management Area (see Figure 7B in Appendix 7) and in the biodiversity offset areas, including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata; - introduce naturally scarce fauna habitat features such as den structures, nest boxes and salvaged tree hollows, where appropriate and with a particular focus on the regenerated and rehabilitated woodland areas, and use all reasonable and feasible efforts to promote the use of these introduced habitat features by threatened fauna species; - maximise the salvage of resources within the approved disturbance area - including tree hollows, vegetative and soil resources – for beneficial reuse in the enhancement of the rehabilitation woodland areas and, where practicable, the biodiversity offset areas; - manage any potential conflicts between regeneration and restoration works in the biodiversity offset areas and the East-West Corridor Management Area, and any Aboriginal heritage values (both cultural and archaeological) in these areas; - manage the collection and propagation of seed; - protect vegetation and fauna habitat outside the approved disturbance area on-site; - minimise the impacts on fauna on site, including undertaking pre-clearance surveys; - provide for the salvage, transplanting and/or propagation of any threatened flora (including, but not limited to, threatened orchid species) found during pre-clearance surveys, in accordance with the Guidelines for the Translocation of Threatened Plants in Australia (Vallee et al., 2004); - avoid and mitigate the spread of noxious weeds; - control weeds and feral pests, including but not limited to goats, rabbits, red fox, cats and pigs, with consideration of actions identified in relevant threat abatement plans; - control erosion on the site and in the biodiversity offset areas; - manage any grazing and agriculture on the site or in the biodiversity offset areas; - control access to the site and the biodiversity offset areas;	Compliant	- BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). - Letter of approval from DPE for revised BOMPS, dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	- manage bushfire hazards on the site and in the biodiversity offset areas; and - rehabilitate any sections or parts of creeks and drainage lines that are impacted by the development (both inside and outside the approved disturbance area); (e1) include a detailed description of the measures and procedures to be implemented to: - minimise, to the greatest extent practicable, the disturbance of threatened species and EECs, and rehabilitate any areas of disturbed land associated with the construction of the water pipeline infrastructure described in EA (Mod 1); and - satisfy the requirements of conditions 30 and 30A of Schedule 3; (f) include details of the proactive measures and completion criteria proposed to manage the impacts of the development on habitat connectivity, with particular reference to the resilience, width and function of woodland corridors and specific measures to prioritise supplementary planting activities in the Southeastern Corridor Offset during Year 1 of the development; (g) include a strategy for the regeneration of woodland areas within the offset areas (see Table 9), including details of: - the level of direct management required to achieve the target woodland community at each offset area; - periodic targets for the regeneration of woodland communities; - trigger levels where additional management activities (such as weed management and direct seeding or planting of underrepresented species) would be required; and - any specific controls or management activities required to ensure this regeneration is trending towards the target communities. (h) include a seasonally-based program to monitor and report on the effectiveness of the above measures (including the use of anthropogenic habitat features by native and threatened fauna), the progress against the detailed performance and completion criteria, and any progressive improvements that could be implemented to improve biodiversity outcomes; (i) include measures to report on the results of the monitoring activities required under paragraph (h) above, to facilitate shared learnings and research into the application of regeneration and rehabilitation techniques and methods for EECs and native vegetation in the Hunter Valley; (j) monitor and report on the impacts of the development on groundwater dependent ecosystems and riparian vegetation (having regard to the requirements of the Groundwater Management Plan and focusing on areas that are likely to experience a greater than negligible impact as a result of the development), and identify trigger levels for the remediation of any material impacts to these ecosystems; (k) report on the effectiveness of the above measures against the periodic performance and completion criteria, as part of the annual review referred to in condition 5 of Schedule 5; (l) identify the potential risks to the successful implementation of the Biodiversity Offset Strategies, and include a description of the contingency measures that would be implemented to mitigate against these risks, including provisions for alternative direct and/or supplementary offset measures where regeneration of EECs and/or the propagation/translocation of threatened flora do not meet the performance and completion criteria; and (m) include details of who would be responsible for monitoring, reviewing, and implementing the plan. The Applicant must implement the Biodiversity Management Plan as approved by the Secretary.			

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Conservation Bond			
32	Within 6 months of the approval of the Biodiversity Management Plan, unless otherwise agreed by the Secretary, the Applicant must lodge a Conservation Bond with the Department to ensure that the Biodiversity Offset Strategy summarised in Table 9 is implemented in accordance with the performance and completion criteria in the Biodiversity Management Plan. The sum of the bond must be determined by: (a) calculating the full cost of implementing the Biodiversity Offset Strategy (other than land acquisition costs); and (b) employing a suitably qualified, independent and experienced person to verify the calculated costs, to the satisfaction of the Secretary. The calculation of the Conservation Bond must be submitted to the Department for approval at least 1 month prior to the lodgement of the bond. The Conservation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following: (a) an update or revision to the Biodiversity Management Plan; (b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity Offset Strategy have been made; or (c) in response to a request by the Secretary. If the Biodiversity Offset Strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary, the Secretary will release the bond. If the Biodiversity Offset Strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Secretary will call in all, or part of, the conservation bond, and arrange for the completion of the relevant works. <i>Notes:</i> • <i>Alternative funding arrangements for long term management of the Biodiversity Offset Strategy, such as provision of capital and management funding as agreed by BCD as part of a Biobanking Agreement or transfer to conservation reserve estate, can be used to reduce the liability of the conservation bond. The sum of the bond may be reviewed in conjunction with any revision to the Biodiversity Offset Strategy.</i> • <i>The sum of the Conservation Bond required under this condition excludes the costs associated with the establishment of the Rehabilitated Woodland area, to the extent that these costs are covered by separate rehabilitation security required under the mining lease.</i>	Compliant	– Mt Owen Complex Conservation Bond Recalculations dated 8 February 2022. – Letter advising DPE satisfaction with revised calculation dated 27 April 2022.	Review of documentation verifies compliance with the requirements of this condition.
	HERITAGE			
	Protection of Aboriginal Heritage Items			
33	Unless otherwise authorised under the NP&W Act, the Applicant must ensure that the development does not cause any direct or indirect impact on identified Aboriginal heritage items located outside the approved disturbance area of the development.	Compliant	– Site inspection completed 17 November 2023. (i.e. fencing on-site). – Annual Reviews for 2020, 2021 and 2022.	Review of documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Aboriginal Heritage Management Plan			
34	The Applicant must prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; (b) be prepared in consultation with Heritage NSW, RAPs and relevant landowners, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; and (c) include the following for the management of Aboriginal heritage: - an Aboriginal cultural heritage education program, to be developed in consultation with relevant RAPs, and used for the induction of all personnel and contractors involved in construction or surface disturbance activities approved under this consent; - details regarding the establishment and role of the Aboriginal Cultural Heritage Working Group in monitoring and managing cultural heritage; - details regarding the management of the Yorks Creek Voluntary Conservation Area and Aboriginal heritage sites within the Mount Owen Complex that would not be disturbed by the development; - a program and description of the measures/procedures that would be implemented for: - protecting, monitoring and/or managing (including any proposed archaeological investigations and/or salvage measures) Aboriginal cultural heritage on site including specific measures to protect AHIMS Site #37-3-0687 (unless separate approval is obtained for its salvage); - managing any new Aboriginal objects or skeletal remains discovered during the development; - maintaining and managing reasonable access for relevant Aboriginal stakeholders to heritage items on site and within offset areas; and - ongoing consultation and involvement of relevant Aboriginal stakeholders (including RAPs) in the conservation and/or management of Aboriginal cultural heritage on the site; - a strategy for the storage of heritage items salvaged on site, both during the development and in the long term, including: - an interim strategy for the storage of heritage items pending the completion of the Wollombi Brook VCA Artefact Storage Facility; and - a procedure to consult with the Mount Owen Complex Aboriginal Cultural Heritage Working Group in the development of the Plan of Management for the Wollombi Brook VCA Artefact Storage Facility; and - a detailed description of the measures to be implemented to: - avoid and minimise impacts to items of Aboriginal heritage associated with the construction of the water pipeline infrastructure described in SEE (Mod 6); and - satisfy the requirements of condition 30A of Schedule 3. The Applicant must implement the Aboriginal Heritage Management Plan as approved by the Secretary.	Compliant	- ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023), including Appendix B: Evidence of ongoing consultation with RAPs during audit period. - Letter from DPE approving revised ACHMP, dated 3 October 2023. - Letter advising Heritage NSW satisfaction with ACHMP dated 23 September 2021.	Review of documentation verifies compliance with the requirements of this condition.
	Historic Heritage Management Plan			

Condition #	Details	Compliance status	Relevant evidence	Commentary
35	The Applicant must prepare a Historic Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with Heritage NSW, Council, local historical organisations and relevant landowners, and submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; and (b) include the following for the management of historic heritage: - plans/strategies to monitor, mitigate and manage the effects of blasting on historic heritage items, particularly those identified in condition 13(b), and including details of baseline (i.e. pre-blasting) and ongoing risk-based dilapidation surveys (subject to landowner access arrangements); - ensure any workers on site receive suitable heritage inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions; - a program and description of the measures/procedures that would be implemented for: - undertaking surface surveys and archaeological investigations (where subsurface disturbance is proposed) of any items of heritage significance (including the former Ravensworth Public School and Ravensworth village) that would be directly impacted by the Hebden Road construction works; - protecting heritage items located outside the disturbance area from the impacts of the development; - managing any new historic heritage items discovered during the development; and - additional archaeological excavation and/or recording of any significant heritage items requiring demolition. The Applicant must implement the Historic Heritage Management Plan as approved by the Secretary. <i>Note: Historic heritage items are shown in Appendix 6.</i>	Compliant	- Historic Heritage Management Plan (HHMP) (MGOOC-1779562647-4225) (Rev 7, dated 3 October 2023). - Letter from DPE approving revised HHMP, dated 3 October 2023.	Review of documentation verifies compliance with the requirements of this condition.
	TRANSPORT			
	Monitoring of Coal Transport			
36	The Applicant must: (a) keep accurate records of the: - amount of coal transported from the site (on a monthly basis); - date and time of each train movement generated by the development; and (b) make these records available on its website at the end of each calendar year.	Compliant	- Annual Reviews for 2020, 2021, and 2022, including Appendix B. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: 2020: 860 trains with 7.39 Mt railed from site (4.406 Mt from Mt Owen, and 2.984 Mt from Glendell and Ravensworth East); 2021: 804 trains with 7.11 Mt railed from site (4.64 Mt from Mt Owen, and 2.5 Mt from Glendell and Ravensworth East); and 2022: 808 trains with 6.54 Mt railed from site (3.94 Mt from Mt Owen, and 2.719 Mt from Glendell and Ravensworth East).
	Hebden Road			
37	The Applicant must carry out the Hebden Road upgrade works described in the documents listed in condition 2(a) of Schedule 2 (including all road furniture, safety signage and markings required to meet relevant road standards), in consultation with the TfNSW and to the satisfaction of Council. These construction works are to be commenced within 12 months of the commencement of mining operations within the disturbance areas shown in Figure 2A of Appendix 2, or as otherwise agreed by the Secretary. <i>Note:</i> <i>If there is a dispute between the relevant parties about the implementation of this condition, then any party may refer the matter to the Secretary for resolution.</i>	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2017 IEA.
	Mount Owen Rail Loop			
38	The Applicant must construct the additional rail line and its connection with the Mount Owen Rail Loop and Main Northern Rail Line (including any rail furniture and safety signage required to meet relevant connection or safety standards), in consultation with and to the satisfaction of the ARTC. <i>Note:</i> <i>If there is a dispute between the parties about the implementation of this condition, then any party may refer the matter to the Secretary for resolution</i>	Not triggered	N/A.	Review of relevant documentation and conduct of audit interviews indicates this condition was not triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	VISUAL			
	Visual Operating Conditions			
39	The Applicant must: (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development; (b) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure; (c) ensure no in-pit mobile lighting rigs shine directly above the pit wall and other mobile lighting rigs do not shine directly above the horizontal (except where required for emergency safety purposes); (d) ensure that all external lighting associated with the development complies with relevant Australian Standards including Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version; and (e) undertake reasonable and feasible measures to shield views of mining operations and associated equipment from users of public roads and privately-owned residences.	Compliant	- Complaints register. - Annual Reviews for 2020, 2021 and 2022. - Site inspection completed 17 November 2023. - MGO: Lighting Impact Review 2023 (Atlantech, 29 October 2023).	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition, no visual complaints have been received during the audit period, as follows: 2020: nil; 2021: nil; 2022: nil; and 2023 (to date): nil. Furthermore, a lighting impact review completed in 2023 determined MGO is operating in accordance with relevant conditions of SSD-5850.
39A	By 31 December 2020, unless otherwise agreed by the Secretary, the Applicant must plant the vegetated screen described in SEE (Mod 2), adjacent to Falbrook Road. The Applicant must establish and maintain the vegetated screen to the satisfaction of the Secretary.	Not triggered	2020 IEA.	Completion of the vegetated screen was determined as compliant in the 2020 IEA. Therefore, this audit has focused on maintenance of the vegetated screen.
	BUSHFIRE MANAGEMENT			
40	The Applicant must: (a) ensure that the development is suitably equipped to respond to any fires on site; and (b) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site.	Compliant	- Bushfire Emergency Response Plan (Rev 1, 19 October 2023). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Conduct of the audit determined compliance in accordance with the requirements of this condition. MGO have a Bushfire Emergency Response Plan (Rev 1, 19 October 2023), which was revised during the audit period. Bushfires were noted to have occurred during the audit period, in the months/weeks prior to the site inspection. One fire east of the MGO rail spur on mine-owned land (i.e. Lot 5 of DP 859544) was likely caused due to a spark from a train after having loaded with coal at the rail loading facility. The site inspection observed: - only a minor area of burnt land despite the fire moving uphill from the rail spur (i.e. fires move faster uphill); and - the fire did not leave the SSD-5850 consent boundary. In addition, an off-site site originating from the west moved onto mine-owned land (i.e. Lot 5 of DP 1077004, Lot 2A of DP 6842, Lot 2 of DP 6842, and Lot 1 of DP 940619) and burned across Bowmans Creek and Swamp Creek. This fire impacted land within the consent boundaries for SSD-5850 and DA 80/952, including damaging recent River Oak plantings on the western side of Bowmans Creek south of Hebden Road. It is understood the Rural Fire Service attended the fire and assisted with putting the fire out. Furthermore, continued active management of the impact area was noted as follows: - site interviews indicated ongoing inspections were completed to identify and manage any smouldering timber materials; and - during the site inspection, smouldering timber material was identified, with an MGO land management contractor organised to attend to it the same day. Therefore, it is considered appropriate response to, and management of, bushfires has been undertaken by MGO.

Condition #	Details	Compliance status	Relevant evidence	Commentary				
	WASTE							
41	The Applicant must: (a) implement all reasonable and feasible measures to minimise the waste (including coal rejects and tailings) generated by the development; (b) ensure that the waste generated by the development is appropriately stored, handled and disposed of; (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; (d) monitor and report on the effectiveness of the waste minimisation and management measures in the annual review referred to in condition 5 of Schedule 5; and (e) assess and classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014).	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Glendell Coal Waste Tracking Spreadsheets for the audit period. - MGO and Glendell Monthly Waste Summary Reports for 2023. - Mine/Site Waste Review Site Inspection samples for: 3 March 2021 (Glendell); 20 October 2021 (Glendell); 12 January 2022 (Glendell); 13 April 2022 (Glendell); 14 March 2023 (MGO); 17 April 2023 (MGO); 14 August 2023 (MGO); and 30 August 2023 (MGO). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with the following noted: 2020: 1,373 t of material recycled at Glendell and Ravensworth East, with a recycling rate of 86.21%; and 1,426 t of material recycled at Mt Owen, with a recycling rate of 82.91%. 2021: 1,296 t of material recycled at Glendell and Ravensworth East, with a recycling rate of 91.6%; and 2,048 t of material recycled at Mt Owen, with a recycling rate of 89.8%. 2022: 1,578.62 t of material recycled at Glendell and Ravensworth East; and 1,426 t of material recycled at Mt Owen. 2023: 95 t of material recycled at Glendell and Ravensworth East (to June 2023), with a recycling rate of 74.38%; and 560 t of material recycled at Mt Owen (to May 2023), with a recycling rate of 82.34%.				
	REHABILITATION							
	Rehabilitation Objectives							
42	The Applicant must rehabilitate the site in accordance with the provisions under the Mining Act 1992. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the documents listed in condition 2(a) of Schedule 2 (and shown conceptually in the Rehabilitation Plans in Appendix 7), and comply with the objectives in Table 10. <i>Table 10: Rehabilitation Objectives</i> <table><tr><th>Feature</th><th>Objective</th></tr><tr><td>Mine site (as a whole)</td><td> - Safe, stable and non-polluting - Final landforms (including final voids) designed to incorporate micro-relief and integrate with surrounding natural landforms - Constructed landforms maximise surface water drainage to the natural environment (excluding final void catchments) - Minimise long term groundwater seepage zones - Minimise visual impact of final landforms as far as is reasonable and feasible - Final landforms designed in consideration of water licensing requirements, as calculated through consultation with DPE Water </td></tr></table>	Feature	Objective	Mine site (as a whole)	- Safe, stable and non-polluting - Final landforms (including final voids) designed to incorporate micro-relief and integrate with surrounding natural landforms - Constructed landforms maximise surface water drainage to the natural environment (excluding final void catchments) - Minimise long term groundwater seepage zones - Minimise visual impact of final landforms as far as is reasonable and feasible - Final landforms designed in consideration of water licensing requirements, as calculated through consultation with DPE Water	Compliant	- Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021). - Rehabilitation Management Plan (RMP) (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022). - Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022 (14 April 2023). - Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025 - Site inspection completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of the Annual Reviews for 2020 and 2021 indicate rehabilitation at the Mt Owen Complex as follows: 2020: - disturbance = 54.9 ha (MOP prediction of 44 ha); - completed rehabilitation = 95.3 ha (MOP prediction of 84.8 ha); - rehabilitation disturbance = 61.0 ha (MOP prediction of 19.6 ha); and - forecast completed rehabilitation for 2021 = 67.1 ha. The increased rehabilitation disturbance was noted as partially rehabilitated in same year. This resulted in a higher rehabilitation total than what was predicted. 2021: - disturbance = 11.48 ha (MOP prediction of 37.3 ha); - completed rehabilitation = 75 ha (MOP prediction of 67.1 ha); and - rehabilitation disturbance = not provided; and - forecast completed rehabilitation for 2022 = 30.25 ha. Review of the Mt Owen Complex Annual Rehabilitation Report for 2022 indicates annual rehabilitation monitoring was conducted in October 2022, with field surveys inspecting a total area of 375.5 hectares (ha) of rehabilitation. The inspected areas consisted of: - approximately 89.4 ha of pasture; - approximately 94.9 ha of non-specific native vegetation; and 191.2 ha of targeted native ecosystems.
Feature	Objective							
Mine site (as a whole)	- Safe, stable and non-polluting - Final landforms (including final voids) designed to incorporate micro-relief and integrate with surrounding natural landforms - Constructed landforms maximise surface water drainage to the natural environment (excluding final void catchments) - Minimise long term groundwater seepage zones - Minimise visual impact of final landforms as far as is reasonable and feasible - Final landforms designed in consideration of water licensing requirements, as calculated through consultation with DPE Water							

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Final voids - Designed as long-term groundwater sinks to prevent the release of saline water into the surrounding environment, unless further mine planning and final landform design processes identify a more suitable outcome for the final voids (see condition 43 of Schedule 3) - Designed as to ensure sufficient freeboard at all times to minimise the risk of discharge to surface waters - Minimise to the greatest extent practicable: - highwall slopes (excluding slopes below the post-mining standing water level); - the size and depth of final voids; - the drainage catchment of final voids; - any high wall instability risk; and - the risk of flood interaction for all flood events up to and including the Probable Maximum Flood - Vegetate upper benches with a mixture of native species of varied heights			The total area comprised of 19 rehabilitation blocks and 58 transects/plots. 12 blocks were initial establishment monitoring blocks (1 to 3 years old); and - seven blocks monitored for long-term monitoring blocks (≥4 years old). The Mt Owen Complex Annual Rehabilitation Report for 2022 indicates: - approximately 1,752 ha of disturbed land had been rehabilitated at the Mt Owen Complex at the end of 2022; - progressive rehabilitation of 31.4 ha of land during 2022, with 30.25 predicted in the 2021 Annual Review; and - monitoring methods incorporated and addressed the requirements specified in MGO's Rehabilitation Management Plan (2022-2025) and Rehabilitation Strategy, including a combination of: - plot-based monitoring in accordance with the NSW Biodiversity Assessment Method (BAM) (to assess native vegetation); and - nested 1 m² quadrat along a 50 m linear transect (to assess pasture rehabilitation). - Rehabilitation is moving towards achieving final land use objectives, with management recommendations identified to improve the condition of rehabilitation areas and ensure they are trending towards the final land use objectives. Native ecosystems targeted for re-establishment comprise: - the Central Hunter Grey Box Ironbark Woodland (GBIW) at Ravensworth East; and - the Central Hunter Spotted Gum Ironbark Grey Box Forest (SGIGBF) at Mt Owen. The Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025 indicates forecast cumulative disturbance, total new active disturbance area, rehabilitation progression, and area proposed for active rehabilitation as follows: 2023: - total active disturbance = 1,505.07 ha; - total new active disturbance area = 130.66 ha; - land prepared for rehabilitation = 23.15 ha; and - area proposed for active rehabilitation = 23.15 ha. 2024: - total active disturbance = 1,457.07 ha; - total new active disturbance area = 19.25 ha; - land prepared for rehabilitation = 90.4 ha; and - area proposed for active rehabilitation = 67.25 ha. 2025: - total active disturbance = 1,384.79 ha; and - total new active disturbance area = 24.03 ha; - land prepared for rehabilitation = 186.72 ha; and - area proposed for active rehabilitation = 96.31 ha.
	Rehabilitation areas and other vegetated land - Restore at least 2037 ha of self-sustaining native woodland ecosystems characteristic of vegetation communities found in the local area, as shown conceptually in Figure 7A in Appendix 7 - Establish areas of self-sustaining: - riparian habitat, within any diverted and/or re-established creek lines and retained water features; - potential habitat for threatened flora and fauna species; and - wildlife corridors, as far as is reasonable and feasible, and as shown conceptually in Figure 7B in Appendix 7			
	Agricultural land Rehabilitate grassland areas identified in Appendix 7 as being potential grazing areas to support sustainable grazing activities			
	Creek restoration works - Engineered to be hydraulically and geomorphologically stable - Incorporate erosion control measures based on vegetation and engineering revetments - Incorporate structures for aquatic habitat - Revegetate with suitable native species			
	Surface infrastructure To be decommissioned and removed, unless Resources Regulator agrees otherwise			
	Water Quality - Water retained on the site is fit for the intended post-mining land use/s - Water discharged from the site is suitable for receiving waters and is capable of supporting existing aquatic ecology and riparian vegetation			
	Community - Ensure public safety - Minimise adverse socio-economic effects associated with mine closure Note: - The long term conservation of the Rehabilitation Woodland offset area identified in Table 9 will be satisfied in accordance with condition 29. The conservation values of the remaining native woodland restored under this condition will be established in accordance with the Rehabilitation Strategy required under condition 43, and managed and enhanced, in accordance with the Rehabilitation Management Plan required under condition 45.			
42A	The rehabilitation objectives in Table 10 apply to the entire site, including all landforms constructed under either this consent or previous development consents. However, they do not require any additional earthmoving works to be undertaken for landforms that have been approved and constructed under previous consents.	Note	N/A.	N/A.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Rehabilitation Strategy			
43	The Applicant must prepare a Rehabilitation Strategy for the Mount Owen Complex to the satisfaction of the Secretary. This strategy must: (a) be prepared in consultation with Resources Regulator and Council, and be submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) build upon the Rehabilitation Objectives in Table 10 and the Rehabilitation Plans shown in Appendix 7, including identification of opportunities for increasing the areas of woodland and habitat connectivity within the rehabilitated landscape; (c) deleted; (d) identify opportunities for the incorporation of preferred feed trees, foraging resources and habitat for threatened fauna species identified in condition 28; (e) align with strategic rehabilitation and mine closure objectives and address the principles of the Strategic Framework for Mine Closure (ANZMEC and MCA, 2000); (f) deleted; (g) deleted; (h) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure; (i) investigate opportunities to refine and improve the final landform and final void outcomes over time; (j) include a risks and opportunities assessment and risk register; and (k) include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes. The Applicant must implement the Rehabilitation Strategy as approved by the Secretary.	Compliant	- Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021). - Letter from DPE dated 24 September 2021 approving Rehabilitation Strategy. - Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022 (14 April 2023). - Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025. - Site inspection completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition, as follows: - satisfaction of the Secretary – Appendix C; (a): Section 2.3; (b): Sections 3 and 5; (c): N/A – Deleted; (d): Section 5.7; (e): Section 2.2; (f): N/A – Deleted; (g): N/A – Deleted; (h): Sections 2.1 & 5.7; (i): Sections 2.1 and 5.4; (j): Section 5.10 and Appendix B; (k): Section 2.3; and - implementation observed during the site inspection and review of Annual Reviews, Annual Rehabilitation Report and Forward Program.
	Progressive Rehabilitation			
44	The Applicant must rehabilitate the site progressively as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation cannot be permanently rehabilitated. <i>Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the development.</i>	Compliant	- Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021). - RMP (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022). - Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022 (14 April 2023). - Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025. - Site inspection completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of the Annual Reviews for 2020 and 2021 indicates progressive rehabilitation at the Mt Owen Complex has occurred: 2020: completed rehabilitation = 95.3 ha for the Mt Owen Complex (MOP prediction of 84.8 ha), with 38.8 ha for Mt Owen, all of which was open forest; 2021: completed rehabilitation = 75 ha for the Mt Owen Complex (MOP prediction of 67.1 ha), with 21.4 ha for Mt Owen, all of which was open forest; and 2022: completed rehabilitation = 31.4 ha for the Mt Owen Complex (RMP prediction of 30.25 ha), with 23.32 ha for Mt Owen, all of which was open forest. In addition, the forward program identifies rehabilitation between 2023-2025 as follows: 2023: - land prepared for rehabilitation = 23.15 ha; and - area proposed for active rehabilitation = 23.15 ha. 2024: - land prepared for rehabilitation = 90.4 ha; and - area proposed for active rehabilitation = 67.25 ha. 2025: - land prepared for rehabilitation = 186.72 ha; and - area proposed for active rehabilitation = 96.31 ha.
	Rehabilitation Management Plan			
45	The Applicant must prepare a Rehabilitation Management Plan for the development in accordance with the conditions imposed on the mining leases(s) associated with the development under the provisions of the Mining Act 1992.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022).	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Mine Closure Plan			
46	By 31 December 2032, the Applicant must prepare a Mine Closure Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with the Resources Regulator, BCD, Council and FCNSW; (b) include a final land use strategy which investigates potential post-mining beneficial land uses for the site (including the final voids), that: - reflect local strategic planning instruments; - contribute to a sustainable future for the local community; - utilise existing mining infrastructure, where practicable; and - do not compromise ecological rehabilitation requirements; (c) investigate ways to minimise adverse socio-economic effects associated with mine closure, including reduction in local employment levels; (d) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development and describe how the performance of these measures would be monitored over time; and (e) discuss the results of community consultation regarding potential post-mining land uses. The Applicant must implement the Mine Closure Plan as approved by the Secretary.	Not triggered	N/A	N/A. The Mine Closure Plan is not required for submission until 31 December 2032.
	Schedule 4 – ADDITIONAL PROCEDURES			
	NOTIFICATION OF LANDOWNERS/TENANTS			
1	Within 2 months of the commencement of development under this consent, the Applicant must: (a) notify in writing the owner of: - the land listed in Table 1 of Schedule 3 that they have the right to require the Applicant to acquire their land at any stage during the development; - the residences listed in Tables 1 and 2 of Schedule 3 that they are entitled to ask the Applicant to install additional noise mitigation measures at the residence; and - any privately-owned land within 3 kilometres of the approved open cut mining pit/s that they are entitled to ask the Applicant for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated; (b) notify the tenants of any mine-owned land of their rights under this consent; and (c) send a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the documents listed in condition 2(a) of Schedule 2 identify that dust emissions generated by the development are likely to be greater than the relevant air quality criteria in Schedule 3 at any time during the life of the development. Within 2 months of any modification to the conditions of this consent that leads to new land being added to Tables 1 or 2 of Schedule 3, the Applicant must notify affected land owners in accordance with the requirements of paragraph (a).	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2017 IEA.
2	Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must: (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time); and (b) advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Secretary.	Compliant	- Copies of Residential Tenancy Agreements entered into between 2020 and 2023. 11.15 Special Conditions of Residential Tenancy. - Email dated 2 August 2023 verifying Mine Dust & You distributed to Mt Owen property tenants. - Copy of Mt Owen Tenants List, dated 2 August 2023.	Review of documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
3	As soon as practicable after obtaining monitoring results showing: (a) an exceedance of any relevant criteria in Schedule 3, the Applicant must notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and (b) an exceedance of the relevant air quality criteria in Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land).	Not triggered	N/A.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
	INDEPENDENT REVIEW			
4	If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land. If the Secretary is not satisfied that an independent review is warranted, the Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision, the Applicant must: (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Secretary, to: - consult with the landowner to determine his/her concerns; - conduct monitoring to determine whether the development is complying with the relevant impact assessment criteria in Schedule 3; and - if the development is not complying with these criteria then: - determine if more than one mine is responsible for the exceedance, and if so the relative share of each mine regarding the impact on the land; - identify the measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Secretary and landowner a copy of the independent review.	Not triggered	- Site interviews completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation and conduct of interviews indicates this condition has not been triggered during the audit period.
	LAND ACQUISITION			
5	Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant must make a binding written offer to the landowner based on: (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, 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 land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise and/or air quality mitigation measures in condition 2 of Schedule 3; (b) the reasonable costs associated with: - relocating within the Singleton, Cessnock or Muswellbrook local government area, or to any other local government area determined by the Secretary; and - 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 (c) reasonable compensation for any disturbance caused by the land acquisition process. If, within two months of the binding written offer being made, the Applicant 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 Secretary for resolution. Upon receiving such a request, the Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to: - consider submissions from both parties; - 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;	Compliant	- Email request for acquisition of Lots 1 and 2 Section 8 in DP758214 (29 and 30 Lethbridge Street, Camberwell dated 29 June 2021. - Executed land access licence agreement between MGO (as land owner) and former land owner for Lot 8 DP 851867, verifying acquisition had occurred. - Email request by MGO for preparation of valuation report, including separate advice for reasonable costs and compensation in accordance with the land acquisition conditions of SSD-5850, dated 29 June 2021. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates Lots 1 and 2 Section 8 in DP758214 (29 and 30 Lethbridge Street, Camberwell) was requested for acquisition on 29 June 2021. One property requested for acquisition during the audit period ended up being acquired under the approval for the Rix's Creek South Continuation Project (i.e. SSD-6300), due to the acquisition rights under this consent pre-dating the acquisition rights under SSD-5850.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	- prepare a detailed report setting out the reasons for any determination; and - provide a copy of the report to both parties. Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination. However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions. Within 14 days of this determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination. If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Secretary determines otherwise.			
6	The Applicant must pay all reasonable costs associated with the land acquisition process described in condition 5 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	Compliant	- Email request for acquisition of Lots 1 and 2 Section 8 in DP758214 (29 and 30 Lethbridge Street, Camberwell dated 29 June 2021. - Executed land access licence agreement between MGO (as land owner) and former land owner for Lot 8 DP 851867, verifying acquisition had occurred. - Email request by MGO for preparation of valuation report, including separate advice for reasonable costs and compensation in accordance with the land acquisition conditions of SSD-5850, dated 29 June 2021. - Settlement Statement provided by Sparke Helmore Lawyers dated 30 November 2022. - Paid Rates and Charges Certificate issued by Singleton Council on 26 September 2022. - Paid Rates Search Certificate issued by Local Land Services on 27 September 2022. - Licence Charges Financial Statement issued by WaterNSW on 26 September 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Schedule 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	ENVIRONMENTAL MANAGEMENT			
	Adaptive Management			
1	The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation. Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity: (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Relevant Monitoring Reports for the audit period. - Complaints register.	Review of relevant documentation indicates compliance with the requirements of this condition, with no exceedances of criteria occurring during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Environmental Management Strategy			
2	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: (a) be submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) provide the strategic framework for the environmental management of the development; (c) identify the statutory approvals that apply to the development; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (e) describe the procedures that would be implemented to: - keep the local community and relevant agencies informed about the operation and environmental performance of the development; - receive, handle, respond to, and record complaints; - resolve any disputes that may arise during the course of the development; - respond to any non-compliance; - respond to emergencies; and (f) include: - copies of any strategies, plans and programs approved under the conditions of this consent; and - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. The Applicant must implement the approved Environmental Management Strategy as approved from time to time by the Secretary.	Compliant	- Environmental Management Strategy (EMS) (MGOOC-1779562647-11191) (Rev 8, 3 October 2023). - Letter from DPE approving revised EMS, dated 3 October 2023. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition.
	Management Plan Requirements			
3	The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: - 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 development or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: - impacts and environmental performance of the development; - effectiveness of any management measures (see c above); (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a program to investigate and implement ways to improve the environmental performance of the development over time; (g) a protocol for managing and reporting any: - incidents; - complaints; - non-compliances with statutory requirements; and - exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. <i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>	Compliant	- NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). - AQGHGMP (MGOOC-1779562647-4392). (Rev 6, 29 September 2021). - CDMP (MGOOC-1779562647-10971) (Rev 5, 22 April 2020). - WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). - SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023). - SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023). - ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023). - CDMP (MGOOC-1779562647-10971) (Rev 5, 22 April 2020). - BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). - Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021).	Review of relevant management plans indicate compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Relationships between Management Plans and Annual Review			
4	With the agreement of the Secretary, the Applicant may combine any strategy, plan, program or Annual review required by this consent with any similar strategy, plan, program or Annual Review required for the Glendell Mine, Integra Underground Mine or any other adjoining operation in common ownership or management.	Compliant	Relevant management plans previously identified.	Review of documentation confirms that most of the management plans for the sites are combined and manage issues across the Mt Owen Complex.
	Annual Review			
5	By the end of March each year, or as otherwise agreed with the Secretary, the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must: (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year; (b) include a comprehensive review of the monitoring results and Complaints register. of the development over the previous calendar year, which includes a comparison of these results against the: • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; (c) identify any non-compliance or incident over the past year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence; (d) identify any trends in the monitoring data over the life of the development; (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Emails and letters from MGO verifying submission by 31 March 2021, 31 March 2022. – Email from DPE verifying 2022 Annual Review received, dated 31 March 2023. – Letter from DPE approving 2020 Annual Review, dated 20 May 2021. – Letter from DPE approving revised 2021 Annual Review, dated 29 July 2022. – Letter from DPE approving 2022 Annual Review, dated 11 August 2023. – Letter from DPE dated 15 May 2023 requesting additional information for 2022 Annual Review, with updated 2022 Annual Review provided 31 May 2023. – Letter from DPE requesting additional information dated 20 June 2022.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Revision of Strategies, Plans and Programs			
6	Within 3 months of: (a) the submission of an annual review under condition 5 above; (b) the submission of an incident report under condition 9 below; (c) the submission of an audit under condition 11 below; or (d) any modification to the conditions of this consent (unless the conditions require otherwise); the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review. <i>Note:</i> • <i>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 development.</i>	Compliant	– Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval). – Management plans have consultation evidence attached (both submissions and comments registers).	Review of relevant documentation indicates compliance with the requirements of this condition.
7	The Applicant must continue to apply existing management strategies, plans or programs approved prior to the approval of Modification 2, until the approval of a similar plan, strategy or program following the approval of Modification 2.	Not triggered	N/A	This condition was considered during the 2020 IEA and is not applicable to the current audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Community Consultative Committee			
8	The Applicant must operate a Community Consultative Committee (CCC) for the Mount Owen Complex to the satisfaction of the Secretary. This CCC must be operated in general accordance with the Department's Community Consultative Committee Guidelines State Significant Projects (January 2019), or its latest version. <i>Notes:</i> • The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. • In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community. • The Department will accept continued representation by community members of a CCC that is in effect as at the date of this consent for any of the mines in the Complex. The Department will also accept the combination of the Mount Owen Complex CCC with the Integra Underground CCC.	Compliant	– CCC quarterly meeting minutes. – Mt Owen Complex and Integra Underground Community Consultative Committee – Annual Report 2022.	Review of relevant documentation indicates compliance with the requirements of this condition. The 2022 CCC Annual Report completed by the independent chair of the CCC states the Mt Owen Complex CCC is an effective communication forum between the community, the Council and the company. It functions well and accordingly, fulfils its objectives under the Department's guidelines.
	REPORTING AND AUDITING			
	Incident Notification			
9	The Applicant must immediately notify the Department and any other relevant agencies after it becomes aware of an incident. The notification must be in writing via the Department's Major Projects website and identify the development (including the development application number and name) and set out the location and nature of the incident.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of site interviews indicates this condition has not been triggered during the audit period.
	Non-Compliance Notification			
9A	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Department's Major Projects website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. <i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</i>	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Regular Reporting			
10	The Applicant must 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, and to the satisfaction of the Secretary.	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Relevant management plans previously identified. – website reporting, including access to environmental monitoring data.	Review of the MGO website indicates compliances with the requirements of this condition.
	Independent Environment Audi			
11	Within one year of the date of commencement of development under this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must 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; (b) include consultation with the relevant agencies and the CCC; (c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease or necessary water licences (including any assessment, plan or program required under these approvals); (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals (including whether the development has met or is trended towards the progressive performance and completion criteria detailed in these strategies, plans or programs); (e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals; and (f) be conducted and reported to the satisfaction of the Secretary <i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</i>	Compliant	– This audit report. – 2020 IEA. – Approval letter from DPE for current audit team.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
12	Within 12 weeks of commissioning of this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW Government agency that request it, together with its response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations, as required. The Applicant must implement the audit report recommendations, to the satisfaction of the Secretary.	Compliant	- Letter from DPE approving extension of time for the 2020 IEA to 19 February 2021, dated 26 October 2020. - Sighted evidence of submission on 19 February 2021.	Review of relevant documentation indicates compliance with the requirements of this condition.
12A	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit. <i>Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>	Note	N/A.	N/A.
12B	Noise, blast and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Schedule 3, providing that these representative monitoring locations are set out in the respective management plan/s.	Note	N/A.	N/A.
ACCESS TO INFORMATION				
13	From the commencement of development under this consent, the Applicant must: (a) make copies of the following publicly available on its website: - the documents listed in condition 2(a) of Schedule 2; - current statutory approvals for the development; - approved strategies, plans or programs required under the conditions of this consent; - a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications of any conditions of this consent, or any approved plans or programs; - a complaints register, which is to be updated monthly; - minutes of CCC meetings; - the annual reviews of the development (for the last five years); - any independent environmental audit of the development, and the Applicant’s response to the recommendations in any audit; and - any other matter required by the Secretary; and (b) keep this information up to date, to the satisfaction of the Secretary.	Compliant	Mt Owen website.	Review of the documentation available on the Mt Owen website (found: https://www.glencore.com.au/operations-and-projects/coal/current-operations/mt-owen-glendell-open-cut) indicates compliance with the requirements of this condition.

Appendix E

DA 80/952

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Schedule 2 - ADMINISTRATIVE CONDITIONS			
	Obligation to Minimise Harm to the Environment			
1	In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	Compliant	– This audit. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Environmental Monitoring reports for the audit period. – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with no events or incidents occurring with the potential to cause material harm to the environment.
	Terms of Consent			
2	The Applicant must carry out the development: (a) generally in accordance with the EA (Mod 2), EA (Mod 3), SEE (Mod 4) and the Development Layout Plan; and (b) in accordance with the Statement of Commitments and the conditions of this consent. Notes: • The Development Layout Plan is shown in Appendix 2. • The Statement of Commitments is reproduced in Appendix 3.	Non-compliant (Low)	– This audit. – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	Non-compliance with this condition is noted in relation to non-compliances with other conditions of SSD-5850. These include Schedule 3, Conditions 2 and 36A.
3	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	Note	N/A.	N/A.
4	The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans or correspondence that are submitted in accordance with this consent; (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	Compliant	– Site interviews completed 17 November 2023. – Management plans have consultation evidence attached (both submissions and comments registers). – DPE Noise Management Plan (NMP) – Request for Additional Information dated 23 November 2021, with a response provided 6 December 2021. – Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.
	Limits on Consent			
5	Mining operations may take place until the end of June 2024. Note: Under this consent, the Applicant is required to rehabilitate the site and provide offsets to the satisfaction of the Secretary and Resources Regulator. Consequently this consent will continue to apply in all other respects other than the right to conduct mining operations until the site has been rehabilitated and the offsets provided to a satisfactory standard.	Compliant	– Site inspection completed 17 November 2023. – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Still within approved period.
6	The Applicant must not extract more than 4.5 million tonnes of ROM coal from the site in any calendar year.	Compliant	– Annual Reviews for 2020, 2021, and 2022, including Appendix B. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: – 2020: 3.56 million tonnes (Mt); – 2021: 3.33 Mt; and – 2022: 1.99 Mt.

Condition #	Details	Compliance status	Relevant evidence	Commentary
7	The Applicant must not transport any coal from the site using public roads.	Compliant	- Annual Reviews for 2020, 2021, and 2022, including Appendix B. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Structural Adequacy			
8	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: - Under Part 6 of the EP&A Act, the Applicant 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 development.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation and site interviews indicates this condition has not been triggered during the audit period.
	Operation of Plant and Equipment			
9	The Applicant must ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	- Site inspection completed 17 November 2023. - Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. - Equipment induction to site MDG15 Compliance Inspection samples – dated 16 June 2023 (tractor mulcher) and 22 May 2023 (loader). - Mt Owen Complex Maintenance Skills Matrices dated 22 October 2023 for: - equipment; - high risk activities; and - procedurals reporting learnings and modules. - Blast Signoff (Blast Pack) Competency Assessment Samples (x2) both dated 24 January 2023. - Mt Owen Complex – Blast Sign Off Pack Tracking Spreadsheet. - Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. - Mt Owen Complex – E&C Training Tracking Spreadsheet.	Review of relevant documentation verifies compliance with the requirements of this condition.
	Development Contributions			
10	By the end of July 2008 (unless otherwise agreed by the Secretary), the Applicant must enter into an agreement with Singleton Council to provide development contributions to Council for the development, in accordance with Division 6 of Part 4 of the EP&A Act. If the Applicant and Council cannot agree on the level or composition of the development contributions, then either party may refer the matter to the Secretary for resolution.	Not triggered	N/A.	This condition falls outside the current audit period.
	Demolition			
11	The Applicant must ensure that all demolition work undertaken in relation to the development is carried out in accordance with AS 2601-2001: The Demolition of Structures, or its latest version.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation and site interviews indicates this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Protection of Public Infrastructure			
12	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to any damage to public infrastructure subject to compensation payable under the Coal Mine Subsidence Compensation Act 2017, or to damage to roads caused as a result of general road usage.</i>	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation and site interviews indicates this condition has not been triggered during the audit period.
	Transmission Line			
13	Prior to mining within 200 metres of the existing electrical 132 kilovolt transmission line, that traverses the site, the Applicant must: (a) relocate the affected section of transmission line to a new alignment as shown conceptually in Appendix 2 (see blue easement) and to the satisfaction of Ausgrid; (b) ensure that any aspects of the new transmission line that occur within or interact with the Main Northern Railway corridor are designed and constructed to the satisfaction of ARTC; and (c) design, install and maintain any infrastructure within 40 metres of watercourses generally in accordance with DPI Water's Guidelines for Controlled Activities on Waterfront Land.	Not triggered	N/A.	This condition falls outside the current audit period.
	EVIDENCE OF CONSULTATION			
14	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document; and (b) provide the Department with details of the consultation undertaken including: - the outcome of that consultation, matters resolved and unresolved; and - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Compliant	- Site interviews completed 17 November 2023. - Management plans have consultation evidence attached (both submissions and comments registers). - Annual review DPE comments provided. - DPE NMP – Request for Additional Information dated 23 November 2021, with a response provided 6 December 2021. - Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.
	STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS			
15	With the approval of the Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and (d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management. If the Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Compliant	- Site interviews completed 17 November 2023. - Management plans have consultation evidence attached (both submissions and comments registers). - Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	COMPLIANCE			
16	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Compliant	– Site inspection completed 17 November 2023. – Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. – Mt Owen Complex Maintenance Skills Matrices dated 22 October 2023 for: – equipment; – high risk activities; and – procedurals reporting learnings and modules. – Blast Signoff (Blast Pack) Competency Assessment Samples (x2) both dated 24 January 2023. – Mt Owen Complex – Blast Sign Off Pack Tracking Spreadsheet. – Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. – Mt Owen Complex – E&C Training Tracking Spreadsheet.	Review of relevant documentation verifies compliance with the requirements of this condition.
	APPLICABILITY OF GUIDELINES			
17	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Compliant	– Site interviews completed 17 November 2023. – Management plans have consultation evidence attached (both submissions and comments registers). – Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval).	Review of relevant documentation indicates compliance with the requirements of this condition.
18	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Note	N/A.	N/A.
	CROWN LAND			
19	The Applicant must consult with DPIE – Crown Lands prior to undertaking any development on Crown Land or Crown Roads. Notes: • Under section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with DPIE – Crown Lands prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease. • Under section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with DPIE – Crown Lands prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Site interviews completed 17 November 2023.	
	Schedule 3 - SPECIFIC ENVIRONMENTAL CONDITIONS			
	ACQUISITION OF AFFECTED PROPERTIES			

Condition #	Details	Compliance status	Relevant evidence	Commentary																																																																																																															
	Acquisition Upon Request																																																																																																																		
1	Upon receiving a written request for acquisition from the owner of the land^a listed in Table 1, the Applicant must acquire the land in accordance with the procedures in conditions 9-11 of schedule 4. <i>Table 1: Land subject to acquisition upon request</i> <table><tr><td>37a & 37b – Richards</td><td>Lot 13 DP 6830 – Gardner</td></tr><tr><td>61 – Donellan</td><td>Lot 12 DP 6830 – Noble</td></tr><tr><td>62 – Noble (b)</td><td>Lot 1 DP 770733 – Noble</td></tr><tr><td>65 – Noble</td><td></td></tr></table> ^a <i>The locations of the land referred to in Table 1 are shown in Appendix 4</i> Note: Lands titled 62 – Noble (b), 65 – Noble, Lot 13 DP 6830 – Gardner, Lot 12 DP 6830 – Noble and Lot 1 DP 770733 – Noble have been acquired and are now mine-owned.	37a & 37b – Richards	Lot 13 DP 6830 – Gardner	61 – Donellan	Lot 12 DP 6830 – Noble	62 – Noble (b)	Lot 1 DP 770733 – Noble	65 – Noble		Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.																																																																																																							
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2	The Applicant must ensure that the noise generated by the development does not exceed the noise impact assessment criteria in Table 2 at any residence on privately-owned land^a, or on more than 25% of any privately-owned land. <i>Table 2: Noise impact assessment criteria dB(A)</i> <table><tr><th>Land Number / Receiver</th><th>Day/Evening/Night L_{Aeq}(15 minute)</th><th>Night L_{A1}(1 minute)</th></tr><tr><td>Camberwell Village A</td><td></td><td></td></tr><tr><td>30 – Ninness</td><td></td><td></td></tr><tr><td>33 – Peachey</td><td>42</td><td>45</td></tr><tr><td>37c – Richards</td><td></td><td></td></tr><tr><td>53 – Yates</td><td></td><td></td></tr><tr><td>11 – Chisholm</td><td></td><td></td></tr><tr><td>22b – Turner</td><td>41</td><td>45</td></tr><tr><td>35 – Pugh</td><td></td><td></td></tr><tr><td>Other privately-owned land in Camberwell Village A</td><td>40</td><td>45</td></tr><tr><td>Camberwell Village B</td><td></td><td></td></tr><tr><td>20 – Foord</td><td></td><td></td></tr><tr><td>21a & 21b – Merchant</td><td>42</td><td>45</td></tr><tr><td>38 – Robertson</td><td></td><td></td></tr><tr><td>47 & 50 – Vollebregt & Clarke</td><td></td><td></td></tr><tr><td>6 – Bennett</td><td>40</td><td>45</td></tr><tr><td>24 – Lopes</td><td></td><td></td></tr><tr><td>4 – Standing</td><td>39</td><td>45</td></tr><tr><td>40 – Smiles</td><td></td><td></td></tr><tr><td>32 – Green</td><td>38</td><td>45</td></tr><tr><td>44 – Stapleton</td><td></td><td></td></tr><tr><td>Other privately-owned land in Camberwell Village B</td><td>37</td><td>45</td></tr><tr><td>Camberwell Village C</td><td></td><td></td></tr><tr><td>27 – McInerney</td><td>40</td><td>45</td></tr><tr><td>31 – Olofsson</td><td>38</td><td>45</td></tr><tr><td>Other privately-owned land in Camberwell Village C</td><td>35</td><td>45</td></tr><tr><td>Other Privately-owned Land</td><td></td><td></td></tr><tr><td>37a & 37b – Richards</td><td></td><td></td></tr><tr><td>83 – Westcott</td><td>38</td><td>45</td></tr><tr><td>110 – Hall</td><td></td><td></td></tr><tr><td>34 – Poulton</td><td></td><td></td></tr><tr><td>87 – Fairfull</td><td>37</td><td>45</td></tr><tr><td>9 – Burgess</td><td></td><td></td></tr><tr><td>18 – Hall</td><td>36</td><td>45</td></tr><tr><td>45 & 46 – Tisdell</td><td></td><td></td></tr><tr><td>All other privately-owned land</td><td>35</td><td>45</td></tr><tr><td>Camberwell Hall and St Clements Church</td><td>40</td><td>-</td></tr></table> ^a <i>The locations of the land and receiver numbers as described in EA (Mod 2) and referred to in Table 2 are shown in Appendix 4</i>	Land Number / Receiver	Day/Evening/Night L _{Aeq} (15 minute)	Night L _{A1} (1 minute)	Camberwell Village A			30 – Ninness			33 – Peachey	42	45	37c – Richards			53 – Yates			11 – Chisholm			22b – Turner	41	45	35 – Pugh			Other privately-owned land in Camberwell Village A	40	45	Camberwell Village B			20 – Foord			21a & 21b – Merchant	42	45	38 – Robertson			47 & 50 – Vollebregt & Clarke			6 – Bennett	40	45	24 – Lopes			4 – Standing	39	45	40 – Smiles			32 – Green	38	45	44 – Stapleton			Other privately-owned land in Camberwell Village B	37	45	Camberwell Village C			27 – McInerney	40	45	31 – Olofsson	38	45	Other privately-owned land in Camberwell Village C	35	45	Other Privately-owned Land			37a & 37b – Richards			83 – Westcott	38	45	110 – Hall			34 – Poulton			87 – Fairfull	37	45	9 – Burgess			18 – Hall	36	45	45 & 46 – Tisdell			All other privately-owned land	35	45	Camberwell Hall and St Clements Church	40	-	Non-compliant (Low)	- Annual Reviews for 2020, 2021, and 2022. - Noise Monitoring Reports for the audit period. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023).	2020 IEA Recommendation R02: Conduct an internal review of the NMP and operating procedures relating to noise to determine if any improvements can be made and communication to those with responsibility for noise control (NC002). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> This recommendation was closed prior to submission of the 2020 Annual Review. Review of relevant documentation indicates MGO review the NMP and associated noise management processes which did not identify the need for further action or updates to the NMP, with a record of the review of NMP submitted to DPE on 4 August 2020. Furthermore, it is noted the NMP has been revised during the audit period, most recently revised in 2023, with DPE approval dated 3 October 2023. <u>2023 IEA Findings:</u> One exceedance of noise criteria under Schedule 3, Condition 2 was noted to have occurred at location N9 on 10 August 2021. Based on the following considerations, a CA or OFI has been determined to not be required: - the incident was investigated and corrective actions implemented, including additional noise monitoring within one week of the exceedance (on 14 August 2021); - DPE and the EPA were notified via email on 11 August 2021, with a noise exceedance report and corrective action plan submitted, and no further corrective actions requested by either agency; - no complaints were received in relation to this exceedance; - affected sensitive receivers were notified of the exceedance, as well as result from the additional noise monitoring completed on 14 August 2021; and - the NMP was reviewed in accordance with Schedule 5, Condition 6 of DA 80/952. - DPE considered the management actions implemented in response to the exceedance were consistent with the approved Noise Management Plan.
Land Number / Receiver	Day/Evening/Night L _{Aeq} (15 minute)	Night L _{A1} (1 minute)																																																																																																																	
Camberwell Village A																																																																																																																			
30 – Ninness																																																																																																																			
33 – Peachey	42	45																																																																																																																	
37c – Richards																																																																																																																			
53 – Yates																																																																																																																			
11 – Chisholm																																																																																																																			
22b – Turner	41	45																																																																																																																	
35 – Pugh																																																																																																																			
Other privately-owned land in Camberwell Village A	40	45																																																																																																																	
Camberwell Village B																																																																																																																			
20 – Foord																																																																																																																			
21a & 21b – Merchant	42	45																																																																																																																	
38 – Robertson																																																																																																																			
47 & 50 – Vollebregt & Clarke																																																																																																																			
6 – Bennett	40	45																																																																																																																	
24 – Lopes																																																																																																																			
4 – Standing	39	45																																																																																																																	
40 – Smiles																																																																																																																			
32 – Green	38	45																																																																																																																	
44 – Stapleton																																																																																																																			
Other privately-owned land in Camberwell Village B	37	45																																																																																																																	
Camberwell Village C																																																																																																																			
27 – McInerney	40	45																																																																																																																	
31 – Olofsson	38	45																																																																																																																	
Other privately-owned land in Camberwell Village C	35	45																																																																																																																	
Other Privately-owned Land																																																																																																																			
37a & 37b – Richards																																																																																																																			
83 – Westcott	38	45																																																																																																																	
110 – Hall																																																																																																																			
34 – Poulton																																																																																																																			
87 – Fairfull	37	45																																																																																																																	
9 – Burgess																																																																																																																			
18 – Hall	36	45																																																																																																																	
45 & 46 – Tisdell																																																																																																																			
All other privately-owned land	35	45																																																																																																																	
Camberwell Hall and St Clements Church	40	-																																																																																																																	

Condition #	Details	Compliance status	Relevant evidence	Commentary										
	However, if the Applicant has a written negotiated noise agreement with any landowner of the land listed in Table 2, and a copy of this agreement has been forwarded to the Department and EPA, then the Applicant may exceed the noise limits in Table 2 in accordance with the negotiated noise agreement. Notes: • <i>Lands titled 30 – Ninness, 33 – Peachey, 37c – Richards, 53 – Yates, 11 – Chisholm, 35 – Pugh, 20 – Foord, 21a & 21b – Merchant, 38 – Robertson, 6 – Bennett, 24 – Lopes, 4 – Standing, 40 – Smiles, 32 Green and 44 – Stapleton have been acquired and are now mine-owned.</i>													
2A	‘Noise generated by the development’ as described in conditions 2, 3, 4 and 6 of this Schedule is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. The ‘cumulative noise generated by the development’ as described in condition 5 of this Schedule, combined with the noise generated by other mines is to be measured in accordance with the relevant procedures in the NSW Industrial Noise Policy.	Note	N/A.	N/A.										
	Land Acquisition Criteria													
3	If the noise generated by the development exceeds the criteria in Table 3 at any residence on privately-owned land, or on more than 25% of any privately-owned land, the Applicant must, upon receiving a written request for acquisition from the landowner, acquire the land^a in accordance with the procedures in conditions 9-11 of schedule 4. Table 3: Land acquisition criteria dB(A) <table><tr><th>Land</th><th>Day/Evening/Night <i>L_{Aeq}(15 minute)</i></th></tr><tr><td>Camberwell Village A</td><td>45</td></tr><tr><td>Camberwell Village B</td><td>42</td></tr><tr><td>Camberwell Village C</td><td>40</td></tr><tr><td>All other privately-owned land, excluding the land listed in Table 1.</td><td>40</td></tr></table> ^a The locations of the land referred to in Table 3 are shown in Appendix 4	Land	Day/Evening/Night <i>L_{Aeq}(15 minute)</i>	Camberwell Village A	45	Camberwell Village B	42	Camberwell Village C	40	All other privately-owned land, excluding the land listed in Table 1.	40	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Noise Monitoring Reports for the audit period. – Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. – NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). – Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
Land	Day/Evening/Night <i>L_{Aeq}(15 minute)</i>													
Camberwell Village A	45													
Camberwell Village B	42													
Camberwell Village C	40													
All other privately-owned land, excluding the land listed in Table 1.	40													
	Cumulative Noise Criteria													
4	The Applicant must take all reasonable and feasible measures to ensure that the noise generated by the development combined with the noise generated by other mines does not exceed the following amenity criteria at any residence on privately-owned land, or on more than 25% of any privately-owned land, excluding the land listed in Table 1, to the satisfaction of the Secretary: • <i>L_{Aeq}(11 hour) 50 dB(A) – Day;</i> • <i>L_{Aeq}(4 hour) 45 dB(A) – Evening; and</i> • <i>L_{Aeq}(9 hour) 40 dB(A) – Night.</i>	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Noise Monitoring Reports for the audit period. – Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. – NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023).	2020 IEA Recommendation: R06: Revise the quarterly noise monitoring summary report by inclusion of a statement of compliance for cumulative noise. 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> This recommendation was closed in June 2021, with review of quarterly noise monitoring summary reports indicates a statement of compliance for cumulative noise is now included in monitoring reports. <u>2023 IEA Findings</u> Review of relevant documentation indicates compliance with the requirements of this condition.										
5	If the noise generated by the development combined with the noise generated by other mines exceeds the following amenity criteria at any residence on privately-owned land, or on more than 25% of any privately-owned land, excluding the land listed in Table 1, then upon receiving a written request for acquisition from the landowner, the Applicant must acquire the land on as equitable basis as possible with the relevant mines, in accordance with the procedures in conditions 9-11 of schedule 4, to the satisfaction of the Secretary: • <i>L_{Aeq}(11 hour) 53 dB(A) – Day;</i> • <i>L_{Aeq}(4 hour) 48 dB(A) – Evening; and</i> • <i>L_{Aeq}(9 hour) 43 dB(A) – Night.</i>	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Noise Monitoring Reports for the audit period. – Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. – NMP (MGOOC-1779562647-10975). – Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.										
	Construction Noise													
5A	The Applicant must manage noise associated with construction of the realigned transmission line, the removal of the redundant transmission line and any road works in accordance with the noise management levels defined in Table 2 of the <i>Interim Construction Noise Guideline</i> .	Note	N/A.	N/A. Occurred prior to 2020.										

Condition #	Details	Compliance status	Relevant evidence	Commentary																						
	Additional Noise Mitigation Measures																									
6	Upon receiving a written request from: • a landowner of the land listed in Table 1 (unless the landowner has requested acquisition); or • a landowner of the land listed in Table 4 (except where a negotiated noise agreement is in place); or • the owner of any residence where subsequent noise monitoring shows the noise generated by the development is greater than, or equal to, the criteria in Table 5 (except where a negotiated noise agreement is in place), the Applicant must implement additional noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on the land in consultation with the landowner. These additional mitigation measures must be reasonable and feasible. If within 3 months of receiving this request from the landowner, the Applicant 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 Secretary for resolution. By the end of April 2008, the Applicant must notify all applicable landowners that they are entitled to receive additional noise mitigation measures, to the satisfaction of the Secretary. <i>Table 4: Land subject to additional noise mitigation upon request</i> <table><tr><td>6 – Bennett</td><td>37a – Richards</td></tr><tr><td>20 – Foord</td><td>38 – Robertson</td></tr><tr><td>21a & 21b – Merchant</td><td>47 & 50 – Vollebregt & Clarke</td></tr><tr><td>24 – Lopes</td><td>83 – Westcott</td></tr><tr><td>27 – McInerney</td><td>110 – Hall</td></tr><tr><td>31 – Olofsson</td><td></td></tr></table> <i>Table 5: Additional noise mitigation criteria dB(A)</i> <table><tr><th>Land</th><th>Day/Evening/Night <i>L_{Aeq}(15 minute)</i></th></tr><tr><td>Camberwell Village A</td><td>43</td></tr><tr><td>Camberwell Village B</td><td>40</td></tr><tr><td>Camberwell Village C</td><td>38</td></tr><tr><td>All other privately-owned land, excluding the land listed in Table 1.</td><td>38</td></tr></table> <i>Notes to Tables 4-5:</i> • <i>Lands titled 6 – Bennett, 20 – Foord, 21a & 21b – Merchant, 24 – Lopes, 38 – Robertson have been acquired and are now mine-owned.</i>	6 – Bennett	37a – Richards	20 – Foord	38 – Robertson	21a & 21b – Merchant	47 & 50 – Vollebregt & Clarke	24 – Lopes	83 – Westcott	27 – McInerney	110 – Hall	31 – Olofsson		Land	Day/Evening/Night <i>L_{Aeq}(15 minute)</i>	Camberwell Village A	43	Camberwell Village B	40	Camberwell Village C	38	All other privately-owned land, excluding the land listed in Table 1.	38	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Air quality agreement for payment of electricity bills dated 29 April 2020. – Payment of annual summer bill for one receiver in 2021, 2022 and 2023. – Processed Payment Requests for a number of receivers for Q1-Q4 2021, 2022, and 2023 (Q1-Q3 only at this stage). – Quote from Valley Wide Electrical for assessment and maintenance of solar system with battery system, dated 18 May 2023, with post-completion works report sighted. – Quote from Strike Force for removal and replacement of window glass, dated 8 May 2023, with email sighted verifying completion of work. – Noise mitigation agreement dated 21 June 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
6 – Bennett	37a – Richards																									
20 – Foord	38 – Robertson																									
21a & 21b – Merchant	47 & 50 – Vollebregt & Clarke																									
24 – Lopes	83 – Westcott																									
27 – McInerney	110 – Hall																									
31 – Olofsson																										
Land	Day/Evening/Night <i>L_{Aeq}(15 minute)</i>																									
Camberwell Village A	43																									
Camberwell Village B	40																									
Camberwell Village C	38																									
All other privately-owned land, excluding the land listed in Table 1.	38																									
	Continuous Improvement																									
7	The Applicant must: (a) implement all reasonable and feasible best practice noise mitigation measures; (b) investigate ways to reduce the noise generated by the development, including 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 Annual Review.	Compliant	– Annual Reviews for 2020, 2021, and 2022. – Noise Monitoring Reports for the audit period. – Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. – NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). – Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Table 3. Furthermore, minimal noise complaints have been received during the audit period, as follows: – 2020: nil; – 2021: 2 complaints; – 2022: 1 complaint; and – 2023 (to date): nil. Review of complaints data indicates MGO are responsive to complaints and revise operations as applicable to reduce noise emissions.																						

Condition #	Details	Compliance status	Relevant evidence	Commentary																			
	Monitoring																						
8	The Applicant must prepare a Noise Monitoring Program for the development to the satisfaction of the Secretary. This program must: (a) be prepared in consultation with EPA; (b) be submitted to the Secretary for approval by the end of April 2008; and (c) include a: - combination of real-time and supplementary attended monitoring measures; and - noise monitoring protocol for evaluating compliance with the noise impact assessment and land acquisition criteria in this consent. The Applicant must implement the approved program as approved from time to time by the Secretary.	Compliant	- NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Letter of Approval of NMP dated 3 October 2023. - Letter from EPA dated 21 July 2021 declining to review the NMP.	Review of relevant documentation indicates compliance with the requirements of this condition.																			
	BLASTING AND VIBRATION																						
	Airblast Overpressure Impact Assessment Criteria																						
9	The Applicant must ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 6 at any residence on privately-owned land. <i>Table 6: Airblast overpressure impact assessment criteria</i> <table><tr><th><i>Airblast overpressure level (dB(Lin Peak))</i></th><th><i>Allowable exceedance</i></th></tr><tr><td>115</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>120</td><td>0%</td></tr></table>	<i>Airblast overpressure level (dB(Lin Peak))</i>	<i>Allowable exceedance</i>	115	5% of the total number of blasts over a period of 12 months	120	0%	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of blasting criteria in Table 6.													
<i>Airblast overpressure level (dB(Lin Peak))</i>	<i>Allowable exceedance</i>																						
115	5% of the total number of blasts over a period of 12 months																						
120	0%																						
	Ground Vibration Impact Assessment Criteria																						
10	The Applicant must ensure that the ground vibration^a level from blasting at the development does not exceed the criteria at the receivers^b in Table 7. <i>Table 7: Ground vibration impact assessment criteria</i> <table><tr><th><i>Receiver</i></th><th><i>Peak particle velocity (mm/s)</i></th><th><i>Allowable exceedance</i></th></tr><tr><td rowspan="2">Residence on privately-owned land</td><td>5</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>10</td><td>0%</td></tr><tr><td rowspan="2">St Clements Church</td><td>2</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>5</td><td>0%</td></tr><tr><td>Main Northern Railway culverts and bridges</td><td>25</td><td>0%</td></tr><tr><td>Electricity transmission poles</td><td>50</td><td>0%</td></tr></table> ^a <i>Vibration must be measured in accordance with applicable guidelines, including EPA's Assessing Vibration: A Technical Guideline (2006).</i> ^b <i>The receivers referred to in Table 7 are shown in Appendix 4</i> However, if the Applicant has a written negotiated agreement with the relevant service provider, and a copy of this agreement has been forwarded to the Department and EPA, then the Applicant may exceed the criteria for the Main Northern Railway culverts and bridges and electricity transmission poles in accordance with the negotiated agreement.	<i>Receiver</i>	<i>Peak particle velocity (mm/s)</i>	<i>Allowable exceedance</i>	Residence on privately-owned land	5	5% of the total number of blasts over a period of 12 months	10	0%	St Clements Church	2	5% of the total number of blasts over a period of 12 months	5	0%	Main Northern Railway culverts and bridges	25	0%	Electricity transmission poles	50	0%	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of blasting criteria in Table 7.
<i>Receiver</i>	<i>Peak particle velocity (mm/s)</i>	<i>Allowable exceedance</i>																					
Residence on privately-owned land	5	5% of the total number of blasts over a period of 12 months																					
	10	0%																					
St Clements Church	2	5% of the total number of blasts over a period of 12 months																					
	5	0%																					
Main Northern Railway culverts and bridges	25	0%																					
Electricity transmission poles	50	0%																					

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Blasting Hours			
11	The Applicant must only carry out blasting on site between 9am and 5pm Monday to Saturday (EST) inclusive, and 9am to 6pm Monday to Saturday (DST) inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Secretary.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
	Blasting Frequency			
12	The Applicant may carry out a maximum of: (a) 2 single blast events a day; and (b) 5 single blast events a week, averaged over a 12 month period. This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blast misfires or blasts required to ensure the safety of the mine, its workers or the general public. Notes: ^a A 'single blast event' means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
	Operating Conditions			
13	During mining operations on site, the Applicant must implement best blasting practice to: (a) protect the safety of people, property, public infrastructure, and livestock from blasting impacts in the areas surrounding blasting operations; and (b) minimise the dust and fume emissions from blasting at the development, to the satisfaction of the Secretary.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). - Site interviews completed 17 November 2023. - Complaints register. - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Tables 6 and 7. Furthermore, no blasting complaints have been received during the audit period, as follows: 2020: nil; 2021: nil; 2022: nil; and 2023 (to date): nil.
14	The Applicant must not undertake blasting within 500 metres of any privately-owned land or any land not owned by the Applicant, unless suitable arrangements have been made with the landowner and any tenants to minimise the risk of flyrock-related impact to the property to the satisfaction of the Secretary.	Compliant	- Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, dated 3 June 2023). - Letter of Approval of BMP dated 3 October 2023. - Letter from DPE dated 17 June 2021 regarding Road Closure Management Plan. - Letter from EPA dated 21 July 2021 declining to review the BMP.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Road Closure			
15	Prior to blasting within 500 metres of any public road, the Applicant must prepare a Road Closure Management Plan for the development in consultation with Council and to the satisfaction of the Secretary. The Applicant must implement the approved plan as approved from time to time by the Secretary.	Not triggered	- Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, dated 3 June 2023). - Letter of Approval of BMP dated 3 October 2023. - Letter from DPE dated 17 June 2021 regarding Road Closure Management Plan. - Letter from EPA dated 21 July 2021 declining to review the BMP.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Public Notice			
16	During mining operations on site, the Applicant must: (a) notify the landowner/occupier of any residence within 2 kilometres of the mining area who registers an interest in being notified about the blasting schedule at the mine; (b) operate a Blasting Hotline, or alternate system agreed to by the Secretary, to enable the public to get up-to-date information on the blasting schedule at the development; (c) advertise the blasting hotline number in a local newspaper at least 4 times each year, and (d) publish an up-to-date blasting schedule on its website, to the satisfaction of the Secretary.	Compliant	– Blast notification registers for 2021, 2022 and 2023. – Sample of blast notification distribution list on Consultation Manager. – Sample of blast SMS notification events on Consultation Manager. – Sample adverts for community response line and blasting information line during audit period. – MGO website.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Property Inspections			
17	At least 6 months prior to blasting within 2 kilometres of any privately-owned land, the Applicant must advise applicable landowners that they are entitled to a structural property inspection. If the Applicant receives a written request for a structural property inspection from the landowner, the Applicant must within 3 months of receiving this request and prior to blasting within 2 kilometres of the property: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, 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 the property inspection report.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
	Property Investigations			
18	If any landowner of privately-owned land within 2 kilometres of the mining area claims that buildings and/or structures on his/her land have been damaged as a result of blasting at the development, the Applicant must within 3 months of receiving this claim: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to investigate the claim; and (b) give the landowner a copy of the property investigation report. If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damages to the satisfaction of the Secretary. If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
	Blast Monitoring Program			
19	The Applicant must prepare a Blast Monitoring Program for the development to the satisfaction of the Secretary. This program must: (a) be prepared in consultation with the EPA; (b) be submitted to the Secretary for approval by the end of April 2008; and (c) include a protocol for evaluating blasting impacts on, and demonstrating compliance with the blasting criteria in this consent for: • privately-owned residences and structures; • St Clements Church; • Main Northern Railway; and • electricity transmission lines. The Applicant must implement the approved program as approved from time to time by the Secretary.	Compliant	– Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). – Letter of Approval of BMP dated 3 October 2023. – Letter from DPE dated 17 June 2021 regarding Road Closure Management Plan. – Letter from EPA dated 21 July 2021 declining to review the BMP. – Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary																							
	AIR QUALITY																										
	Impact Assessment Criteria																										
20	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 8, 9 and 10 at any residence on privately-owned land, except for the residences shown in Table 1 as being eligible for acquisition on request on the basis of air quality impacts. <i>Table 8: Long term impact assessment criteria for particulate matter</i> <table><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>^d Criterion</i></th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a 90 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^a 30 µg/m³</td></tr></table> <i>Table 9: Short term impact assessment criterion for particulate matter</i> <table><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>^d Criterion</i></th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>^b 50 µg/m³</td></tr></table> <i>Table 10: Long term impact assessment criteria for deposited dust</i> <table><tr><th><i>Pollutant</i></th><th><i>Averaging period</i></th><th><i>Maximum increase in deposited dust level</i></th><th><i>Maximum total deposited dust level</i></th></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>^b 2 g/m²/month</td><td>^a 4 g/m²/month</td></tr></table> <i>Notes to Tables 8-10:</i> <i>a</i> Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). <i>b</i> Incremental impact (i.e. incremental increase in concentrations due to the development on its own). <i>c</i> Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method. <i>d</i> Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed to by the Secretary.	<i>Pollutant</i>	<i>Averaging period</i>	<i>^d Criterion</i>	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m³	<i>Pollutant</i>	<i>Averaging period</i>	<i>^d Criterion</i>	Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m³	<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase in deposited dust level</i>	<i>Maximum total deposited dust level</i>	^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Air Quality Monitoring Reports for the audit period. - Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (MGOOC-1779562647-4392). (Rev 6, 29 September 2021). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	2020 IEA Recommendation: R07: Ensure compliance with the Air Quality Management Plan and approvals requirements when managing air quality. Review training needs and retrain if required (NC010). 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> The recommendation is considered to have been addressed with MGO continuing to implement the controls identified in the AQGHGMP to maintain compliance with approval conditions. The controls include training in management of air quality for mine personnel. MGO has reviewed training skills of all personnel and actions were placed into CMO for air quality training to be completed for those who had not previously. In addition, the Environment and Community awareness package was updated in Q2 2021, with completion required by all personnel prior to site induction. <u>2023 IEA Findings</u> The 2020 Annual Review shows that without the extraordinary events (which reside outside of the audit period), the PM₁₀, PM_{2.5}, TSP and dust deposition concentrations at all monitors were below the relevant 24-hour, monthly and annual average criteria and therefore demonstrate compliance with the development consents. The 2021 and 2022 Annual Reviews show that when considering the calculated contribution from the direction of MGO, the PM₁₀, PM_{2.5}, TSP and dust deposition concentrations at all monitors were below the relevant 24-hour, monthly and annual average criteria and therefore demonstrate compliance with the development consents. No exceedances recorded during the audit period.
<i>Pollutant</i>	<i>Averaging period</i>	<i>^d Criterion</i>																									
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m³																									
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m³																									
<i>Pollutant</i>	<i>Averaging period</i>	<i>^d Criterion</i>																									
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m³																									
<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase in deposited dust level</i>	<i>Maximum total deposited dust level</i>																								
^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month																								
21	Deleted																										
	Operating Conditions																										
22	The Applicant must: (a) take all reasonable steps to: (i) minimise odour, fume and particulate matter emissions of the development, paying particular attention to minimising wheel-generated haul road emissions; (ii) eliminate or minimise the risk of spontaneous combustion; (iii) minimise any visible off-site air pollution generated by the development; and (iv) minimise the extent of potential dust generating surfaces exposed on the site at any given point in time; (b) operate a comprehensive air quality management system that uses real-time air quality monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent; (c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (See Note c to Tables 8 - 10 above); (d) use all reasonable efforts to co-ordinate air quality management on the site with the air quality management at nearby mines to minimise cumulative air quality impacts; (e) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and (f) regularly assess meteorological and air quality monitoring data, and modify operations on the site to ensure compliance with the relevant conditions of this consent.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Air Quality Monitoring Reports for the audit period. - AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 29 September 2021). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Tables 8, 9 and 10. Furthermore, minimal air quality complaints have been received during the audit period, as follows: 2020: nil; 2021: 1 complaint; 2022: nil; and 2023 (to date): nil. Review of complaints data indicates MGO are responsive to complaints and revise operations as applicable to reduce air quality emissions.																							

Condition #	Details	Compliance status	Relevant evidence	Commentary
23	Until approval of the Air Quality and Greenhouse Gas Management Plan required under condition 23A of this Schedule, the Applicant must continue to implement its approved Air Quality Monitoring Program (as previously required by condition 23 of this Schedule) and approved Greenhouse and Energy Efficiency Plan (as previously required by condition 51 of this Schedule).	Not triggered	N/A	This condition falls outside the current audit period.
	Air Quality and Greenhouse Gas Management Plan			
23A	Within 3 months of approval of Modification 4 the Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the EPA; (c) describe the measures to be implemented to ensure: (i) compliance with the air quality criteria and operating conditions of this consent; (ii) best practice management is being employed to: • minimise the development's air quality impacts; • minimise the development's Scope 1 and 2 greenhouse gas emissions; and • improve the development's energy efficiency; (iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; (d) include a program to monitor greenhouse gas emissions and energy use generated by the development; (e) describe the air quality management system in detail; and (f) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that: (i) establishes a diesel combustion emissions baseline; (ii) uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of mining operations; (iii) adequately supports the air quality management system; and (iv) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events. The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Secretary.	Compliant	– AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 29 September 2021). – Letter of Approval of AQGHGMP dated 29 September 2021. – Letter from EPA dated 16 March 2020 declining to review the AQGHGMP. – Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition. It is noted the AQGHGMP has been reviewed and updated during 2023, and is currently awaiting approval from DPE.
	METEOROLOGICAL MONITORING			
24	During the life of the development, the Applicant must ensure that there is a suitable meteorological station in the vicinity of the site that complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	Compliant	– Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023. – AQGHGMP (MGOOC-1779562647-4392) (Rev 6, 29 September 2021).	During the site inspection, the auditor inspected the meteorological station and confirmed that it was in good working order and complies with the relevant Australian Standards.
	SURFACE AND GROUND WATER			
	Discharge Limits			
25	The Applicant must only discharge mine water from the site in accordance with the provisions of an EPL or the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.	Compliant	– WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). – SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for audit period. – Surface Water Monitoring Reports for the audit period. – Site inspection completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Bettys Creek and Swamp Creek Diversions			
26	The Applicant must design, construct, maintain, and rehabilitate the proposed diversion of Bettys Creek and Swamp Creek, to the satisfaction of the Secretary.	Compliant	- Site inspection completed 17 November 2023. - Creek Diversion Management Plan (CDMP) (MGOOC-1779562647-10971) (Rev 5, 22 April 2020) - Annual Reviews for 2020, 2021, and 2022. - Water Approval (WA) (20WA212660) for Bettys Creek Lower Diversion. - WA (20WA212187) for Bettys Creek Upper and Middle Diversion. - WA (20WA211425) for Swamp Creek Middle Diversion. - WA (20WA211430) for Swamp Creek Lower Diversion. - WA (20WA211429) for Yorks Creek Diversion.	Review of relevant documentation indicates compliance with the requirements of this condition.
27	Within one month of completing the construction of the Bettys Creek and Swamp Creek diversions, the Applicant must submit an as-executed report, certified by a practising registered engineer, to the Secretary and DPIE Water.	Not triggered	N/A	This condition falls outside the current audit period.
28	Prior to destroying the original creek lines, the Applicant must demonstrate that the Bettys Creek and Swamp Creek diversions are operating successfully, in consultation with DPIE Water, and to the satisfaction of the Secretary.	Not triggered	N/A	This condition falls outside the current audit period.
	Site Water Management Plan			
29	The Applicant must prepare a Site Water Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with EPA and DPIE Water by suitably qualified expert/s whose appointment/s have been approved by the Secretary; (b) be submitted to the Secretary for approval by the end of April 2008; and (c) include: - a Bettys Creek and Swamp Creek Diversion Plan/s; - a Site Water Balance; - an Erosion and Sediment Control Plan; - a Surface Water Management and Monitoring Plan; - a Ground Water Monitoring Program; and - a Surface and Ground Water Response Plan. The Applicant must implement the approved plan as approved from time to time by the Secretary. <i>Note: The Department accepts that the initial Site Water Management Plan may not include the detailed plans for the proposed diversions of Bettys Creek and Swamp Creek. However, if this occurs, the Applicant will be required to seek approval from the Secretary for an alternative timetable for completion and approval of the diversion plan/s.</i>	Compliant	- WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). - SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023). - SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023). - ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023). - CDMP (MGOOC-1779562647-10971) (Rev 5, 22 April 2020). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Bettys Creek and Swamp Creek Diversion Plan/s			
30	The Bettys Creek and Swamp Creek Diversion Plan/s must include: (a) a vision statement for the creek relocation; (b) an assessment of the water quality, ecological, hydrological and geomorphic baseline conditions in the creek; (c) the detailed design specifications for the creek relocation; (d) a construction program for the creek relocation, describing how the work would be staged, and integrated with mining operations; (e) a revegetation program for the relocated creek using a range of suitable native species; (f) water quality, ecological, hydrological and geomorphic performance and completion criteria for the creek relocation based on the assessment of baseline conditions; and (g) a program to monitor and maintain the water quality, ecological, hydrological and geomorphic integrity of the creek relocation.	Compliant	- Site inspection completed 17 November 2023. - CDMP (MGOOC-1779562647-10971) (Rev 5, 22 April 2020). - Water Approval (WA) (20WA212660) for Bettys Creek Lower Diversion. - WA (20WA212187) for Bettys Creek Upper and Middle Diversion. - WA (20WA211425) for Swamp Creek Middle Diversion. - WA (20WA211430) for Swamp Creek Lower Diversion. - WA (20WA211429) for Yorks Creek Diversion.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Site Water Balance			
31	The Site Water Balance must: (a) include details of: - sources and security of water supply; - water use on site; - water management on site; - off-site water transfers; and (b) investigate and describe measures to minimise water use by the development.	Compliant	- WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Erosion and Sediment Control			
32	The Erosion and Sediment Control Plan must: (a) be consistent with the requirements of Managing Urban Stormwater: Soils and Construction - Volume 1 and Volume 2E Mines and Quarries, or its latest version; (b) identify activities that could cause soil erosion and generate sediment, including activities on waterfront land (within 40 metres of a watercourse); (c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to maintain these structures over time.	Compliant	- ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Surface Water Monitoring			
33	The Surface Water Management and Monitoring Plan must include: (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the development; (b) surface water and stream health impact assessment criteria; (c) a program to monitor surface water flows, quality and impacts on water users (upstream and downstream of the development in Bettys Creek, Swamp Creek and Bowmans Creek); (d) a program to assess stream health conditions in Bettys Creek, Swamp Creek and Bowmans Creek; (e) a program to monitor channel stability in Bettys Creek, Swamp Creek and Bowmans Creek; and (f) reporting procedures for the results of the monitoring program.	Compliant	- SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Groundwater Monitoring			
34	The Groundwater Monitoring Program must include: (a) detailed baseline data, based on sound statistical analysis, to benchmark the pre-mining natural variation in groundwater levels, yield and quality (including privately-owned groundwater bores within the predicted drawdown impact zone); (b) groundwater impact assessment criteria (including for monitoring bores); (c) a program for accurately delineating the boundary of the Bettys Creek and Swamp Creek alluvial aquifers in any areas intersected by mining; (d) a program to monitor: - impacts on the groundwater supply of potentially affected landowners; - impacts on the Bettys Creek and Swamp Creek alluvial aquifers; - connectivity and groundwater leakage to/from Bettys Creek and Swamp Creek following diversion; - impacts on groundwater dependent ecosystems and riparian vegetation; - the volume of ground water seeping into the open cut mine workings; - regional ground water levels and quality in the alluvial, coal seam, and overburden/interburden aquifers; and - the groundwater pressure response in the surrounding coal measures; (e) procedures for the verification of the groundwater model; and (f) reporting procedures for the results of the monitoring program and model verification.	Compliant	- GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary								
	Surface and Ground Water Response Plan											
35	The Surface and Ground Water Response Plan must include: (a) a protocol for the investigation, notification and mitigation of any exceedances of the surface water, stream health and groundwater impact assessment criteria; (b) measures to mitigate and/or compensate potentially affected landowners for the loss of surface water flows in Bettys Creek, Swamp Creek and Bowmans Creek downstream of the development; (c) measures to minimise, prevent or offset groundwater leakage from the Bettys Creek and Swamp Creek alluvial aquifers; (d) measures to mitigate any direct hydraulic connection between the backfilled open cuts and the Bettys Creek and Swamp Creek alluvium if the potential for adverse impacts is detected; and (e) the procedures that would be followed if any unforeseen impacts are detected during the development.	Compliant	- SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023). - Letter from DPE approving management plan dated 3 October 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.								
	REHABILITATION AND LANDSCAPE											
	Offset Strategy											
36	The Applicant must: (a) implement the Offset Strategy described in the EA (Mod 2), EA (Mod 3) and summarised in Table 11 (shown conceptually in Appendix 5); and (b) make suitable arrangements to provide appropriate long term security for the offset area by April 2011, to the satisfaction of the Secretary. <i>Table 11: Offset Strategy</i> <table><tr><th>Offset Area</th><th>Minimum Size</th></tr><tr><td>Bettys Creek Habitat Management Area</td><td>174 ha</td></tr></table> The Offset Strategy must contain specific measures to adequately offset the development’s net impact on significant plant communities, including: - Bulloak Forest; - Swamp Oak Forest; and - Box-Ironbark Woodland.	Offset Area	Minimum Size	Bettys Creek Habitat Management Area	174 ha	Not triggered	N/A	This condition falls outside the current audit period and was considered in the 2017 IEA.				
Offset Area	Minimum Size											
Bettys Creek Habitat Management Area	174 ha											
	Biodiversity Credits Required											
36A	Within 6 months of the approval of Modification 4, or other timeframe agreed by the Secretary, the Applicant must retire the biodiversity credits specified in Table 12 below. <i>Table 12: Biodiversity credit requirements</i> <table><tr><th>Credit Type</th><th>Credits Required</th></tr><tr><td>Ecosystem Credits</td><td></td></tr><tr><td>PCT1692 Bull Oak grassy woodland of the central Hunter Valley - <i>Regeneration</i></td><td>21</td></tr><tr><td>PCT1691 Narrow-leaved Ironbark – Grey Box grassy woodland of the central and upper Hunter-Derived Native Grassland</td><td>88</td></tr></table> The retirement of the biodiversity credits specified in Table 12 must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.	Credit Type	Credits Required	Ecosystem Credits		PCT1692 Bull Oak grassy woodland of the central Hunter Valley - <i>Regeneration</i>	21	PCT1691 Narrow-leaved Ironbark – Grey Box grassy woodland of the central and upper Hunter-Derived Native Grassland	88	Non-compliant (Administrative)	- Annual Reviews for 2020, 2021, and 2022. - Biodiversity and Offset Management Plan and Strategy (BOMPS) (MGOOC-899305957-16) (Rev 4, 3 October 2023). - Letter from DPE for revised BOMPS, dated 3 October 2023. - Mt Owen Complex Fauna Monitoring 2021 Annual Report (Forest Fauna Surveys, 20 November 2021). - Mt Owen Complex 2021 Conservation Agreement Monitoring Report (Umwelt, December 2021). - Mt Owen Complex 2022 Conservation Agreement Monitoring Report (Umwelt, 2022). - Esparanga Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2021). - Mitchell Hills Biodiversity Offset Area (Umwelt, 2023). - Cross Creek Biodiversity Offset Area 2021 Ecological Monitoring (Umwelt, 2022). - Cross Creek Biodiversity Offset Area 2022 Ecological Monitoring (Umwelt, 2023).	MGO is implementing corrective actions for: - Bettys Creek (Enex Foydell) CA - Bettys Creek (Glendell) CA; - Mount Owen Offsets CA, represented by a cluster of four smaller offset areas, being; - North-East Offset; - Forest East Offset; - South-East Offset; and - South-East Corridor Offset. - Southern Remnant CA; and - North-West Offset CA. In addition, BOAs currently managed under the BOMPS include: - Cross Creek Offset Site; - Stringybark Habitat Corridor Offset Site; - Esparanga Offset Site; and - Mitchell Hills Offset Site. Schedule 3, Condition 36A requires MGO to retire the specified biodiversity credits by 28 April 2023 (i.e. within 6 months of approval of Modification 4 of DA 80/952), which was not achieved. Therefore, an ANC has been identified in relation to this condition. However, as this ANC has already been reported and is being progressed
Credit Type	Credits Required											
Ecosystem Credits												
PCT1692 Bull Oak grassy woodland of the central Hunter Valley - <i>Regeneration</i>	21											
PCT1691 Narrow-leaved Ironbark – Grey Box grassy woodland of the central and upper Hunter-Derived Native Grassland	88											

Condition #	Details	Compliance status	Relevant evidence	Commentary
			- Stringybark Creek Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). - Stringybark Creek Biodiversity Offset Area 2022 Floristic Monitoring Report (Umwelt, 2023). - Mitchell Hills Biodiversity Offset Area 2021 Floristic Monitoring Report (Umwelt, 2022). - Mt Owen Complex Fauna Monitoring 2022 Annual Report (Forest Fauna Surveys, 15 January 2023). - Submission of application for BCT to issue a Charge Quote to make payment into the Biodiversity Conservation Fund (BCF) on 24 October 2023, with a Charge Quote (ID: Q00306) received from BCT on 25 October 2023 for 21 BAM Credits for PCT 1692 and 88 BAM Credits for PCT 1691.	in consultation with CST, a CA or OFI has been determined to not be required. Review of relevant documentation indicates: - credit retirement requirements were confirmed in MGO's letter to DPE dated 22 August 2022, with 109 credits required for Glendell DA 80/952 Modification 4; - preference to achieve biodiversity credit retirement via land-based option using properties owned by Glencore, with security mechanism via BSA. These properties were identified as Bulga and Belfort properties. However, MGO decided to take a different approach following discussions with DPE and CST in 2023. An application for BCT to issue a Charge Quote to make payment of outstanding Biodiversity credits into the BCF was made on 24 October 2023, with a Charge Quote (ID: Q00306) received from BCT on 25 October 2023 for 21 Biodiversity Assessment Method (BAM) Credits for PCT 1692 and 88 BAM Credits for PCT 1691. Therefore, a CA or OFI has been determined to not be required.
	Rehabilitation			
37	The Applicant must rehabilitate the site in a manner that is generally consistent with the final landform set out in the EA (Mod 2), as modified by SEE (Mod 4) (shown conceptually in Appendix 6) to the satisfaction of Resources Regulator and the Secretary. The final landform must provide for at least 250 hectares of treed vegetation, in a manner generally consistent with that shown conceptually in Appendix 6.	Compliant	- Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021). - Rehabilitation Management Plan (RMP) (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022). - Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022 (14 April 2023). - Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025 - Site inspection completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of Section 6.2.5 of the RMP indicates the requirements of this condition is being addressed, and compliance has been verified. Review of the Annual Reviews for 2020 and 2021 indicates rehabilitation at the Mt Owen Complex has occurred as follows: 2020: completed rehabilitation = 95.3 ha for the Mt Owen Complex (MOP prediction of 84.8 ha), with 56.5 ha for Glendell, including 35.1 ha of open grassland or pasture areas and 21.4 ha of open woodland areas; 2021: completed rehabilitation = 75 ha for the Mt Owen Complex (MOP prediction of 67.1 ha), with 53.6 ha for Glendell, including 46.93 ha of open grassland or pasture areas and 6.67 ha of open woodland areas; and 2022: completed rehabilitation = 31.4 ha for the Mt Owen Complex (RMP prediction of 30.25 ha), with 8.1 ha for Glendell, all of which was of open woodland areas. In addition, the forward program identifies rehabilitation between 2023-2025 as follows: 2023: - land prepared for rehabilitation = 23.15 ha; and - area proposed for active rehabilitation = 23.15 ha. 2024: - land prepared for rehabilitation = 90.4 ha; and - area proposed for active rehabilitation = 67.25 ha. 2025: - land prepared for rehabilitation = 186.72 ha; and - area proposed for active rehabilitation = 96.31 ha. Review of the Mt Owen Complex Annual Rehabilitation Report for 2022 indicates annual rehabilitation monitoring was conducted in October 2022, with field surveys inspecting a total area of 375.5 hectares (ha) of rehabilitation. The inspected areas consisted of: - approximately 89.4 ha of pasture; - approximately 94.9 ha of non-specific native vegetation; and 191.2 ha of targeted native ecosystems.

Condition #	Details	Compliance status	Relevant evidence	Commentary
				The total area comprised of 19 rehabilitation blocks and 58 transects/plots. – 12 blocks were initial establishment monitoring blocks (1 to 3 years old); and – seven blocks monitored for long-term monitoring blocks (≥4 years old). The Mt Owen Complex Annual Rehabilitation Report for 2022 indicates: – approximately 1,752 ha of disturbed land had been rehabilitated at the Mt Owen Complex at the end of 2022; – monitoring methods incorporated and addressed the requirements specified in MGO's RMP (2022-2025) and Rehabilitation Strategy, including a combination of: – plot-based monitoring in accordance with the NSW Biodiversity Assessment Method (BAM) (to assess native vegetation); and – nested 1 m² quadrat along a 50 m linear transect (to assess pasture rehabilitation). – Rehabilitation is moving towards achieving final land use objectives, with management recommendations identified to improve the condition of rehabilitation areas and ensure they are trending towards the final land use objectives.
37A	The Applicant must rehabilitate the site progressively as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation cannot be permanently rehabilitated. <i>Note: This condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated.</i>	Compliant	– Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021). – RMP (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022). – Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022 (14 April 2023). – Mt Owen Complex Forward Program Sunday 1 January 2023 to Wednesday 31 December 2025 – Site inspection completed 17 November 2023. – Annual Reviews for 2020, 2021 and 2022. – Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). – Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of the Annual Reviews for 2020 and 2021 indicates progressive rehabilitation at the Mt Owen Complex has occurred: – 2020: completed rehabilitation = 95.3 ha for the Mt Owen Complex (MOP prediction of 84.8 ha), with 56.5 ha for Glendell, including 35.1 ha of open grassland or pasture areas and 21.4 ha of open woodland areas; – 2021: completed rehabilitation = 75 ha for the Mt Owen Complex (MOP prediction of 67.1 ha), with 53.6 ha for Glendell, including 46.93 ha of open grassland or pasture areas and 6.67 ha of open woodland areas; and – 2022: completed rehabilitation = 31.4 ha for the Mt Owen Complex (RMP prediction of 30.25 ha), with 8.1 ha for Glendell, all of which was of open woodland areas. In addition, the forward program identifies rehabilitation between 2023-2025 as follows: – 2023: – land prepared for rehabilitation = 23.15 ha; and – area proposed for active rehabilitation = 23.15 ha. – 2024: – land prepared for rehabilitation = 90.4 ha; and – area proposed for active rehabilitation = 67.25 ha. – 2025: – land prepared for rehabilitation = 186.72 ha; and – area proposed for active rehabilitation = 96.31 ha.
	Pre-Clearance Survey			
37B	Prior to commencing any surface disturbance related to construction or maintenance of the realigned transmission line, including for service roads, the Applicant must ensure that a pre-clearance threatened species survey is undertaken by a suitably qualified expert. If any additional threatened species, which may be adversely affected by the realigned transmission line, are identified during the pre-clearance survey, the Applicant must not undertake any associated surface disturbance until suitable offsets have been provided in accordance with OEH's NSW Biodiversity Offsets Policy for Major Projects (2016), to the satisfaction of the Secretary.	Not triggered	N/A	This condition falls outside the current audit period and was considered in the 2020 IEA.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Revegetation & Compensatory Planting			
37C	The Applicant must: (a) plant and maintain, until established, 10 River Oak trees for every established River Oak tree that is removed or severely damaged during construction and maintenance of the realigned transmission line; (b) erect 2 nesting boxes for every identified tree hollow that is removed or severely damaged during the construction and maintenance of the realigned transmission line; and (c) replant or naturally regenerate, with a suitable mix of canopy, mid-storey and groundcover species, any temporarily cleared vegetation for the realigned transmission line that is classified as either Swamp Oak Forest or River Oak Forest, to the satisfaction of the Secretary. <i>Notes:</i> • For the purposes of this condition an 'established River Oak tree' is two metres or greater in height. • For the purposes of this condition a 'severely damaged tree' is one that is lopped to the extent that half or more of the crown biomass is lost.	Compliant	– Site inspection completed 17 November 2023. – Annual Reviews for 2020, 2021 and 2022. – BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). – Mt Owen – Glendell Operations Compensatory Planting and Tree Inspection (Atlantech, 24 August 2023).	Conduct of the audit has considered maintenance of these areas only, with review of documentation verifying compliance with the requirements of this condition, with monitoring/maintenance reports sighted and the Sections 3.2 and 3.5 of the BOMPS covering the requirements of this condition.
	New England Highway Tree Screens			
38	By the end of October 2008, the Applicant must plant additional trees along the New England Highway corridor to provide a tree screen for the development. These trees must be planted in consultation with Council and the relevant landowners, and then subsequently maintained to the satisfaction of the Secretary.	Compliant	– Site inspection completed 17 November 2023. – BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). – Annual Reviews for 2020, 2021 and 2022. – Mt Owen – Glendell Operations Property Inspection Report (Enright Land Management, March 2022). – Mt Owen – Glendell Operations Buffer Land Inspection Report H1 2023 (Atlantech, 3 March 2023).	Conduct of the audit has considered maintenance of these areas only, with review of documentation verifying compliance with the requirements of this condition, monitoring/maintenance reports sighted.
	Landscape Management Plan			
39	The Applicant must prepare a detailed Landscape Management Plan for all land disturbed by the development to the satisfaction of the Resources Regulator and Secretary. This plan must: (a) be prepared in consultation with EPA, DPIE Water, DRG, BCD and Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; (b) be submitted to the Secretary for approval by the end of April 2008; and (c) include a: • Rehabilitation and Offset Management Plan; • Final Void Management Plan; and • Mine Closure Plan. The Applicant must implement the approved plan as approved from time to time by the Secretary. <i>Note: The Department accepts that the initial Landscape Management Plan may not include the detailed Final Void Management Plan and Mine Closure Plan. However, if this occurs, the Applicant will be required to seek approval from the Secretary for an alternative timetable for the completion and approval of the Final Void Management Plan and Mine Closure Plan.</i>	Compliant	– BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). – RMP (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022).	Review of documentation verifies compliance with the requirements of this condition, with these requirements addressed by the RMP and in Section 1.6 of the BOMPS.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Rehabilitation and Offset Management Plan			
40	The Rehabilitation and Offset Management Plan must include: (a) the objectives for rehabilitation of the site and offset area; (b) a detailed description of how the rehabilitation of the site and implementation of the Offset Strategy would be integrated with the rehabilitation and offset strategies of the Mt Owen, Ravensworth East and Ashton mines to ensure there is a comprehensive strategic framework for the restoration and enhancement of the landscape over time; (c) a description of the short, medium, and long term measures that would be implemented to: - rehabilitate the site; - implement the Offset Strategy; - manage the remnant vegetation and habitat on the site and in the offset areas; - maximise effective linkages to the offset areas at Mt Owen, Ravensworth East and Ashton mines; and - implement the New England Highway tree screens; (d) detailed performance and completion criteria for the rehabilitation of the site and implementation of the Offset Strategy and New England Highway tree screens; (e) a detailed description of how the performance of the rehabilitation of the mine, the offset areas and the New England Highway tree screens would be monitored over time to achieve the stated objectives; (f) a detailed description of what measures would be implemented over the next 3 years to rehabilitate the site, and implement both the Offset Strategy and tree screens along the New England Highway including the procedures to be implemented for: - progressively rehabilitating areas disturbed by mining; - implementing revegetation and regeneration within the disturbance areas and offset areas, including establishment of canopy, sub-canopy (if relevant), understorey and ground strata; - reducing the visual impacts of the development; - protecting areas outside the disturbance areas; - rehabilitating creeks and drainage lines on the site, to ensure no net loss of stream length and aquatic habitat; - undertaking pre-clearance surveys; - managing impacts on fauna; - landscaping the site to minimise visual impacts; - conserving and reusing topsoil; - collecting and propagating seed for rehabilitation works; - salvaging and reusing material from the site for habitat enhancement; - controlling weeds and feral pests; - controlling access; - bushfire management; and - managing any potential conflicts between the offset strategy and Aboriginal cultural heritage; (g) a description of the potential risks to successful rehabilitation and/or revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; (h) details of who is responsible for monitoring, reviewing, and implementing the plan; (i) a description of riparian revegetation and maintenance works associated with EA (Mod 3), that has been prepared generally in accordance with DPI Water's Guidelines for Controlled Activities on Waterfront Land; and (j) a description of revegetation and rehabilitation measures that would be implemented during the construction and maintenance of the realigned transmission line.	Compliant	- BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). - RMP (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022).	Review of documentation verifies compliance with the requirements of this condition, with these requirements addressed by the RMP and the BOMPS: - RMP: (a): N/A; (b): Entire document; (c) & (d): Sections 6.2; (e): N/A; (f): N/A; (g): Sections 3 & 7; (h): N/A; (i): N/A; (j): N/A. - BOMPS: (a): Sections 3.6 and 4.6; (b): Sections 3.2.4, 3.6 and 4.8; (c): Sections 1.7, 3, and 4; (d): Sections 6 and Appendix E; (e): Section 5; (f): Section 3; (g): Section 7; (h): Section 10; (i): Section 3.5; and (j): Section 3.6.
	Final Void Management			

Condition #	Details	Compliance status	Relevant evidence	Commentary
41	The Final Void Management Plan must: (a) justify the final location and future use of the final void; (b) incorporate design criteria and specifications for the final void based on verified groundwater modelling predictions and a re-assessment of post-mining groundwater equilibration; (c) assess the potential interactions between creeks on the site and the final void; and (d) describe what actions and measures would be implemented to: • minimise any potential adverse impacts associated with the final void; and • manage and monitor the potential impacts of the final void.	Compliant	– RMP (MGOOC-1779562647-12433) (Rev 2, dated 19 August 2022). – Glendell Pre-Feasibility Mine Closure Plan (GPFMCP).	Review of documentation verifies compliance with the requirements of this condition, with these requirements addressed by the RMP, with this area being Domain J, and the GPFMCP, which notes a detailed Final Void Management Plan would be developed following a determination of the Glendell Continued Operations Project (GCOP).
	Mine Closure Plan			
42	The Mine Closure Plan must: (a) define the objectives and criteria for mine closure; (b) investigate options for the future use of the site, including the final void; (c) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local employment levels; (d) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development; and (e) describe how the performance of these measures would be monitored over time.	Compliant	GPFMCP.	Review of documentation verifies compliance with the requirements of this condition, with these requirements addressed by the GPFMCP: – (a): Section 4.6; – (b): Section 4; – (c): Section 9; – (d): Section 7; and – (e): Section 8.
	Conservation and Biodiversity Bond			
43	Within 3 months of the approval of the Landscape Management Plan, the Applicant must lodge a conservation and biodiversity bond with the Department to ensure that the Offset Strategy is implemented in accordance with the performance and completion criteria of the Landscape Management Plan. The sum of the bond must be determined by: (a) calculating the full cost of implementing the Offset Strategy (Bettys Creek Habitat Management Area); and (b) employing a suitably qualified rehabilitation expert or quantity surveyor to verify the calculated costs, to the satisfaction of the Secretary. The calculation of the conservation and biodiversity bond must be submitted to the Department for approval at least 1 month prior to the lodgement of the bond. The conservation and biodiversity bond must be reviewed and, if required, an updated bond must be lodged with the Department within 3 months of any of the following: (a) an approved revision of the Landscape Management Plan; (b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Landscape Management Plan have been made; or (c) in response to a request by the Secretary. Notes: • <i>If the Offset Strategy is completed generally in accordance with the performance and completion criteria of the Landscape Management Plan to the satisfaction of the Secretary, the Department will release the conservation and biodiversity bond.</i> • <i>If the Offset Strategy is not completed generally in accordance with the performance and completion criteria of the Landscape Management Plan to the satisfaction of the Secretary, all or part of the conservation and biodiversity bond will be used to ensure the satisfactory completion of the relevant works.</i>	Compliant	– Mt Owen Complex Conservation Bond Recalculations dated 8 February 2022 – Letter advising DPE satisfaction with revised calculation dated 27 April 2022. – Post-Approval Form for updated Conservation and Biodiversity Bond dated 2 March 2022.	Review of documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	ABORIGINAL CULTURAL HERITAGE			
	Aboriginal Cultural Heritage Management Plan			
44	The Applicant must prepare an Aboriginal Cultural Heritage Management Plan to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with BCD and the Registered Aboriginal Parties; (b) be submitted to the Secretary for approval prior to the disturbance of any Aboriginal object or site; and (c) include a: - management plan for all Aboriginal sites and potential archaeologically sensitive areas within the development disturbance area; - detailed description of the measures that would be implemented to protect Aboriginal sites and potential archaeologically sensitive areas outside the development disturbance area; - description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the development; and - protocol for the ongoing consultation and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site. The Applicant must implement the approved plan as approved from time to time by the Secretary.	Compliant	- ACHMP (MGOOC-1779562647-4159) (Rev 9, 3 October 2023), including Appendix B: Evidence of ongoing consultation with RAPs during audit period. - Letter from DPE approving revised ACHMP, dated 3 October 2023. - Letter advising Heritage NSW satisfaction with ACHMP dated 23 September 2021.	Review of documentation verifies compliance with the requirements of this condition.
	HERITAGE			
45	The Applicant must prepare an archival record of the heritage items listed in the table in Appendix 7, prior to any activity associated with the development that may disturb these sites, in consultation with, and in accordance with the requirements of, the Heritage Branch, and to the satisfaction of the Secretary.	Not triggered	N/A.	This condition falls outside the current audit period and was considered in the 2017 IEA.
	TRANSPORT			
	Monitoring of Coal Transport			
46	The Applicant must keep records of the amount of coal transported from the site each year, and include these records in the Annual Review.	Compliant	- Annual Reviews for 2020, 2021, and 2022, including Appendix B. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: 2020: 860 trains with 7.39 Mt railed from site (4.406 Mt from Mt Owen, and 2.984 Mt from Glendell and Ravensworth East); 2021: 804 trains with 7.11 Mt railed from site (4.64 Mt from Mt Owen, and 2.5 Mt from Glendell and Ravensworth East); and 2022: 808 trains with 6.54 Mt railed from site (3.94 Mt from Mt Owen, and 2.719 Mt from Glendell and Ravensworth East).
	Traffic Management			
47	The Applicant must construct the Hebden Road/Site Access Road intersection to the satisfaction of Council, by the end of September 2008.	Not triggered	N/A.	This condition falls outside the current audit period and was considered in the 2017 IEA.
48	The Applicant must prepare (and subsequently implement) a construction traffic management plan for the development, to the satisfaction of Council, prior to re-commencing construction activities that require access from Hebden Road to the site.	Not triggered	N/A.	This condition falls outside the current audit period and was considered in the 2017 IEA.
49	The Applicant must review, and if necessary upgrade the New England Highway/Hebden Road intersection to provide: (a) street lighting in accordance with the relevant Australian Standards; and (b) road shoulders that comply with the RMS's Road Design Guide, to the satisfaction of the RMS, by the end of December 2008.	Not triggered	N/A.	This condition falls outside the current audit period and was considered in the 2017 IEA.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	VISUAL			
50	The Applicant must: (a) ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version; (b) take all practicable measures to mitigate off-site lighting impacts from the development; and (c) minimise the visual impacts of the development, to the satisfaction of the Secretary.	Compliant	- Complaints register. - Annual Reviews for 2020, 2021 and 2022. - Site inspection completed 17 November 2023. - MGO: Lighting Impact Review 2023 (Atlantech, 29 October 2023).	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition, no visual complaints have been received during the audit period, as follows: 2020: nil; 2021: nil; 2022: nil; and 2023 (to date): nil. Furthermore, a lighting impact review completed in 2023 determined MGO is operating in accordance with relevant conditions of DA 80/952.
51	Deleted		–	
	WASTE			
52	The Applicant must: (a) monitor the amount of waste generated by the development; (b) investigate ways to minimise waste generated by the development; (c) implement reasonable and feasible measures to minimise waste generated by the development; (d) ensure irrigation of treated wastewater is undertaken in accordance with EPA's Environmental Guideline for the Utilisation of Treated Effluent; and (e) report on waste management and minimisation in the Annual Review, to the satisfaction of the Secretary.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Glendell Coal Waste Tracking Spreadsheets for the audit period - Mt Owen and Glendell Monthly Waste Summary Reports for 2023. - Mine/Site Waste Review Site Inspection samples for: 3 March 2021 (Glendell); 20 October 2021 (Glendell); 12 January 2022 (Glendell); 13 April 2022 (Glendell); 14 March 2023 (MGO); 17 April 2023 (MGO) 14 August 2023 (MGO); 30 August 2023 (MGO) - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with the following noted: 2020: 1,373 tonnes (t) of material recycled at Glendell and Ravensworth East, with a recycling rate of 86.21%; and 1,426 t of material recycled at Mt Owen, with a recycling rate of 82.91%. 2021: 1,296 t of material recycled at Glendell and Ravensworth East, with a recycling rate of 91.6%; and 2,048 t of material recycled at Mt Owen, with a recycling rate of 89.8%. 2022: 1,578.62 t of material recycled at Glendell and Ravensworth East; and 1,426 t of material recycled at Mt Owen. 2023: 95 t of material recycled at Glendell and Ravensworth East (to June 2023), with a recycling rate of 74.38%; and 560 t of material recycled at Mt Owen (to May 2023), with a recycling rate of 82.34%.
	Schedule 4 - ADDITIONAL PROCEDURES			
	NOTIFICATION OF LANDOWNERS			
1	By the end of April 2008, the Applicant must notify the landowners of the land listed in Table 1 in writing that they have the right to require the Applicant to acquire their land at any stage during the development.	Not triggered	N/A.	This condition falls outside the current audit period and was considered during the 2017 IEA.
2	If the results of monitoring required in schedule 3 identify that impacts generated by the development are greater than the impact assessment criteria in schedule 3, except where this is predicted in the EA (Mod 2), and except where a negotiated agreement has been entered into in relation to that impact, then the Applicant must notify the Secretary and the affected landowners and/or existing or future tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the development is complying with the criteria in schedule 3.	Compliant	- Site interviews completed 17 November 2023. - Letter to ResID 147 dated 12 August 2021, Attended noise monitoring on night of 10th and 11th August 2021 for Glendell Mine.	Review of documentation verifies compliance with the requirements of this condition.
3	The Applicant must develop a brochure to advise landowners and/or existing or future tenants (including tenants of mine owned properties) of the possible health and amenity impacts associated with exposure to particulate matter, to the satisfaction of the Secretary. The brochure must be prepared in consultation with NSW Health, and be submitted to the Secretary within 6 months of the date of this consent. The Applicant must review relevant human health studies and update this brochure every 3 years, to the satisfaction of the Secretary.	Compliant	- Site interviews completed 17 November 2023. 'Mine dust and you' factsheet. - Mt Owen Complex tenant list.	The auditor has reviewed the 'Mine dust and you' factsheet and tenant list.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	The Applicant must provide this brochure (and associated updates) to all landowners and/or existing or future tenants (including tenants of mine owned properties) of properties where: (a) the predictions in the EA (Mod 2) identify that the dust emissions generated by the development are likely to be greater than the air quality land acquisition criteria in condition 20 of schedule 3; and (b) monitoring results identify that the mine is exceeding the air quality land acquisition criteria in condition 20 of schedule 3.			
	INDEPENDENT REVIEW			
4	If a landowner considers the development to be exceeding the impact assessment criteria in schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land. If the Secretary is satisfied that an independent review is warranted, the Applicant must within 2 months of the Secretary's decision: (a) consult with the landowner to determine his/her concerns; (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to conduct monitoring on the land, to: - determine whether the development is complying with the relevant impact assessment criteria in schedule 3; and - identify the source(s) and scale of any impact on the land, and the development's contribution to this impact; and (c) give the Secretary and landowner a copy of the independent review.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
5	If the independent review determines that the development is complying with the relevant impact assessment criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Secretary.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
6	If the independent review determines that the development is not complying with the relevant impact assessment criteria in schedule 3, and that the development is primarily responsible for this non-compliance, then the Applicant must: (a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the development complies with the relevant criteria; and (b) conduct further monitoring to determine whether these measures ensure compliance. If the additional monitoring referred to above subsequently determines that the development is complying with the relevant criteria in schedule 3, or the Applicant and landowner enter into a negotiated agreement to allow these exceedances, then the Applicant may discontinue the independent review with the approval of the Secretary.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
7	If the independent review determines that the relevant criteria in schedule 3 are being exceeded, but that more than one mine is responsible for this non-compliance, then the Applicant must, together with the relevant mine/s: (a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the relevant criteria are complied with; and (b) conduct further monitoring to determine whether these measures ensure compliance; or (c) secure a written agreement with the landowner and other relevant mines to allow exceedances of the criteria in schedule 3, to the satisfaction of the Secretary. If the additional monitoring referred to above subsequently determines that the developments are complying with the relevant criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Secretary.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
8	If the landowner disputes the results of the independent review, either the Applicant or the landowner may refer the matter to the Secretary for resolution.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	LAND ACQUISITION			
9	Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant must make a binding written offer to the landowner based on: (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 development the subject of the development 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 landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the 'additional noise mitigation measures' in condition 6 of schedule 3; (b) the reasonable costs associated with: - relocating within the Singleton local government area, or to any other local government area determined by the Secretary; - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and (c) reasonable compensation for any disturbance caused by the land acquisition process. However, if at the end of this period, the Applicant 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 Secretary for resolution. Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer or Fellow of the Institute, to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or terms upon which the land is to be acquired. Within 14 days of receiving the independent valuer's determination, the Applicant must make a written offer to purchase the land at a price not less than the independent valuer's determination. If the landowner refuses to accept this offer within 6 months of the date of the Applicant's offer, the Applicant's obligations to acquire the land shall cease, unless otherwise agreed by the Secretary.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
10	The Applicant must bear the reasonable costs of any valuation or survey assessment requested by the independent valuer, or the Secretary, and the costs of determination referred above.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
11	If the Applicant and landowner agree that only part of the land shall be acquired, then the Applicant must pay all reasonable costs associated with obtaining Council consent for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
	SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	ENVIRONMENTAL MANAGEMENT			
	Adaptive Management			
1	The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation. Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity: (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Relevant Monitoring Reports for the audit period. - Complaints register.	Review of relevant documentation indicates compliance with the requirements of this condition, with no exceedances of criteria occurring during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Environmental Management Strategy			
2	If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: (a) be submitted to the Secretary for approval prior to the commencement of development under this consent, unless the Secretary agrees otherwise; (b) provide the strategic framework for the environmental management of the development; (c) identify the statutory approvals that apply to the development; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (e) describe the procedures that would be implemented to: - keep the local community and relevant agencies informed about the operation and environmental performance of the development; - receive, handle, respond to, and record complaints; - resolve any disputes that may arise during the course of the development; - respond to any non-compliance and any incident; - respond to emergencies; and (f) include: - references to any strategies, plans and programs approved under the conditions of this consent; and - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent. The Applicant must implement the approved strategy as approved from time to time by the Secretary.	Compliant	- Environmental Management Strategy (EMS) (MGOOC-1779562647-11191) (Rev 8, 3 October 2023). - Letter from DPE approving revised EMS, dated 3 October 2023 - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition
	Management Plan Requirements			
3	The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) a summary of relevant background or baseline data; (b) a description of: - 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 development or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: - impacts and environmental performance of the development; - effectiveness of any management measures (see c above); (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a program to investigate and implement ways to improve the environmental performance of the development over time; (g) a protocol for managing and reporting any: - incidents; - complaints; - non-compliances with statutory requirements; and - exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. <i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>	Compliant	- NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). - AQGHGMP (MGOOC-1779562647-4392). (Rev 6, 29 September 2021). - CDMP (MGOOC-1779562647-10971) (Rev 5, 22 April 2020) - WMP (MGOOC-1779562647-11480) (Rev 5, 3 October 2023). - SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - GMMP (MGOOC-1779562647-11186) (Rev 6, 3 October 2023). - SWGRP (MGOOC-1779562647-11187) (Rev 6, 3 October 2023). - ESCP (MGOOC-1779562647-10974) (Rev 7, 3 October 2023). - CDMP (MGOOC-1779562647-10971) (Rev 5, 22 April 2020). - BOMPS (MGOOC-899305957-16) (Rev 4, 3 October 2023). - Rehabilitation Strategy (MGOOC-1779562647-11610) (Rev 4, dated 29 November 2021).	Review of relevant management plans indicate compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Annual Review			
4	By the end of March each year, or as otherwise agreed with the Secretary, the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must: (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year; (b) include a comprehensive review of the monitoring results and Complaints register. of the development over the previous calendar year, which includes a comparison of these results against the: • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence; (d) identify any trends in the monitoring data over the life of the development; (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Emails and letters from MGO verifying submission by 31 March 2021, 31 March 2022. – Email from DPE verifying 2022 Annual Review received, dated 31 March 2023. – Letter from DPE approving 2020 Annual Review, dated 20 May 2021. – Letter from DPE approving revised 2021 Annual Review, dated 29 July 2022. – Letter from DPE approving 2022 Annual Review, dated 11 August 2023. – Letter from DPE dated 15 May 2023 requesting additional information for 2022 Annual Review, with updated 2022 Annual Review provided 31 May 2023. – Letter from DPE requesting additional information dated 20 June 2022.	Review of relevant documentation indicates compliance with the requirements of this condition
	Revision of Strategies, Plans and Programs			
5	Within 3 months of: (a) the submission of an Annual Review under condition 5 above; (b) the submission of an incident report under condition 9 below; (c) the submission of an audit under condition 11 below; or (d) any modification to the conditions of this consent (unless the conditions require otherwise); the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Secretary. <i>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 development.</i>	Compliant	– Tracking sheet dated after 19 October 2023 identifying relevant versions and approval dates of all management plans, including current status (e.g. revised and submitted for consultation and/or DPE approval). – Management plans have consultation evidence attached (both submissions and comments registers).	Review of relevant documentation indicates compliance with the requirements of this condition.
	Community Consultative Community			
6	The Applicant must operate a CCC for the development to the satisfaction of the Secretary. 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 or replacement). <i>Notes:</i> • <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.</i> • <i>In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community.</i> • <i>The CCC may be combined with similar committees established for the adjoining Mt Owen, Ravensworth East and Integra Underground mines.</i>	Compliant	– CCC quarterly meeting minutes. – Mt Owen Complex and Integra Underground Community Consultative Committee – Annual Report 2022	Review of relevant documentation indicates compliance with the requirements of this condition. The 2022 CCC Annual Report completed by the independent chair of the CCC states the Mt Owen Complex CCC is an effective communication forum between the community, the Council and the company. It functions well and accordingly, fulfils its objectives under the Department's guidelines.
	Incident Notification			
7	The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing and identify the development (including the development application number and name) and set out the location and nature of the incident.	Not triggered	– Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site interviews completed 17 November 2023.	Review of relevant documentation and conduct of site interviews indicates this condition has not been triggered during the audit period.
	Non-Compliance Notification			

Condition #	Details	Compliance status	Relevant evidence	Commentary
8	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. <i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</i>	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Site interviews completed 17 November 2023. - Letter from DPE dated 6 September 2021 in relation to noise exceedance incident report provided 11 August 2021 for exceedance on 10 August 2021. - Reportable Incident Notification provided to DPE and EPA, dated 11 August 2021. - Letter report to EPA in relation to noise exceedance incident report provided 18 August 2021.	Review of relevant documentation indicates compliance with the requirements of this condition.
	INDEPENDENT ENVIRONMENTAL AUDIT			
9	By the end of December 2010, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must: (a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Secretary; (b) be conducted by a suitably qualified, experienced, and independent team of experts (including any expert in field/s specified by the Secretary) whose appointment has been endorsed by the Secretary; (c) include consultation with the relevant agencies and the CCC; (d) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease or necessary water licences (including any assessment, plan or program required under these approvals); (e) review the adequacy of strategies, plans or programs required under the abovementioned approvals (including whether the development has met or is trended towards the progressive performance and completion criteria detailed in these strategies, plans or programs); (f) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals; and (g) be conducted and reported to the satisfaction of the Secretary.	Compliant	2020 IEA. - This audit report. - Approval letter from DPE for current audit team.	Review of relevant documentation indicates compliance with the requirements of this condition.
10	Within 12 weeks of commissioning of this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW Government agency that request it, together with its response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations, as required. The Applicant must implement the audit report recommendations, to the satisfaction of the Secretary.	Compliant	- Letter from DPE approving extension of time for the 2020 IEA to 19 February 2021, dated 26 October 2020. - Sighted evidence of submission on 19 February 2021.	Review of relevant documentation indicates compliance with the requirements of this condition.
	ACCESS TO INFORMATION			
11	The Applicant must: (a) make copies of the following publicly available on its website: - the documents listed in condition 2(a) of Schedule 2; - current statutory approvals for the development; - approved strategies, plans or programs required under the conditions of this consent; - a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications of any conditions of this consent, or any approved plans or programs; - a complaints register, which is to be updated monthly; - minutes of CCC meetings; - the Annual Reviews of the development (for the last five years); - any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit; and - any other matter required by the Secretary; and (b) keep this information up to date, to the satisfaction of the Secretary.	Compliant	Mt Owen website.	Review of the documentation available on the Mt Owen website (found: https://www.glencore.com.au/operations-and-projects/coal/current-operations/mt-owen-glendell-open-cut) indicates compliance with the requirements of this condition.

Appendix F

EPL 4460

Condition #	Details	Compliance status	Relevant evidence	Commentary															
1	Administrative Conditions																		
A1	What the licence authorises and regulates																		
A1.1	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. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition. <table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>> 5000000 T annual handing capacity</td></tr><tr><td>Crushing, grinding or separating</td><td>Crushing, grinding or separating</td><td>> 100000 - 500000 T annual processing capacity</td></tr><tr><td>Extractive activities</td><td>Extractive activities</td><td>> 100000 - 500000 T annually extracted or processed</td></tr><tr><td>Mining for coal</td><td>Mining for coal</td><td>> 5000000 T annual production capacity</td></tr></table> Note: In relation to this licence, the licensee must comply with: a) the activity scale limits imposed by this licence; b) the activity scale limits which apply for the reporting period specified in this licence; and c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the <i>Environmental Planning and Assessment Act 1979</i>.	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 5000000 T annual handing capacity	Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity	Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed	Mining for coal	Mining for coal	> 5000000 T annual production capacity	Compliant	– Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: – 2020: 8.06 million tonnes (Mt) for Mt Owen and 1.2 Mt for Ravensworth East Mine; – 2021: 7.78 Mt for Mt Owen and 0.96 Mt for Ravensworth East Mine; and – 2022: 7.4 Mt for Mt Owen and 2.53 Mt for Ravensworth East Mine.
Scheduled Activity	Fee Based Activity	Scale																	
Coal works	Coal works	> 5000000 T annual handing capacity																	
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity																	
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed																	
Mining for coal	Mining for coal	> 5000000 T annual production capacity																	
A2	Premises or plant to which this licence applies																		
A2.1	The licence applies to the following premises: <table><tr><th>Premises Details</th></tr><tr><td>MT OWEN MINE</td></tr><tr><td>HEBDEN ROAD</td></tr><tr><td>RAVENSWORTH</td></tr><tr><td>NSW 2330</td></tr><tr><td>PREMISES BOUNDARY AS DEFINED ON THE PLAN TITLED "MOUNT OWEN GLENDELL OPERATIONS PROPOSED EPL BOUNDARY" DATED 28/07/2021 EPA REFERENCE DOC21/642129.</td></tr></table>	Premises Details	MT OWEN MINE	HEBDEN ROAD	RAVENSWORTH	NSW 2330	PREMISES BOUNDARY AS DEFINED ON THE PLAN TITLED "MOUNT OWEN GLENDELL OPERATIONS PROPOSED EPL BOUNDARY" DATED 28/07/2021 EPA REFERENCE DOC21/642129.	Compliant	– Site inspection completed 17 November 2023. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – SIX Maps/SEED Portal.	Review of aerial photography with cadastral overlay indicates activities are within the area described.									
Premises Details																			
MT OWEN MINE																			
HEBDEN ROAD																			
RAVENSWORTH																			
NSW 2330																			
PREMISES BOUNDARY AS DEFINED ON THE PLAN TITLED "MOUNT OWEN GLENDELL OPERATIONS PROPOSED EPL BOUNDARY" DATED 28/07/2021 EPA REFERENCE DOC21/642129.																			
A3	Other activities																		
A3.1	This licence applies to all other activities carried on at the premises, including: <table><tr><th>Ancillary Activity</th></tr><tr><td>Railway Systems</td></tr><tr><td>Sewage Treatment Systems</td></tr></table>	Ancillary Activity	Railway Systems	Sewage Treatment Systems	Compliant	– Site inspection completed 17 November 2023. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.												
Ancillary Activity																			
Railway Systems																			
Sewage Treatment Systems																			

Condition #	Details	Compliance status	Relevant evidence	Commentary																
A4	Information supplied to the EPA																			
A4.1	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: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Note	N/A.	N/A.																
2	Discharges to Air and Water and Applications to Land																			
P1	Location of monitoring/discharge points and areas																			
P1.1	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. <table><thead><tr><th>EPA identi- fication no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr></thead><tbody><tr><td>8</td><td>Particulate Matter Monitoring</td><td></td><td>TEOM "SX13 D8" identified as 8 at coordinates 318877, 6416848 (Easting Northing) on Figure 1</td></tr><tr><td>9</td><td>Particulate Matter Monitoring</td><td></td><td>TEOM "SX13 D10" identified as 9 at coordinates 324739, 6411628 (Easting Northing) on Figure 1</td></tr><tr><td>10</td><td>Particulate Matter Monitoring</td><td></td><td>TEOM "SX13 D9" identified as 10 at coordinates 323944, 6407999 (Easting Northing) on Figure 1</td></tr></tbody></table>	EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description	8	Particulate Matter Monitoring		TEOM "SX13 D8" identified as 8 at coordinates 318877, 6416848 (Easting Northing) on Figure 1	9	Particulate Matter Monitoring		TEOM "SX13 D10" identified as 9 at coordinates 324739, 6411628 (Easting Northing) on Figure 1	10	Particulate Matter Monitoring		TEOM "SX13 D9" identified as 10 at coordinates 323944, 6407999 (Easting Northing) on Figure 1	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Air Quality Monitoring Reports for the audit period. - Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (MGOOC-1779562647-4392). - Environmental Management Strategy (EMS) (MGOOC-1779562647-11191).	Air quality monitoring locations were inspected during the site visit and confirmed to be in good working order. The EMS and AQGHGMP confirm the two E-BAM PM₁₀ monitors. The auditor has sighted and reviewed the monitoring results provided in monthly EPA Pollution Monitoring Reports.
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description																	
8	Particulate Matter Monitoring		TEOM "SX13 D8" identified as 8 at coordinates 318877, 6416848 (Easting Northing) on Figure 1																	
9	Particulate Matter Monitoring		TEOM "SX13 D10" identified as 9 at coordinates 324739, 6411628 (Easting Northing) on Figure 1																	
10	Particulate Matter Monitoring		TEOM "SX13 D9" identified as 10 at coordinates 323944, 6407999 (Easting Northing) on Figure 1																	
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.	Note	N/A.	N/A.																
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.	Compliant	- EMS (MGOOC-1779562647-11191). - WMP (MGOOC-1779562647-11480) (Rev 5, 3. October 2023). - Surface Water Management and Monitoring Plan (SWMMP) (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Surface Water Monitoring Reports for the audit period. - Site inspection completed 17 November 2023. - EPL 4460 Sewage Treatment Maintenance Program Report Q3 2020 to Q2 2021. - EPL 4460 Sewage Treatment Maintenance Program Report Q3 2021 to Q2 2022. - EPL 4460 Sewage Treatment Maintenance Program Mt Owen / Ravensworth East – Q3 2022 to Q2 2023. - Mt Owen Complex Sewage Treatment System’s Maintenance and Compliance Reports for 2020 (Q3 and Q4), 2021 (Q1, Q2, Q3 and Q4), 2022 (Q1, Q2, Q3 and Q4), 2023 (Q1 and Q2).	Review of relevant documentation indicates compliance with the requirements of this condition.																

Condition #	Details			Compliance status	Relevant evidence	Commentary
	Water and land					
	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point			
	18	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area			
	19	Effluent quality monitoring	Effluent quality monitoring			
	20	Ambient water quality monitoring				
	21	Ambient water quality monitoring				
	22	Ambient water quality monitoring				
	23	Ambient water quality monitoring				
	24	Ambient water quality monitoring				
	25	Ambient water quality monitoring				
	26	Ambient water quality monitoring				
	27	Ambient water quality monitoring				
	28	Ambient water quality monitoring				
	29	Discharge to pipe Water Quality Monitoring	Discharge to pipe Water Quality Monitoring			
	30	Discharge to pipe Water Quality Monitoring	Discharge to pipe Water Quality Monitoring			

Condition #	Details	Compliance status	Relevant evidence	Commentary																																													
P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises. <table><tr><th colspan="3">Noise/Weather</th></tr><tr><th>EPA identification no.</th><th>Type of monitoring point</th><th>Location description</th></tr><tr><td>6</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC 1 at coordinates 325585, 6409026 (Easting, Northing) identified as 6 on Figure 1</td></tr><tr><td>7</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC 2 at coordinates 332330, 6408023 (Easting, Northing) identified as 7 on Figure 1</td></tr><tr><td>11</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC 3 at coordinates 320425, 6405768 (Easting, Northing) identified as 11 on Figure 1</td></tr><tr><td>12</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC 5 at coordinates 326657, 6409954 (Easting, Northing) identified as 12 on Figure 1</td></tr><tr><td>13</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC 4 identified at coordinates 326106, 6409957 (Easting, Northing) identified as 13 on Figure 1.</td></tr><tr><td>16</td><td>Meteorological Station – to determine meteorological conditions for noise monitoring</td><td>Weather station Sx13 M1 at coordinates 317883, 6409485(Easting, Northing) identified as 16 on Figure 1</td></tr><tr><td>17</td><td>Meteorological Station – to determine meteorological conditions for noise monitoring</td><td>Meteorological monitoring station SX13 M2 at co-ordinates 324321, 6409910 (Easting, Northing) identified as 17 on Figure 1</td></tr><tr><td>31</td><td>Noise monitoring</td><td>Monitoring at co-ordinates 326670, 6414520 (Easting, Northing) identified as N1 on Figure 2 within NMG Area 1.</td></tr><tr><td>33</td><td>Noise monitoring</td><td>Monitoring at co-ordinates 325118, 6409818 (Easting, Northing) identified as N3 on Figure 2 in NMG 2.</td></tr><tr><td>34</td><td>Noise monitoring</td><td>Monitoring at co-ordinates 323900, 6408220 (Easting, Northing) identified as N4 on Figure 2 in NMG 3.</td></tr><tr><td>37</td><td>Noise monitoring</td><td>Monitoring at co-ordinates 321670, 6405140 (Easting, Northing) identified as N11 on Figure 2 in NMG3 (supplementary monitoring).</td></tr><tr><td>39</td><td>Noise monitoring</td><td>Monitoring at co-ordinates 316265, 6419397 (Easting, Northing) identified as N17 on Figure 2 in NMG 4.</td></tr><tr><td>44</td><td>Noise monitoring</td><td>Monitoring at co-ordinates 326186, 6409143 (Easting, Northing) identified as N15 on Figure 2 in NMG 2 (Supplementary Monitoring).</td></tr></table>	Noise/Weather			EPA identification no.	Type of monitoring point	Location description	6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 1 at coordinates 325585, 6409026 (Easting, Northing) identified as 6 on Figure 1	7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 2 at coordinates 332330, 6408023 (Easting, Northing) identified as 7 on Figure 1	11	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 3 at coordinates 320425, 6405768 (Easting, Northing) identified as 11 on Figure 1	12	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 5 at coordinates 326657, 6409954 (Easting, Northing) identified as 12 on Figure 1	13	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 4 identified at coordinates 326106, 6409957 (Easting, Northing) identified as 13 on Figure 1.	16	Meteorological Station – to determine meteorological conditions for noise monitoring	Weather station Sx13 M1 at coordinates 317883, 6409485(Easting, Northing) identified as 16 on Figure 1	17	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological monitoring station SX13 M2 at co-ordinates 324321, 6409910 (Easting, Northing) identified as 17 on Figure 1	31	Noise monitoring	Monitoring at co-ordinates 326670, 6414520 (Easting, Northing) identified as N1 on Figure 2 within NMG Area 1.	33	Noise monitoring	Monitoring at co-ordinates 325118, 6409818 (Easting, Northing) identified as N3 on Figure 2 in NMG 2.	34	Noise monitoring	Monitoring at co-ordinates 323900, 6408220 (Easting, Northing) identified as N4 on Figure 2 in NMG 3.	37	Noise monitoring	Monitoring at co-ordinates 321670, 6405140 (Easting, Northing) identified as N11 on Figure 2 in NMG3 (supplementary monitoring).	39	Noise monitoring	Monitoring at co-ordinates 316265, 6419397 (Easting, Northing) identified as N17 on Figure 2 in NMG 4.	44	Noise monitoring	Monitoring at co-ordinates 326186, 6409143 (Easting, Northing) identified as N15 on Figure 2 in NMG 2 (Supplementary Monitoring).	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Noise Monitoring Reports for the audit period. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023). - EMS (MGOOC-1779562647-11191).	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of noise criteria in Table 3. The meteorological station was inspected during the site visit and confirmed to be in good working order. The EMS and AQGHGMP confirm the meteorological station. The auditor has sighted and reviewed the monitoring results provided in monthly EPA Pollution Monitoring Reports.
Noise/Weather																																																	
EPA identification no.	Type of monitoring point	Location description																																															
6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 1 at coordinates 325585, 6409026 (Easting, Northing) identified as 6 on Figure 1																																															
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44	Noise monitoring	Monitoring at co-ordinates 326186, 6409143 (Easting, Northing) identified as N15 on Figure 2 in NMG 2 (Supplementary Monitoring).																																															
P1.5	For the purposes of Condition P1.1, P1.3 and P1.4 Figure 1 refers to the plan titled "Mt Owen Complex Mt Owen Mine Monitoring Locations" dated 20/3/2019 EPA Reference DOC18/688098-2.	Note	N/A.	N/A.																																													
P1.6	For the purposes of Condition P1.3 and P1.4 Figure 2 refers to the plan titled "Mt Owen Complex Mt Owen Mine NMG and NML Locations" dated 5/7/2019 EPA Reference DOC18/688098-10.	Note	N/A.	N/A.																																													
P1.7	The datum for grid references in this Licence is the Geodetic Datum of Australia 2020 (GDA20), Zone 56	Note	N/A.	N/A.																																													

Condition #	Details	Compliance status	Relevant evidence	Commentary										
3	Limit Conditions													
L1	Pollution of waters													
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	- WMP (MGOOC-1779562647-11480) (Rev 5, 3. October 2023). - SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). - Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Surface Water Monitoring Reports for the audit period. - Site inspection completed 17 November 2023. Annual Reviews for 2020, 2021, and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition.										
L2	Waste													
L2.1	The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below. This condition does not limit any other conditions in this licence. <table border="1"> <thead> <tr> <th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr> </thead> <tbody> <tr> <td>NA</td><td>Coal washery rejects</td><td>For emplacement in coal mining voids as part of the GRAWTS, as approved in Development Consent (s).</td><td>As specified in each particular resource recovery exemption</td><td>The Licensee must comply with The Coal Washery Rejects Exemption 2014 and The Coal Washery Rejects (coal mine void) Exemption 2014</td></tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	NA	Coal washery rejects	For emplacement in coal mining voids as part of the GRAWTS, as approved in Development Consent (s).	As specified in each particular resource recovery exemption	The Licensee must comply with The Coal Washery Rejects Exemption 2014 and The Coal Washery Rejects (coal mine void) Exemption 2014	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Mt Owen and Glendell Monthly Waste Summary Reports for 2023. - Mine/Site Waste Review Site Inspection samples for: 14 March 2023 (MGO); 17 April 2023 (MGO) 14 August 2023 (MGO); and 30 August 2023 (MGO). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with the following noted: 2020 (within audit period): 1,426 tonnes (t) of material recycled at Mt Owen, with a recycling rate of 82.91%; 2021: 2,048 t of material recycled at Mt Owen, with a recycling rate of 89.8%; 2022: 1,426 t of material recycled at Mt Owen; and 2023 (to date): 560 t of material recycled at Mt Owen (to May 2023), with a recycling rate of 82.34%.
Code	Waste	Description	Activity	Other Limits										
NA	Coal washery rejects	For emplacement in coal mining voids as part of the GRAWTS, as approved in Development Consent (s).	As specified in each particular resource recovery exemption	The Licensee must comply with The Coal Washery Rejects Exemption 2014 and The Coal Washery Rejects (coal mine void) Exemption 2014										
L2.2	The Licensee is authorised to receive mine water under the Greater Ravensworth Water and Tailings Strategy from Liddell Coal Mine, Glendell Coal Mine, Ravensworth Coal Mine and Integra Underground Coal Mine for storage and use in activities authorised by the Licence.	Note	N/A.	N/A.										
L2.3	The Licensee must not dispose of more than 1,150 Tonnes of heavy Plant-tyres on the premises in any annual return year period.	Compliant	- Waste heavy plant tyre disposal tracking. - Annual Heavy Plant-Tyre Disposal Report 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of documentation indicates this condition was only added to EPL 4460 in the variation approved 18 November 2022. Therefore, reporting in relation to this condition has only occurred for the 2022/2023 reporting period, with 582.8 t of heavy plant tyres buried during this period.										

Condition #	Details	Compliance status	Relevant evidence	Commentary																																																																																
L3	Noise limits																																																																																			
L3.1	Noise generated at the premises must not exceed the noise limits presented in the table below. Residences referenced in this table are from the consent SSD-5850 Mod 1 2017 and summarised in EPA Reference DOC18/688098-10. <table> <tr> <th>Location</th><th>Day LAeq(15 minute)</th><th>Evening LAeq(15 minute)</th><th>Night LAeq(15 minute)</th><th>Night LA1(1 minute)</th></tr> <tr> <td>EPA Point 31 & 39</td><td>35</td><td>35</td><td>35</td><td>45</td></tr> <tr> <td>EPA Point 33</td><td>45</td><td>45</td><td>42</td><td>49</td></tr> <tr> <td>EPA Point 34</td><td>42</td><td>42</td><td>42</td><td>52</td></tr> <tr> <td>EPA Point 37</td><td>39</td><td>39</td><td>35</td><td>45</td></tr> <tr> <td>EPA Point 44</td><td>37</td><td>37</td><td>37</td><td>45</td></tr> <tr> <td>Residence 41,48</td><td>36</td><td>35</td><td>35</td><td>45</td></tr> <tr> <td>Residence 91</td><td>37</td><td>37</td><td>36</td><td>45</td></tr> <tr> <td>Residence 14, 92</td><td>37</td><td>37</td><td>37</td><td>45</td></tr> <tr> <td>Residence 10, 11</td><td>37</td><td>37</td><td>37</td><td>46</td></tr> <tr> <td>Residence 13</td><td>38</td><td>38</td><td>38</td><td>45</td></tr> <tr> <td>Residence 12, 94, 95, 112</td><td>38</td><td>38</td><td>38</td><td>46</td></tr> <tr> <td>Residence 111</td><td>39</td><td>39</td><td>36</td><td>45</td></tr> <tr> <td>Residence 19</td><td>39</td><td>39</td><td>39</td><td>45</td></tr> <tr> <td>Residence 93</td><td>40</td><td>40</td><td>40</td><td>46</td></tr> <tr> <td>Other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr> </table>	Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)	EPA Point 31 & 39	35	35	35	45	EPA Point 33	45	45	42	49	EPA Point 34	42	42	42	52	EPA Point 37	39	39	35	45	EPA Point 44	37	37	37	45	Residence 41,48	36	35	35	45	Residence 91	37	37	36	45	Residence 14, 92	37	37	37	45	Residence 10, 11	37	37	37	46	Residence 13	38	38	38	45	Residence 12, 94, 95, 112	38	38	38	46	Residence 111	39	39	36	45	Residence 19	39	39	39	45	Residence 93	40	40	40	46	Other privately-owned residences	35	35	35	45	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
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L3.2	For the purposes of Condition L3.1: a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays, b) Evening is defined as the period from 6pm to 10pm, and c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.																																																																																
L3.3	The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 metres/second at 10 metres above the ground level; b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Stability category G temperature inversion conditions.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.																																																																																
L3.4	For the purposes of condition L3.3: a) Data recorded by the closest and most representative meteorological station installed on the premises at EPA Identification Point 16 or 17 must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the methods referred to in Fact Sheet D of the Noise Policy for Industry (2017).	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.																																																																																

Condition #	Details	Compliance status	Relevant evidence	Commentary
L4	Blasting			
L4.1	The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 6, 7, 11, 12 or 13 in Condition P1.4	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
L4.2	The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 6, 7, 11, 12 or 13 in Condition P1.4.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
L4.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring point 6, 7, 11, 12 or 13 in Condition P1.4.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
L4.4	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 10 mm/second at any time; at either monitoring point 6, 7, 11, 12 or 13 in Condition P1.4.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.
L4.5	Offensive blast fume must not be emitted from the premises. <i>Definition:</i> <i>Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</i> <i>1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or</i> <i>2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</i>	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Management Plan (MGOOC-1779562647-11183) (Rev 7, 3 October 2023).	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
4	Operating Conditions			
O1	Activities must be carried out in a competent manner			
O1.1	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 b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	– Site inspection completed 17 November 2023. – Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. – Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. – Mt Owen Complex – E&C Training Tracking Spreadsheet. – Glendell Coal Waste Tracking Spreadsheets for the audit period – Mt Owen and Glendell Monthly Waste Summary Reports for 2023. – Mine/Site Waste Review Site Inspection samples for: – 3 March 2021 (Glendell); – 20 October 2021 (Glendell); – 12 January 2022 (Glendell); – 13 April 2022 (Glendell).	Review of relevant documentation verifies compliance with the requirements of this condition.
O2	Maintenance of plant and equipment			
O2.1	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 b) must be operated in a proper and efficient manner.	Compliant	– Site inspection completed 17 November 2023. – Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. – Equipment induction to site MDG15 Compliance Inspection samples – dated 16 June 2023 (tractor mulcher) and 22 May 2023 (loader). – Mt Owen Complex Maintenance Skills Matrices dated 22 October 2023 for: – equipment; – high risk activities; and – procedurals reporting learnings and modules. – Blast Signoff (Blast Pack) Competency Assessment Samples (x2) both dated 24 January 2023. – Mt Owen Complex – Blast Sign Off Pack Tracking Spreadsheet. – Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. – Mt Owen Complex – E&C Training Tracking Spreadsheet.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Sewage Treatment System			
O2.2	The licensee is responsible for the correct operation of the sewage treatment system on the premises.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - EPL 4460 Sewage Treatment Maintenance Program Report Q3 2020 to Q2 2021. - EPL 4460 Sewage Treatment Maintenance Program Report Q3 2021 to Q2 2022. - EPL 4460 Sewage Treatment Maintenance Program Mt Owen / Ravensworth East – Q3 2022 to Q2 2023. - Mt Owen Complex Sewage Treatment System's Maintenance and Compliance Reports for 2020 (Q3 and Q4), 2021 (Q1, Q2, Q3 and Q4), 2022 (Q1, Q2, Q3 and Q4), 2023 (Q1 and Q2). - Site inspection completed 17 November 2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.3	Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.4	The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.5	The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.6	The licensee must prepare a sewage treatment system maintenance program. The program must include: a) Certification from the system provider that the sewage treatment system is operating within its capacity; b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and c) Provide written records of each quarterly inspection.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O3	Dust			
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Air Quality Monitoring Reports for the audit period. - AQGHGMP (MGOOC-1779562647-4392). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023. - Complaints register.	During the site inspection, no issues were identified with regards to the minimisation and prevention of dust emissions. It was identified that dust management practices were occurring including water carts noted as being operational and haul roads well maintained.
O3.2	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.	Compliant	Refer to Condition O3.1.	Confirmed to be correct based on the site visit evidence.
O3.3	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	Refer to Condition O3.1.	Confirmed to be correct based on the site visit evidence.
O4	Effluent application to land			
O4.1	The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted and controlled in a manner to ensure exclusion of persons from that area.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O4.2	The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
O4.3	Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O5	Emergency response			
	<i>The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.</i>		Pollution Incident Response Management Plan (PIRMP) (MGOOC-1779562647-10978) (Rev 12, 19 October 2023).	Conduct of the audit determined a PIRMP exists for the Mt Owen Complex, and is maintained and implemented in accordance with the requirements of this note. Testing is noted to have occurred every 12 months during the audit period.
O6	Waste management			
O6.1	The Licensee is authorised to dispose of heavy plant tyre waste generated on the premises, in the waste rock/overburden emplacements. The Licensee must: a) ensure that heavy plant waste tyres are re-used on the premises as much as practical; b) ensure that heavy plant waste tyres are laid flat with a maximum of 10 tyres per site and a minimum distance of 10m between sites; c) ensure that any surplus heavy plant waste tyres can be emplaced by being spread out on the pit-floor and buried as deep as practical, but, covered by at least 20m of inert material beneath any final rehabilitated surface; d) place heavy plant waste tyres at least 10m away from coarse reject material or tailings emplacement areas; e) not place any heavy plant waste tyres near heated material or carbonaceous material; and f) not place any heavy plant waste tyres in an area likely to leach to any water-coarse.	Non-compliant (Administrative)	- Annual Heavy Plant-Tyre Disposal Report 2022/2023. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of documentation indicates this condition was only added to EPL 4460 in the variation approved 18 November 2022. Therefore, reporting in relation to this condition has only occurred for the 2022/2023 reporting period. During the 2022/2023 reporting period, MGO disposed of heavy plant tyres without ensuring the minimum 10 m separation between sites, as required by Condition O6.1(b). This ANC has already been reported by MGO and has not reoccurred during the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.
O6.2	Stockpiles of any heavy plant tyres stored at the premises awaiting disposal must: a) not store more than 200 heavy plant tyres; and b) not be located within 10 metres of any other flammable or combustible materials.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023. - Annual Heavy Plant-Tyre Disposal Report 2022/2023.	Review of documentation indicates this condition was only added to EPL 4460 in the variation approved 18 November 2022. Therefore, reporting in relation to this condition has only occurred for the 2022/2023 reporting period. Conduct of the audit has determined compliance with the requirements of this condition.
O7	Other operating conditions			
O7.1	All above-ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	Compliant	- Site inspection completed 17 November 2023. - PIRMP (MGOOC-1779562647-10978) (Rev 12, 19 October 2023).	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition.
5	Monitoring and Recording Conditions			
M1	Monitoring records			
M1.1	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.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Novecom data repository detailing monitoring results. - Monitoring reports for blasting, noise, surface water and air quality. - Site interviews completed 17 November 2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
M1.2	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; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	Refer to Condition M1.2.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
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; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant	Refer to Condition M1.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
M2	Requirement to monitor concentration of pollutants discharged			
M2.1	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:	Non-compliant (Administrative)	Refer to Condition M1.2.	2020 IEA Recommendation: Recommendation 08 (R08): The EPL data loss issue requires addressing. Mt Owen should investigate means of better guaranteeing data collection particularly for air quality units. 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture. Additionally, evidence of air quality monitoring equipment maintenance and replacement was provided for the audit period. As such, the 2020 IEA recommendation, in its current form, is considered closed. <u>2023 IEA Findings:</u> During the audit period, there were (self-reported) non-compliances at EPL Monitoring Point 8 (TEOM 'SX13 D8'), these were as follows: – 6-7, and 13 January 2021: routine maintenance; – 31 March 2021: maintenance – replacement of hardware; – 4 and 6 April 2021: routine maintenance; – 13 and 29 April 2021: technical issue – power supply; – 2 June 2021: technical issue – power supply; – 5-6 August 2021: routine maintenance; – 3 October 2021: remote maintenance; – 28 October 2021: routine maintenance; – 1 November 2021: technical issue – hardware malfunction; – 6 November 2021: technical issue – hardware malfunction and additional maintenance; – 8 and 26 November 2021: data quality issue; – 21-25 January 2022: routine maintenance and technical issue – hardware malfunction; – 27 January 2022: data quality issue; – 2, 8 and 11 February 2022: data quality issue; – 18 February 2022: maintenance and technical issues – hardware malfunction; – 20-21 and 23 February 2022: data quality issue; – 4-6 March 2022: data quality issue; – 14 March 2022: technical issue – power supply; – 10 May 2022: technical issue – power supply; – 15 July 2022: routine maintenance; – 16 July 2022: data quality issue; – 14 August 2022: data quality issue; – 23 August 2022: technical issue – power supply; – 22 September 2022: data quality issue; – 4 October 2022: technical issue – power supply; – 9, 19, 21 and 23 October 2022: data quality issue; – 23-24 November 2022: routine maintenance and technical issue – hardware malfunction;

Condition #	Details	Compliance status	Relevant evidence	Commentary
				– 12 December 2022: technical issue – power supply; – 25 and 31 December 2022: data quality issue; – 14 and 31 January 2023: data quality issue; – 7 February 2023: routine maintenance; – 2-3 and 20-24 April 2023: technical issue – hardware malfunction and maintenance; – 19, 25-26 and 29-30 April 2023: data quality issue; – 27-28 April 2023: maintenance; – 1 May 2023: data quality issue; – 2-4, 9 and 11 May 2023: technical issue – hardware malfunction and maintenance; – 5-8, 10, 12-14 and 17 May 2023: data quality issue; and – 15-16, 18-19, and 22 May 2023: maintenance. During the audit period, there were (self-reported) non-compliances at EPL Monitoring Point 9 (TEOM 'SX13 D10'), these were as follows: – 15 January 2021: routine maintenance; – 27 April 2021: technical issue – power supply; – 25 May 2021: technical issue – power supply7 July 2021: routine maintenance; – 2-8 September 2021: technical issue – power supply; – 3 October 2021: remote maintenance; – 2 March 2023: technical issue – power supply; and – 2 April 2023: technical issue – hardware malfunction and maintenance. During the audit period, there were non-compliances at EPL Monitoring Point 10 (TEOM 'SX13 D9'), these were as follows: – 21-22 January 2021: routine maintenance; – 23 August 2023: technical issue – power supply; – 29 January 2023: data quality issue; and – 13 April 2023: data quality issue. While MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture, it is noted that MGO owns the air quality monitoring hardware and is therefore responsible for data losses due to hardware issues. Review of data indicates a high amount of data capture for relevant monitoring points (i.e. >85%); however, data capture at EPA Monitoring Point 8 has been declining each year of the audit period (i.e. 96% in 2020/2021, 87% in 2021/2022, and 86% in 2022/2023). Therefore, OFI01 has been identified. OFI01: To ensure the decline in air quality monitoring data at EPL 4460 Monitoring Points 8 does not continue to occur, investigate and implement actions to improve the capture of air quality monitoring data from this location.

Condition #	Details	Compliance status	Relevant evidence	Commentary																												
M2.2	Air Monitoring Requirements POINT 8,9,10 <table><thead><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr></thead><tbody><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Continuous</td><td>AM-22</td></tr></tbody></table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	Non-compliant (Administrative)	– AQGHGMP (MGOOC-1779562647-4392). – Sample laboratory certificates and chain of custody (CoC) documentation. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020, 2021 and 2022. – Site inspection completed 17 November 2023. – Monitoring reports for air quality. – Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_8. – Attachment 4_C2 Details of Non-Compliance_EPL 4460_Point_9. – Attachment 5_C2 Details of Non-Compliance_EPL 4460_Point_10. – Attachment 2_C2 Details of Non-Compliance_EPL 4460_Point_8_v1. – Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_9_v1. – Attachment 2_C2 Details of Non-Compliance_EPL 4460_Point_8. – Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_9. – Attachment 4_C2 Details of Non-Compliance_EPL 4460_Point_10.	2020 IEA Recommendation: Recommendation 08 (R08): The EPL data loss issue requires addressing. Mt Owen should investigate means of better guaranteeing data collection particularly for air quality units. 2023 IEA Findings: Status of 2020 IEA Recommendation: MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture. Additionally, evidence of air quality monitoring equipment maintenance and replacement was provided for the audit period. As such, the 2020 IEA recommendation, in its current form, is considered closed. 2023 IEA Findings Refer to discussion at Condition M2.1.																				
Pollutant	Units of measure	Frequency	Sampling Method																													
PM10	micrograms per cubic metre	Continuous	AM-22																													
M2.3	Water and/ or Land Monitoring Requirements POINT 18,19 <table><thead><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr></thead><tbody><tr><td>Faecal Coliforms</td><td>colony forming units per 100 millilitres</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Grab sample</td></tr></tbody></table> POINT 20,21,22,23,24,25,26,27,28 <table><thead><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr></thead><tbody><tr><td>Electrical conductivity</td><td>microsiemens per centimetre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>TSS</td><td>milligrams per litre</td><td>Monthly</td><td>Grab sample</td></tr></tbody></table>	Pollutant	Units of measure	Frequency	Sampling Method	Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample	pH	pH	Quarterly	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample	pH	pH	Monthly	Grab sample	TSS	milligrams per litre	Monthly	Grab sample	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site inspection completed 17 November 2023. – Monitoring reports for surface water.	Review of relevant documentation verifies compliance with the requirements of this condition.
Pollutant	Units of measure	Frequency	Sampling Method																													
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample																													
pH	pH	Quarterly	Grab sample																													
Pollutant	Units of measure	Frequency	Sampling Method																													
Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample																													
pH	pH	Monthly	Grab sample																													
TSS	milligrams per litre	Monthly	Grab sample																													
M3	Testing methods - concentration limits																															
M3.1	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. Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".	Compliant	– AQGHGMP (MGOOC-1779562647-4392). – Site inspection completed 17 November 2023.	Applicable monitoring noted to be compliant with the (former) EPA publication ‘Approved Methods for the Sampling and Analysis of Air Pollutants in NSW’. The auditor notes that ambient air quality monitoring methods have been removed from the most recent issue of this document. All monitoring observed to be conducted in accordance with relevant Australian Standards.																												
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.	Compliant	– SWMMP) (MGOOC-1779562647-11190). – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																												

Condition #	Details	Compliance status	Relevant evidence	Commentary																																			
M4	Weather monitoring																																						
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively. POINT 16,17 <table> <tr> <th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th></tr> <tr> <td>Wind Direction at 10 metres</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Wind Speed at 10 metres</td><td>AM-2 & AM-4</td><td>metres per second</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Sigma Theta</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Relative humidity</td><td>AM-4</td><td>percent</td><td>15 minutes</td><td>Continuous</td></tr> </table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous	Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous	Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous	Rainfall	AM-4	millimetres	15 minutes	Continuous	Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous	Relative humidity	AM-4	percent	15 minutes	Continuous	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - AQGHGMP (MGOOC-1779562647-4392). - Site inspection completed 17 November 2023. - Sample of recent month of meteorological data.	The AQGHGMP confirms the meteorological parameters monitored. Results provided in monthly EPA Pollution Monitoring Reports. The auditor has sighted a spreadsheet of a summary of meteorological records and has confirmed the parameters recorded are those that are required.
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																			
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous																																			
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous																																			
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous																																			
Rainfall	AM-4	millimetres	15 minutes	Continuous																																			
Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous																																			
Relative humidity	AM-4	percent	15 minutes	Continuous																																			
M5	Recording of pollution complaints																																						
M5.1	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.	Compliant	- Complaints register. - Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	- Complaints register. - Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	- Complaints register. - Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered	Site interviews completed 17 November 2023.	Conduct of the audit determined this condition has not been triggered during the audit period.																																			
M6	Telephone complaints line																																						
M6.1	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.	Compliant	Mt Owen website.	Review of relevant documentation and the Mt Owen website verifies compliance with the requirements of this condition.																																			
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	Mt Owen website.	Review of relevant documentation and the Mt Owen website verifies compliance with the requirements of this condition.																																			
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Not triggered	N/A.	N/A.																																			

Condition #	Details	Compliance status	Relevant evidence	Commentary																
M7	Blasting																			
M7.1	To determine compliance with conditions L4.1, L4.2, L4.3 and L4.4: a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 6, 7, 11, 12 and 13 for the parameters specified in Column 1 of the table below; and b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns. <table><tr><th>Parameter</th><th>Units of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Airblast Overpressure</td><td>Decibels (Linear Peak)</td><td>All Blasts</td><td>Australian Standard AS 2187.2-2006</td></tr><tr><td>Ground Vibration Peak Particle Velocity</td><td>millimetres/second</td><td>All Blasts</td><td>Australian Standard AS 2187.2-2006</td></tr></table>	Parameter	Units of Measure	Frequency	Sampling Method	Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006	Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Blast monitoring reports. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.				
Parameter	Units of Measure	Frequency	Sampling Method																	
Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006																	
Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006																	
M8	Other monitoring and recording conditions																			
	Requirement to Monitor Particulate Matter																			
M8.1	The Licensee must record the average PM10 concentration at Monitoring Points 8, 9 and 10 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Air Quality monitoring reports. - Novecom data repository for air quality monitoring.	Review of relevant documentation verifies compliance with the requirements of this condition.																
M9	Noise monitoring																			
M9.1	To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below. POINT 31,33,34,39 <table><tr><th>Assessment period</th><th>Minimum frequency in a reporting period</th><th>Minimum duration within assessment period</th><th>Minimum number of assessment period</th></tr><tr><td>Night</td><td>Monthly</td><td>15 minutes</td><td>1 operation day</td></tr></table> POINT 37,44 <table><tr><th>Assessment period</th><th>Minimum frequency in a reporting period</th><th>Minimum duration within assessment period</th><th>Minimum number of assessment period</th></tr><tr><td>Night</td><td>Special Frequency 1</td><td>15 minutes</td><td>1 operation day</td></tr></table>	Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period	Night	Monthly	15 minutes	1 operation day	Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period	Night	Special Frequency 1	15 minutes	1 operation day	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Noise monitoring reports. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period																	
Night	Monthly	15 minutes	1 operation day																	
Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period																	
Night	Special Frequency 1	15 minutes	1 operation day																	
M9.2	Special Frequency 1 refers to a requirement to undertake monitoring in accordance with Condition M9.3b).	Note	N/A.	N/A.																
M9.3	To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with Conditions L3.2 to L3.4: a) at the EPA points 31, 33, 34 and 39 identified in P1.4; and b) at the secondary locations EPA points 37 and 44 where a definitive judgement of compliance cannot be made at the primary locations; and c) occur every calendar month in a reporting period; and d) occur during the night time period as defined in the Noise Policy for Industry 2017 for a minimum of 15 minutes at each location from a), and when relevant b) during the night.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Noise monitoring reports. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																
M9.4	For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in the EPA's Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by noise monitoring equipment. <i>Definitions</i> <i>Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L.3.4 and condition M9.</i>	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Noise monitoring reports. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																

Condition #	Details	Compliance status	Relevant evidence	Commentary
M9.5	Where required in writing by the EPA, the Licensee must carry out attended monitoring at sensitive receivers in addition the monitoring required by Condition M9.3.	Not triggered	N/A.	N/A.
6	Reporting Conditions			
R1	Annual return documents			
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 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 notification that the Annual Return is due.	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. <i>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i>	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
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. <i>Note: An application to transfer a licence must be made in the approved form for this purpose.</i>	Not triggered	N/A.	N/A.
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.	Not triggered	N/A.	N/A.
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').	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
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.	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
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.	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
R2	Notification of environmental harm			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
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. <i>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i>	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
R3	Written report			
R3.1	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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
R4	Other notifications			
	Blast Exceedance Notification			
R4.1	The licensee must report any exceedance of licence blasting limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	Not triggered	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Blast monitoring reports. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
	Noise Exceedance Notification			
R4.2	The licensee must report any exceedance of licence noise limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents	Not triggered	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Noise monitoring reports. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
	Notification of Pollution of Waters			
R4.3	The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.	Not triggered	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Annual Water Quality Monitoring Reports for 2020, 2021 and 2022.	Conduct of the audit determined this condition has not been triggered during the audit period.
R4.4	The Licensee must provide written details of the notification to the EPA Director Hunter at hunter.region@epa.nsw.gov.au within 7 days of the date of the notification.	Not triggered	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Annual Water Quality Monitoring Reports for 2020, 2021 and 2022.	Conduct of the audit determined this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
R5	Other reporting conditions			
	Blast Monitoring Reporting			
R5.1	The results of the blast monitoring required by the licence must be submitted to the EPA, with each Annual Return, at the end of each reporting period. The monitoring results must identify any exceedance of licence limits.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
	Noise Monitoring Reporting			
R5.2	The Licensee must provide the EPA with its Annual Return an annual noise compliance assessment report prepared by an appropriately qualified acoustic consultant. The report must include an assessment of any exceedance of noise limits and justification that the noise monitoring points identified in Condition P1.4 are still representative of the sensitive receivers within the noise monitoring groups on Figure 2.	Compliant	- Annual Returns for 2019, 2020, 2021 and 2022. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
	Water Quality Monitoring Report			
R5.3	The licensee must provide the EPA with its Annual Return an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes the following: a) for the monitoring required by the licence during the reporting period to which the Annual Return relates: (i) a summary of results for all ambient water quality monitoring required by the licence in table form and graphical form; (ii) total daily rainfall records from the premises meteorological monitoring required by the licence on the day that the sampling was undertaken in table form; (iii) total daily continuous rainfall records in graphical form; and (iv) a plan with the monitoring locations. b) A graphical presentation of the trends of monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceding data for the period of record the licensee has monitoring results for the licensed location. c) A graphical representation of total daily continuous rainfall records required by the licence for the record that matches the ambient water quality results, if available.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Water Quality Monitoring Reports for 2020, 2021 and 2022.	Conduct of the audit determined this condition has not been triggered during the audit period.
	Sewage Treatment System Report			
R5.4	The sewage treatment system maintenance program required by condition O2.6 must be submitted annually to the EPA with the Annual Return.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Sewage Treatment System Maintenance Reports for 2020, 2021 and 2022. - EPL 4460 Sewage Treatment Maintenance Program Report Q3 2020 to Q2 2021. - EPL 4460 Sewage Treatment Maintenance Program Report Q3 2021 to Q2 2022. - EPL 4460 Sewage Treatment Maintenance Program Mt Owen / Ravensworth. - Mt Owen Complex Sewage Treatment System's Maintenance and Compliance Reports for 2020 (Q3 and Q4), 2021 (Q1, Q2, Q3 and Q4), 2022 (Q1, Q2, Q3 and Q4), 2023 (Q1 and Q2).	Conduct of the audit determined this condition has not been triggered during the audit period.
R5.5	The Licensee must retain a copy of each report required by Condition O2.5 for three years from the date each record is made.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Mt Owen Complex Sewage Treatment System's Maintenance and Compliance Reports for 2020 (Q3 and Q4), 2021 (Q1, Q2, Q3 and Q4), 2022 (Q1, Q2, Q3 and Q4), 2023 (Q1 and Q2).	Conduct of the audit determined this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary																					
	Heavy Plant-Tyre Disposal Report																								
R5.6	The Licensee must provide the EPA with an Annual Heavy Plant Tyre Disposal Report. The Report must be submitted with the licence Annual Return each year and must include a plan of the disposed heavy plant tyres on the premises for the period that includes: a) each tyre serial number; b) supplier of each tyre; c) purchase date of each tyre; d) disposal date of each tyre; e) co-ordinates (easting and northings) of the location where each tyre was disposed of by burial; f) the Real Level (RL) in metres AHD of each tyre emplacement location; g) the number of tyres buried in/within each emplacement location; and h) the cumulative total number and tonnage of tyres disposed of at the premises each year.	Non-compliant (Administrative)	- Annual Heavy Plant-Tyre Disposal Report 2022/2023. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of documentation indicates this condition was only added to EPL 4460 in the variation approved 18 November 2022. Therefore, reporting in relation to this condition has only occurred for the 2022/2023 reporting period. During the 2022/2023 reporting period, MGO disposed of heavy plant tyres without recording the coordinates of the location where each tyre was disposed of, as required by Condition R5.6(e). This ANC has already been reported by MGO and has not reoccurred during the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.																					
7	General Conditions																								
G1	Copy of licence kept at the premises or plant																								
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Site inspection completed 17 November 2023.	Conduct of the audit determined compliance with the requirements of this condition.																					
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered	Site inspection completed 17 November 2023.	Conduct of the audit determined this condition has not been triggered during the audit period.																					
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Site inspection completed 17 November 2023.	Conduct of the audit determined compliance with the requirements of this condition.																					
G2	Other general conditions																								
G2.1	Completed Programs<table><thead><tr><th>Program</th><th>Description</th><th>Completed Date</th></tr></thead><tbody><tr><td>Montior salinity levels</td><td>During the next HRSTS discharge the licensee must montior salinity levels at the nearest downstream irrigation off-take point, to coincide with the peak flow of discharge water. A report must be submitted to the RM within 30 days after sampling. The purpose is to ensure that the discharge of saline water is mixing sufficiently prior to it reaching the nearest downstream irrigation off-take point.</td><td>21-October-2014</td></tr><tr><td>Coal Mine Particulate Matter Control Best Practice.</td><td>Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td><td>11-November-2012</td></tr><tr><td>Particulate Matter Control Best Practice Implementation – Wheel Generated Dust</td><td>Implementation of particulate matter best management practices to address wheel-generated dust.</td><td>15-August-2014</td></tr><tr><td>Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions</td><td>Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.</td><td>15-August-2014</td></tr><tr><td>Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden</td><td>Investigation to establish best practice measures for the handling of overburden.</td><td>14-April-2014</td></tr><tr><td>Coal Mine Wind Erosion of Exposed Land Assessment</td><td>Assessment of predicted vs actual exposed lands.</td><td>05-June-2015</td></tr></tbody></table>	Program	Description	Completed Date	Montior salinity levels	During the next HRSTS discharge the licensee must montior salinity levels at the nearest downstream irrigation off-take point, to coincide with the peak flow of discharge water. A report must be submitted to the RM within 30 days after sampling. The purpose is to ensure that the discharge of saline water is mixing sufficiently prior to it reaching the nearest downstream irrigation off-take point.	21-October-2014	Coal Mine Particulate Matter Control Best Practice.	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	11-November-2012	Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014	Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014	Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden.	14-April-2014	Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands.	05-June-2015	N/A	N/A.	N/A.
Program	Description	Completed Date																							
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Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands.	05-June-2015																							

Condition #	Details	Compliance status	Relevant evidence	Commentary
8	Special Conditions			
E1	Waste Tyre Review			
E1.1	The licensee must undertake a review of available recycling options for end of life heavy plant tyres at least once every 2 years and provide a report to the EPA that contains, but is not limited to, the following: a) analysis of the current capacity of recycling facilities that can accept end of life mining heavy plant tyres for processing in NSW and other neighbouring states; b) evidence of enquiries made by the licensee in the previous 24 months to actively seek recycling options for end of life heavy mining plant tyres generated at the premises; c) analysis of any pre-treatment options that can be performed at the premises to reduce the costs associated with the transporting and recycling of end of life mining heavy plant tyres; d) analysis of the specific costs to the licensee associated with the transport and delivery/acceptance of site generated end of life mining heavy plant tyres at the nearest capable recycling facilities; e) the current costs associated with the continued on-site burial of end of life mining heavy plant tyres; and f) a full cost benefit analysis of continued on-site burial of end of life mining tyres compared to their transport from the site and their recycling/processing.	Not triggered	N/A.	Review of documentation indicates this condition was only added to EPL 4460 in the variation approved 18 November 2022. Therefore, the first waste tyre review is required to be completed by 18 November 2024.

Appendix G

EPL 12840

Condition #	Details	Compliance status	Relevant evidence	Commentary									
1	Administrative Conditions												
A1	What the licence authorises and regulates												
A1.1	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. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition. <table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>> 2000000 - 5000000 T annual handing capacity</td></tr><tr><td>Mining for coal</td><td>Mining for coal</td><td>> 3500000 - 5000000 T annual production capacity</td></tr></table> Note: In relation to this licence, the licensee must comply with: a) the activity scale limits imposed by this licence; b) the activity scale limits which apply for the reporting period specified in this licence; and c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the <i>Environmental Planning and Assessment Act 1979</i>.	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity	Mining for coal	Mining for coal	> 3500000 - 5000000 T annual production capacity	Compliant	Site inspection completed 17 November 2023. Site interviews completed 17 November 2023. Annual Reviews for 2020, 2021 and 2022. Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with production as follows: 2020: 3.56 million tonnes (Mt); 2021: 3.33 Mt; and 2022: 1.99 Mt.
Scheduled Activity	Fee Based Activity	Scale											
Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity											
Mining for coal	Mining for coal	> 3500000 - 5000000 T annual production capacity											
A2	Premises or plant to which this licence applies												
A2.1	The licence applies to the following premises: <table><tr><th>Premises Details</th></tr><tr><td>GLENDELL MINE</td></tr><tr><td>HEBDEN ROAD</td></tr><tr><td>RAVENSWORTH</td></tr><tr><td>NSW 2330</td></tr><tr><td></td></tr><tr><td>PREMISES DEFINED BY PLAN TITLED "MT OWEN GLENDELL OPERATIONS GLENDELL MINE BOUNDARY" DATED 28/5/2020 AND SHAPE FILES EPA REFERENCE DOC20/418954.</td></tr></table>	Premises Details	GLENDELL MINE	HEBDEN ROAD	RAVENSWORTH	NSW 2330		PREMISES DEFINED BY PLAN TITLED "MT OWEN GLENDELL OPERATIONS GLENDELL MINE BOUNDARY" DATED 28/5/2020 AND SHAPE FILES EPA REFERENCE DOC20/418954.	Compliant	Site inspection completed 17 November 2023. Annual Reviews for 2020, 2021 and 2022. Annual Returns for 2020/2021, 2021/2022, and 2022/2023. SIX Maps/SEED Portal.	Review of aerial photography with cadastral overlay indicates activities are within the area described.		
Premises Details													
GLENDELL MINE													
HEBDEN ROAD													
RAVENSWORTH													
NSW 2330													
PREMISES DEFINED BY PLAN TITLED "MT OWEN GLENDELL OPERATIONS GLENDELL MINE BOUNDARY" DATED 28/5/2020 AND SHAPE FILES EPA REFERENCE DOC20/418954.													
A3	Other activities												
A3.1	This licence applies to all other activities carried on at the premises, including: <table><tr><th>Ancillary Activity</th></tr><tr><td>Sewage treatment systems</td></tr></table>	Ancillary Activity	Sewage treatment systems	Compliant	Site inspection completed 17 November 2023. Annual Reviews for 2020, 2021 and 2022. Annual Returns for 2020/2021, 2021/2022, and 2022/2023. Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.							
Ancillary Activity													
Sewage treatment systems													
A4	Information supplied to the EPA												
A4.1	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: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Note	N/A.	N/A.									

Condition #	Details	Compliance status	Relevant evidence	Commentary																
2	Discharges to Air and Water and Applications to Land																			
P1	Location of monitoring/discharge points and areas																			
P1.1	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. <table><tr><th colspan="4">Air</th></tr><tr><th>EPA identi- fication no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>12</td><td>Particulate Matter Monitoring</td><td></td><td>EBam PM10 monitor at co-ordinates 320917 6407509 (Easting, Northing) shown as EPA Point 12 on Figure 1.</td></tr><tr><td>13</td><td>Particulate Matter Monitoring</td><td></td><td>EBam PM10 monitor at co-ordinates 3317850 6410748 (Easting, Northing) shown as EPA Point 13 on Figure 1.</td></tr></table>	Air				EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description	12	Particulate Matter Monitoring		EBam PM10 monitor at co-ordinates 320917 6407509 (Easting, Northing) shown as EPA Point 12 on Figure 1.	13	Particulate Matter Monitoring		EBam PM10 monitor at co-ordinates 3317850 6410748 (Easting, Northing) shown as EPA Point 13 on Figure 1.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Air Quality Monitoring Reports for the audit period. - Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (MGOOC-1779562647-4392). - Environmental Management Strategy (EMS) (MGOOC-1779562647-11191).	2020 IEA Recommendation R08: The EPL data loss issue requires addressing. Mt Owen should investigate means of better guaranteeing data collection particularly for air quality units. 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture. Additionally, evidence of air quality monitoring equipment maintenance and replacement was provided for the audit period. As such, the 2020 IEA recommendation, in its current form, is considered closed. <u>2023 IEA Findings</u> Air quality monitoring locations were inspected during the site visit and confirmed to be in good working order. The EMS and AQGHGMP confirm the presence of the two E-BAM PM10 monitors. The auditor has sighted and reviewed the monitoring results provided in monthly EPA Pollution Monitoring Reports.
Air																				
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description																	
12	Particulate Matter Monitoring		EBam PM10 monitor at co-ordinates 320917 6407509 (Easting, Northing) shown as EPA Point 12 on Figure 1.																	
13	Particulate Matter Monitoring		EBam PM10 monitor at co-ordinates 3317850 6410748 (Easting, Northing) shown as EPA Point 13 on Figure 1.																	
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.	Note	N/A.	N/A.																
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. <table><tr><th colspan="4">Water and land</th></tr><tr><th>EPA identi- fication no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>14</td><td>Effluent quality monitoring Discharge to utilisation area</td><td>Effluent quality monitoring Discharge to utilisation area</td><td>STP effluent monitoring and discharge at co-ordinates 318075 6409729 (Easting, Northing) shown as STP-1 on Figure 1.</td></tr><tr><td>15</td><td>Effluent quality monitoring Discharge to utilisation area</td><td>Effluent quality monitoring Discharge to utilisation area</td><td>STP effluent monitoring and discharge at co-ordinates 318820 6409452 (Easting, Northing) shown as STP-2 on Figure 1.</td></tr></table>	Water and land				EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description	14	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP effluent monitoring and discharge at co-ordinates 318075 6409729 (Easting, Northing) shown as STP-1 on Figure 1.	15	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP effluent monitoring and discharge at co-ordinates 318820 6409452 (Easting, Northing) shown as STP-2 on Figure 1.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. 2021/2022: B2 STP Discharge Monitoring: Discharge & Monitoring Point 14 and Point 15. - Mt Owen Complex Sewage Treatment System’s Maintenance and Compliance Reports for 2020 (Q3 and Q4), 2021 (Q1, Q2, Q3 and Q4), 2022 (Q1, Q2, Q3 and Q4), 2023 (Q1 and Q2). - R5.3 Sewage Treatment Maintenance Program Q2 2022 to end Q1 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
Water and land																				
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description																	
14	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP effluent monitoring and discharge at co-ordinates 318075 6409729 (Easting, Northing) shown as STP-1 on Figure 1.																	
15	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP effluent monitoring and discharge at co-ordinates 318820 6409452 (Easting, Northing) shown as STP-2 on Figure 1.																	

Condition #	Details	Compliance status	Relevant evidence	Commentary																																				
P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises. <table><tr><th colspan="3">Noise/Weather</th></tr><tr><th>EPA identification no.</th><th>Type of monitoring point</th><th>Location description</th></tr><tr><td>4</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC2 at co-ordinates 323330 6408023 (Easting, Northing) shown as EPA Point 5 on Figure 1.</td></tr><tr><td>5</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor MOC1 at co-ordinates 320425 6405768 (Easting, Northing) shown as EPA Point 4 on Figure 1.</td></tr><tr><td>7</td><td>Noise monitoring</td><td>Noise monitoring location in NMG2 at co-ordinates 323900 6408220 (Easting, Northing) identified as N4 in Figure 2.</td></tr><tr><td>8</td><td>Noise monitoring</td><td>Noise monitoring location in NMG8 at co-ordinates 319730 6403670 (Easting, Northing) identified as N8 in Figure 2.</td></tr><tr><td>9</td><td>Noise monitoring</td><td>Noise monitoring location in NMG6 at co-ordinates 320490 6405630 (Easting, Northing) identified as N9 in Figure 2.</td></tr><tr><td>10</td><td>Noise monitoring</td><td>Noise monitoring location in NMG7 at co-ordinates 320940 6405770 (Easting, Northing) identified as N10 in Figure 2.</td></tr><tr><td>11</td><td>Noise monitoring</td><td>Noise monitoring location in NMG5 at co-ordinates 321670 6405140 (Easting, Northing) identified as N11 in Figure 2.</td></tr><tr><td>16</td><td>Meteorological Station – to determine meteorological conditions for noise monitoring</td><td>Meteorological station Sx13M1 at co-ordinates 317883 6409485 (Easting, Northing) shown as 16 on Figure 1.</td></tr><tr><td>17</td><td>Meteorological Station – to determine meteorological conditions for noise monitoring</td><td>Meteorological station Sx13M2 at co-ordinates 324321 6409911 (Easting, Northing) shown as 17 on Figure 1.</td></tr><tr><td>18</td><td>Noise monitoring</td><td>Secondary monitoring location at co-ordinates 325147 6407672 (Easting, Northing) identified as N14 in Figure 2.</td></tr></table> <i>Note: The datum for grid references in this licence is the Geodetic Datum of Australia 2020 (GDA20), Zone 56.</i>	Noise/Weather			EPA identification no.	Type of monitoring point	Location description	4	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC2 at co-ordinates 323330 6408023 (Easting, Northing) shown as EPA Point 5 on Figure 1.	5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC1 at co-ordinates 320425 6405768 (Easting, Northing) shown as EPA Point 4 on Figure 1.	7	Noise monitoring	Noise monitoring location in NMG2 at co-ordinates 323900 6408220 (Easting, Northing) identified as N4 in Figure 2.	8	Noise monitoring	Noise monitoring location in NMG8 at co-ordinates 319730 6403670 (Easting, Northing) identified as N8 in Figure 2.	9	Noise monitoring	Noise monitoring location in NMG6 at co-ordinates 320490 6405630 (Easting, Northing) identified as N9 in Figure 2.	10	Noise monitoring	Noise monitoring location in NMG7 at co-ordinates 320940 6405770 (Easting, Northing) identified as N10 in Figure 2.	11	Noise monitoring	Noise monitoring location in NMG5 at co-ordinates 321670 6405140 (Easting, Northing) identified as N11 in Figure 2.	16	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological station Sx13M1 at co-ordinates 317883 6409485 (Easting, Northing) shown as 16 on Figure 1.	17	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological station Sx13M2 at co-ordinates 324321 6409911 (Easting, Northing) shown as 17 on Figure 1.	18	Noise monitoring	Secondary monitoring location at co-ordinates 325147 6407672 (Easting, Northing) identified as N14 in Figure 2.	Compliant	– AQGHGMP (MGOOC-1779562647-4392). – Blast Management Plan (MGOOC-1779562647-11183). – Noise Management Plan (NMP) (MGOOC-1779562647-10975). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Monitoring Reports for the audit period. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
Noise/Weather																																								
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18	Noise monitoring	Secondary monitoring location at co-ordinates 325147 6407672 (Easting, Northing) identified as N14 in Figure 2.																																						
P1.5	For the purposes of Condition P1.1, P1.2, P1.3 and P1.4 Figure 1 refers to the plan titled "Mt Owen Glendell Operations Glendell Mine Monitoring Locations" dated 25/5/2020 EPA Reference DOC20/418954.	Note	N/A.	N/A.																																				
P1.6	For the purposes of Condition P1.4 Figure 2 refers to the document titled "Figure 2 Noise Monitoring Locations" in letter from Umwelt dated 28 May 2020 EPA Reference DOC20/418954.	Note	N/A.	N/A.																																				
P1.7	The Licensee is authorised to transfer saline mine water to Ravensworth Mine and Mt Owen Mine.	Note	N/A.	N/A.																																				
3	Limit Conditions																																							
L1	Pollution of waters																																							
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	– WMP (MGOOC-1779562647-11480) (Rev 5, 3. October 2023). – SWMMP (MGOOC-1779562647-11190) (Rev 6, 3 October 2023). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for audit period. – Surface Water Monitoring Reports for the audit period. – Site inspection completed 17 November 2023. Annual Reviews for 2020, 2021, and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition.																																				

Condition #	Details	Compliance status	Relevant evidence	Commentary										
L2	Waste													
L2.1	The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below. This condition does not limit any other conditions in this licence. <table border="1"> <thead> <tr> <th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr> </thead> <tbody> <tr> <td>NA</td><td>Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines</td><td>Biosolids for use as soil ameliorant for mining rehabilitation.</td><td>As specified in each particular resource recovery exemption</td><td>The Licensee must comply with the Biosolids exemption 2014.</td></tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	NA	Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines	Biosolids for use as soil ameliorant for mining rehabilitation.	As specified in each particular resource recovery exemption	The Licensee must comply with the Biosolids exemption 2014.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Glendell Coal Waste Tracking Spreadsheets for the audit period. - Mt Owen and Glendell Monthly Waste Summary Reports for 2023. - Mine/Site Waste Review Site Inspection samples for: 3 March 2021 (Glendell); 20 October 2021 (Glendell); 12 January 2022 (Glendell); and 13 April 2022 (Glendell). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with the following noted: 2020 (within audit period) : 1,373 tonnes (t) of material recycled at Glendell and Ravensworth East, with a recycling rate of 86.21%; 2021: 1,296 t of material recycled at Glendell and Ravensworth East, with a recycling rate of 91.6%; 2022: 1,578.62 t of material recycled at Glendell and Ravensworth East; and 2023 (to date): 95 t of material recycled at Glendell and Ravensworth East (to June 2023), with a recycling rate of 74.38%.
Code	Waste	Description	Activity	Other Limits										
NA	Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines	Biosolids for use as soil ameliorant for mining rehabilitation.	As specified in each particular resource recovery exemption	The Licensee must comply with the Biosolids exemption 2014.										
L2.2	Waste generated on the premises must not be disposed of on the premises unless authorised by a condition of this Licence.		As above.											
L2.3	The Licensee must not dispose of more than 600 Tonnes of heavy Plant-tyres on the premises in any annual return year period.	Non-compliant (Administrative)	- Waste heavy plant tyre disposal tracking. - Annual Heavy Plant-Tyre Disposal Report 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	In 2021/2022, MGO disposed of approximately 932.7 t of heavy plant tyres, which is above the 600 t annual limit. Review of the Annual Return for 2022/2023 identified compliance with this condition. The audit determined compliance for the 2023/2024 period (to date). Therefore, a CA or OFI has been determined to not be required.										
L2.4	The Licensee is authorised to receive saline mine water from Mt Owen mine.	Note	N/A.	N/A.										
L3	Noise limits													
L3.1	For the purposes of the noise limits in this licence the 'night' period is defined as 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holiday.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.										
L3.2	The noise emission limits identified in this licence apply under all meteorological conditions except: (a) during wind speeds greater than 3m/s at 10 metres above ground level; or (b) under stability category G temperature inversion conditions; or under stability category F temperature inversion conditions and wind speeds greater than 2 metres per second at 10 metres above ground level. <i>Note: Stability category temperature inversion conditions are to be determined by the sigma-theta method referred to in the Noise Policy for Industry.</i>	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.										

Condition #	Details	Compliance status	Relevant evidence	Commentary																																																												
L3.3	Noise generated at the premises must not exceed the noise limits presented in the table below.	Non-compliant (Low)	- Annual Reviews for 2020, 2021, and 2022. - Annual Noise Monitoring Reports for 2020/2021, 2021/2022, and 2022/2023. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates general compliance with the requirements of this condition; however, an exceedance of criteria at location N9 occurred on 10 August 2021, with noise from Glendell Mine being audible as mining noise continuum, rear dump trucks and dozer tracks during the measurement. As this was a singular event and not an ongoing issue, no corrective action (CA) is deemed relevant.																																																												
	<table><tr><th>Location</th><th>Day / Evening /Night LAeq(15min)</th><th>LA1(1min)</th></tr><tr><td>EPA point 7 in NMG 2</td><td>38</td><td>45</td></tr><tr><td>EPA point 8 in NMG 8</td><td>35</td><td>45</td></tr><tr><td>EPA point 9 in NMG 6</td><td>42</td><td>45</td></tr><tr><td>EPA point 10 in NMG 7</td><td>40</td><td>45</td></tr><tr><td>EPA point 11 in NMG 5</td><td>38</td><td>45</td></tr><tr><td>EPA point 14</td><td>35</td><td>45</td></tr><tr><td>22b Turner in NMG6</td><td>41</td><td>45</td></tr><tr><td>other in A</td><td>40</td><td>45</td></tr><tr><td>47 Vollebregt & Clarke in NMG6</td><td>42</td><td>45</td></tr><tr><td>other in B</td><td>37</td><td>45</td></tr><tr><td>27 McInnery in NMG7</td><td>40</td><td>45</td></tr><tr><td>31 Olofsson in NMG7</td><td>38</td><td>45</td></tr><tr><td>other in C</td><td>35</td><td>45</td></tr><tr><td>37a & 37b Richards in NMG5</td><td>38</td><td>45</td></tr><tr><td>83 Westcott</td><td>38</td><td>45</td></tr><tr><td>110 Hall in NMG5</td><td>38</td><td>45</td></tr><tr><td>34 Poulton</td><td>37</td><td>45</td></tr><tr><td>9 Burgess in NMG5</td><td>36</td><td>45</td></tr><tr><td>all other privately owned land</td><td>35</td><td>45</td></tr></table>				Location	Day / Evening /Night LAeq(15min)	LA1(1min)	EPA point 7 in NMG 2	38	45	EPA point 8 in NMG 8	35	45	EPA point 9 in NMG 6	42	45	EPA point 10 in NMG 7	40	45	EPA point 11 in NMG 5	38	45	EPA point 14	35	45	22b Turner in NMG6	41	45	other in A	40	45	47 Vollebregt & Clarke in NMG6	42	45	other in B	37	45	27 McInnery in NMG7	40	45	31 Olofsson in NMG7	38	45	other in C	35	45	37a & 37b Richards in NMG5	38	45	83 Westcott	38	45	110 Hall in NMG5	38	45	34 Poulton	37	45	9 Burgess in NMG5	36	45	all other privately owned land	35	45
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L3.4	The sensitive receivers referred to in Condition L3.3 are identified in DA80/95 Mod 3 EPA Reference DOC20/418954-2 and related documents in DOC20/418954 that show the details.	Note	N/A.	N/A.																																																												
L4	Blasting																																																															
L4.1	The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 4 or 5 in Condition P1.4.	Compliant	- Blast Management Plan (MGOOC-1779562647-11183). - Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Monitoring Reports for the audit period.	Review of relevant documentation indicates compliance with the requirements of this condition.																																																												
L4.2	The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 4 or 5 in Condition P1.4.	Compliant	- Blast Management Plan (MGOOC-1779562647-11183). - Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Monitoring Reports for the audit period.	Review of relevant documentation indicates compliance with the requirements of this condition.																																																												
L4.3	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring point 4 or 5 in Condition P1.4.	Compliant	- Blast Management Plan (MGOOC-1779562647-11183). - Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Monitoring Reports for the audit period.	Review of relevant documentation indicates compliance with the requirements of this condition.																																																												

Condition #	Details	Compliance status	Relevant evidence	Commentary
L4.4	The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 10 mm/second at any time; at either monitoring point 4 or 5 in Condition P1.4.	Compliant	– Blast Management Plan (MGOOC-1779562647-11183). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Monitoring Reports for the audit period.	Review of relevant documentation indicates compliance with the requirements of this condition.
L4.5	The licensee shall only carry out blasting on site between 9am and 5pm, Monday to Saturday (EST) inclusive, and 9am to 6pm Monday to Saturday (DST) inclusive. No blasting is allowed on Sundays, public holidays or any other time without written approval of the Secretary of Planning.	Compliant	– Blast Management Plan (MGOOC-1779562647-11183). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Monitoring Reports for the audit period. – Complaints register.	Review of relevant documentation indicates compliance with the requirements of this condition.
L4.6	Offensive blast fume must not be emitted from the premises. <i>Definition:</i> <i>Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</i> <i>1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted or</i> <i>2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</i>	Compliant	– Blast Management Plan (MGOOC-1779562647-11183). – Annual Reviews for 2020, 2021, and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. – Blast Monitoring Reports for the audit period. – Complaints register.	Review of relevant documentation indicates compliance with the requirements of this condition.
4	Operating Conditions			
O1	Activities must be carried out in a competent manner			
O1.1	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 b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	– Site inspection completed 17 November 2023. – Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. – Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. – Mt Owen Complex – E&C Training Tracking Spreadsheet. – Glendell Coal Waste Tracking Spreadsheets for the audit period. – Mt Owen and Glendell Monthly Waste Summary Reports for 2023. – Mine/Site Waste Review Site Inspection samples for: – 3 March 2021 (Glendell); – 20 October 2021 (Glendell); – 12 January 2022 (Glendell); and – 13 April 2022 (Glendell).	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
O2	Maintenance of plant and equipment			
O2.1	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 b) must be operated in a proper and efficient manner.	Compliant	– Site inspection completed 17 November 2023. – Mt Owen Complex Environmental & Community Awareness Training Induction Presentation. – Equipment induction to site MDG15 Compliance Inspection samples – dated 16 June 2023 (tractor mulcher) and 22 May 2023 (loader). – Mt Owen Complex Maintenance Skills Matrices dated 22 October 2023 for: – equipment; – high risk activities; and – procedurals reporting learnings and modules. – Blast Signoff (Blast Pack) Competency Assessment Samples (x2) both dated 24 January 2023. – Mt Owen Complex – Blast Sign Off Pack Tracking Spreadsheet. – Mt Owen Complex – E&C Awareness Module Tracking Spreadsheet. – Mt Owen Complex – E&C Training Tracking Spreadsheet.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.2	The licensee is responsible for the correct operation of the sewage treatment system on the premises.	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site inspection completed 17 November 2023. – Annual Sewage Treatment System Report for 2020, 2021 and 2022. – 2021/2022: B2 STP Discharge Monitoring: Discharge & Monitoring Point 14 and Point 15. – Mt Owen Complex Sewage Treatment System's Maintenance and Compliance Reports for 2020 (Q3 and Q4), 2021 (Q1, Q2, Q3 and Q4), 2022 (Q1, Q2, Q3 and Q4), 2023 (Q1 and Q2). – R5.3 Sewage Treatment Maintenance Program Q2 2022 to end Q1 2023. – Chain of Custody documentation samples.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.3	Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.4	The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O2.5	The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
O2.6	The licensee must prepare a sewage treatment system maintenance program. The program must include: a) Certification from the system provider that the sewage treatment system is operating within its capacity; b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and c) Provide written records of each quarterly inspection.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O3	Dust			
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Air Quality Monitoring Reports for the audit period. - AQGHGMP (MGOOC-1779562647-4392). - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023. - Complaints register.	Review of relevant documentation indicates compliance with the requirements of this condition.
O3.2	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.	Compliant	Refer to Condition O3.1.	Confirmed to be correct based on the site visit evidence.
O3.3	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	Refer to Condition O3.1.	Confirmed to be correct based on the site visit evidence.
O4	Effluent application to land			
O4.1	The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted and controlled in a manner to ensure exclusion of persons from that area.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O4.2	The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O4.3	Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
O5	Emergency response			
	<i>Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.</i>		Pollution Incident Response Management Plan (PIRMP) (MGOOC-1779562647-10978) (Rev 12, 19 October 2023).	Conduct of the audit determined a PIRMP exists for the Mt Owen Complex, and is maintained and implemented in accordance with the requirements of this note. Testing is noted to have occurred every 12 months during the audit period.
O6	Waste management			
O6.1	The Licensee is authorised to dispose of heavy Plant-tyre waste generated on the premises, in the pit. The Licensee must: a) ensure that heavy Plant waste tyres are re-used on the premises as much as practical; b) ensure that heavy Plant waste tyres are laid flat with a maximum of 10 tyres per site and a minimum distance of 10m between sites; c) ensure that any surplus heavy Plant waste tyres can be emplaced by being spread out on the pit-floor and buried as deep as practical, but, covered by at least 20m of inert material beneath any final rehabilitated surface; d) place heavy Plant waste tyres at least 10m away from coarse reject material or tailings emplacement areas; e) not place any heavy Plant waste tyres near heated material or carbonaceous material; and f) not place any heavy Plant waste tyres in an area likely to leach to any water-coarse.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021, and 2022. - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023. - Annual Heavy Plant-Tyre Disposal Report 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
O7	Other operating conditions			
O7.1	All above-ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	Compliant	- Site inspection completed 17 November 2023. - PIRMP (MGOOC-1779562647-10978) (Rev 12, 19 October 2023).	Review of relevant documentation and conduct of the site inspection indicates compliance with the requirements of this condition.
5	Monitoring and Recording Conditions			
M1	Monitoring records			
M1.1	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.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Novecom data repository detailing monitoring results. - Monitoring reports for blasting, noise, surface water and air quality. - Site interviews completed 17 November 2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
M1.2	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; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	Refer to Condition M1.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
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; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant	Refer to Condition M1.2.	Review of relevant documentation verifies compliance with the requirements of this condition.
M2	Requirement to monitor concentration of pollutants discharged			
M2.1	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:	Non-compliant (Administrative)	- AQGHGMP (MGOOC-1779562647-4392). - Sample laboratory certificates and chain of custody (CoC) documentation. - Annual Reviews for 2020, 2021 and 2022. - Annual Returns for 2020, 2021 and 2022. - Site inspection completed 17 November 2023. - Monitoring reports for air quality. - Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_8. - Attachment 4_C2 Details of Non-Compliance_EPL 4460_Point_9. - Attachment 5_C2 Details of Non-Compliance_EPL 4460_Point_10. - Attachment 2_C2 Details of Non-Compliance_EPL 4460_Point_8_v1. - Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_9_v1. - Attachment 2_C2 Details of Non-Compliance_EPL 4460_Point_8. - Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_9. - Attachment 4_C2 Details of Non-Compliance_EPL 4460_Point_10.	2020 IEA Recommendation: Recommendation 08 (R08): The EPL data loss issue requires addressing. Mt Owen should investigate means of better guaranteeing data collection particularly for air quality units. 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture. Additionally, evidence of air quality monitoring equipment maintenance and replacement was provided for the audit period. As such, the 2020 IEA recommendation, in its current form, is considered closed. <u>2023 IEA Findings:</u> During the audit period, there were (self-reported) non-compliances as follows: 2020/2021: 24-hour average PM₁₀ results not captured continuously by the air quality monitoring unit due to a technical fault, routine maintenance, or reasons outside foreseeable control of MGO at: - Monitoring Point 12 (EBAM1 'D6') on 13 occasions; and - Monitoring Point 13 (EBAM2 'D5') on 11 occasions.

Condition #	Details	Compliance status	Relevant evidence	Commentary												
				– 2021/2022: 24-hour average PM₁₀ results not captured continuously by the air quality monitoring unit due to a technical fault, routine maintenance or reasons outside foreseeable control of MGO at: – Monitoring Point 13 (EBAM2 ‘D5’) on 2 occasions; and – Monitoring Point 12 (EBAM 1 ‘D6’) on 4 occasions. – 2022/2023: 24-hour average PM₁₀ results not captured continuously by the air quality monitoring unit due to a technical fault, routine maintenance or reasons outside foreseeable control of MGO at: – Monitoring Point 13 (EBAM2 ‘D5’) on 5 occasions; and – Monitoring Point 12 (EBAM 1 ‘D6’) on 2 occasions. While MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture, it is noted MGO owns the air quality monitoring hardware and is therefore responsible for data losses due to hardware issues. Review of data indicates a high amount of data capture for relevant monitoring points (i.e. >85%). Therefore, no CA or OFI is deemed relevant.												
M2.2	Water and/ or Land Monitoring Requirements POINT 14,15 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Faecal Coliforms</td><td>colony forming units per 100 millilitres</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample	pH	pH	Quarterly	Grab sample	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Site inspection completed 17 November 2023. – Monitoring reports for surface water. – Chain of Custody.	Review of relevant documentation verifies compliance with the requirements of this condition.
Pollutant	Units of measure	Frequency	Sampling Method													
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample													
pH	pH	Quarterly	Grab sample													
M2.3	Air Monitoring Requirements POINT 12,13 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Continuous</td><td>Special Method 1</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	Special Method 1	Non-compliant (Administrative)	– AQGHGMP (MGOOC-1779562647-4392). – Sample laboratory certificates and chain of custody (CoC) documentation. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020, 2021 and 2022. – Site inspection completed 17 November 2023. – Monitoring reports for air quality. – Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_8. – Attachment 4_C2 Details of Non-Compliance_EPL 4460_Point_9. – Attachment 5_C2 Details of Non-Compliance_EPL 4460_Point_10. – Attachment 2_C2 Details of Non-Compliance_EPL 4460_Point_8_v1. – Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_9_v1. – Attachment 2_C2 Details of Non-Compliance_EPL 4460_Point_8. – Attachment 3_C2 Details of Non-Compliance_EPL 4460_Point_9. – Attachment 4_C2 Details of Non-Compliance_EPL 4460_Point_10.	2020 IEA Recommendation: Recommendation 08 (R08): The EPL data loss issue requires addressing. Mt Owen should investigate means of better guaranteeing data collection particularly for air quality units. 2023 IEA Findings: <u>Status of 2020 IEA Recommendation:</u> MGO notes that their maintenance contractors review data daily for any unscheduled downtime to ensure data capture. Additionally, evidence of air quality monitoring equipment maintenance and replacement was provided for the audit period. As such, the 2020 IEA recommendation, in its current form, is considered closed. <u>2023 IEA Findings</u> Refer to discussion at Condition M2.1.				
Pollutant	Units of measure	Frequency	Sampling Method													
PM10	micrograms per cubic metre	Continuous	Special Method 1													
M2.4	Special Method 1 requires the Licensee to undertake the monitoring of PM 10 concentration in strict accordance with the manufacturer’s operating manual supplied with the continuous monitoring equipment and titled "EBAM Particulate Monitor Operation Manual E-BAM-9800 REV M", or any updated version as supplied by the manufacturer.	Note	N/A.	N/A.												

Condition #	Details	Compliance status	Relevant evidence	Commentary																																			
M3	Testing methods - concentration limits																																						
M3.1	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. <i>Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW"</i>	Compliant	– AQGHGMP (MGOOC-1779562647-4392). – Site inspection completed 17 November 2023.	Applicable monitoring noted to be compliant with the (former) EPA publication <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW</i>. The auditor notes that ambient air quality monitoring methods have been removed from the most recent issue of this document. All monitoring observed to be conducted in accordance with relevant Australian Standards.																																			
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.	Compliant	– SWMMP) (MGOOC-1779562647-11190). – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M4	Weather monitoring																																						
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively. POINT 16,17 <table border="1"> <thead> <tr> <th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th></tr> </thead> <tbody> <tr> <td>Wind Direction at 10 metres</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Wind Speed at 10 metres</td><td>AM-2 & AM-4</td><td>metres per second</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Sigma Theta</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Relative humidity</td><td>AM-4</td><td>percent</td><td>15 minutes</td><td>Continuous</td></tr> </tbody> </table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous	Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous	Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous	Rainfall	AM-4	millimetres	15 minutes	Continuous	Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous	Relative humidity	AM-4	percent	15 minutes	Continuous	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020, 2021 and 2022. – AQGHGMP (MGOOC-1779562647-4392). – Site inspection completed 17 November 2023. – Sample of recent month of meteorological data.	The AQGGMP confirms the meteorological parameters monitored. Results provided in monthly EPA Pollution Monitoring Reports. The auditor has sighted a spreadsheet of a summary of meteorological records and has confirmed the parameters recorded are those that are required.
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																			
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous																																			
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous																																			
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous																																			
Rainfall	AM-4	millimetres	15 minutes	Continuous																																			
Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous																																			
Relative humidity	AM-4	percent	15 minutes	Continuous																																			
M5	Recording of pollution complaints																																						
M5.1	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.	Compliant	– Complaints register. – Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	Complaints register.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Complaints register.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Compliant	Complaints register.	Review of relevant documentation verifies compliance with the requirements of this condition.																																			

Condition #	Details	Compliance status	Relevant evidence	Commentary												
M6	Telephone complaints line															
M6.1	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.	Compliant	Mt Owen website	Review of the documentation available on the Mt Owen website (found: https://www.glencore.com.au/operations-and-projects/coal/current-operations/mt-owen-glendell-open-cut) indicates compliance with the requirements of this condition.												
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	Mt Owen website	Review of the documentation available on the Mt Owen website (found: https://www.glencore.com.au/operations-and-projects/coal/current-operations/mt-owen-glendell-open-cut) indicates compliance with the requirements of this condition.												
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Not triggered	N/A.	N/A.												
M7	Blasting															
M7.1	To determine compliance with conditions L3.1, L3.2, L3.3 and L3.4: a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 4 and 5 for the parameters specified in Column 1 of the table below; and b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns. <table><tr><th>Parameter</th><th>Units of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Airblast Overpressure</td><td>Decibels (Linear Peak)</td><td>All Blasts</td><td>Australian Standard AS 2187.2-2006</td></tr><tr><td>Ground Vibration Peak Particle Velocity</td><td>millimetres/second</td><td>All Blasts</td><td>Australian Standard AS 2187.2-2006</td></tr></table>	Parameter	Units of Measure	Frequency	Sampling Method	Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006	Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006	Compliant	- Blast Management Plan (MGOOC-1779562647-11183). - Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Blast Monitoring Reports for the audit period.	Review of relevant documentation indicates compliance with the requirements of this condition.
Parameter	Units of Measure	Frequency	Sampling Method													
Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006													
Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006													
M8	Other monitoring and recording conditions															
	Requirement to Monitor Particulate Matter															
M8.1	The Licensee must record the average PM10 concentration at Monitoring Points 12 and 13 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.	Compliant	AQGHGMP (MGOOC-1779562647-4392).	Review of relevant documentation indicates compliance with the requirements of this condition.												
M9	Noise monitoring															
M9.1	To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below. POINT 7,8,9,10,11 <table><tr><th>Assessment period</th><th>Minimum frequency in a reporting period</th><th>Minimum duration within assessment period</th><th>Minimum number of assessment period</th></tr><tr><td>Night</td><td>Monthly</td><td>15 minutes</td><td>1 operation day</td></tr></table>	Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period	Night	Monthly	15 minutes	1 operation day	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Noise monitoring reports. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.				
Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period													
Night	Monthly	15 minutes	1 operation day													
M9.2	To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with Conditions L3.2 to L3.4: a) at the EPA points 7,8,9,10 & 11 identified in P1.4 and at supplementary EPA point 18 if noise contributions from the mine cannot be determined; and b) occur every calendar month in a reporting period; and c) occur during one night time period as defined in the Noise Policy for Industry 2017 for a minimum of 15 minutes at each location from a), and when relevant b) during the night.	Note	N/A.	N/A.												
M9.3	For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in the EPA's Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by noise monitoring equipment. <i>Definitions</i> Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L.3.4 and condition M9.	Note	N/A.	N/A.												

Condition #	Details	Compliance status	Relevant evidence	Commentary
M9.4	Where required in writing by the EPA, the Licensee must carry out attended monitoring at sensitive receivers in addition the monitoring required by Condition M9.1.	Not triggered	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Reviews for 2020, 2021 and 2022. - NMP (MGOOC-1779562647-10975) (Rev 5, 3 October 2023). - Noise monitoring reports. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023. - Site inspection completed 17 November 2023.	Review of relevant documentation and conduct of audit interviews indicate this condition has not been triggered during the audit period.
6	Reporting Conditions			
R1	Annual return documents			
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: - a Statement of Compliance, - a Monitoring and Complaints Summary, - a Statement of Compliance - Licence Conditions, - a Statement of Compliance - Load based Fee, - a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, - a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and - a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. <i>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i>	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
R1.3	Where this licence is transferred from the licensee to a new licensee: - 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 - 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. <i>Note: An application to transfer a licence must be made in the approved form for this purpose.</i>	Not triggered	N/A.	N/A.
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: - in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or - in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not triggered	N/A.	N/A.
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').	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
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.	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: - the licence holder; or - by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary
R2	Notification of environmental harm			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
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. <i>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i>	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
R3	Written report			
R3.1	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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
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.	Not triggered	Annual Returns for 2020/2021, 2021/2022, and 2022/2023.	Conduct of the audit determined this condition has not been triggered during the audit period.
R4	Other notifications			
	Notification of Pollution of Waters			
R4.1	The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
R4.2	The Licensee must provide written details of the notification to the EPA within seven days of the date of the notification. The information can be emailed.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Blast Exceedance Notification and Reporting			
R4.3	The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any Licence blast limit exceedance.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
R4.4	Within seven days of notifying the EPA of an exceedance of Licence blast limits, the Licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of blast limits.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
	Noise Exceedance Notification and Reporting			
R4.5	The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any Licence noise limit exceedances.	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023. - Letter from DPE dated 6 September 2021 in relation to noise exceedance incident report provided 11 August 2021 for exceedance on 10 August 2021. - Reportable Incident Notification provided to DPE and EPA, dated 11 August 2021. - Letter report to EPA in relation to noise exceedance incident report provided 18 August 2021.	Review of relevant documentation indicates compliance with the requirements of this condition.
R4.6	Within seven days of notifying the EPA of an exceedance of Licence noise limits, the Licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of noise limits.	Compliant	Refer to Condition R4.5.	Review of relevant documentation indicates compliance with the requirements of this condition.
R4.7	An authorised officer of 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 at Condition R4.6. The Licensee must provide such further details to the EPA within the time specified in the request.	Not triggered	- Annual Reviews for 2020, 2021, and 2022. - Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Site interviews completed 17 November 2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates this condition has not been triggered during the audit period.
R5	Other reporting conditions			
	Noise Compliance Assessment Report			
R5.1	A report containing the monitoring results of noise compliance monitoring specified in this Licence must be submitted annually with the Annual Return as set out in Condition R1. The noise compliance report shall include the contribution noise from the premises as measured or determined at the monitoring locations(s). The method used to determine the contribution noise level from the premises shall be clearly described and shall be consistent with the Noise Policy for Industry.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Noise Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Blast Monitoring Compliance Report			
R5.2	The results of blast monitoring required by condition M7.1 must be submitted to the EPA with the Annual Return at the end of each reporting period.	Compliant	- Annual Returns for 2020/2021, 2021/2022, and 2022/2023. - Annual Blast Compliance Reports for 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Sewage Treatment System Report			
R5.3	The sewage treatment system maintenance program required by condition O2.6 must be submitted annually to the EPA with the Annual Return.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition #	Details	Compliance status	Relevant evidence	Commentary																		
R5.4	The Licensee must retain a copy of each report required by Condition O2.5 for three years from the date each record is made.	Compliant	Refer to Condition O2.2.	Review of relevant documentation verifies compliance with the requirements of this condition.																		
	Heavy Plant-Tyre Disposal Report																					
R5.5	The Licensee must provide the EPA with the Annual Return a Heavy Plant-Tyre Disposal Report. The Report must include: a) a plan of the disposed heavy plant waste tyres on the premises for the period that includes: (i) each tyre serial number; (ii) supplier of each tyre; (iii) purchase date of each tyre; (iv) disposal date of each tyre; (v) co-ordinates (easting and northings) of the disposal of each tyre; (vi) the Real Level (RL) in metres AHD of each tyre placed in the pit; (vii) the number of tyres buried in a particular area; and (viii) the cumulative tonnage of tyres disposed of at the premises each year.	Compliant	Annual Heavy Plant-Tyre Disposal Report 2020/2021, 2021/2022, and 2022/2023.	Review of relevant documentation indicates compliance with the requirements of this condition.																		
7	General Conditions																					
G1	Copy of licence kept at the premises or plant																					
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Site inspection completed 17 November 2023.	Conduct of the audit determined compliance with the requirements of this condition.																		
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered	Site interviews completed 17 November 2023.	Conduct of the audit determined this condition has not been triggered during the audit period.																		
G2.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Site inspection completed 17 November 2023.	Conduct of the audit determined compliance with the requirements of this condition.																		
G2	Other general conditions																					
G2.1	Completed Programs <table><tr><th>Program</th><th>Description</th><th>Completed Date</th></tr><tr><td>Coal Mine Particulate Matter Control Best Practice</td><td>Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td><td>13-July-2012</td></tr><tr><td>Particulate Matter Control Best Practice Implementation – Wheel Generated Dust</td><td>Implementation of particulate matter best management practices to address wheel-generated dust.</td><td>15-August-2014</td></tr><tr><td>Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions</td><td>Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.</td><td>15-August-2014</td></tr><tr><td>Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden</td><td>Investigation to establish best practice measures for the handling of overburden.</td><td>14-April-2014</td></tr><tr><td>Coal Mine Wind Erosion of Exposed Land Assessment</td><td>Assessment of predicted vs actual exposed land</td><td>31-March-2015</td></tr></table>	Program	Description	Completed Date	Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	13-July-2012	Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014	Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014	Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden.	14-April-2014	Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed land	31-March-2015	N/A	N/A.	N/A.
Program	Description	Completed Date																				
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	13-July-2012																				
Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014																				
Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014																				
Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden.	14-April-2014																				
Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed land	31-March-2015																				

Condition #	Details	Compliance status	Relevant evidence	Commentary
8	Special Conditions			
E1	Ambient Water Quality Monitoring			
E1.1	The Licensee must provide the EPA by 30 March 2021: a) a plan of the premises with the location of ambient water quality monitoring sites. The plan must contain the location of the monitoring sites in easting and northings and a legend referencing the sites; and b) a list of the ambient water quality analysis undertaken by the Licensee that includes the monitoring intervals. <i>(note: The Licensee does not need to supply the location of rain event monitoring sites, but the list must be consistent with the approved water management plan in place at the time for the premises.)</i>	Compliant	– Ambient Water Quality Plan dated 29 March 2021. – Email verifying submission on 29 March 2021.	Conduct of the audit determined compliance with the requirements of this condition.

Appendix H

Other licences and approvals

ML 1355

Condition number	Compliance status	Relevant evidence	Commentary
ML 1355 (up to 30 June 2022)			
1	Not triggered	- ML 1355 (up to 30 June 2022). - Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition has not been triggered, with lease renewal not occurring during the audit period.
2	Compliant	- MGO Mining Operations Plan Amendment C 1 January 2020 to 30 June 2024 (630.30164, 12 July 2021) (MOP) – up to 31 July 2022, including NSW Resources Regulator approval dated 15 October 2021. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of the Annual Reviews for 2020 and 2021 indicates progressive rehabilitation at the Mt Owen Complex has occurred: 2020: completed rehabilitation = 95.3 ha for the Mt Owen Complex (MOP prediction of 84.8 ha), with 38.8 ha for Mt Owen, all of which was open forest; 2021: completed rehabilitation = 75 ha for the Mt Owen Complex (MOP prediction of 67.1 ha), with 21.4 ha for Mt Owen, all of which was open forest; and 2022: Reporting for this period was noted to be in accordance with the Rehabilitation Reforms, which took effect from 1 July 2022.
3	Compliant	- MGO Mining Operations Plan Amendment C 1 January 2020 to 30 June 2024 (630.30164, 12 July 2021) (MOP) – up to 31 July 2022, including NSW Resources Regulator approval dated 15 October 2021. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of relevant documentation indicates rehabilitation activities during the audit period generally in accordance with the approved MOP, with Annual Reviews for 2020 and 2021 indicate rehabilitation at the Mt Owen Complex as follows: 2020: completed rehabilitation = 95.3 ha for the Mt Owen Complex (MOP prediction of 84.8 ha), with 38.8 ha for Mt Owen, all of which was open forest; 2021: completed rehabilitation = 75 ha for the Mt Owen Complex (MOP prediction of 67.1 ha), with 21.4 ha for Mt Owen, all of which was open forest; and 2022: Reporting for this period was noted to be in accordance with the Rehabilitation Reforms.
4	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no non-compliances occurring that would trigger this condition.
5	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no environmental incidents occurring.
6	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no underground mining occurring.
7	Note	N/A.	N/A – No relevant compliance consideration.
8	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period and was considered during the 2020 IEA.
9	Not triggered	Annual Reviews for 2020, 2021 and 2022.	No overlapping of surface titles within audit period, while underground titles are also Glencore-owned.
	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation verifies exploration reporting is provided in Annual Reviews.
ML 1355 (from 1 July 2022)			
1	Not triggered	- ML 1355 (from 1 July 2022). - Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition has not been triggered, with lease renewal not occurring during the audit period.
2	Compliant	Deed of Security Deposit Bond (BDC-751-113728-072) dated 28 July 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
3	Not triggered	Annual Reviews for 2020, 2021 and 2022.	No overlapping of surface titles within audit period, while underground titles are also Glencore-owned.
4	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates exploration activities have not occurred since 1 July 2022. Therefore, this condition has not been triggered.

CL 358

Condition number	Compliance status	Relevant evidence	Commentary
CL 358 (up to 30 June 2022)			
1	Not triggered	- CL 358. - Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition has not been triggered, with lease renewal not occurring during the audit period.
2	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no environmental incidents occurring.
3	Compliant	- MGO Mining Operations Plan Amendment C 1 January 2020 to 30 June 2024 (630.30164, 12 July 2021) (MOP) – up to 31 July 2022, including NSW Resources Regulator approval dated 15 October 2021. - Annual Reviews for 2020, 2021 and 2022. - Rehabilitation Monitoring 2021 – MGO (Final, 11 February 2022). - Rehabilitation Monitoring 2022 – MGO (Final, 24 April 2023).	Review of relevant documentation indicates rehabilitation activities during the audit period generally in accordance with the approved MOP and completion of annual rehabilitation reports. Annual Reviews for 2020 and 2021 indicate rehabilitation at the Mt Owen Complex as follows: 2020: completed rehabilitation = 95.3 ha for the Mt Owen Complex (MOP prediction of 84.8 ha), with 56.5 ha for Glendell, including 35.1 ha of open grassland or pasture areas and 21.4 ha of open woodland areas; 2021: completed rehabilitation = 75 ha for the Mt Owen Complex (MOP prediction of 67.1 ha), with 53.6 ha for Glendell, including 46.93 ha of open grassland or pasture areas and 6.67 ha of open woodland areas; and 2022: Reporting for this period was noted to be in accordance with the Rehabilitation Reforms, which took effect from 1 July 2022.
4	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this requirement is addressed by Annual Reviews for 2020, 2021 and 2022.
5	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no non-compliances occurring that would trigger this condition.
6	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no underground mining occurring.
7	Note	N/A.	N/A – No relevant compliance consideration.
8	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no underground mining occurring.
9	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition, with more than 30 competent people have been employed during the audit period.
10	Compliant	- Annual Reviews for 2020, 2021, and 2022. - Blast Monitoring Reports for the audit period.	Review of relevant documentation indicates compliance with the requirements of this condition, no exceedances of blasting criteria.
11	N/A	N/A.	N/A. – No relevant compliance consideration, with the condition not relating to environmental matters.
12	Compliant	- Erosion and Sediment Control Plan (ESCP) (MGOOC-1779562647-10974) (Rev 7, 3 October 2023). - Site inspection completed 17 November 2023. - Annual Reviews for 2020, 2021, and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition. MGO are noted to complete regular inspections of erosion and sediment controls, with any issues identified during these inspections addressed (e.g. construction of a diversion bund or sediment dam, remediation works to repair riling, replacement/installation of sediment fences etc.). Observations during the site inspection verified erosion and sediment control measures (where required) had been used and are maintained. There were no observations made during the site inspection that would indicate issues with the potential for offsite discharge.
13	N/A	N/A.	Condition removed prior to 2023 audit period.
14	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition.
15	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition, with no offsite disturbance was noted to have occurred during the audit period.
16	N/A	N/A.	Condition removed prior to 2023 audit period.
17	Note	N/A.	N/A – No relevant compliance consideration.
18	N/A	N/A.	N/A. – No relevant compliance consideration, with the condition not relating to environmental matters.
19	N/A	N/A.	Condition removed prior to 2023 audit period.
20	N/A	N/A.	Condition removed prior to 2023 audit period.
21	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period and was considered during the 2020 IEA.
22	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no Prescribed Dams located within CL 358.
23	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no suspension of mining during the audit period.
24	Not triggered	- Annual Reviews for 2020, 2021 and 2022. - MinView.	Review of relevant documentation indicates this condition was not triggered during the audit period, with no overlapping of surface titles within audit period, while underground titles are also Glencore-owned.
25	Compliant	- Annual Reviews for 2020, 2021 and 2022. - Complaints records.	Review of relevant documentation indicates compliance with the requirements of this condition, with no restriction to travelling stock occurring during the audit period.

Condition number	Compliance status	Relevant evidence	Commentary
26	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition, with precautions taken to prevent disruption to rail operations.
CL 358 (from 1 July 2022)			
1	Not triggered	- CL 358 (from 1 July 2022). - Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates this condition has not been triggered, with lease renewal not occurring during the audit period.
2	Compliant	Deed of Security Deposit Bond (BDC-751-113728-073) dated 28 July 2023.	Review of relevant documentation indicates compliance with the requirements of this condition.
3	Not triggered	Annual Reviews for 2020, 2021 and 2022.	No overlapping of surface titles within audit period, while underground titles are also Glencore-owned.
4	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates exploration activities have not occurred since 1 July 2022. Therefore, this condition has not been triggered.
5	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates compliance with the requirements of this condition.
	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation indicates exploration activities have not occurred since 1 July 2022. Therefore, this condition has not been triggered.

Standard Conditions (Schedule 8A, Part 2) Mining Regulation 2016 (NSW)

Condition #	Details	Compliance status	Relevant evidence	Commentary
	Division 1 Protection of the environment and rehabilitation			
4	Must prevent or minimise harm to environment			
4(1)	The holder of a mining lease must take all reasonable measures to prevent, or if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease.	Compliant	– This audit. – Annual Reviews for 2020, 2021 and 2022. – Environmental Monitoring reports for the audit period. – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	Review of relevant documentation indicates compliance with the requirements of this condition, with no events or incidents occurring with the potential to cause material harm to the environment.
4(2)	<i>In this clause—harm to the environment has the same meaning as in the Protection of the Environment Operations Act 1997.</i>	Note	N/A.	N/A.
5	Rehabilitation to occur as soon as reasonably practicable after disturbance			
	The holder of a mining lease must rehabilitate land and water in the mining area that is disturbed by activities under the mining lease as soon as reasonably practicable after the disturbance occurs.	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Rehabilitation Strategy (RS) (MGOOC-1779562647-11610) (Rev 4, 29 November 2021). – Rehabilitation Management Plan (RMP) (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022). – <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> – <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i> – Site inspection completed 17 November 2023. – Site interviews completed 17 November 2023.	The Annual Review for 2022 indicates approximately 1,665.72 hectares (ha) of land was under active rehabilitation during the 2022 reporting period, predicting this would increase to approximately 1,752 ha during the 2023 reporting period. An overview of rehabilitation activities during the 2020, 2021 and 2022 reporting periods is provided in Table 4.1 of the main report. Progressive rehabilitation during the 2023 reporting period was noted to include active rehabilitation of the West Pit – RL170. This area was observed during the site inspection, with topsoil spreading completed in preparation for application of amelioration (i.e. gypsum), followed by ripping and seeding (Appendix J). In addition, review of the <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025</i> indicates rehabilitation planning during this period as follows: – 2023: Approximately 23.15 ha of land prepared for rehabilitation, and approximately 23.15 ha proposed for active rehabilitation; – 2024: Approximately 90.4 ha of land prepared for rehabilitation, and approximately 67.25 ha proposed for active rehabilitation; and – 2025: Approximately 186.72 ha of land prepared for rehabilitation, and approximately 96.31 ha proposed for active rehabilitation. Conduct of the site interviews indicate drones, helicopters and/or small planes are sometimes used for rehabilitation activities. Successful establishment of a vegetated rehabilitation area at Glendell (i.e. DA 80/952), which had used helicopters to complete seeding in 2019, was observed during the site inspection.
6	Rehabilitation must achieve final land use			
6(1)	The holder of a mining lease must ensure that rehabilitation of the mining area achieves the final land use for the mining area.	Compliant	– RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021). – RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022). – <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> – <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i> – Site interviews completed 17 November 2023.	Review of the <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022</i> indicates annual rehabilitation monitoring was conducted in October 2022, with field surveys inspecting approximately 375.5 ha of rehabilitation consisting of approximately: – 89.4 ha of open grassland or pasture areas; – 94.9 ha of non-specific native vegetation; and – 191.2 ha of targeted native ecosystems. Monitoring methods incorporated and addressed the requirements specified in the RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022), including a combination of: – plot-based monitoring in accordance with the NSW Biodiversity Assessment Method (to assess native vegetation); and – nested 1 m² quadrat along a 50 m linear transect (to assess pasture rehabilitation). This monitoring indicated rehabilitation is moving toward achieving final land use objectives, with management recommendations identified to improve the condition of rehabilitation areas and ensure they ultimately achieve final land use objectives.

Condition #	Details	Compliance status	Relevant evidence	Commentary
6(2)	The holder of the mining lease must ensure any planning approval has been obtained that is necessary to enable the holder to comply with subclause (1).	Not triggered	N/A.	Review of relevant documentation indicates planning approval has not been required to comply with subclause (1).
6(3)	The holder of the mining lease must identify and record any reasonably foreseeable hazard that presents a risk to the holder's ability to comply with subclause (1).	Compliant	- RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021). - RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of relevant documentation verifies compliance with these requirements.
	Note Clause 7 requires a rehabilitation risk assessment to be conducted whenever a hazard is identified under this subclause.	Note	N/A.	N/A.
6(4)	(4) In this clause— final land use for the mining area means the final landform and land uses to be achieved for the mining area— (a) as set out in the rehabilitation objectives statement and rehabilitation completion criteria statement, and (b) for a large mine—as spatially depicted in the final landform and rehabilitation plan, and (c) if the final land use for the mining area is required by a condition of development consent for activities under the mining lease—as stated in the condition. planning approval means— (a) a development consent within the meaning of the Environmental Planning and Assessment Act 1979, or (b) an approval under that Act, Division 5.1.	Note	N/A.	N/A.
	Division 2 Risk assessment			
7	Rehabilitation risk assessment			
7(1)	The holder of a mining lease must conduct a risk assessment (a rehabilitation risk assessment) that— (a) identifies, assesses and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease— (i) the rehabilitation objectives, (ii) the rehabilitation completion criteria, (iii) for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan, and (b) identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of relevant documentation verifies compliance with this requirement via Section 3 and Appendix A of the RMP.
7(2)	The holder of the mining lease must implement the measures identified.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021). - RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022). <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i> - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Progressive rehabilitation The Annual Review for 2022 indicates approximately 1,665.72 hectares (ha) of land was under active rehabilitation during the 2022 reporting period, predicting this would increase to approximately 1,752 ha during the 2023 reporting period. An overview of rehabilitation activities during the 2020, 2021 and 2022 reporting periods is provided in Table 4.1 of the main report. Progressive rehabilitation during the 2023 reporting period was noted to include active rehabilitation of the West Pit – RL170. This area was observed during the site inspection, with topsoil spreading completed in preparation for application of amelioration (i.e. gypsum), followed by ripping and seeding (Appendix J). In addition, review of the <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025</i> indicates rehabilitation planning during this period as follows: 2023: Approximately 23.15 ha of land prepared for rehabilitation, and approximately 23.15 ha proposed for active rehabilitation; 2024: Approximately 90.4 ha of land prepared for rehabilitation, and approximately 67.25 ha proposed for active rehabilitation; and 2025: Approximately 186.72 ha of land prepared for rehabilitation, and approximately 96.31 ha proposed for active rehabilitation.

			Conduct of the site interviews indicate drones, helicopters and/or small planes are sometimes used for rehabilitation activities. Successful establishment of a vegetated rehabilitation area at Glendell (i.e. DA 80/952), which had used helicopters to complete seeding in 2019, was observed during the site inspection. Rehabilitation design Conduct of the audit indicated rehabilitation at the Mt Owen Complex moved toward implemented geomorphic design principles for new mine rehabilitation areas in approximately 2019, with older rehabilitation (i.e. prior to 2019) being completed using more traditional rehabilitation techniques. The intention being to provide an erosionally stable, ecologically functional and aesthetically pleasing final landform. This approach by MGO is in-line with current best practice principles generally adopted by the NSW Resources Regulator, with the goal being to complete rehabilitation such that it geomorphically integrates into the surrounding landscape and contains any waste material over geological time with little or no maintenance. The site inspection verified structures such as tree hollows, logs, stag trees, rock material and other woody debris to augment the target habitat value of rehabilitation areas. In addition, a variety of specifically designed nest boxes were observed in rehabilitation areas during the site inspection. Conduct of the audit verifies rehabilitation is established to ensure woodland and habitat connectivity within the rehabilitated landscape, with native ecosystems targeted for re-establishment generally focussed on establishing flora species assemblages' characteristic of Central Hunter Box – Spotted Gum – Grey Box Forest. However, rehabilitation is also focussed on establishing other communities in appropriate parts of the terrain, such as: – Hunter Lowland Red Gum Forest; – Central Hunter Grey Box – Ironbark Woodland; – wet variants of Central Hunter Box – Spotted Gum – Grey Box Forest; and – Hunter Valley River Oak Forest. Finally, MGO has developed a seed collection program, with seed collection areas established within existing rehabilitation areas and sighted during the site inspection. It is understood seed collection is undertaken generally in accordance with <i>Florabank Seed Collection Guidelines</i> (Greening Australia 1999). Rehabilitation management and monitoring Conduct of the audit verified active rehabilitation management is undertaken by MGO. The audit interviews indicate rehabilitation management and monitoring planning is achieved through: – mapping/tracking of areas with erosion/rilling issues to assist with prioritising maintenance activities to fix identified issues; – separation of rehabilitation and mapping/tracking across two distinct time periods: – initial establishment monitoring – rapid monitoring of rehabilitation aged 1 to 3 years, mainly focussing on native species germination success, landform stability (i.e. erosion issues) and early identification of problematic weeds; and – long-term monitoring – detailed scientific monitoring of older rehabilitation (≥4 years) to evaluate and track progress toward defined rehabilitation objectives and completion criteria. – completion of annual and quarterly monitoring, with separate areas targeted in each. Review of the <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022</i> indicates annual rehabilitation monitoring was conducted in October 2022, with field surveys inspecting approximately 375.5 ha of rehabilitation consisting of approximately: – 89.4 ha of open grassland or pasture areas; – 94.9 ha of non-specific native vegetation; and – 191.2 ha of targeted native ecosystems.
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Condition #	Details	Compliance status	Relevant evidence	Commentary
				Monitoring methods incorporated and addressed the requirements specified in the RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022), including a combination of: – plot-based monitoring in accordance with the NSW Biodiversity Assessment Method (to assess native vegetation); and – nested 1 m² quadrat along a 50 m linear transect (to assess pasture rehabilitation). This monitoring indicated rehabilitation is moving toward achieving final land use objectives, with management recommendations identified to improve the condition of rehabilitation areas and ensure they ultimately achieve final land use objectives. Evidence of rehabilitation area management was observed during the site inspection including: – use of a variety of weed control techniques, including: – poisoning completed by hand and through use of booms on vehicles; – mulching of weeds following die-off; and – investigation into the potential for fire management for specific weed species. – planting of tubestock in areas of Glendell (i.e. DA 80/952) originally rehabilitated to open grassland or pasture areas, but required to be rehabilitated to open woodland areas. Of note, this is being achieved without complete re-disturbance of the rehabilitation area which could potentially result in soil degradation and erosion. Instead, MGO is looking to transition to these open grassland or pasture areas to an open woodland areas by spot-poisoning across the rehabilitation area in small circular footprints (e.g. a diameter of 1 m) and later planting tubestock in each circle following die-off.
7(3)	The holder of a mining lease must conduct a rehabilitation risk assessment— (a) for a large mine—before preparing a rehabilitation management plan, and (b) for a small mine—before preparing the rehabilitation outcome documents for the mine, and (c) whenever a hazard is identified under clause 6(3)—as soon as reasonably practicable after it is identified, and (d) whenever given a written direction to do so by the Secretary.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of relevant documentation verifies compliance with this requirement via Section 3 and Appendix A of the RMP.
	Division 3 Rehabilitation documents			
8	Application of Division			
	This Division does not apply to a mining lease unless— (a) the security deposit required under the mining lease is greater than the minimum deposit prescribed under the Act, section 261BF in relation to that type of mining lease, or (b) the Secretary gives a written direction to the holder of the mining lease that this Division, or a provision of this Division, applies to the mining lease.	Note	N/A.	N/A.
9	General requirements for documents			
	A document required to be prepared under this Division must— (a) be in a form approved by the Secretary, and <i>Note— The approved forms are available on the Department's website.</i> (b) include any matter required to be included by the form, and (c) if required to be given to the Secretary—be given in a way approved by the Secretary.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	The RMP has been prepared in accordance with the NSW Resources Regulator's <i>Form and Way: Rehabilitation Management Plan for Large Mines</i> .

Condition #	Details	Compliance status	Relevant evidence	Commentary
10	Rehabilitation management plans for large mines			
10(1)	The holder of a mining lease relating to a large mine must prepare a plan (a rehabilitation management plan) for the mining lease that includes the following— (a) a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area, (b) a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation, (c) a summary of rehabilitation risk assessments conducted by the holder, (d) the risk control measures identified in the rehabilitation risk assessments, (e) the rehabilitation outcome documents for the mining lease, (f) a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of the RMP indicates this requirement is addressed.
10(2)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must include a proposed version of the document.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of the RMP indicates this requirement is addressed.
10(3)	A rehabilitation management plan is not required to be given to the Secretary for approval.	Note	N/A.	N/A.
10(4)	The holder of the mining lease— (a) must implement the matters set out in the rehabilitation management plan, and (b) if the forward program specifies timeframes for the implementation of the matters—must implement the matters within those timeframes.	Compliant	- Annual Reviews for 2020, 2021 and 2022. - RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021). - RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022). <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i> - Site inspection completed 17 November 2023. - Site interviews completed 17 November 2023.	Review of documentation indicates compliance with these requirements.
11	Amendment of rehabilitation management plans			
	The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows— (a) to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary—within 30 days after the document is approved, (b) as a consequence of an amendment made under clause 14 to a rehabilitation outcome document—within 30 days after the amendment is made, (c) to reflect any changes to the risk control measures in the prepared plan that are identified in a rehabilitation risk assessment—as soon as practicable after the rehabilitation risk assessment is conducted, (d) whenever given a written direction to do so by the Secretary—in accordance with the direction.	Not triggered	- RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022). - Site interviews completed 17 November 2023. - Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation and conduct of audit interviews indicates this requirement has not been triggered during the audit period.
12	Rehabilitation outcome documents			
12(1)	The holder of a mining lease must prepare the following documents (the rehabilitation outcome documents) for the mining lease and give them to the Secretary for approval— (a) the rehabilitation objectives statement, which sets out the rehabilitation objectives required to achieve the final land use for the mining area, (b) the rehabilitation completion criteria statement, which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives, (c) for a large mine, the final landform and rehabilitation plan, showing a spatial depiction of the final land use.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of the RMP indicates this requirement is addressed.

Condition #	Details	Compliance status	Relevant evidence	Commentary
12(2)	If the final land use for the mining area is required by a condition of development consent for activities under the mining lease, the holder of the mining lease must ensure the rehabilitation outcome documents are consistent with that condition.	Compliant	RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022).	Review of the RMP indicates this requirement is addressed.
13	Forward program and annual rehabilitation report			
13(1)	The holder of a mining lease must prepare a program (a forward program) for the mining lease that includes the following— (a) a schedule of mining activities for the mining area for the next 3 years, (b) a summary of the spatial progression of rehabilitation through its various phases for the next 3 years, (c) a requirement that the rehabilitation of land and water disturbed by mining activities under the mining lease must occur as soon as reasonably practicable after the disturbance occurs.	Compliant	<i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i>	Review of the <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025</i> indicates this requirement is addressed.
13(2)	The holder of a mining lease must prepare a report (an annual rehabilitation report) for the mining lease that includes— (a) a description of the rehabilitation undertaken over the annual reporting period, (b) a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the reporting period, (c) a report demonstrating progress made towards the achievement of the following— (i) the objectives set out in the rehabilitation objectives statement, (ii) the criteria set out in the rehabilitation completion criteria statement, (iii) for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan.	Compliant	Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.	Review of the <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022</i> indicates this requirement is addressed.
13(3)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must rely on a proposed version of the document.	Note	N/A.	N/A.
13(4)	The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.	Compliant	<i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i>	Review of the documentation verifies this requirement is addressed.
13(5)	In this clause— annual reporting period means each period of 12 months commencing on— (a) the date on which the mining lease is granted, or (b) if the Secretary approves another date in relation to the mining lease—the other date.	Note	N/A.	N/A.
14	Amendment of rehabilitation outcome documents and forward program			
14(1)	This clause applies to— (a) a rehabilitation outcome document if it has been approved by the Secretary, and (b) a forward program if it has been given to the Secretary.	Note	N/A.	N/A.
14(2)	The holder of a mining lease must not amend a document to which this clause applies that relates to the mining lease unless— (a) the Secretary gives the holder a written direction to do so, or (b) the Secretary, on written application by the holder, gives a written approval of the amendment.	Note	N/A.	N/A.
14(3)	The holder of the mining lease must amend the document in accordance with the Secretary's direction or approval.			
14(4)	Nothing in this clause prevents the holder of a mining lease preparing a draft amendment for submission to the Secretary for approval.	Note	N/A.	N/A.

Condition #	Details	Compliance status	Relevant evidence	Commentary
15	Times at which documents must be prepared and given			
15(1)	The holder of a mining lease must do the following before the end of the initial period— (a) prepare a rehabilitation management plan, and (b) prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and (c) prepare a forward program and give it to the Secretary.	Compliant	– RS (MGOOC-1779562647-11610) (Rev 4, 29 November 2021). – RMP (MGOOC-1779562647-12433) (Rev 2.0, 19 August 2022). – <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> – <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i>	Review of the documentation verifies this requirement is addressed.
15(2)	The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before— (a) 60 days after the last day of each annual reporting period, commencing with the annual reporting period in which the forward program was given to Secretary under subclause (1)(c), or (b) a later date approved by the Secretary.	Compliant	– <i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i> – <i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i>	Review of the documentation verifies this requirement is addressed.
15(3)	A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary.	Not triggered	<i>Mt Owen Complex Forward Program: Sunday 1 January 2023 to Wednesday 31 December 2025.</i>	Review of the documentation verifies this requirement is not triggered during the audit period.
15(4)	The holder of the mining lease must prepare updated rehabilitation outcome documents for the mining lease and give them to the Secretary for approval before— (a) 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or (b) a later date approved by the Secretary.	Not triggered	N/A.	Review of relevant documentation indicates this requirement has not been triggered during the audit period.
15(5)	A rehabilitation completion criteria statement is not required to be given to the Secretary under subclause (4) unless a rehabilitation completion criteria statement has already been given to the Secretary under subclause (3).	Not triggered	N/A.	Review of relevant documentation indicates this requirement has not been triggered during the audit period.
15(6)	The Secretary may, by written notice, direct the holder of a mining lease to prepare, or give to the Secretary, a document required to be prepared under this Division at a time other than that specified in this clause.	Not triggered	N/A.	Review of relevant documentation indicates this requirement has not been triggered during the audit period.
15(7)	The holder of the mining lease must comply with the direction.			
15(8)	In this clause— initial period means the period commencing when the mining lease is granted and ending— (a) 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or (b) if this Division applies to the mining lease because of an increase in the required security deposit— (i) when the surface of the mining area is disturbed by activities under the mining lease, or (ii) at a later date approved by the Secretary.	Note	N/A.	N/A.
16	Certain documents to be publicly available			
16(1)	This clause applies to the following documents— (a) a rehabilitation management plan, (b) a forward program, (c) an annual rehabilitation report.	Compliant	MGO website.	Review of the MGO website verifies compliance with these requirements.

Condition #	Details	Compliance status	Relevant evidence	Commentary
16(2)	The holder of a mining lease must make a document to which this clause applies publicly available by— (a) publishing it on its website in a prominent position, or (b) if the holder does not have a website— providing a copy of it to a person— (i) on the written request of a person, and (ii) without charge, and (iii) within 14 days after the request is received.	Compliant	MGO website.	Review of the MGO website verifies compliance with these requirements.
16(3)	If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published— (a) for a rehabilitation management plan—within 14 days after it is prepared or amended, or (b) for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended,	Compliant	Annual Reviews for FY2021, FY2022, and FY2023.	Review of the documentation verifies this requirement is addressed.
16(4)	Personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a document made available to a person under this clause.	Note	N/A.	N/A.
	Division 4 Records, reporting and notification			
17	Records demonstrating compliance			
	The holder of a mining lease must create and maintain records of all actions taken that demonstrate compliance with each of the conditions set out in this Part. <i>Note— The Act, sections 163D and 163E provide for the form in which records must be kept and the period for which they must be retained.</i>	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation verifies compliance with these requirements.
18	Report on non-compliance			
18(1)	The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with— (a) a condition of the mining lease, or <i>Note—The Act, section 364A contains provisions relating to the use and disclosure of information provided under this condition.</i> (b) a requirement of the Act or this Regulation relating to activities under the mining lease.	Not triggered	N/A.	Conduct of the audit indicates this requirement has not been triggered during the audit period.
18(2)	The holder of the mining lease must provide the report within 7 days after becoming aware of the non-compliance.	Not triggered	N/A.	Conduct of the audit indicates this requirement has not been triggered during the audit period.
18(3)	The holder of the mining lease must ensure the report— (a) identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and (b) describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and (c) describes the causes or likely causes of the non-compliance, and (d) describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance.	Not triggered	N/A.	Conduct of the audit indicates this requirement has not been triggered during the audit period.
19	Nominated contact person			
19(1)	The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary can communicate in relation to the mining lease for the purposes of the Act. <i>Note— The Act, section 383 sets out the ways in which notices or other documents may be issued or given to, or served on, a person for the purposes of the Act.</i>	Compliant	<i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i>	Review of the documentation verifies this requirement is addressed.

Condition #	Details	Compliance status	Relevant evidence	Commentary
19(2)	The holder of the mining lease must give written notice to the Secretary of— (a) the full name and contact details of the nominated person—within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and (b) any change in nomination or in the nominated person's contact details—within 28 days after the change occurs.	Compliant	<i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i>	Review of the documentation verifies this requirement is addressed.
19(3)	The holder of the mining lease must ensure that the contact details for the nominated person include the person's phone number and postal and email addresses.	Compliant	<i>Mt Owen Complex Annual Rehabilitation Report Saturday 1 January 2022 to Saturday 31 December 2022.</i>	Review of the documentation verifies this requirement is addressed.
	Division 5 Applications relating to development consent			
20	Additional requirements—application for or to modify development consent			
20(1)	The holder of a mining lease must give written notice to the Secretary within 10 days after— (a) making an application for development consent that relates to the mining area, or (b) making an application for modification of a development consent— (i) under the Environmental Planning and Assessment Act 1979, section 4.55(2), and (ii) that proposes to modify a condition of the consent that relates to rehabilitation of the mining area in a way that may affect an obligation under the mining lease relating to rehabilitation of the mining area.	N/A	N/A.	N/A – Refer to discussion at Clause 20(2).
20(2)	This clause does not apply if the development is State significant development.	Note	N/A.	N/A.

Water Access Licences

Requirement	Compliance status	Relevant evidence	Commentary
For all extractions from Glennies Creek, the following conditions will be met:			
– Any device for measuring the volume of water extracted from Glennies Creek will be installed, maintained and operated in accordance with any manufacturer's specifications.	Compliant	MGO maintenance control system	The audit confirmed MGO operates a comprehensive maintenance management system, for tracking and scheduling maintenance as required.
– A certificate issued by the manufacturer or by a suitably qualified person certifying the accuracy of any device used for measuring the volume of water extracted from Glennies Creek will be provided to the NSW Department of Planning and Environment – Water (DPE – Water) as required.	Not triggered	– Ste Service Report (No. 1002) dated 6 April 2020. – Electromagnetic Flowmeter Verification Certificate (6 April 2021).	Review of relevant documentation indicates relevant servicing and certificates were completed during the 2020 IEA period, and this condition has not been triggered during the current audit period.
– DPE – Water will be notified within seven days if any device for measuring the volume of water taken from Glennies Creek ceases to record water usage accurately, including the duration of the failure and the total hours that water was extracted while the measuring device was not functioning.	Not triggered	– Annual Reviews for 2020, 2021 and 2022. – Annual Returns for 2020/2021, 2021/2022, and 2022/2023. – Surface Water Monitoring Reports for the audit period.	Review of relevant documentation indicates this condition has not been triggered during the current audit period.
– A report detailing the quantity of water extracted from Glennies Creek will be provided to DPE – Water as required.	Compliant	– Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation verifies compliances with the requirements of this condition.
For the high security and general security regulated river WALs for extraction from Glennies Creek, the following additional conditions will be met:			
– Water will only be extracted up to the limit specified by the relevant WALs.	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation verifies compliance with the requirements of this condition.
– Water will only be taken from Glennies Creek in accordance with a water supply order lodged with and approved by the nominated WaterNSW customer service officer at least four days prior to when the water will be taken, except when water is extracted in accordance with an announcement made by the Minister for Lands and Water declaring an uncontrolled water allocation accounting period.	Not triggered	– Controlled Allocation Order 2021 outcomes (DPE, 2021). – Controlled Allocation Order 2022 outcomes (DPE, 2022).	Review of relevant documentation indicates there has been no controlled flow periods within the Hunter Valley catchment during the audit period.
For the supplementary water WALs for extractions from Glennies Creek, the following additional conditions will be met:			
– Water will only be extracted up to the limit specified by the relevant WALs, when the Minister for Lands and Water announces that supplementary water is available, at the rate that the Minister announces;	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Conduct of the audit has determined there has been no extraction using the supplementary WALs.
– DPE - Water will be notified in writing at least three days prior to when the water will be taken, providing the following information: – The intent to take water; – The maximum volume of water that will be taken; – The rate at which the water will be taken; – The period of time in which the water will be taken; and – The volume of water already taken under the relevant WAL during the year commencing 1 July.	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Conduct of the audit has determined there has been no extraction using the supplementary WALs.
– Within 24 hours of the cessation of pumping or as otherwise directed, DPE – Water will be notified of the volume of water extracted.	Not triggered	Annual Reviews for 2020, 2021 and 2022.	Conduct of the audit has determined there has been no extraction using the supplementary WALs.
For the domestic and stock WALs for extractions from Glennies Creek, the following additional conditions will be met:			
– Water will only be extracted up to the limit specified by the relevant WALs.	Compliant	Annual Reviews for 2020, 2021 and 2022.	Review of relevant documentation verifies compliance with the requirements of this condition.
– Water will only be taken for the purpose of domestic consumption (i.e. potable water activities such as use in the administration offices, workshop, bath houses).	Compliant	– Annual Reviews for 2020, 2021 and 2022. – Surface Water Management and Monitoring Plan (SWMMP) (MGOOC-1779562647-11190)	Review of relevant documentation verifies compliance with the requirements of this condition.

Appendix I

Site inspection photos

Image 1: SX13 D5 (EBAM 2 and SX13 D1 Air Quality Monitors



Image 2: River Oak plantings on Bowmans Creek damaged by recent bushfire generated offsite



Image 3: Fenced Aboriginal cultural site (BOCK-3) between Bowmans Creek and Yorks Creek



Image 4: Bunded above-ground tanks at the Workshop



Image 5: Bunded above-ground tanks at the Workshop



Image 6: Oily Rags Bin, Spill Kit and Fire Extinguishers at Workshop



Image 7: Heavy plant tyre storage north of Workshop



Image 8: Coal Handling Preparation Plant (CHPP) Raw Water Dam



Image 9: Environmental Control Dam 2, with active pumping



Image 10: Product stockpile at the CHPP



Image 11: Train loading at the rail loading facility and rail loop



Image 12: Rehabilitation (topsoil application) at West Pit (i.e. RL170)



Image 13: Rehabilitation (topsoil application) at West Pit (i.e. RL170)



Image 14: Ravensworth East (i.e. Bayswater North Pit)



Image 15: West Pit Tailings Storage



Image 16: Glendell (i.e. Barrett Pit)



Image 17: Rehabilitation – Glendell, planted in 2019



Image 18: Rehabilitation – Glendell, being progressed to treed vegetation



Image 19: Rehabilitation – Glendell, timber stockpiles



Image 20: Blast at Mt Owen (i.e. North Pit) observed from the west



Image 21: Bettys Creek Middle Diversion



Image 22: Bettys Creek Middle Diversion



Image 23: SX13 D10 Air Quality Monitor



Image 24: Rehabilitation – Mt Owen, weed management (i.e. lantana)



Image 25: Rehabilitation –Nest box in native woodland



Image 26: Segregated waste at the Workshop



Image 27: Segregated waste at the Workshop



Image 28: Mt Owen (i.e. North Pit) mining

