

Independent Environmental Audit: Proponent's Response to Audit Findings

Project Approval 07_0127 MOD 5, Invincible Colliery

Table 1: Response to Independent Audit Non-Compliances

Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NC1	Obligation to Minimise Harm to the Environment	NC REC 1 As per Recommendations raised in this audit report.	Finding and recommendation noted. No further action is proposed.	N/A
NC2	Final Layout Plans	<p>Undertake a detailed Mine Planning process that produces a Life of Mine rehabilitation schedule, materials balance and supporting operational strategies to facilitate achievement of rehabilitation commitments.</p> <p>2. Review compliance and operational management systems and processes to ensure that the outcomes of the detailed Mine Planning process are integrated into Business-As-Usual activities to ensure compliance with applicable measures and requirements and progression of rehabilitation activities in accordance with planned activities and timings.</p> <p>3. Implement a program of temporary rehabilitation to minimise disturbance based on commitments within the RMP and EIS.</p>	<p>NC REC 2.1 ACTION</p> <p>Castlereagh Coal (CC) has engaged a contract mine planner to assist with the Life of Mine plan. Changes to operations and the rehabilitation schedule will be reflected in the annual Rehabilitation Report Program, and Forward Work Program.</p> <p>NC REC 2.2 ACTION</p> <p>CC will review the current compliance and operational management system to determine whether the mine planning is integrated adequately. CC will if necessary implement a new compliance systems to the requirements of the operation.</p> <p>NC REC 2.3 ACTION</p>	<p>2.1 01/03/25</p> <p>2.2 21/03/25</p> <p>2.3 31/01/25</p> <p>2.4 01/08/25</p>



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
		4. Undertake remedial works on the west pit rehabilitation area to address land stability issues (dump slip) and drainage line scouring	CC will engage with the contractor mine planner to investigate opportunities to conduct temporary rehabilitation for the project life. NC REC 2.4 ACTION CC will undertake an investigation to determine appropriate remedial works (if required) to repair the land stability issues and drainage line scouring	
NC3	Notification of Recommencement	1. Engage with DPHI to seek confirmation of the recommencement notification. If notification was completed, seek a copy of the correspondence. If correspondence cannot be verified, submit a retrospective notification. 2. Following Item 1, ensure a copy of the recommencement notification is retained and is accessible within the mine's environmental compliance management system.	NC REC 3.1 ACTION CC will engage with DPHI to seek confirmation of the recommencement notification and if possible, seek a copy of the correspondence. If correspondence cannot be verified, CC will submit a notification in accordance with Schedule 2, Condition 12. NC REC 3.2 ACTION A copy will be filed appropriately in the CC filing system	3.1 17/01/25 3.2 N/A
NC4	Blast Management Plan	Engage with DPHI to seek confirmation of agreement by the Secretary to not prepare a Blast Management Plan for the current phase of mining activities.	NC REC 4.1 ACTION CC will engage with DPHI to seek confirmation of an agreement by the Secretary to not prepare a Blast Management Plan, and if possible, seek a copy of the correspondence. If correspondence cannot be verified, CC will submit a request to be exempt of preparing a Blast Management Plans unless CC plan to blast.	4.1 17/01/25



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NC5	Operating Conditions	Introduce a maintenance regime for cleaning the access road, existing the site following the wheel wash.	NC REC 5.1 ACTION CC have introduced a maintenance regime for cleaning the access road, by modifying the water cart to spray water vertically downwards on to the road.	5.1 Completed
NC6	Air Quality Management Plan	1. Review, and update where necessary, the Air Quality Management Plan (AQMP) to reflect the current status of the operation. In undertaking the review, consider implementation status of mitigation measures. Also give consideration whether the level of detail within the AQMP is fit for purpose given the recommencement of operations and EIS commitments. 2. Ensure key measures to address Air Quality operating conditions and to protect air quality are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to Air Quality are mitigated. (Action also refers to EPL Condition O3.2)	NC REC 6.1 ACTION CC will review and revise the AQMP where necessary in accordance with Schedule 5, Condition 5. NC REC 6.2 ACTION CC will ensure key measures to address Air Quality operating conditions and to protect air quality are implemented when reviewing and revising the AQMP	6.1 08/03/25 6.2 08/03/25
NC7	Water Management Performance Measures	1. Undertake an assessment of water management systems and implementation measures for separate clean, dirty and mine water systems by a suitably qualified person. 2. Complete an improvement program for the wastewater, oily water separator and associated infrastructure. (Refer also to findings at Schedule 3, Condition 15).	NC REC 7.1 ACTION CC will engage a suitably qualified person to review and revise the Water Management Plan and the water management system and implementation. NC REC 7.2 ACTION CC will undertake an investigation to determine appropriate repair and if required replace the	7.1 08/03/25 7.2 26/09/25



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
		<p>3. Complete drainage repairs for LPD2 to divert water away from the highway and restore</p> <p>Note: Recommendations regarding the EPL PRP are included within the EPL Checklist</p>	<p>wastewater and oily water separator system to make functional. CC if required will investigate other options in terms of wastewater management.</p> <p>NC REC 7.3 ACTION</p> <p>CC will undertake drainage repairs downstream of LDP002 to divert water back into the natural drainage pathway.</p>	<p>7.3 31/01/25</p>
NC8	Water Management Plan	<p>1. Engage with DPHI to seek confirmation of expert endorsement of the approved Water Management Plan (Water MP). If endorsement was completed, seek a copy of the correspondence. If endorsement cannot be verified, submit an updated request for expert endorsements for the next management plan revision trigger.</p> <p>2. Undertake an assessment of the surface water management system and associated implementation measures by a suitably qualified person.</p> <p>3. Undertake Dam Integrity Inspections on key dam embankments such as the Main Storage Dam.</p> <p>4. Implement measures to manage pipeline/pump failure risks for infrastructure associated with seepage management.</p>	<p>NC REC 8.1 ACTION</p> <p>CC will engage with DPHI to seek confirmation of expert endorsement of the approved Water MP, and if possible, seek a copy of the correspondence. If endorsement cannot be verified, CC will request endorsement for the Water MP revision.</p> <p>NC REC 8.2</p> <p>Finding and recommendation noted. No further action is proposed. Covered under NC REC 7.1 Action</p> <p>NC REC 8.3 ACTION</p> <p>CC will conduct a Dam Embankment Integrity Inspection on the Main Storage Dam by a person qualified in surveillance of embankment dam inspections.</p> <p>NC REC 8.4 ACTION</p> <p>CC will review the pipeline/pump failure risks for infrastructure associated with seepage</p>	<p>8.1 08/03/25</p> <p>8.2 N/A</p> <p>8.3 08/04/25</p> <p>8.4 16/05/25</p> <p>8.5 N/A</p> <p>8.6 23/05/25</p> <p>8.7 N/A</p>



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
		<p>5. Review the current operations against the Aquifer Interference Policy.</p> <p>6. Engage the EPA for a modification of the Environment Protection Licence to permit discharge via the underground workings.</p> <p>7. Document staged Progressive Erosion and Sediment Control Plans (PESCPs) as per the Water MP for key areas across the site</p>	<p>management and if necessary, revise the seepage management process.</p> <p>NC REC 8.5 ACTION</p> <p>Finding and recommendation noted. No further action is proposed. Covered under NC REC 7.1 Action</p> <p>NC REC 8.6 ACTION</p> <p>CC will engage with EPA to determine if a EPL variation is necessary and will submit an application to modify if required.</p> <p>NC REC 8.7</p> <p>Finding and recommendation noted. No further action is proposed.</p>	
NC9	Water Management Plan	As for Schedule 3, Condition 25. (OBS4)	Finding and recommendation noted. No further action is proposed.	N/A
NC10	Biodiversity Offset Strategy	<p>1. Prepare and implement a detailed action plan to resolve all outstanding requirements / commitments / conditions related to Biodiversity.</p> <p>2. Provide quarterly updates of action plan implementation to relevant agencies.</p>	<p>NC REC 10.1 ACTION</p> <p>CC will prepare and implement an action plan to resolve the outstanding requirements/ commitments/ conditions related to biodiversity.</p> <p>NC REC 10.2 ACTION</p> <p>CC will provide quarterly updates of the action plan to relevant agencies when the action plan is triggered and until the action plan is completed.</p>	<p>10.1 02/05/25</p> <p>10.2 N/A</p>



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NC11	Retirement of Credits	As for Schedule 3, Condition 29. (NC10)	Finding and recommendation noted. No further action is proposed.	N/A
NC12	Biodiversity Management Plan	<p>1. Review, and update where necessary, the Biodiversity Management Plan (BMP) to revise the current status of the operation, consider implementation status of mitigation measures and consider if the level of detail is fit for purpose given the recommencement of operations and EIS commitments. Consideration should also be given to increasing the timing and specificity of outlining the measures to be implemented and how / when these are to be implemented.</p> <p>2. Ensure key measures to address Biodiversity Management and to protect biodiversity are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to biodiversity are mitigated.</p> <p>3. Ensure site clearing limits and no-go areas are clearly delineated and/or fenced.</p> <p>4. Reinstate exclusion fencing around translocation areas.</p> <p>5. Undertake assessment of the need for vertebrate pest control and implement as required.</p>	<p>NC REC 12.1 ACTION</p> <p>CC will review and revise the BMP where necessary in accordance with Schedule 5, Condition 5.</p> <p>NC REC 12.2</p> <p>Finding and recommendation noted. No further action is proposed. This is covered under NC REC 12.1 ACTION.</p> <p>NC REC 12.3 ACTION</p> <p>CC has surveyed and pegged out the clearing limits and the no-go areas are clearly marked.</p> <p>NC REC 12.4 ACTION</p> <p>CC will reinstate exclusion fencing around translocation areas.</p> <p>NC REC 12.5 ACTION</p> <p>CC will review the latest inspection reports and determine whether a pest control plan is required and will implement if required.</p>	<p>12.1 08/03/25</p> <p>12.2 N/A</p> <p>12.3 Completed</p> <p>12.4 31/10/25</p> <p>12.5 30/05/25</p>



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NC13	Aboriginal Cultural Heritage Management Plan	1. Engage with DPHI to seek confirmation regarding approval of the Aboriginal Cultural Heritage (ACH) Management Plan. If approval was completed, seek a copy of the correspondence. If correspondence cannot be verified, submit a retrospective approval.	NC REC 13.1 ACTION CC will engage with DPHI to seek confirmation regarding approval of the ACH Management Plan. If approval was completed, seek a copy of the correspondence. If correspondence cannot be verified, submit a retrospective approval.	13.1 17/01/25
NC14	Hours of Work	1. Review, and update where necessary, the Transport Management Plan (TMP) to reflect the current status of the operation. In undertaking the review, consider implementation status of mitigation measures. Also give consideration whether the level of detail within the TMP is fit for purpose given the recommencement of operations and EIS commitments. (Action also applies at EPL Condition O3.1) 2. Ensure key measures to address Transport Management and to protect environmental and amenity quality are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to the environment and amenity are mitigated.	NC REC 14.1 ACTION CC will review and revise the TMP where necessary in accordance with Schedule 5, Condition 5. NC REC 14.2 Finding and recommendation noted. No further action is proposed.	14.1 08/03/25
NC15	Rehabilitation Objectives	As for Schedule 2, Condition 11. (NC2)	Finding and recommendation noted. No further action is proposed.	
NC16	Rehabilitation Strategy	As for Schedule 2, Condition 11. (NC2)	Finding and recommendation noted. No further action is proposed.	
NC17	Rehabilitation Management Plan	1. Following approval of the Rehabilitation Objectives and Criteria, revise the Rehabilitation	NC REC 17.1 ACTION	17.1 Trigger



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
		Management Plan (RMP) based on the amendment requirements of current Mining Lease Conditions. 2. Ensure RMP measures are implemented in accordance with planned activities and timings.	CC will revise the RMP following approval of the Rehabilitation Objectives and Criteria. NC REC 17.2 Finding and recommendation noted. No further action is proposed.	based action
NC18	Rehabilitation Management Plan	1. Review, and update where necessary, the Rehabilitation Management Plan (RMP) to reflect the current status of the operation. In undertaking the review, consider implementation status of mitigation measures. Also give consideration whether the level of detail within the RMP is fit for purpose given the recommencement of operations and EIS commitments. 2. Ensure key rehabilitation measures are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to the environment are mitigated.	NC REC 18.1 ACTION CC will review and revise the RMP where necessary in accordance with Schedule 5, Condition 5. NC REC 18.2 Finding and recommendation noted. No further action is proposed.	18.1 08/03/25
NC19	Annual Review	Introduce a systematic process to ensure commitments that have been included in management plans for reporting within Annual Reviews are addressed for future submissions.	NC REC 19.1 ACTION CC will investigate and if required implement a compliance database where all actions will be registered.	19.1 27/06/25
NC20	Regular Reporting	Introduce a systematic process to ensure commitments that have been included in management plans for reporting within Annual Reviews are addressed for future submissions.	NC REC 20.1 Refer to NC REC 19.1 ACTION	N/A



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NC21	Access to Information	Introduce a systematic process to ensure website uploads occur in accordance with the Consent.	NC REC 21.1 Refer to NC REC 19.1 ACTION	N/A
NC22	Concentration Limits	Investigate the pH results reported outside the parameters of the EPL and implement corrective actions as necessary to mitigate non-compliance with Conditions L2.1 and L2.2 of EPL1095.	NC REC 22.1 ACTION CC has engaged a contractor to investigate the exceedance of pH results outside the parameters of the EPL. An investigation will be completed in accordance with the WMP.	22.1 25/04/25
NC23	Concentration Limits	As per Condition L2.1.	Finding and recommendation noted. No further action is proposed.	N/A
NC24	Dust	<p>1. Review, and update where necessary, the Transport Management Plan (TMP) to reflect the current status of the operation. In undertaking the review, consider implementation status of mitigation measures. Also give consideration whether the level of detail within the TMP is fit for purpose given the recommencement of operations and EIS commitments. (Action also applies at MP07_0127 MOD5, Schedule 3, Condition 43)</p> <p>2. Review, and update where necessary, the Air Quality Management Plan (AQMP) to reflect the current status of the operation. In undertaking the review, consider implementation status of mitigation measures. Also give consideration whether the level of detail within the AQMP is fit for purpose given the recommencement of operations and EIS commitments. (Action also refers to MP07_0127 MOD5 Schedule 3, Condition 20)</p>	<p>NC REC 24.1 Refer to NC REC 14.1 ACTION</p> <p>NC REC 24.2 Refer to NC REC 6.1 ACTION</p> <p>NC REC 24.3 Finding and recommendation noted. No further action is proposed.</p>	N/A



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		3. Ensure key measures to address Air Quality operating conditions and to protect air quality are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to Air Quality are mitigated. (Action also refers to MP07_0127 MOD5 Schedule 3, Condition 20)		
NC25	Dust	As per Condition O3.1. (NC24)	Finding and recommendation noted. No further action is proposed.	N/A
NC26	Dust	<p>1. Clean up coal tracked onto Castlereagh Highway near the site entrance.</p> <p>2. Review and advance the arrangements to prevent coal tracking onto the Castlereagh Highway.</p> <p>(Actions also apply at MP07_0127 MOD5, Schedule 3, Condition 41) (OBS7)</p>	<p>NC REC 26.1 ACTION</p> <p>CC will further liaise with Road Maritime Services to further clean up the small remainder of coal on the side of the Castlereagh Highway.</p> <p>NC REC 26.2</p> <p>Refer to NC REC 5.1 ACTION</p>	<p>26.1 11/07/25</p> <p>26.2 N/A</p>
NC27	Requirement to monitor concentration of pollutants discharged – Air Monitoring Requirements	<p>1. Review environmental sample collection and monitoring data protocols and procedures to ensure timely collection, compliance review and investigation of environmental quality data is carried out and followed up where necessary.</p> <p>2. Finalise and implement contractual arrangements with monitoring contractors to ensure timely collection of environmental monitoring data in accordance with EPL1095 and MP07_0127 MOD5 requirements.</p>	<p>NC REC 27.1 ACTION</p> <p>CC will review the sample collection and protocols to ensure timely collection, compliance review and investigation of data.</p> <p>NC REC 27.2</p> <p>CC has finalised the contractual arrangements with monitoring contractors and continues to liaise regarding timely reporting.</p>	<p>27.1 13/06/25</p> <p>27.2 N/A</p>



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NC28	Low pH Water Investigation and Management	Engage with EPA regarding the proposed EPL Variation (DOC24/308221)	NC REC 28.1 CC has made comment on the EPL draft variation and responded to EPA. The response is currently sitting with EPA in review as of 15/11/2024. CC will continue to liaise with EPA regarding the draft EPL variation.	28.1 N/A
NC29	Protection of the environment and rehabilitation - Must prevent or minimise harm to environment	Refer to Items Below	Finding and recommendation noted. No further action is proposed.	N/A
NC30	Protection of the environment and rehabilitation - Rehabilitation to occur as soon as reasonably practicable after disturbance	As for MP07_0127 MOD 5, Schedule 3, Condition 11. (NC2)	Finding and recommendation noted. No further action is proposed.	N/A
NC31	Risk Assessment – Rehabilitation Risk Assessment	Introduce Rehabilitation Resourcing, Planning and Scheduling process that is linked to budget cycles and considers the forward program to ensure key rehabilitation risks are mitigated.	NC REC 31.1 Covered under NC 2.1 ACTION	N/A
NC32	Rehabilitation Documents – Rehabilitation management plans for large mines	As for MP07_0127 MOD 5, Schedule 2, Condition 11. (NC2)	Finding and recommendation noted. No further action is proposed.	N/A



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NC33	Rehabilitation Documents – Rehabilitation outcome documents	As for MP07_0127 MOD 5, Schedule 3, Condition 52. (NC16)	Finding and recommendation noted. No further action is proposed.	N/A
NC34	Rehabilitation Documents – Forward program and annual rehabilitation report	Finalise and submit the 2024 Annual Rehabilitation Report and Forward Program.	NC REC 34.1 ACTION Finding and recommendation noted. The 2024 Annual Rehabilitation Report and Forward Program will be submitted in accordance with the guideline post the 2024 reporting period.	34.1 01/03/25
NC35	Rehabilitation Documents – Forward program and annual rehabilitation report	As for RMP ML Condition 13(1). (NC34)	Finding and recommendation noted. No further action is proposed.	N/A
NC36	Rehabilitation Documents – Times at which documents must be prepared and given	As for RMP ML Condition 13(1). (NC34)	Finding and recommendation noted. No further action is proposed.	N/A
NC37	Rehabilitation Documents – Times at which documents must be prepared and given	As for RMP ML Condition 13(1). (NC34)	Finding and recommendation noted. No further action is proposed.	N/A
NC38	Rehabilitation Documents – Certain documents to be publicly available	As for RMP ML Condition 9. (NV11)	Finding and recommendation noted. No further action is proposed.	N/A



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NC39	Records, reporting and notification – records demonstrating compliance	Consider the development of a comprehensive system / tool for compliance management. The system / tool would identify regulatory commitments and obligations with actions and timeframes to facilitate planning and execution of compliance actions.	NC REC 39.1 Refer to NC 2.2 ACTION	N/A



Table 2: Response to Independent Audit Not Verified

Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
NV1	Water Supply	<p>1. Complete the current works program for updating the Site Water Balance.</p> <p>2. Introduce a systematic method to ensuring the Site Water Balance is reviewed and reported in accordance with the Water Management Plan.</p> <p>3. Include a clear and definitive description within the 2024 Annual Review of the outcomes of the current works program for updating the Site Water Balance.</p>	<p>NV REC 1.1 Refer to NC 7.1 ACTION</p> <p>NV REC 1.2 Refer to NC 2.2 ACTION</p> <p>NV REC 1.3 ACTION Recommendation noted. The works program for the site water balance will be included in the 2024 Annual Review</p>	<p>NV1.1 N/A</p> <p>NV1.2 N/A</p> <p>NV1.3 31/03/25</p>
NV2	Biodiversity Offset Strategy	As for Schedule 3, Condition 29. (NC10)	Recommendation noted. No further action is proposed.	N/A
NV3	Retirement of Credits	As for Schedule 3, Condition 29. (NC10)	Recommendation noted. No further action is proposed.	N/A
NV4	Biodiversity Management Plan	As for Schedule 3, Condition 29. (NC10)	Recommendation noted. No further action is proposed.	N/A
NV5	Conservation Bond	As for Schedule 3, Condition 29. (NC10)	Recommendation noted. No further action is proposed.	N/A
NV6	Determination of Meteorological Conditions	As for Schedule 3, Condition 21. (OBS4)	Recommendation noted. No further action is proposed.	N/A
NV7	Compliance Monitoring	As for Schedule 3, Condition 21. (OBS4)	Recommendation noted. No further action is proposed.	N/A
NV8	Pollution of Waters	1. Investigate potential diesel contamination of the Environmental Dam, including an assessment of compliance against Section 120 of the Protection of the Environment Operations Act 1997, noting	<p>NV REC 8.1 ACTION CC has undertaken an investigation of the diesel contamination. A incident form was</p>	NV8.1 Completed



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		<p>also the definitions provided in Schedule 6 of that Act for harm, environment, pollution, pollution incident, water pollution / pollution of waters and waters.</p> <p>2. Ensure actions are taken to remove the source of the diesel spill and remediate any contamination of surrounding land, water or groundwater that may have occurred due to the spill.</p> <p>3. Following the assessment outlined in Item 2, in the event that environmental harm and/or non-compliance with EPL1095 Condition L1.1 is indicated, provide notification to EPA and DPHI in accordance with Conditions R2.1 and R2.2 of EPL1095 and Schedule 5, Condition 9 of MP07_0127 MOD 5 respectively.</p>	<p>completed and actions to rectify the contamination were also completed which included the removal of contaminated soil.</p> <p>NV REC 8.2</p> <p>Refer to NV 8.1 ACTION</p> <p>NV REC 8.3</p> <p>Recommendation noted. No further action is proposed.</p>	<p>NV8.2 N/A</p> <p>NV8.3 N/A</p>
NV9	Noise Limits	<p>1. Review noise monitoring protocols, including the Noise Management Plan and associated procedures as relevant, and update as relevant to reference current requirements of EPL1095 Condition L4.4 and also Schedule 3, Conditions 1-3 and Appendix 4 of MP07_0127 MOD5.</p> <p>2. Following Item 1, implement updated noise monitoring protocols to ensure compliance with requirements of EPL1095 Condition L4.4 and also Schedule 3, Conditions 1-3 and Appendix 4 of MP07_0127 MOD5.</p>	<p>NV REC 9.1 ACTION</p> <p>CC will review the monitoring protocols and make sure that these protocols are understood by the sampling contractor, and it is detailed in the monitoring report. The reports will also be published with reference to the most up to date EPL1095 conditions.</p> <p>NV REC 9.2</p> <p>Refer to NV 9.1 ACTION</p>	<p>NV 9.1 31/12/24</p> <p>NV 9.2 N/A</p>
NV10	Low pH Water Investigation and Management	As per Condition U1.1 (NC28)	Recommendation noted. No further action is proposed.	N/A



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NV11	Rehabilitation Documents – General requirements for documents	Introduce a systematic process to ensure website uploads occur in accordance with the ML.	NV REC 11.1 Refer to NC 2.2 ACTION	N/A
NV12	Rehabilitation Documents – Certain documents to be publicly available	As for RMP ML Condition 9. (NV11)	Recommendation noted. No further action is proposed.	N/A
NV13	Water Access Licence – Water Accounts	Engage with WaterNSW to obtain copies of current water accounts.	NV REC 13.1 ACTION CC will engage with WATERNSW to obtain copies of current water accounts and WAL Part A conditions.	NV13.1 15/01/25
NV14	Water Access Licence - Part A Conditions	Engage with WaterNSW to obtain copies of the WAL Part A conditions and include a detailed compliance report as part of the next annual review. Additionally the report should address: - storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018 - Water metering at the site is in accordance with the NSW Non-Urban Metering Framework - Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from	NV REC 14.1 ACTION CC will engage with WATERNSW as per NV REC 13.1 ACTION. If copies of the WAL Part A conditions are received CC will include a detailed compliance report within the next annual review from receiving the information	14.1 Trigger based action



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NV15	S240 Notice Action Plan	Continue to engage with the Resources Regulator regarding the status of the action plan, obtain copies of the Warning Letter and any subsequent actions contained within. Include a detailed compliance report as part of the next annual review. (NV15).	NV REC 15.1 ACTION CC will provide an update of any non-compliances and active notices from the reporting period within the 2024 Annual Review.	15.1 31/03/25



Table 3: Response to Independent Audit Opportunities for Improvement

Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
OBS1	Mining Restrictions	<p>1. Ensure geographic survey and peg-out of approved project boundary and disturbance areas is completed.</p> <p>2. Following Item 1, ensure the site survey plan is integrated into the mine's compliance and operational management systems and processes to ensure that mining activities are only undertaken within the approved boundaries.</p>	<p>OBS REC 1.1 Refer to NC REC 12.3</p> <p>OBS REC 1.2 Refer to NC REC 2.2</p>	N/A
OBS2	Operation of Plant and Equipment	<p>1. Undertake maintenance and cleaning of the wastewater catch drain system.</p> <p>2. Conduct a maintenance inspection and integrity test of the wastewater collection system including bunding, tanks and piping.</p> <p>3. Repair the breakage in the piping that leads from the wastewater catch drain to the oil/water separator and waste oil collection tank. Investigate</p>	<p>OBS REC 2.1 Refer to NC REC 7.2</p> <p>OBS REC 2.2 ACTION CC will implement a periodic maintenance inspection workorder to inspect the integrity of the wastewater collection system.</p> <p>OBS REC 2.3 Refer to NC REC 7.2</p> <p>OBS REC 2.4 ACTION</p>	<p>2.1 N/A</p> <p>2.2 04/04/25</p> <p>2.3 N/A</p> <p>2.4 31/01/25</p> <p>2.5 Completed</p>



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		<p>whether any soil contamination has resulted from the breakage.</p> <p>4. Install bunding around the waste oil collection tank (if it is to remain operational).</p> <p>5. Review chemical storage areas and implement corrective actions to ensure that all chemicals are stored within secondary containment; the chemical register and SDS are current and readily available; the waste collection system is inspected, maintained and repaired (as required).</p> <p>6. Review housekeeping arrangements in workshop, equipment, tools and waste storage areas to ensure appropriate storage arrangements are in place to prevent leaks, spills and other potential environmental impacts.</p>	<p>CC have engaged a contractor to install bunding around the waste oil collection tank so that it can be made operational.</p> <p>OBS REC 2.5 ACTION</p> <p>CC has reviewed the chemical storage areas, housekeeping arrangements and has implemented corrective actions to ensure all chemicals and hydrocarbons are stored within secondary containment. All chemicals on site and any chemicals that are introduced to site require SDS as per the Work Permit.</p> <p>OBS REC 2.6</p> <p>Refer to OBS REC 2.5 ACTION</p> <p>OBS REC 2.7 ACTION</p> <p>CC will investigate a Training Needs Analysis</p>	<p>2.6 N/A</p> <p>2.7 29/08/25</p>



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		7. Consideration should be given to documenting a Training Needs Analysis, followed by the development of training packages and a site wide training program.	program and implement it if required.	
OBS3	Planning Agreement	Introduce a systematic method to ensuring payments are made in accordance with the nominated agreement timeframes.	OBS REC 3.1 Refer to NC REC 2.2 ACTION	N/A
OBS4	Meteorological Monitoring	Complete a review of the existing and/or proposed upgraded meteorological station / sensors to ensure the meteorological station complies with requirements of Schedule 3, Condition 21, including the capability to measure temperature inversions in accordance with the NSW Industrial Noise Policy.	OBS REC 4.1 ACTION Finding and recommendation noted. CC will review the meteorological station to ensure compliance with application requirements.	4.1 22/08/25
OBS5	Clean Water Diversion Strategy	1. Review, and update where necessary, the Water Management Plan (WMP) to revise the current status of the operation, consider implementation status of mitigation measures and	OBS REC 5.1 Recommendation noted. Covered under NC REC 7.1 ACTION. OBS REC 5.2	N/A



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		<p>consider if the level of detail is fit for purpose given the recommencement of operations and EIS commitments. Consideration should also be given to increasing the timing and specificity of outlining the measures to be implemented and how / when these are to be implemented.</p> <p>In the review, a suitability qualified and experienced person should be engaged to review water management systems and implementation measures for separate clean, dirty and mine water systems against requirements of Schedule 3, Condition 26.</p> <p>2. Ensure key measures to address Water Management and to protect water quality are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to Water Quality are mitigated.</p>	Recommendation noted. Covered under NC REC 7.1 ACTION.	



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OBS6	Aboriginal Cultural Heritage Management Plan	<p>1. Review, and update where necessary, the Aboriginal Cultural Heritage Management Plan (ACHMP) to revise the current status of the operation, consider implementation status of mitigation measures and consider if the level of detail is fit for purpose given the recommencement of operations and EIS commitments. Consideration should also be given to increasing the timing and specificity of outlining the measures to be implemented and how / when these are to be implemented.</p> <p>2. Ensure key measures to address ACH Management and to protect ACH are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to ACH are mitigated.</p> <p>3. Review current ACH management status and approved management strategies as part of updating</p>	<p>OBS REC 6.1 ACTION CC will review and revise the ACHMP where necessary in accordance with Schedule 5, Condition 5.</p> <p>OBS REC 6.2 Refer to OBS REC 6.1 ACTION</p> <p>OBS REC 6.3 Refer to OBS REC 6.1 ACTION</p>	<p>6.1 08/03/25</p> <p>6.2 08/03/25</p> <p>6.3 08/03/25</p>



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		the ACH Database for ongoing use as part of Ground Disturbance Permitting.		
OBS7	Approved Plans to be On-Site	<p>1. Clean up coal tracked onto Castlereagh Highway near the site entrance.</p> <p>2. Review and advance the arrangements to prevent coal tracking onto the Castlereagh Highway.</p> <p>(Actions also apply at EPL1095, Condition O3.4) (NC26)</p>	<p>OBS REC 7.1 Refer to NC REC 26.1 ACTION</p> <p>OBS REC 7.2 Refer to NC REC 26.1 ACTION</p> <p>OBS REC 7.2 Refer to NC REC 5.1 ACTION</p>	N/A
OBS8	Rehabilitation Strategy (RS)	1. Review, and update where necessary, the Rehabilitation Strategy (RS) to reflect the current status of the operation. In undertaking the review, consider implementation status of mitigation measures. Also give consideration whether the level of detail within the RS is fit for purpose given the recommencement of operations and EIS commitments.	<p>OBS REC 8.1 ACTION CC will review and revise the RS where necessary in accordance with Schedule 5, Condition 5.</p> <p>OBS REC 8.2 Refer to OBS REC 8.1 ACTION</p>	<p>8.1 08/03/25</p> <p>8.2 N/A</p>



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		2. Undertake a detailed review of all commitments, requirements and regulatory/enforcement actions related to rehabilitation to ensure key rehabilitation measures are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to the environment are mitigated. Incorporate the outcomes of the detailed review into the revised Rehabilitation Strategy and/or Rehabilitation management Plan.		
OBS9	Environmental Management Strategy (EMS)	1. Review, and update where necessary, the Environmental Management Strategy (EMS) to revise the current status of the operation, consider implementation status of mitigation measures and consider if the level of detail is fit for purpose given the recommencement of operations and EIS commitments. Consideration should also be given to increasing the timing and specificity of outlining the measures to be implemented	OBS REC 9.1 ACTION CC will review and revise the EMS where necessary in accordance with Schedule 5, Condition 5. OBS REC 9.2 Refer to OBS REC 9.1 ACTION.	9.1 08/03/25



Unique Finding Identifier	Aspect	Recommendation	Proponent's Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date (if applicable)
		and how / when these are to be implemented. 2. Ensure key measures to address Environmental Management and to protect environmental quality are implemented, including monitoring for ongoing effectiveness and implementation of corrective actions as required to ensure risks to Environmental Quality are mitigated.		
OBS10	Community Consultative Committee	Confirm that the CCC has adopted and is operating in accordance with the 2023 CCC Guidelines.	OBS REC 10.1 ACTION CC will liaise with the CCC Chairperson to confirm that it is adhering to the 2023 CCC Guidelines	10.1 25/04/25
OBS11	Voluntary Planning Agreement	Introduce a systematic method to ensuring payments are made in accordance with the nominated agreement timeframes.	OVS REC 11.1 Refer to NC REC 2.2 ACTION	N/A
OBS12	Activities must be carried out in a competent manner	Consideration should be given to establishing a fit for purpose compliance database to capture commitments and obligations	OVS REC 12.1 Refer to NC REC 2.2 ACTION	N/A



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		across all approvals, authorisations and licences, and for collation of records and evidence that demonstrate compliance against applicable requirements.		
OBS13	Other Operating Conditions - Truck Wheel Wash	As per Condition 03.4. (NC26)	Recommendation noted. No further action is proposed.	N/A
OBS14	Recording of Pollution Complaints	Review the format of Complaint Reports and update as relevant to explicitly address each item of EPL1095 Condition M4.2 (a to f).	OBS REC 14.1 ACTION CC will review the format of the site Complaint Reports and revise if required to meet the M4.2 condition	14.1 28/02/25
OBS15	Records, reporting and notification – Nominated contact person	Confirm with the Resources Regulator portal that Tim Haig is the nominated contact person for CC.	OBS REC 15.1 ACTION CC will confirm the status of the nominated contact person for CC	15.1 18/01/25
OBS16	Pollution Incident Response Plan	Consideration should be given to updating the site Pollution Incident Response Plan (PIRMP) to address the updated Regulations Protection of the Environment Operations (General) Regulation 2022 (the General Regulation) and the updated Guideline: Pollution	OBS REC 16.1 ACTION CC will review and revise the PIRMP following the next PIRMP test scheduled in December 2024	16.1 31/12/2024



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		Incident Response Management Plans (2022).		
OBS17	Training and Competence	Consider documenting a Training Needs Analysis, followed by the development of training packages and a site wide training program.	OBS REC 17.1 Refer to OBS REC 2.7 ACTION	N/A
OBS18	Inspections and Maintenance	Consider reinstating the general monthly environmental inspections described in the EMS, including the formalisation of the inspection checklist and reporting outcomes to the mine manager.	OBS REC 18.1 ACTION CC is currently undertaking monthly environmental inspections in accordance with the EMS. CC will investigate the transition of moving to digital inspection reporting.	18.1 05/12/25
OBS19	Inspections and Maintenance	Consider undertaking a comprehensive Walkover Inspection of all rehabilitation areas (to complement the existing rehabilitation monitoring) to capture all current maintenance requirements for prioritisation and rectification. It is noted that the Annual Walkover for rehabilitation is included within the EMS but not the RMP.	OBS REC 19.1 ACTION CC will implement the comprehensive walkover inspection of all rehabilitation areas.	19.1 31/12/24



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OBS20	Environmental Monitoring and Measurement	In conjunction with management plan revisions, consider increasing the utilisation of monitoring results and long terms trends, including ANZECC results for identifying change and managing environmental performance.	OBS REC 20.1 ACTION CC will review and revise management plans where necessary in accordance with Schedule 5, Condition 5	20.1 08/03/25
OBS21	Environmental Monitoring and Measurement	Consider implementing a system / process / tool for easily tracking monitoring data against criteria, annual trends, long term trends.	OBS REC 21.1 ACTION CC has implemented a new filing system which includes long term trend data.	21.1 Completed
OBS22	Environmental Monitoring and Measurement	Monthly environmental monitoring reports to include the results of visual inspections for ferrous iron oxidation and other contamination.	OBS REC 22.1 ACTION CC will include the visual inspections of ferrous iron oxidation and other contamination with the monthly inspection report template.	22.1 31/01/25
OBS23	Compliance Management, Systems and Reporting	As per Division 4, Condition 17. (NC39)	Recommendation noted. No further action is proposed.	N/A
OBS24	Compliance Management, Systems and Reporting	Consider adopting environmental performance management systems commonly used in the NSW mining industry, such as weather forecasting tools,	OBS REC 24.1 ACTION CC will investigate environmental performance management systems	24.1 10/04/26



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		compliance databases, monitoring databases, spatial databases.	and determine whether there are any databases that will need to be purchased.	
OBS25	Life of Mine	Given the current Life of Mine, noting commencement of MOD6 and the Forward Program, prepare and implement a Mine Closure Plan in accordance with the relevant guidelines (which may include but are not limited to: Australian and New Zealand Minerals and Energy Council (ANZMEC) Strategic Framework for Mine Closure (ANZMEC/MCA 2000), Standards for mine closure and reclamation management ISO/TC 82/SC 7 and the International Council of Mining and Metals (ICMM) Planning for Integrated Mine Closure Toolkit).	OBS REC 25.1 ACTION Investigate the implementation of a Mine Closure Plan within three years of consent expiration, with the exemption if a development consent extension approval process is underway.	25.1 Trigger based action
OBS26	Aquatic Monitoring	Consider establishing an aquatic monitoring program in Cullen Creek to assess mining impacts.	OBS REC 26.1 ACTION Refer to NC REC 7.1 ACTION regarding to WMP Review	N/A

