



Bloomfield Collieries Pty Ltd

Rix's Creek South Mine

Independent Environmental Audit

January 2020

Table of contents

1.	Introduction.....	1
1.1	Introduction and purpose of this report	1
1.2	Scope of the audit	2
1.3	Audit participants	3
1.4	Limitations	3
2.	Methodology.....	4
2.1	Audit inception	4
2.2	Document review	4
2.3	Agency consultation.....	5
2.4	Site inspection and interviews	5
2.5	Reporting	6
2.6	Definitions	8
3.	Previous independent audit and status.....	9
4.	Audit findings.....	15
4.1	Context of compliance assessment	15
4.2	Summary of compliance	15
4.3	Compliance with Development Consent (DA 49/94)	25
4.4	Compliance with EPL 3391	28
4.5	Compliance with relevant leases (ML 1432 and CL 352)	29
4.6	Adequacy of any strategies/plans and programs	29
4.7	Auditor's response to any matters raised by government agencies	34
4.8	Auditor's response to any matters raised by the Chair of the Community Consultative Committee.....	35
5.	Recommendations	36

Table index

Table 1-1	Audit team members.....	3
Table 2-1	Opening meeting attendees.....	5
Table 2-2	Independent Audit Guideline Requirements	7
Table 2-3	Risk level for non-compliances	8
Table 3-1	2016 IEA findings/recommendations	9
Table 4-1	Compliance with Development Consent and EPL.....	15
Table 4-2	Overview of non-compliances with DA 49/94	16
Table 4-3	Summary of DA 49/94 Non-Compliances.....	25
Table 4-4	Summary of EPL 3391 Non-Compliances	28

Table 4-5	Summary of CL 352 Non-Compliances	29
Table 4-6	Status of key monitoring and management	30
Table 4-7	NSW Resources Regulator comments and auditor's response	34
Table 5-1	Recommendations	36

Plate index

Plate 1	Effluent Discharge Utilisation Area	20
Plate 2	Emergency spill kits available inside a storage shed	20
Plate 3	Oil and chemical storage in bunding inside a storage shed	20
Plate 4	Above ground storage tanks with bunding outside workshop building	20
Plate 5	Dirty water drainage at the Mine workshop/refuelling bay	21
Plate 6	Oil water separator system	21
Plate 7	Oil water separator system, with drainage infrastructure for overflows	21
Plate 8	Bunded waste oil within the workshop building	21
Plate 9	Above ground diesel storage tanks with clay liner bunding near the Mine entrance	21
Plate 10	Maintenance works within the bunded workshop	22
Plate 11	Southern CHPP STP	22
Plate 12	CHPP, showing noise walls added to the southern side of the CHPP	22
Plate 13	CHPP, showing noise walls added to the western side of the CHPP	22
Plate 14	Mine rehabilitation area, west of Plate 15	23
Plate 15	Mine rehabilitation areas, with areas subject to initial rehabilitation activities observed	23
Plate 16	Mine rehabilitation areas, with areas subject to initial rehabilitation activities observed	23
Plate 17	Viewing platform south of the Active Mining Area – West Pit (Pit 3): Facing west/north-west	24
Plate 18	Viewing platform south of the Active Mining Area – West Pit (Pit 3): Facing north-west	24

Appendices

Appendix A – DPIE Approval of Audit Team

Appendix B – Agency consultation

Appendix C – Independent Audit Submission Form

Appendix D – Development Consent (DA 49/94) Checklist

Appendix E – EPL 3391 Checklist

Appendix F – Auditors response to matters raised by CCC members

1. Introduction

1.1 Introduction and purpose of this report

Bloomfield Collieries Pty Limited (Bloomfield) (holder of the Rix's Creek Mine Development Consent, File No. N90/00356 October 1995) is a subsidiary of The Bloomfield Group, which owns and operates the Rix's Creek South Mine (the Mine). The Mine is an open cut coal mine in the Hunter Valley Coalfields of NSW, in the Singleton local government area (LGA). The Bloomfield Group is a wholly Hunter-based private company. The Mine currently produces approximately 1.5 million tonnes per annum (Mtpa) of product coal from its existing operations.

The Mine has been in operation since 1990 extracting coal from within the Hebden, Barrett, Liddell, Arties, Pikes Gully and Lemington seams of the Whittingham Coal Measures and predominately producing thermal and semisoft coking coal for export, with small quantities for domestic consumption. A truck and excavator method is used to remove and stockpile topsoil prior to mining operations. Overburden is then drilled and blasted, with blasting requirements dependent on the characteristics of overburden.

Development Consent for mining operations was first issued on 19 October 1989 (DA 81/818), with a subsequent modification approved in 1993. Coal Lease 352 (CL 352) was issued on 20 October 1989 and allowed mining operations for a period of 21 years from the date of approval. However parts of CL 352, which were not owned by the Mine, precluded surface disturbance. Following agreement with the landholders, DA 49/94 was approved to incorporate surface (open cut) mining (within the entire lease area), as well as providing for additional infrastructure and equipment upgrades required for open cut operations. This development consent was issued on 19 October 1995, with ML 1432 issued on 24 June 1998 allowing open cut mining to occur over the entire area. The Mine continues to operate under this approval.

Bloomfield commissioned GHD to conduct an independent environmental audit (IEA) of the Mine. The audit was conducted in accordance with Schedule 2, Condition 26 of DA 49/94. The audit assessed the compliance status of the Mine against DA 49/94 and other relevant environmental approvals and licences/leases, for operations during the period 1 November 2016 to 01 November 2019.

The Mine component of the IEA was conducted on Tuesday, 26 November 2019. This report provides an outline of the audit methodology and results, and provides recommended actions for achieving full compliance with environmental approvals.

The audit was led by Elliot Holland, Lead Auditor – Environmental Management Systems (number: 115351) with technical review completed by Michelle Kiejda, Technical Lead – Environment. Tyler Tinkler, Water Engineer, was the Technical Specialist – Water for all water-related aspects of the audit.

Schedule 2, Condition 26 of DA 49/94 for the Mine requires an IEA to be commissioned by the end of December 2016, and every three (3) years thereafter. Specifically, Condition 26 requires:

By the end of December 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:

- (i) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- (ii) include consultation with the relevant agencies;*
- (iii) 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 (including any assessment, plan or program required under these approvals);*
- (iv) review the adequacy of strategies, plans or programs required under the abovementioned approvals;*
- (v) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and*
- (vi) be conducted and reported to the satisfaction of the Secretary. The Applicant must implement these recommendations, to the satisfaction of the Secretary.*

As required by Schedule 2, Condition 26 of DA 49/94, the audit team was approved by the Department of Planning, Industry and Environment (DPIE) to undertake the audit on 27 September 2019, with subsequent approval for a change of the technical water specialist provided 25 October 2019 (Appendix A).

1.2 Scope of the audit

The audit took the following form:

- An initial start-up teleconference was held with relevant Bloomfield representatives to discuss the audit methodology, identify relevant personnel involved in the project, key activities and systems occurring on the Mine, documentation for review and to schedule a date for the Mine inspection.
- Relevant agencies, including the Biodiversity Conservation Division (BCD) (formerly the Office of Environment and Heritage (OEH)), Roads and Maritime Services, Natural Resources Access Regulator (NRAR) (formerly the Department of Primary Industries (DPI) – Water), Environment Protection Authority (EPA), the NSW Resources Regulator and Singleton Council were requested to provide comment on the performance and/or compliance of the project with relevant requirements and/or approvals.
- A review of available key documentation including the Environmental Assessment (EA) documentation, Development Consent, Environment Protection Licence (EPL) and other relevant site and environmental information (such as correspondence with relevant agencies and management plans and/or monitoring results) was undertaken prior to interviews with Bloomfield representatives and the Mine inspection. Additional documents were reviewed during and following the interviews with Bloomfield representatives and the Mine inspection.
- A one-day site inspection to assess the general environmental performance of site and discuss Development Consent and EPL compliance with key site-based personnel.
- Preparation of a draft audit report for Bloomfield to review.
- Finalisation of the audit report and submission to Bloomfield.

1.3 Audit participants

The following personnel were involved over the course of the audit Table 1-1.

Table 1-1 Audit team members

Audit team members	Organisation	Role
Michelle Kiejda	GHD	Technical review
Elliot Holland	GHD	Lead Auditor
Tyler Tinkler	GHD	Technical Specialist – Water
Chris Knight	Bloomfield	Environment Manager
Chris Quinn	Bloomfield	Environment Advisor
Hannah Lumsden	Bloomfield	Environmental Officer

1.4 Limitations

This report has been prepared by GHD for Bloomfield and may only be used and relied on by Bloomfield for the purpose agreed between GHD and the Bloomfield as set out in Sections 1.1 and 1.2 of this report.

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

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

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. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

GHD has prepared this report on the basis of information provided by Bloomfield, which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information.

2. Methodology

The audit process involved the interview of personnel, a review of documentation and samples of records provided by Bloomfield and a site inspection of the mining operations to determine the level of environmental performance and compliance of the development with DA 49/94, the EPL and relevant leases. The audit process is described in more detail in Sections 2.1 to 2.5.

2.1 Audit inception

An initial start-up teleconference for the audit was held on Thursday, 7 November 2019 with relevant Bloomfield representatives 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.

2.2 Document review

Environmental documentation associated with the Mine was reviewed by the auditors prior to site visit. Bloomfield personnel provided a number of documents for review including:

- Landscape Management Plan (LMP)
- Mine Closure Plan
- Rehabilitation Management Plan (RMP)
- Traffic Management Plan (TMP)
- Final Void Management Plan (FVMP)
- Pollution Incident Response Management Plan (PIRMP)
- Water Management Plan (WMP)
- Environmental Management Strategy (EMS)
- Mining Operations Plan (MOP)
- Air Quality and Greenhouse Gas Management Plan (AQGGMP)
- Noise Management Plan (NMP)
- Blasting Management Plan (BMP)
- DA 49/94
- EPL 3391
- Coal Lease 352 (CL 352)
- Mining Lease 1432 (ML 1432)
- Environmental Assessment documentation
- Correspondence to/from agencies and Community Consultative Committee (CCC) Chair

Additional documents were provided during and following the audit as evidence of compliance with DA 49/94, EPL, and mining lease(s).

2.3 Agency consultation

As part of the audit process, the following agencies were invited to provide comment in regard to Development Consent conditions requiring specific consultation with the particular agencies, including:

- NRAR
- EPA
- Singleton Council
- BCD
- Roads and Maritime Services
- NSW Resources Regulator

Letters requesting comment from the agencies were emailed by Bloomfield on 23 August 2019, with a subsequent letter sent in 11 November 2019.

Correspondence was received from the EPA and Roads and Maritime Services indicating no relevant input to the 2019 IEA. Copies of this correspondence are provided in Appendix B.

2.4 Site inspection and interviews

2.4.1 Opening and closing meeting

GHD undertook a site visit of the Mine on Tuesday, 26 November 2019. The audit team used the site inspection to review compliance with various environmental requirements of the Mine.

Conditions on the day of the site inspection were noted to be up to 35 degrees Celsius (°C), with wind gusts up to 80 km/hr, from the west/north-west.

The opening and closing meetings were held at the administration buildings south of the Coal Handling Preparation Plant (CHPP). The list of participants is provided in Table 2-1.

Table 2-1 Opening meeting attendees

Audit team members	Organisation	Role
Michelle Kiejda	GHD	Technical review
Elliot Holland	GHD	Lead Auditor
Tyler Tinkler	GHD	Technical Specialist – Water
Chris Knight	Bloomfield	Environment Manager
Chris Quinn	Bloomfield	Environment Advisor
Hannah Lumsden	Bloomfield	Environmental Officer

Following the opening meeting, a site inspection was undertaken of the Mine and operations.

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

2.4.2 Audit interviews

During the on-site component of the audit, interviews were conducted with the Bloomfield staff identified in Table 2-1.

2.4.3 Data collection and verification

Where possible, documents and data collected during the audit process were reviewed whilst on-site. A number of documents were provided to the audit team prior to the on-site component of the audit. Several documents that were not available during the on-site component were provided following the audit.

All information obtained during the audit process was verified by the audit team where possible. For example, statements made by site personnel were verified by viewing documentation and/or via visual observations made during the site inspection. Where suitable verification was unable to be obtained, this has been identified.

2.4.4 Site inspection

A detailed site inspection of the Mine was undertaken on Tuesday, 26 November 2019. The following locations were inspected:

- Workshop, including oil and chemical storage, above ground storage tanks, etc.
- Clean water catchment, including diversions and dams (CWD6 east of the Mine access road).
- Dirty water catchment, including diversions and water storage dams (DWD1 west of the CHPP).
- Effluent irrigation area (north of DWD1).
- Rehabilitation areas (North Pit and areas east of the North Pit).
- Active Mining Area – West Pit (Pit 3).
- Overburden and reject emplacement – Arties Pit.
- CHPP.

2.5 Reporting

This report presents the findings of the Rix's Creek South Mine IEA required by Schedule 2, Condition 26 of DA 49/94 for operations during the period 1 November 2016 to 1 November 2019.

This report summarises the findings of Bloomfield's compliance with the requirements of DA 49/94, EPL 3391, and relevant leases (i.e. ML 1432 and CL 352) in Section 4.

This report has been prepared on an exception basis, highlighting the compliance issues identified along with any areas where action or improvement is required. The IEA has been prepared in accordance with the *NSW Government Independent Audit Guideline* (NSW Government, 2015).

Table 2-2 details where the key requirements have been addressed.

Table 2-2 Independent Audit Guideline Requirements

Section	Description	Where addressed
2	Assess the operator's compliance with the requirements of regulatory approvals, including (as applicable): <ul style="list-style-type: none"> the Development Consent the Environment Protection Licence the Mining Lease Water licences and approvals 	Section 4
2, 3	The scope of the audit and the audit team (including any technical specialists) to be determined by the lead regulator	Sections 1.2 and 1.3
3.3	The auditor must be independent of the development being audited and audit findings must be based on verifiable evidence.	Appendix A.
4.2	The compliance status of each requirement or commitment should be assessed in accordance with the compliance assessment criteria and risk levels in the audit guidelines	Section 4. However, compliance assessment criteria is in accordance with DPIE's audit team approval letter (see Appendix A)
5.1	The audit outcomes to be documented in a thorough, accessible and accurate audit report that is written in a neutral tone reflecting facts gathered by the audit team.	This audit report.
5.1	The audit report should include the following sections: <ul style="list-style-type: none"> Introduction, providing a brief overview of the development, audit scope and objectives. Methodology, describing the audit team, methodology applied, document reviews, site inspections and interviews. Audit findings, including documentation of consultation, outcome of actions from the previous audit, assessment of compliance status against the conditions and commitments in relevant documents and discussion of environmental incidents and performance. Recommendations, identifying any opportunities for improvement identified in the audit. 	This audit report.
5.2	Audit reports submitted to the lead regulator must be certified by the lead auditor on an attached 'Independent Audit Submission Form'	Appendix C.
5.3	Copies of the final audit report to be distributed to regulator agencies within two weeks of finalisation and placed on the development's website	Bloomfield to complete.
6	The operator of the development to response to the lead regulator responding to the audit findings and recommendations with an action plan within four weeks of receiving the final audit report.	Bloomfield to complete.

2.6 Definitions

Reporting results from the 2019 IEA was generally based on *NSW Government Independent Audit Guideline* (NSW Government, 2015); however, as per the request of DPIE, only the following descriptors have been used.

Compliant

Where sufficient verifiable evidence has been gathered to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.

Non-Compliant

Where sufficient verifiable evidence has been gathered to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.

Table 2-3 details the risk levels for non-compliances.

Table 2-3 Risk level 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: <ul style="list-style-type: none">• 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: <ul style="list-style-type: none">• Potential for moderate environmental consequences, but is unlikely to occur; or• Potential for low environmental consequences, but is likely to occur
Administrative Non-compliance		Only to be 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 regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.

Note

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

Note: while 'note' was not identified as a relevant descriptor, a number of conditions of the DA 49/94, EPL 3391, and relevant leases (i.e. ML 1432 and CL 352) do not have any relevant compliance requirements. Therefore, note has been used to identify these conditions where no assessment of compliance is applicable.

3. Previous independent audit and status

The recommendations made in the 2016 Rix's Creek Mine Independent Environmental Audit (Umwelt, 2016), and the status of recommendations as at 26 November 2019 are detailed in Table 3-1 below.

Table 3-1 2016 IEA findings/recommendations

Reference	2016 findings/recommendations	2019 status	Status
Schedule 2, Condition 1A	Not all of the conditions of the DA 49/94 have been complied with. See risk ratings for each individual condition.	Completion of the 2019 IEA found that not all conditions of DA 49/94 have been complied with (see Section 4.3.1).	Not addressed
Schedule 2, Condition 4	Recommendation: The Annual Review is to include a summary table which details the total bulk cubic metres (BCM) of material moved at Rix's Creek to demonstrate compliance with this condition. Note it was confirmed Rix's Creek have complied with this condition during the audit period.	Review of the 2016, 2017 and 2018 Annual Reviews indicates this recommendation has been closed out.	Addressed
Schedule 2, Condition 6c	Recommendation: Formal building maintenance program to be developed and included in the Landscape Management Plan.	Review of the 2018 Annual Review indicates a commitment was made to ensure the revised Landscape Management Plan was submitted by June 2019, which did not occur. Therefore, a non-compliance has been recorded against this condition, and the recommendation from the 2016 IEA reproduced. This non-compliance is noted to be administrative in nature.	Not addressed (see Section 4.3.1)
Schedule 2, Condition 7	Recommendation: Confirmation should be sought from Singleton Council that lighting is managed to their satisfaction	This condition was removed as part of modifications to DA 49/94 and is no longer applicable to the Mine.	Not applicable
Schedule 2, Condition 9	The Traffic Management Plan was not approved by the Secretary prior to the commencement of the tunnel construction activities.	The tunnel construction activities were completed prior to the 2019 IEA, and no actions were required as a result of the 2016 IEA.	Not applicable

Reference	2016 findings/recommendations	2019 status	Status
Schedule 2, Condition 10	Recommendation: The approach with regard to noise compliance monitoring to meet this condition should be agreed with DPIE and EPA and included in the Noise Management Plan for Approval.	Review of available documentation indicates the NMP was revised after the 2016 IEA in consultation with the EPA and DPIE.	Addressed
Schedule 2, Condition 11	Recommendation: Noise monitoring is to be undertaken on a quarterly basis in accordance with the requirements of this condition unless approval is received from DPE and EPA to suggest otherwise. Any approved changes to the monitoring requirements under this condition should be included in the noise management plan.	This condition was removed as part of modifications to DA 49/94 and is no longer applicable to the Mine.	Not applicable
Schedule 2, Condition 13	Recommendation: A formal procedure should be prepared to outline the process that is followed onsite to assess and manage operations when the average hourly wind velocity exceeds 10 metres per second.	This condition was updated as part of modifications to DA 49/94 and no longer applies.	Not applicable
Schedule 2, Condition 14	<p>The area of disturbance onsite reflected the extent of disturbance as approved at the end of the Mining Operations Plan term (2020) and therefore ground disturbance was ahead of the schedule within the MOP.</p> <p>Not all sprays on site, including the coal stockpile, are automatic.</p> <p>Recommendation: Rix's Creek to work with DRE and seek to amend the MOP to address the extent of current mining disturbance and include in the revised MOP an appropriate rehabilitation schedule.</p> <p>Recommendation: Rix's Creek to consult with DPE regarding the need to install automatic dust sprays at coal stockpiles on site.</p>	This condition was updated as part of modifications to DA 49/94 and the findings/recommendations of the 2016 IEA addressed by the revised AQGGMP and the revised Mining Operations Plan (MOP) for the Mine.	Addressed
Schedule 2, Condition 14A	<p>No evidence was available to confirmation that the NGRS Report had been undertaken to the satisfaction of the Secretary.</p> <p>Recommendation: Include findings of the NGRs report in the Annual Review for submission to DPE.</p>	This condition was updated as part of modifications to DA 49/94 and addressed by the revised AQGGMP.	Addressed

Reference	2016 findings/recommendations	2019 status	Status
Schedule 2, Condition 15	<p>Recommendation: Water Management Plan to be updated to include the following as required by the condition:</p> <ul style="list-style-type: none"> • Inclusion of the water minimisation measures identified and implemented on site within the Water Management Plan. • Detail that visual monitoring of flow volume will be undertaken. • Detail process for monitoring yield into the open cut. • Detail the process for monitoring impacts to baseflow and offsetting as required any loss of base flow and impacts to private land owners caused by Rix's Creek Operations. 	<p>Review of the WMP indicates:</p> <ul style="list-style-type: none"> • Measures to minimise water use are included. • Visual monitoring is no longer a requirement of this condition; however, visual monitoring is detailed in Table 14 of the WMP. • Discussion of yield is provided in Section 6, Table 14 of the WMP. • Process for monitoring and offsetting impacts are discussed in Sections 7.2.4 and 7.2.5 of the WMP. 	Addressed
Schedule 2, Condition 16A	<p>Recommendation: A copy of the Landscape Management Plan marked 'final' was not forwarded to the Singleton office as requested by the DPIE.</p>	No action required. The current Landscape Management Plan is publically available on the Rix's Creek website.	Addressed
	The Final Void Management Plan was not submitted to the DPIE by the due date.	No action required.	Not applicable
	The Mine Closure Plan was not submitted to the DPIE by the due date.	No action required.	Not applicable
Schedule 2, Condition 16B	<p>Recommendation: Rehabilitation Management Plan (RMP) to be updated to include the following as required by the condition:</p> <ul style="list-style-type: none"> • Procedure to protect vegetation and soil outside the disturbance areas. • Procedure to manage impacts on fauna. • Procedure to landscape the Mine to minimise visual impacts. • Procedure to conserve and reuse topsoil. • Information regarding the salvage and re-use of material. • Monitoring program to include all measures in 16B(v) and effectiveness of these measures. • Clearly state who is responsible for monitoring and reviewing the plan. 	<p>Review of available documentation indicates the RMP was to be updated and re-submitted for approval. This has not been completed to date; however, the auditor has determined the requirements of Schedule 2, Condition 16B of DA 49/94 relating to the RMP have been adopted into the current MOP.</p> <p>Review of correspondence from DPIE on 17 October 2017 indicates approval for the Rix's Creek North MOP to serve as the relevant RMP for the purposes of Condition 52 of Project Approval 08_0102.</p> <p>No correspondence from DPIE was sighted to confirm this is also the case for Schedule 2, Condition 16B of DA 49/94.</p>	Addressed (see Section 4.3.1)

Reference	2016 findings/recommendations	2019 status	Status
Schedule 2, Condition 16D	<p>Recommendation: Mine Closure Plan to be updated to include the following:</p> <ul style="list-style-type: none"> Objectives and criteria for mine closure for ML 1432 and completion criteria for each domain. 	<p>Review of available documentation indicates the Mine Closure Plan was to be updated and re-submitted for approval. This has not been completed to date.</p> <p>Therefore, the relevant recommendations from the 2016 IEA have been reproduced in the 2019 IEA (see Section 4.3.1).</p>	Not addressed (see Section 4.3.1)
Schedule 2, Condition 19	<p>Sections of the Annual Environmental Management Reports/Annual Review did not include the information required below:</p> <ul style="list-style-type: none"> Updated water balance for the reporting year not included each year as required. <i>Note it was included in 2015 Annual Review.</i> Not all reports were submitted by the due date. Specific targets for the next year have not been included in the 2011/2015 reports. <p>Recommendation: Ensure each year that the Annual Review includes the following as required by the condition:</p> <ul style="list-style-type: none"> Provide updated water balance for the reporting year. Specific targets for improved environmental performance. 	<p>Review of the 2016, 2017 and 2018 Annual Reviews indicate relevant reporting requirements of this condition have been met during the 2019 IEA period.</p>	Addressed
Schedule 2, Condition 27	<p>Recommendation: Report waste volumes in the Annual Review compared to previous years to enable identification of waste management performance over time.</p>	<p>Review of the 2016, 2017 and 2018 Annual Reviews indicate this recommendation has been addressed.</p>	Addressed
Schedule 2, Condition 28	<p>Not all management plans / programs were revised following the submission of an incident report under Condition 19 or modifications of DA 49/94 to the satisfaction of the Secretary.</p> <p>Recommendation: A process of regular review and revision of management plans should be established to confirm compliance with these conditions.</p>	<p>Review of management plans for the Mine indicate that relevant plans required by this consent are updated on a regular basis; with plans having a minimum review frequency of 36 months.</p> <p>Review of the WMP, AQGGMP, NMP and BMP verify revisions of plans as relevant. However, Review of available documentation indicates the Landscape Management Plan, Mine Closure Plan, Final Void Management Plan, and the RMP have not been revised since the 2016 IEA. This is despite the Landscape Management Plan, Mine Closure Plan and RMP having recommendations requiring revision and re-submission to DPIE.</p>	Not addressed (see Section 4.3.1)

Reference	2016 findings/recommendations	2019 status	Status
		Therefore, a finding of non-compliant has been found in relation to this condition in the 2019 IEA (see Section 4.3.1).	
Schedule 2, Condition 29	Management plans have not been updated as required by Condition 28 of DA 49/94. Recommendation: See recommendation for Schedule 2, Condition 28.	Review of management plans for the Mine indicate that relevant plans required by this consent are updated on a regular basis; with plans having a minimum review frequency of 36 months. However, a non-compliance has been found as not all management plans have been updated on a regular basis. See comments above discussion for Schedule 2, Condition 28 for discussion.	Not addressed (see Section 4.3.1)
Schedule 2, Condition 29	Some management plans have been updated without consultation being undertaken with all parties nominated by DA 49/94. No agreement with the Secretary was sought to revise the management plans without consultation with relevant parties.	Review of management plans prepared/revised during the 2019 IEA period verifies compliances with the requirements of this condition.	Addressed
EPL (overarching)	Recommendation: An EPL variation should be sought to ensure there are no conflicting criteria between the EPL and DA (example noise criteria).	The EPL variation was approved in December 2016 to address this recommendation.	Addressed
EPL 3391 – Condition M2.1	During the audit period, there have been a number of instances where dust gauges have not been able to be sampled due to the dust gauge being broken. These non-compliances have been reported annually to the EPA in the Annual Return.	The EPL was varied in December 2016 to remove dust deposition gauges.	Not applicable
EPL 3391 – Condition L1.1	Overflow of sediment dams and mine water dam at clean coal stockpile, rail loading facility and mine water dam (DWD 3).	No action applicable. No further occurrences have occurred during the 2019 IEA period	Not applicable
EPL 3391 – Condition L2.2	Five deliveries of waste oil were received without analysis undertaken to confirm quality limits as prescribed within the EPL had been met. It is noted that Rix's Creek has ceased utilising waste oil within blasting activities on site.	This condition has been removed from the revised EPL and no longer applies to the Mine.	Not applicable

Reference	2016 findings/recommendations	2019 status	Status
ML 1452 – Condition 2(d) and CL 352 – Condition 3(a) and (b)	<p>Ground disturbance at Rix's Creek has been undertaken at a rate which is in advance of the approved stage plans within the MOP for 2016.</p> <p>Rix's Creek should with DRE and seek to amend the MOP to address the extent of current mining disturbance and included in the revised MOP an appropriate rehabilitation schedule.</p>	<p>Rix's Creek currently operates under the Rix's Creek Mining Operations Plan (MOP) – Amendment B for the period March 2013 to March 2020, with the initial MOP approved by the Department of Planning and Environment-Division of Resources and Geosciences (DRG). Review of available documentation indicates Amendment B was completed in accordance with a request from the DPIE – Resources Regulator, with approval of these changes issued on 13 September 2019.</p> <p>The revised MOP addresses the 2016 IEA findings.</p>	Not applicable
CL 352 – Condition 2(b)(i)(A)	During the audit period, five incidents were reported related to the overflow of sediment dams and water release to Rix's Creek due to a pipeline leakage and seepage from old underground workings.	No action applicable. No further occurrences have occurred during the 2019 IEA period.	Not applicable
General environmental performance – Oil water separator system	An investigation should be undertaken to assess the effectiveness of the current oil water separator system. As a minimum the overflow tank should be replaced with a fit for purposes system that is covered and compliant with current Australian Standards. Further corrective actions required to clean up the hydrocarbon contamination that has resulted from the failures of the existing system.	The site inspection verified that this recommendation has been addressed and the oil water separator system replaced (see Plate 7).	Addressed
General environmental performance – Waste segregation	Documented procedures should be prepared for waste management on-site and appropriate bins should be provided and clearly labelled for all designated waste streams.	<p>A 2018 DPIE directed IEA identified non-compliance in relation to waste was noted against Schedule 2, Condition 27 of DA 49/94, related to oil rags within the workshop not being disposed in dedicated waste bins located on site, instead being disposed within general waste bins.</p> <p>The site inspection did not identify any ongoing issues. Furthermore, review of available documentation indicates the Mine maintains a system procedure for Waste Management, which was last updated 26 August 2019.</p>	Not addressed (see Section 4.3.1)
General environmental performance – Hydrocarbon management	Ensure that all relevant personnel are trained in the requirements of the Rix's Creek Hydrocarbon Management Procedure.	A 300 page site induction/presentation, which includes addressing hydrocarbon management practices on-site, was sighted during the conduct of the 2019 IEA.	Addressed

4. Audit findings

4.1 Context of compliance assessment

Bloomfield Collieries Pty Limited (Bloomfield) has operated the Mine, located approximately 5 km North of Singleton, since 1990. The Mine currently operates under consent DA 49/94, granted on the 19 October 1995, and subsequent modifications. Modifications during the 2019 IEA period occurred in September 2017 and June 2019.

Modification 9 was granted 1 September 2019 allowing Rix's Creek South dried tailings refuse to be emplaced in Rix's Creek North overburden dumps, Rix's Creek South overburden to be placed in Rix's Creek North overburden dumps and exploration drilling to be conducted in the area between the Rix's Creek North mine area and the northern limit of Rix's Creek South boundary.

Modification 10 was an extension of time modification (an additional nine months) related to Bloomfield's March 2014 application (SSD 6300) for a new State significant development (SSD) to extend mining operations at the Mine until approximately 2040. The objective of Modification 10 is to enable the continuation of currently approved mining operations under DA 49/94 until receipt of Development Consent for SSD 6300.

SSD 6300 was approved by DPIE on 12 October 2019, with DA 49/94 to be surrendered upon within 12 months of commencing development under SSD 6300.

Agencies with public infrastructure relevant to the Mine include, Roads and Maritime Services: (asset owner for the New England Highway) and Singleton Council (approval authority for the on-site septic system and relevant LGA).

The EPL (#3391) for the Mine encompasses all open cut operations at Rix's Creek, including Rix's Creek North. The EPL has been varied five times throughout the 2019 IEA period, including 19 December 2016, 5 April 2017, 30 August 2017, 23 April 2019 and 21 November 2019. The most recent review of the EPL was completed 16 October 2019.

The Mine is located within ML 1432 and CL 352, which covers 1,818 hectares of land. A prominent ridgeline and the Main North Rail Line separate the Mine from the western limits of Singleton Heights, and it is bounded by the Integra Coal Operations to the north. Currently approximately 130 personnel are employed across the Rix's Creek South Mine operations, including in the mining, administration and maintenance areas. DA 49/94 allows for operation 24 hours a day, seven days a week.

4.2 Summary of compliance

Table 4-1 presents a summary of compliance with the requirements of DA 49/94 and the EPL 3391. Five non-compliances were deemed to represent a low risk, while seven were deemed administrative non-compliances (ANC).

Table 4-1 Compliance with Development Consent and EPL

Compliance	DA 49/94	%	EPL 3391	%
Compliant	35	53	65	74
Non-compliant	12	18	3	3
Not triggered	18	27	7	8
Note	1	2	13	15
Total number of requirements	66	100	88	100

4.2.1 General environmental performance and compliance

A site inspection was undertaken of the Mine on Tuesday, 26 November 2019, with weather conditions generally adverse. The temperature at the time of the audit was up to 35 °C, with wind gusts up to 80 km/hr from the west/north-west. In addition, a Very High fire danger was issued and all fire permits were suspended in the area.

Bloomfield demonstrated a high level of environmental performance during the audit period and site inspection, as demonstrated in the general lack of exceedances of relevant Development Consent and EPL criteria (see Appendix D and Appendix E) and site inspection observations provided in Section 4.2.2. An overview of non-compliances with DA 49/94 identified during the conduct of the 2019 IEA is provided in Table 4-2.

Table 4-2 Overview of non-compliances with DA 49/94

Type of non-compliance	Issue	Relevant condition	Discussion
Documentary non-compliances	2016 IEA non-compliances not addressed	6, 15, 16A, 16B, 16D of Schedule 2	See Section 3 and Table 4-3
	ANCs	6, 15, 16A, 16B, 16D 19, 28 and 29 of Schedule 2	See Table 4-3.
Exceedances and/or lack of monitoring during the audit period	Air quality	13B and 14 of Schedule 2	
Existing identified non-compliances during the reporting period	Waste	Condition 2 of Schedule 27	

Complaints

A significant decline in the number of complaints received for the Mine was observed from review of complaints records during the 2019 IEA period, as follows:

- 2016: 53 complaints (i.e. 38 for noise, ten for blasting, six for dust, and one for lighting).
- 2017: 36 complaints (i.e. 33 for noise and three for blasting).
- 2018: 11 complaints (i.e. eight for noise and three for odour).
- 2019: seven complaints (i.e. six for noise and one for lighting).

Consent Order/enforceable undertaking

During the assessment of the EIS for the Rix's Creek Continuation Project (see Section 4.1), DPIE identified a potential discrepancy between the permitted mining area identified in the original modified Project EIS and the permitted mining area identified in the environmental assessment that accompanied the development application for DA 49/94.

Subsequent action was undertaken by DPIE to define the "Permitted Mining Area" and therefore enable the impacts of the Rix's Creek Continuation Project to be accurately defined and assessed. Bloomfield agreed to consent orders under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and an enforceable undertaking under the *Mining Act 1992* to rectify the issue.

It was resolved that the area of permitted mining within DA 49/94, now known as the Existing Permitted Mining Area, provided approval for all elements of the Mine and ancillary activities.

A consent order (2017/211784) before the Land and Environment Court as well as the Enforceable Undertaking (EU) with DPIE was finalised due to interpretation differences in the Rix's Creek DA49/94 Consent Area. There are a number of commitments as part of this EU which are currently being progressed and reported to the DPIE and DPIE – Resources Regulator on an ongoing basis, which include:

- Within 6 Months of the enforceable undertaking taking effect, an Annual Independent audit of the development consent commitments for Rix's Creek DA 49/94 and PA 08_0102 and applicable mining tenements was completed.
- Training to promote the compliance of development consent commitments and mining lease conditions throughout the organisation. This also involved updating the Land Disturbance Management Procedure and permit to disturb process.
- Bloomfield provided \$25,000 to Singleton Council/ or a local land care group for the Hunter River improvement works.
- Bloomfield provided \$25,000 to Associate Professor Kym Rae for the testing kidney health in Gomeroi Gaaynggal Indigenous mothers and babies for early intervention.
- Statement of Reasonable Credit Equivalence issued by the former OEH (now BCD) on 4 December 2018, with opportunity for discharging credit obligations by payment into the Biodiversity Conservation Fund, with payments including:
 - 1587 credits for PCT 1605 (Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter) on 24 May 2019.
 - 563 credits for PCT 1605 (Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter) on 12 June 2019.
 - 24 credits for PCT 1748 (Grey Box Grassy Open Forest) on 7 June 2019.

Incidents

Review of available documentation indicates the following incidents have occurred and been reported in accordance with the requirements of DA 49/94 and EPL 3391:

- January 2017 – Highway cracking near disturbance area.
- September & November 2017 – Monitoring of all PM10 monitors not completed in accordance with EPL 3391.
- 2017 Reporting Period – Not all water sampling requirements were met due to sampling locations being dry and not enabling water to be sampled in accordance with EPL 3391.
- April, June, July and August 2018 – Noise monitoring not undertaken at a minimum of six EPA noise monitoring locations in accordance with EPL 3391.

Air quality

Review of available documentation indicates a number of exceedances of the PM₁₀ 24 hour criteria occurred during the 2019 IEA period, as well as instances of a lack of monitoring of relevant PM₁₀ monitors (see Table 4-4). However, review of available documentation indicates the Mine complies with annual criteria, while a reduction in the number of complaints received and occurrence of exceedances was noted during the 2019 IEA period.

Site inspection observations indicate proactive management and communication in managing potential air quality impacts of the Mine, including:

- As a result of the adverse weather conditions, operations on the day of site inspection were revised, including avoidance of current rehabilitation activities (i.e. topsoil placement) to limit the potential for dust generation.
- Communication was observed between the team to ensure potential areas of dust generation received a water cart, to avoid potential impacts.
- The haul roads were sufficiently watered to limit dust generation, with up to five water carts available on-site. It was advised that general practice to minimise potential dust generation on site is to ensure a water truck for each haul run.
- Activities within the active mining area were observed to be resulting in minimal, and mitigated, dust generation. Plate 17 and Plate 18 in Section 4.2.2 provide an overview of observations during the site inspection, facing generally north from the viewing platform above the Active Mining Area – West Pit. As shown, operations on site were resulting in negligible dust generation during adverse conditions. Potentially significant dust generation north/north-west of Bloomfield-owned operations provided an indication of the negligible contribution of the Mine toward cumulative air quality in the wider area, particularly in comparison to the wider Hunter mining community.

Review of the Greater Ravensworth Cumulative Environmental Protocol (GRCEP) indicates the existence of a protocol with nearby mines (Mount Owen Complex, Ravensworth Operations, Ashton Coal, Integra Underground Mine, and Rix's Creek Mine) to manage air quality, noise and blasting impacts.

Noise

Cumulative

Review of the GRCEP indicates the existence of a protocol with nearby mines (Mount Owen Complex, Ravensworth Operations, Ashton Coal, Integra Underground Mine, and Rix's Creek Mine) to manage air quality, noise and blasting impacts.

Exceedances

Review of monitoring records, and Annual Reviews/Annual Returns for 2016, 2017 and 2018 indicate no exceedances of relevant criteria during the 2019 IEA period.

While review of documentation indicated two (2) low-frequency exceedances occurred at EPA Monitoring Point 32 (NM5) on 14 June 2018 and 8 April 2019; these exceedances relate to criteria applicable to Rix's Creek North operations, not Rix's Creek South. Therefore, while an exceedance of EPL criteria has occurred, it is not in relation to operations being assessed as part of the 2019 IEA. Instead, it is a result of the EPL being a combination of both Rix's Creek South and Rix's Creek North mines.

Absence of monitoring

Review of available documentation indicates occurrences during the audit period in which monitoring was not completed at all relevant EPL monitoring locations (i.e. 6 February 2018, 4 April 2018, 14 June 2018, 11 July 2018 and 1 August 2018). Review of EPA correspondence indicates regulatory action was determined to not be required as monitoring was completed at other locations.

Review of noise monitoring records since this event indicates compliance with the requirements of the EPL.

Water management

Review of monitoring records, and Annual Returns and Annual Reviews for 2016, 2017 and 2018 indicate no exceedances of relevant criteria during the audit period.

During the site inspections, water management infrastructure was observed to be in satisfactory conditions. Water levels in all water storages were generally low, this likely reflects a combination of active management of environmental containment freeboards and generally dry conditions due to current drought conditions. No evidence of erosion was observed around infrastructure and road areas.

Site interviews indicated that multiple years of water supply were available in the Falbrook Void at the associated Rix's Creek North mine.

The site inspection of the effluent irrigation area verified enhanced vegetation growth was limited to within the fenced off irrigation area, indicating that the excessive runoff had not recently occurred.

Waste

Review of the 2017 Annual Review identified a non-compliance identified in a DPIE directed IEA. This non-compliance related to oil rags within the workshop not being disposed in dedicated waste bins located on site, instead of being disposed within general waste bins. This relates to a recommendation from the 2016 IEA (see Table 3-1).

The site inspection on Tuesday, 26 November 2019 did not identify any issues in relation to ongoing issues related to waste management; with adequate waste disposal facilities observed to be provided and sign-posted. Furthermore, the Mine maintains an Integrated Management System: Waste Management Procedure, which has a review frequency of 36 months and was most recently updated on 26 August 2019.

Blasting

Review of available information indicates no exceedances of blast criteria has occurred during the 2019 IEA period.

The Mine initiated a blast on 12 July 2018. Blast monitors did not exceed the blast criteria; however a high overpressure result, which exceeded the blast criteria limit, was measured at an operational monitor (monitor not included in BMP or EPL3391) at the Civic Avenue Monitor of 120.8 dBA. While a Penalty Notice was initially issued by DPIE on 15 February 2019 in relation to this exceedance, it was officially withdrawn on 11 April 2019. However, this monitoring point is now an official compliance monitoring location and any future exceedance will constitute an exceedance of blasting criteria.

4.2.2 Site inspection observations

A selection of photographs from the site inspection are provided below.



Plate 1 Effluent Discharge Utilisation Area

With perimeter fencing and signposting in accordance with the EPL. Ponding was not observed to be a relevant issue.



Plate 2 Emergency spill kits available inside a storage shed

Associated with the Mine workshop.



Plate 3 Oil and chemical storage in bunding inside a storage shed

Associated with the mine workshop.



Plate 4 Above ground storage tanks with bunding outside workshop building



Plate 5 Dirty water drainage at the Mine workshop/refuelling bay



Plate 6 Oil water separator system



Plate 7 Oil water separator system, with drainage infrastructure for overflows



Plate 8 Bunded waste oil within the workshop building

Signage indicates appropriate disposal.



Plate 9 Above ground diesel storage tanks with clay liner bunding near the Mine entrance

Connecting to the larger workshop oil water separator system.



Plate 10 Maintenance works within the bunded workshop
Draining to the oil/water separation system.



Plate 11 Southern CHPP STP



Plate 12 CHPP, showing noise walls added to the southern side of the CHPP
This has resulted in a 7 dBA drop in noise.



Plate 13 CHPP, showing noise walls added to the western side of the CHPP
This has resulted in a 7 dBA drop in noise.



Plate 14 Mine rehabilitation area, west of Plate 15



Plate 15 Mine rehabilitation areas, with areas subject to initial rehabilitation activities observed

Note: no active rehabilitation was being undertaken during the site inspection, due to revised activities associated with adverse weather conditions



Plate 16 Mine rehabilitation areas, with areas subject to initial rehabilitation activities observed

Note: no active rehabilitation was being undertaken during the site inspection, due to revised activities associated with adverse weather conditions.



Plate 17 Viewing platform south of the Active Mining Area – West Pit (Pit 3): Facing west/north-west



Plate 18 Viewing platform south of the Active Mining Area – West Pit (Pit 3): Facing north-west

Observations at the time of the site inspection noted significant dust generation north/north-west of Bloomfield-owned operations, as shown above.

4.3 Compliance with Development Consent (DA 49/94)

4.3.1 Summary of Non-Compliances

The review of compliance with DA 49/94 identified 15 non-compliances. Seven non-compliances were deemed to represent a low risk, while eight were deemed ANC.

A summary of non-compliances is detailed in Table 4-3.

Table 4-3 Summary of DA 49/94 Non-Compliances

Condition	Reason for Non-Compliance	Risk Rating
Schedule 2, Condition 1A	Not all of the conditions of consent have been complied with. See risk ratings for each individual non-compliance.	Low
Schedule 2, Condition 3	Review of available documentation indicates non-compliances have been recorded during the audit period for relevant acts and agencies detailed in this condition.	Low
Schedule 2, Condition 6	<p>Review of the 2016 IEA identified that the recommendation for a formal building maintenance program to be prepared has not been addressed.</p> <p>In the 2018 Annual Review, commitment was made to ensure the revised Landscape Management Plan was submitted by June 2019, which did not occur.</p> <p>Therefore, a non-compliance has been recorded against this condition, and the recommendation from the 2016 IEA updated in this report.</p> <p>This non-compliance is considered an ANC under the NSW Government Independent Audit Guideline (NSW Government, 2015).</p> <p>See Recommendation 01 in Table 5-1 of Section 5.</p>	ANC
Schedule 2, Condition 13B	<p>Intermittent exceedances of the 2 g/m²/month criteria was noted in 2016, 2017 and 2018. However, compliance with the 4 g/m²/month criteria is noted.</p> <p>In relation to PM10 monitoring, the following observations are noted:</p> <ul style="list-style-type: none"> 2016: PM10: 4 exceedances of 24 hr criteria; however, overarching compliance with annual criteria 2017: PM10: 5 exceedances of 24 hr criteria; however, overarching compliance with annual criteria 2018: No exceedances; however, lack of monitoring for Dust Track RCS SE in August 2018, with monitoring still completed at Dust Track RCS NW. 2019: PM 10: 5 exceedances of 24 hr criteria; however, four (4) of these exceedances were noted to be in relation to regional fires and dust conditions. Review of available documentation indicates DPIE noted the regional fire and dust conditions on these days and was satisfied with operational actions taken to minimise dust emissions during these conditions. Overarching compliance with annual criteria is noted. In addition, review of monitoring records indicates the Dust Track RCS NW monitoring failed from 15 December 2018 to 4 January 2019, with monitoring still completed at Dust Track RCS SE. 	Low

Condition	Reason for Non-Compliance	Risk Rating
	<p>Therefore, a finding of non-compliant (low risk), with no recommendation, was made based on the following:</p> <ul style="list-style-type: none"> • While the exceedances of 24 hr criteria are noted. The site complies with annual criteria. • Review of available documentation indicates exceedances have reduced during the reporting, with 4 of the 5 exceedances for 2019 related to regional conditions outside the control of the mine site. • Consultation with relevant agencies, including the EPA, did not identify dust generation as a relevant concern for the Mine. • Review of complaints records indicates minimal concern from the community relating to air quality, with a general decline in complaints related to air quality received during the 2019 IEA period (see Section 4.2.1). • Site inspection observations indicates proactive management and communication in managing potential air quality impacts of the Mine (see Section 4.2.1). 	
Schedule 2, Condition 14	Refer to discussion for Condition 13B of Schedule 2.	Low
Schedule 2, Condition 15	<p>While general compliance with the requirements of this condition was noted, the administrative issues were identified in relation to the WMP following</p> <ul style="list-style-type: none"> • Water licensing: The WMP includes details of all relevant licences under the <i>Water Management Act 2000</i> and <i>Water Act 1912</i>. However, this information does not provide clarification on the different functions of these license in relation to the Mine, and makes it difficult to determine the total volume, security and use of water at the Mine. • Water inventory: Absence of discussion on how the available water inventory relates to the expected demand for Mine operations. • Water security: Insufficient detail is provided in relation to the description of the sources and security of water supply. • Water storages: Insufficient detail is provided in relation to the description of the location, function, and capacity of erosion and sediment control structures. <p>This non-compliance is considered an Administrative non-compliance (ANC) under the NSW Government Independent Audit Guideline (NSW Government, 2015).</p> <p>See Recommendation 04 in Table 5-1 of Section 5.</p> <p><i>Note: While administrative issues were identified with the WMP, the site inspection verified these components are addressed, but are simply not adequately addressed in the WMP (see Section 4.2.1).</i></p>	ANC
Schedule 2, Condition 16A	Refer to discussion for Condition 6 of Schedule 2.	ANC

Condition	Reason for Non-Compliance	Risk Rating
Schedule 2, Condition 16B	<p>Review of available documentation indicates the RMP was to be updated and re-submitted for approval. This has not been completed to date; however, the auditor has determined the requirements of Schedule 2, Condition 16B of DA 49/94 relating to the RMP have been adopted into the current MOP.</p> <p>Review of correspondence from DPIE on 17 October 2017 indicates approval for the Rix's Creek North MOP to serve as the relevant RMP for the purposes of Condition 52 of Project Approval 08_0102.</p> <p>No correspondence from DPIE was sighted to confirm this is also the case for Schedule 2, Condition 16B of DA 49/94. However, it is considered likely to be the case. This notwithstanding, a non-compliance (ANC) has been found in relation to this condition.</p> <p>See Recommendation 05 in Table 5-1 of Section 5.</p>	ANC
Schedule 2, Condition 16D	<p>Review of available documentation indicates the Mine Closure Plan was to be updated and re-submitted for approval following completion of the 2016 IEA. This has not been completed to date.</p> <p>Therefore, a finding of non-compliance has been made and the relevant recommendations from the 2016 IEA have been reproduced in the 2019 IEA.</p> <p>This non-compliance is considered an ANC under the NSW Government Independent Audit Guideline (NSW Government, 2015).</p> <p>See Recommendation 06 in Table 5-1 of Section 5.</p>	ANC
Schedule 2, Condition 27	<p>Relevant requirements are noted to be reported in Section 4.6 of Annual Reviews for 2016, 2017, and 2018. Consultation with Council during the preparation of the 2019 IEA did not identify any concerns relating to the management of on-site sewage treatment and disposal.</p> <p>However, review of the 2017 Annual Review identified a non-compliance as a result of a DPIE directed IEA related to oil rags within the workshop not being disposed in dedicated waste bins located on site, instead being disposed within general waste bins.</p> <p>Therefore, a finding of non-compliance (Low risk) has been assigned, with no recommendation made, based on the following considerations:</p> <ul style="list-style-type: none"> • The Mine maintains an Integrated Management System: Waste Management Procedure, which has a review frequency of 36 months and was most recently updated on 26 August 2019. • Review of the 2017 Annual Review indicates actions were implemented to address the non-compliance, including additional oil rag bins serviced by a licensed waste contractor. • Review of the 2018 Annual Review indicates no further re-occurrence of the issue. • Actions undertaken to address this issue. • The site inspection did not identify any issues in relation to ongoing issues related to waste management. 	Low

Condition	Reason for Non-Compliance	Risk Rating
Schedule 2, Condition 28	<p>Review of available documentation indicates the Landscape Management Plan, Mine Closure Plan, Final Void Management Plan, and the Rehabilitation Management Plan have not been revised since the 2016 IEA, despite the Landscape Management Plan, Mine Closure Plan and Rehabilitation Management Plan have recommendations requiring revision and re-submission to DPIE.</p> <p>Therefore, a finding of non-compliant (Low risk) has been found in relation to this condition and the recommendation made below.</p> <p>This non-compliance is considered an ANC under the NSW Government Independent Audit Guideline (NSW Government, 2015).</p> <p>See Recommendation 07 in Table 5-1 of Section 5.</p>	ANC
Schedule 2, Condition 29	<p>Review of management plans for the Mine indicate that relevant plans required by this consent are updated on a regular basis; with plans having a minimum review frequency of 36 months.</p> <p>However, a non-compliance has been found as not all management plans have been updated on a regular basis. See Schedule 2, Condition 28 for further discussion.</p> <p>This non-compliance is considered an ANC under the NSW Government Independent Audit Guideline (NSW Government, 2015).</p>	ANC

4.4 Compliance with EPL 3391

4.4.1 Summary of Non-Compliances

A review of compliance against EPL 3391 identified eight non-compliances. All non-compliances were deemed to represent a low risk.

A summary of non-compliances are detailed in Table 4-4 below.

Table 4-4 Summary of EPL 3391 Non-Compliances

Condition	Reason for Non-Compliance	Risk Rating
P1.1	See discussion for Condition 13B of Schedule 2 of DA 49/94 in Table 4-3.	Low
M8.1	<p>In relation to PM10 monitoring, the following observations are noted:</p> <ul style="list-style-type: none"> 2018: Lack of monitoring for Dust Track RCS SE in August 2018, with monitoring still completed at Dust Track RCS NW. 2019: Lack of monitoring for Dust Track RCS NW, with the system failing from 15 December 2018 to 4 January 2019, with monitoring still completed at Dust Track RCS SE. <p>Therefore, a finding of non-compliant (low risk) was made based on the following:</p> <ul style="list-style-type: none"> Consultation with relevant agencies, including the EPA, did not identify dust generation as a relevant concern for the Mine, or this missed monitoring as an issue of concern; with review of the EPA's response to the lack of monitoring in 2018 indicating a non-compliance occurred but due to the continued operation of the other Dust Track monitor, was not a high level of concern. Review of complaints records indicates minimal concern from the community relating to air quality, with a general decline in 	Low

Condition	Reason for Non-Compliance	Risk Rating
	<p>complaints related to air quality received during the 2019 IEA period (see Section 4.2.1).</p> <ul style="list-style-type: none"> Site inspection observations indicates proactive management and communication in managing potential air quality impacts of the Mine, as discussed against Condition 13B of DA 49/94. The issue was identified as part of the monthly validation check; and was not identified earlier due to the SKADA system (which is operated to identify monitoring issues) having issues and resulting in lack of monitoring not being picked up under end of month validation. As the issue relates to the SKADA system, no recommendation has been made in this audit. 	
M9.1	<p>Review of available documentation indicates occurrences during the audit period in which monitoring was not completed at all relevant locations (e.g. 6 February 2018, 4 April 2018, 14 June 2018, 11 July 2018 and 1 August 2018); of which the EPA and DPIE are already aware.</p> <p>A finding of non-compliance (Low risk), with no recommendation, has been made for the following reasons:</p> <ul style="list-style-type: none"> Review of noise monitoring records indicates no exceedances of criteria have occurred in relation operations at the Mine. Review of complaints records indicates a general downward trend in the number of complaints received in relation to noise from the Mine (see Section 4.2.1). The EPA advice notes that while the lack of monitoring on 6 February 2018, 4 April 2018, 14 June 2018, 11 July 2018 and 1 August 2018, regulatory action was determined to not be required as monitoring was completed at other locations. Consultation with the EPA during the conduct of the 2019 IEA did not identify noise as an issue of concern for the Mine. 	Low

4.5 Compliance with relevant leases (ML 1432 and CL 352)

4.5.1 Summary of Non-Compliances

The review of compliance with the Mining Lease (ML 1432) and Coal Lease (CL 352) identified one non-compliance for CL 352, and no non-compliances for ML 1432. The non-compliance was deemed to represent a low risk.

A summary of non-compliances are detailed in Table 4-5 below.

Table 4-5 Summary of CL 352 Non-Compliances

Condition	Reason for Non-Compliance	Risk Rating
CL 352 – Condition 2(a)	Refer to discussion for Condition 13B of DA 49/94 (see Table 4-3).	Low

4.6 Adequacy of any strategies/plans and programs

A number of strategies, plans and programs have been developed for the Mine in accordance with DA 49/94. Table 4-6 provides a summary of the key monitoring and management practices on site and areas recommended for improvement.

Table 4-6 Status of key monitoring and management

Environmental aspect	Reference	Implementation	Recommendations
Landscape management	Landscape Management Plan	<p>Review of available documentation indicates the Landscape Management Plan, Mine Closure Plan and Final Void Management Plan have not been revised since the 2016 IEA, despite the Landscape Management Plan and Mine Closure Plan having recommendations requiring revision and re-submission to DPIE.</p> <p>Therefore, a finding of administrative non-compliance has been found in relation to these management plan and Recommendation 07 made.</p>	<p>Recommendation 07: The Landscape Management Plan and Mine Closure Plan and Rehabilitation Management Plan should be reviewed within 3 months of this audit and revised to address the recommendations of the 2016 IEA.</p>
Mine closure	Mine Closure Plan		
Mine closure	Final Void Management Plan		
Rehabilitation	RMP	<p>It is noted the auditor has determined the requirements of Schedule 2, Condition 16B of DA 49/94 relating to the RMP have been adopted into the current MOP.</p> <p>Review of correspondence from DPIE on 17 October 2017 indicates approval for the Rix's Creek North MOP to serve as the relevant RMP for the purposes of Condition 52 of Project Approval 08_0102.</p> <p>No correspondence from DPIE was sighted to confirm this is also the case for Schedule 2, Condition 16B of DA 49/94. However, it is considered likely to be the case.</p> <p>Therefore, a finding of administrative non-compliance has been found in relation to this management plan and Recommendation 05 made.</p>	<p>Recommendation 05: Consistent with the approach for Rix's Creek North, consultation should be undertaken with DPIE to confirm acceptance of relevant RMP requirements being adopted into the current MOP.</p>
Construction traffic	TMP	<p>The TMP for the Project related to construction of the Rix's Creek Mine 'Cut and Cover Tunnel' crossing of the New England Highway.</p> <p>Compliance in relation to Condition 9(i)(ii)&(iii) and Condition 9A was considered during the 2016 IEA and are not applicable considerations for the 2019 IEA.</p>	Not applicable.
Mine closure	MOP	<p>Rix's Creek currently operates under the Rix's Creek Mining Operations Plan (MOP) – Amendment B for the period March 2013 to March 2020, with the initial MOP approved by the Department of Planning and Environment-Division of Resources and Geosciences (DRG). Review of available documentation indicates Amendment B was completed in accordance with a request from the DPIE – Resources Regulator, with approval of these changes issued on 13 September 2019.</p>	Not applicable.

Environmental aspect	Reference	Implementation	Recommendations
Rehabilitation	MOP	<p>Review of documentation and site inspection observations, with consideration to the MOP, indicates:</p> <ul style="list-style-type: none"> • Rehabilitation is completed on a progressive basis • Rehabilitation is generally progressing in accordance with the schedules for rehabilitation detailed in the MOP • Rehabilitation monitoring was completed in spring 2017 and 2019 • More than 100 hectares of mine area have been subject to rehabilitation during the 2019 IEA period • The Mine, along with the wider Hunter Valley and NSW, is currently experiencing one of the most severe droughts on record which has lasted a number of years 	Not applicable.
Incident response	PIRMP	<p>Review of available documentation indicates a PIRMP exists for the Mine, with the current revision dated 18 March 2019. The PIRMP was most recently tested on 18 March 2019.</p> <p>Review of available documentation indicates that while indicants relevant to DA 49/94 have occurred. No incidents relevant to the EPL have occurred at the Rix's Creek South Mine during the 2019 IEA period.</p>	Not applicable.
Water management	WMP	<p>Review of monitoring records, and Annual Returns and Annual Reviews for 2016, 2017 and 2018 indicate no exceedances of relevant criteria during the audit period.</p> <p>During the site inspections, water management infrastructure was observed to be in satisfactory conditions. Water levels in all water storages were generally low, this likely reflects a combination of active management of environmental containment freeboards and generally dry conditions due to current drought conditions. No evidence of erosion was observed around infrastructure and road areas.</p> <p>However, while general compliance with the requirements of this condition was noted, the administrative issues were identified as detailed in Table 4-3 (Schedule 2, Condition 15).</p>	<p>Recommendation 04: The WMP to be updated to include:</p> <ul style="list-style-type: none"> • A clear explanation of how the water licences and works approvals held by Bloomfield relate to each other and relate to different uses across the Rix's Creek Mine. • A detailed description of the security of water supply, considering the water inventory across the entire Rix's Creek Mine, considering issues such as the recent commissioning of solid bowl centrifuges. • A layout plan showing all drains and water storages that form part of the water management system, including indication of topography such as contours.

Environmental aspect	Reference	Implementation	Recommendations
Environmental Management – General	EMS	Review of available documentation indicates an EMS exists for the Mine, with revisions approved by DPIE on 28 March 2017 and 2 July 2019, and contains the relevant information required by the condition.	Not applicable.
Air Quality	AQGGMP	Review of the AQGGMP indicates the current revision for the AQGGMP was approved by DPIE on 31 July 2019, while the initial AQGGMP was approved 28 March 2017, with a number of subsequent variations as a result of modifications (Mod 9 and Mod 10) and Annual Reviews (2016 and 2017).	Not applicable.
		<p>The following observations are noted:</p> <ul style="list-style-type: none"> • 2018: Lack of monitoring for Dust Track RCS SE in August 2018, with monitoring still completed at Dust Track RCS NW. • 2019: Lack of monitoring for Dust Track RCS NW, with the system failing from 15 December 2018 to 4 January 2019, with monitoring still completed at Dust Track RCS SE. <p>The issue was identified as part of the monthly validation check; and was not identified earlier due to issues with the SKADA system (which is operated to identify monitoring issues) resulting in lack of monitoring data not being picked up until the end of month validation. As the issue relates to the SKADA system, no recommendation has been made in this audit.</p>	Not applicable.
Noise	NMP	<p>Review of the NMP indicates approval of the NMP on 28 March 2017, with a number of subsequent variations as a result of modifications (Mod 9 and Mod 10) and Annual Reviews (2016, 2017 and 2018).</p> <p>While the NMP is noted to address the requirements of DA 49/94, review of the current NMP indicates it reads as more a RCN document that includes RCS as well; rather than being a combined plan covering both sites. An example of this is in Appendix A of the NMP, relevant conditions of consent related to noise are detailed for RCN, but not RCS. Therefore, a recommendation for improvement has been made.</p>	Recommendation 04: A review of the NMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.

Environmental aspect	Reference	Implementation	Recommendations
Blasting: overpressure and ground vibration	BMP	<p>Review of the BMP indicates approval of the BMP on 28 March 2017, with a subsequent variation approved 31 July 2019.</p> <p>All relevant requirements of Condition 12D of DA 49/94. However, while the BMP is noted to address the requirements of DA 49/94, review of the current BMP indicates it reads as more a RCN document that includes RCS as well; rather than being a combined plan covering both sites. An example of this is in Appendix A of the BMP, relevant conditions of consent related to blasting are detailed for RCN, but not RCS. Therefore, a recommendation for improvement has been made.</p>	<p>Recommendation 03: A review of the BMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.</p>

Note: the recommendation numbering is from the detailed findings provided in Appendix D and Appendix E.

4.7 Auditor's response to any matters raised by government agencies

4.7.1 BCD

An initial letter was provided to the BCD by Bloomfield on 23 August 2019, with a subsequent letter provided by GHD on 11 November 2019.

No response was received from BCD in relation to the 2019 IEA.

4.7.2 Singleton Council

An initial letter was provided to Singleton Council by Bloomfield on 23 August 2019, with a subsequent letter provided by GHD on 11 November 2019.

No response was received from Singleton Council in relation to the 2019 IEA.

4.7.3 Natural Resources Access Regulator

An initial letter was provided to the NRAR by Bloomfield on 23 August 2019, with a subsequent letter provided by GHD on 11 November 2019.

No response was received from the NRAR in relation to the 2019 IEA.

4.7.4 Roads and Maritime Services

An initial letter was provided to RMS by Bloomfield on 23 August 2019, with a subsequent letter provided by GHD on 11 November 2019.

A response received from RMS on 11 November 2019 indicated no relevant comments in relation to the 2019 IEA.

4.7.5 EPA

An initial letter was provided to the EPA by Bloomfield on 23 August 2019, with a subsequent letter provided by GHD on 11 November 2019.

A response received from the EPA on 12 November 2019 indicated no relevant comments in relation to the 2019 IEA.

4.7.6 NSW Resources Regulator

An initial letter was provided to the NSW Resources Regulator by Bloomfield on 23 August 2019, with a subsequent response on 3 September 2019 summarised in Table 4-7.

Table 4-7 NSW Resources Regulator comments and auditor's response

Resource Regulator comments	Auditor response
Verify that there is a current MOP in place and it has been approved by the Regulator	Discussion in relation to the MOP for the Mine is provided in Section 4.6.
Review compliance against any conditions of approval of the MOP.	It is noted that the MOP is not conditioned by DA 49/94 or EPL 3391).

Resource Regulator comments	Auditor response
<p>Verify that the MOP is compatible with the description of operations contained in the planning approval. In particular:</p> <ul style="list-style-type: none"> • Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s). • Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval. 	Refer to discussion in Schedule 2, Condition 16B of Appendix D.
Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection.	Refer to discussion in Table 3-1 for Schedule 2, Condition 14.
Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation.	Refer to site inspection observations related to rehabilitation in Section 4.2.2 and Section 4.6 (see Table 4-6).
Review the rehabilitation monitoring program, Trigger Action Response Plan, remediation actions as outlined in the approved MOP, to determine if performance issues identified during visual inspection, as relevant, are addressed.	
Determine if controls to ensure soil / growth media resources are available to achieve nominated final land uses are appropriate?	Out of scope – A rehabilitation specialist was not requested for inclusion in the 2019 IEA.

4.8 Auditor's response to any matters raised by the Chair of the Community Consultative Committee

Consultation with Lisa Andrews, Community Consultative Committee (CCC) Chair, on 11 December 2019 indicated Bloomfield provide extensive and comprehensive presentations on a regular basis relating to environmental monitoring and performance. The Chair did not identify any relevant concerns or non-compliance issues.

While the *Independent Audit Guideline* (NSW Government, 2015) does not require consideration of feedback from CCC members, opportunity for comment by the CCC members was requested by the Chair. Relevant comments have been provided in Appendix F and, where within the scope of the audit, addressed (see Section 1.2).

5. Recommendations

The following recommendations are based on the findings of the audit.

Table 5-1 Recommendations

Number	Condition	Recommendation
01	Schedule 2, Condition 6	Ensure a review and update of the Landscape Management Plan is completed within 3 months of completion of this audit, and includes a formal building maintenance plan.
02	Schedule 2, Condition 11	A review of the NMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.
03	Schedule 2, Condition 12D	A review of the BMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.
04	Schedule 2, Condition 15	The WMP to be updated to include: <ul style="list-style-type: none"> • A clear explanation of how the water licences and works approvals held by Bloomfield relate to each other and relate to different uses across the Rix's Creek Mine. • A detailed description of the security of water supply, considering the water inventory across the entire Rix's Creek Mine, considering issues such as the recent commissioning of solid bowl centrifuges. • A layout plan showing all drains and water storages that form part of the water management system, including indication of topography such as contours.
05	Schedule 2, Condition 16B	Consistent with the approach for Rix's Creek North, consultation should be undertaken with DPIE to confirm acceptance of relevant RMP requirements being adopted into the current MOP.
06	Schedule 2, Condition 16D	Mine Closure Plan to be updated to include objectives and criteria for mine closure for ML 1432 and completion criteria for each domain.
07	Schedule 2, Condition 28	The Landscape Management Plan, Mine Closure Plan and Rehabilitation Management Plan should be reviewed within 3 months of this audit and revised to address the recommendations of the 2016 IEA.

Appendices

Appendix A – DPIE Approval of Audit Team



Rix's Creek Mine
Bloomfield Collieries Pty Ltd
Four Mile Creek Road
ASHTONFIELD NSW 2323

Contact: Ann Hagerthy
Phone: 02 6575 3407
Email: compliance@planning.nsw.gov.au
ann.hagerthy@planning.nsw.gov.au
Our Ref: DA 49/94

Attention: Chris Knight, Environment Manager

Dear Mr Knight,

**Rix's Creek South Mine DA 49/94
Independent Environmental Audit 2019**

Reference is made to previous correspondence from the Department of Planning, Industry and Environment (the Department) to Bloomfield Collieries Pty Ltd (Bloomfield) dated 27 September 2019, endorsing the GHD team for the upcoming Independent Environmental Audit (IEA) required by Schedule 2, Condition 26 of development consent DA 49/94 (the consent) for the Rix's Creek South mine (the site).

Reference is also made to email correspondence from Bloomfield on 23 October 2019, requesting the Secretary endorse an alternative water management specialist, as a result of Dr Adam Wyatt no longer being available.

The Secretary has considered Bloomfield's request and endorses the following alternative team member from GHD for the 2019 IEA:

- Tyler Tinkler - water management specialist.

Should you need to discuss the matter, please contact Ann Hagerthy on the details above.

Yours sincerely,

Heidi Watters 25/10/19

Heidi Watters

A/Team Leader - Compliance

As nominee of the Secretary



Rix's Creek Mine
Bloomfield Collieries Pty Ltd
Four Mile Creek Road
ASHTONFIELD NSW 2323

Contact: Ann Hagerthy
Phone: 02 6575 3407
Email: compliance@planning.nsw.gov.au
ann.hagerthy@planning.nsw.gov.au
Our Ref: DA 49/94

Attention: Chris Knight, Environment Manager

Dear Mr Knight,

**Rix's Creek South Mine DA 49/94
Independent Environmental Audit 2019**

Reference is made to correspondence from Bloomfield Collieries Pty Ltd (Bloomfield) dated 17 September 2019 seeking endorsement of the proposed audit team for the upcoming Independent Environmental Audit (IEA) required by Schedule 2, Condition 26 of development consent DA 49/94 (the consent) for the Rix's Creek South mine (the site).

The Secretary has considered Bloomfield's request and endorses the following audit team from GHD for the 2019 IEA:

- Elliot Holland – Lead Auditor;
- Michelle Kiejda – Technical Director - Environmental; and
- Dr Adam Wyatt – Technical Director - Water (water management specialist).

The IEA is to be conducted in accordance with the conditions of the approval, and the Department's *Independent Audit Guideline* (October 2015). Further, the Secretary requests that in undertaking the IEA, the Auditor:

- Only use the compliance status descriptors "compliant", "non-compliant" or "not triggered". The terms "partial compliance", "partial non-compliance", "not verified" or other similar terms are not to be used.

The IEA period shall be from 1 November 2016 to the IEA audit inspection date, which shall coincide with the end of the audit period, and be completed on or after 1 November 2019 and no later than 31 December 2019

The IEA report together with responses to any recommendations (RAR) contained in the IEA report should be submitted to compliance@planning.nsw.gov.au within 12 weeks of commencing the Audit (inspection date).

Should you need to discuss the matter, please contact Ann Hagerthy on the details above.

Yours sincerely,

27/09/19.

Leah Cook

Team Leader - Compliance
As nominee of the Secretary

Appendix B – Agency consultation



11 November 2019

Adam McKenzie
Area Maintenance Manager
Roads and Maritime Services
Locked Bag 2030
Newcastle NSW 2300

Our ref: 12514725-82861
Your ref:

Email: Adam.MCKENZIE@rms.nsw.gov.au

Dear Adam

Rix's Creek South Mine Independent Environmental Compliance Audit

Bloomfield Collieries Pty Ltd (Bloomfield) has engaged GHD to undertake an independent environmental audit of the Rix's Creek South Mine operations in accordance with Condition 26 of the Development Consent (DA 49/94). The scope of the audit is to:

- Assess the environmental performance of the development and whether it is complying with the relevant requirements of the consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
- Review the adequacy of strategies, plans or programs required under the Development Consent
- Recommend measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

Bloomfield has four auditable obligations within DA 49/94 which require consultation with the Roads and Maritime Services (RMS) in regard to these obligations.

It is understood Bloomfield previously sent correspondence on 23 August 2019 requesting comment on Bloomfield's performance, with a subsequent response provided 23 August 2019 indicating no relevant comments. We are writing to follow-up on this correspondence to confirm this is still the case for the 2019 independent environmental audit. Please provide comment on Bloomfield's performance with DA 49/94 and other project requirements, as you may deem appropriate.

The site visit component of the audit is scheduled for the week commencing Monday, 25 November 2019. It would be appreciated if you could submit your written comments by **Friday, 22 November 2019**.

Sincerely

Elliot Holland
Senior Environmental Scientist
0400 551 095
elliot.holland@ghd.com

Attachment: Development Consent conditions relevant to RMS.

Attachment – Development Approval Conditions relevant to RMS

Condition	Requirement
9	<p>The Applicant must prepare a Traffic Management Plan for the development, to the satisfaction of the Secretary. The Plan must:</p> <ul style="list-style-type: none"> i. be submitted to the Secretary for approval prior to commencement of construction of the cut and cover tunnel; ii. be prepared in consultation with the RMS and Singleton Shire Council; iii. include procedures for regular monitoring of compliance with this plan; and iv. include a Construction Traffic Management Plan for the construction of the rail loop and rail spur, including: <ul style="list-style-type: none"> • traffic control measures for vehicle movements along the New England Highway; • measures that would be implemented to minimise traffic and road safety impacts, and • management of heavy vehicles, particularly oversize loads to and from the site. <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>
9A	<p>The Applicant must obtain all necessary approvals from the RMS prior to commencing construction.</p>
12C	<p>The Applicant must not undertake blasting within 500 metres of:</p> <ul style="list-style-type: none"> (i) the New England Highway without the approval of the RMS; and (ii) the Main Northern Railway without the approval of the ARTC.
23	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) The Applicant must provide road deviations adjacent to the highway in accordance with Figure 34 of the EIS to the satisfaction of the RMS and the Council unless a valid Management Plan is in operation. These deviations must be constructed at the Applicant's cost and be constructed to allow two- way traffic movement and to an all weather gravel standard for a design speed of forty (40) kilometres per hour. (b) The Applicant must conduct all closures of the New England Highway for blasting in accordance with the Management Plan included in Appendix 2 of the EIS Supplementary Document to the satisfaction of the RMS and the Council. (c) In the event that the RMS, after consultation with the Applicant and the Council deems that the requirements of the Management Plan are not being met, the Applicant must cease blasting within 500 metres of the highway.



11 November 2019

Annika Lawrence
Project Officer
Natural Resources Access Regulator
Locked Bag 5123
PARRAMATTA NSW 2124

Our ref: 12514725-1965
Your ref:

Email: nrar.servicedesk@industry.nsw.gov.au and
annika.lawrence@nrar.nsw.gov.au

To Annika

Rix's Creek South Mine Independent Environmental Audit

Bloomfield Collieries Pty Ltd (Bloomfield) has engaged GHD to undertake an independent environmental audit of the Rix's Creek South Mine operations in accordance with Condition 26 of the Development Consent (DA 49/94). The scope of the audit is to:

- Assess the environmental performance of the development and whether it is complying with the relevant requirements of the consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
- Review the adequacy of strategies, plans or programs required under the Development Consent
- Recommend measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

Bloomfield has three auditable obligations within DA 49/94 which require consultation with the Natural Resources Access Regulator (NRAR) (formerly DPI Water) in regard to these obligations.

It is understood Bloomfield previously sent correspondence on 23 August 2019 request comment on Bloomfield's performance. We are writing to follow-up on this correspondence, to invite you to comment on Bloomfield's performance with DA 49/94 and other project requirements, as you may deem appropriate.

The site visit component of the audit is scheduled for the week commencing Monday, 25 November 2019. It would be appreciated if you could submit your written comments by **Friday, 22 November 2019**.

Sincerely

Elliot Holland
Senior Environmental Scientist
0400 551 095
elliott.holland@ghd.com

Attachment: Development Consent conditions relevant to NRAR.

Attachment – Development Approval Conditions relevant to NRAR

Condition	Requirement
15	<p>The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Secretary. This Plan must:</p> <ul style="list-style-type: none"> (i) be prepared in consultation with DPI Water by a suitably qualified expert whose appointment has been approved by the Secretary; (ii) be submitted to the Secretary by 31 March 2010; and (iii) include: <ul style="list-style-type: none"> • a site water balance for the development, which includes details of sources and security of water supply, on site water use and management and off site water transfers and investigates and describes measures to minimise water use by the development. • details on the diversion of Rix's Creek, including updates on monitoring and rehabilitation; • a surface water monitoring program with: <ul style="list-style-type: none"> ➤ detailed baseline data of surface water flows and quality in the watercourses that could be affected by the development; ➤ surface water impact assessment criteria, including trigger levels for investigating potentially adverse surface water impacts of the development; ➤ a program to monitor surface water flows and quality in the watercourse that could be affected by the development. • a groundwater monitoring program with: <ul style="list-style-type: none"> ➤ detailed baseline data of groundwater levels, yield and quality in the region, and privately owned groundwater bores, which could be affected by the development; ➤ groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts of the development; and ➤ a program to monitor: <ul style="list-style-type: none"> o groundwater inflows to the open cut mining operations; and o impacts of the development on the regions aquifers, any groundwater bores, and surrounding watercourses, including monitoring to the western boundary of the mine lease ; and • a surface and groundwater response plan which describes the measures and/or procedures that would be implemented to: <ul style="list-style-type: none"> ➤ respond to any exceedances of the surface water and groundwater assessment criteria; ➤ offset the loss of any baseflow to the surrounding watercourse and/or associated creeks caused by the development;

Condition	Requirement
	<p>➤ compensate landowners of privately-owned land whose water supply is adversely affected by the development; and</p> <p>➤ mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation.</p> <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>
16	<p>The Applicant must:</p> <p>(i) liaise with DPI Water and meet their requirements for the design, construction and maintenance of any diversion of Rixs Creek;</p> <p>(ii) not divert Rixs Creek in the southern mining area;</p> <p>(iii) not mine within 20m of the bank of Rixs Creek in Pit 2 and Pit 3.</p>
16A	<p>The Applicant must prepare a detailed Landscape Management Plan for the development to the satisfaction of the DRG and the Secretary. This plan must:</p> <p>(i) be prepared in consultation with OEH, DPI Water and Singleton Shire Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary;</p> <p>(ii) include a:</p> <ul style="list-style-type: none"> • Rehabilitation Management Plan to be submitted for approval by the Secretary by 31 March 2010; • Final Void Management Plan to be submitted for approval by the Secretary by 31 December 2011; and • Mine Closure Plan to be submitted for approval by the Secretary by 31 December 2011. <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>



11 November 2019

Steven Cox
Senior Team Leader Planning - Hunter Central Coast Branch
Biodiversity Conservation Trust
Level 4, 26 Honeysuckle Drive
Newcastle NSW 2300

Our ref: 12514725-87402
Your ref:

Email: Steven.Cox@environment.nsw.gov.au

Dear Steven

Rix's Creek South Mine Independent Environmental Compliance Audit

Bloomfield Collieries Pty Ltd (Bloomfield) has engaged GHD to undertake an independent environmental audit of the Rix's Creek South Mine operations in accordance with Condition 26 of the Development Consent (DA 49/94). The scope of the audit is to:

- Assess the environmental performance of the development and whether it is complying with the relevant requirements of the consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
- Review the adequacy of strategies, plans or programs required under the Development Consent
- Recommend measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

Bloomfield has four auditable obligations within DA 49/94 which require consultation with the Biodiversity Conservation Trust (BCT) in regard to these obligations.

It is understood Bloomfield previously sent correspondence on 23 August 2019 requesting comment on Bloomfield's performance. We are writing to follow-up on this correspondence, to invite you to comment on Bloomfield's performance with DA 49/94 and other project requirements, as you may deem appropriate.

The site visit component of the audit is scheduled for the week commencing Monday, 25 November 2019. It would be appreciated if you could submit your written comments by **Friday, 22 November 2019**.

Sincerely

Elliot Holland
Senior Environmental Scientist
0400 551 095
elliott.holland@ghd.com

Attachment: Development consent conditions relevant to the BCT.

Attachment – Development Approval Conditions relevant to the BCT

Condition	Requirement
12D	<p>The Applicant must prepare a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (i) be prepared in consultation with OEH, and then submitted to the Secretary for approval by 30 April 2017; (ii) describe the blast mitigation measures that would be implemented to ensure compliance with the relevant condition of this approval; (iii) describe the measures that would be implemented to ensure that the public can get up-to-date information on the proposed blasting schedule on site; (iv) include a blast monitoring program to evaluate the performance of the project; and (v) include a protocol that has been prepared in consultation with the owners of the nearby mines (including Ashton, Rix's Creek North and the Mount Owen Complex) for minimising and managing the cumulative blasting impacts of the mines. <p>The Applicant must implement the approved management plan as approved fromtime to time by the Secretary.</p>
16A	<p>The Applicant must prepare a detailed Landscape Management Plan for the development to the satisfaction of the DRG and the Secretary. This plan must:</p> <ul style="list-style-type: none"> (i) be prepared in consultation with OEH, DPI Water and Singleton Shire Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; (ii) include a: <ul style="list-style-type: none"> • Rehabilitation Management Plan to be submitted for approval by the Secretary by 31 March 2010; • Final Void Management Plan to be submitted for approval by the Secretary by 31 December 2011; and • Mine Closure Plan to be submitted for approval by the Secretary by 31 December 2011. <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>



11 November 2019

Natasha Ryan
Regional Operations Officer
NSW Environment Protection Authority
117 Bull Street
NEWCASTLE NSW 2300

Our ref: 12514725-43220
Your ref:

Email: Natasha.Ryan@epa.nsw.gov.au

Dear Natasha

Rix's Creek South Mine Independent Environmental Compliance Audit

Bloomfield Collieries Pty Ltd (Bloomfield) has engaged GHD to undertake an independent environmental audit of the Rix's Creek South Mine operations in accordance with Condition 26 of the Development Consent (DA 49/94). The scope of the audit is to:

- Assess the environmental performance of the development and whether it is complying with the relevant requirements of the consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
- Review the adequacy of strategies, plans or programs required under the Development Consent
- Recommend measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

Bloomfield has four auditable obligations within DA 49/94 which require consultation with the Environment Protection Authority (EPA) in regard to these obligations.

It is understood Bloomfield previously sent correspondence on 23 August 2019 request comment on Bloomfield's performance. We are writing to follow-up on this correspondence, to invite you to comment on Bloomfield's performance with DA 49/94 and other project requirements, as you may deem appropriate.

The site visit component of the audit is scheduled for the week commencing Monday, 25 November 2019. It would be appreciated if you could submit your written comments by **Friday, 22 November 2019**.

Sincerely

Elliot Holland
Senior Environmental Scientist
0400 551 095
elliott.holland@ghd.com

Attachment: Development Consent conditions relevant to the EPA.

Attachment – Development Approval Conditions relevant to the EPA

Condition	Requirement
6	<p>The Applicant must:</p> <p>(ii) apply a surface sealant such as bitumen emulsion, straw or seed within 30 days of its construction to any mounding or bunding as directed by EPA.</p>
11	<p>The Applicant must prepare a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(i) be prepared in consultation with the EPA, and then submitted to the Secretary for approval by 30 April 2017;</p> <p>(ii) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> • compliance with the noise criteria and operating conditions of this approval; and • best management practice is being employed; <p>(iii) describe the noise management system in detail;</p> <p>(iv) include a noise monitoring program that:</p> <ul style="list-style-type: none"> • uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project; • includes a protocol for determining exceedances of the relevant conditions in this approval; • evaluates and reports on the effectiveness of the noise management system and the best practice noise management measures; and <p>(v) includes a protocol that has been prepared in consultation with the owners of nearby mines (including Integra Underground, Ashton, Rix's Creek North and the Mount Owen Complex) to minimise the cumulative noise impacts of the mines.</p> <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>

Condition	Requirement
14A	<p>The Applicant must prepare an Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(i) be prepared in consultation with EPA, and then submitted to the Secretary for approval by 30 April 2017;</p> <p>(ii) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> • compliance with the air quality criteria and operating conditions of this approval; and • best practice air quality management is being employed; <p>(iii) describe the air quality management system in detail;</p> <p>(iv) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project; • includes a protocol for determining any exceedances of the relevant conditions of this approval; • adequately supports the proactive and reactive air quality management system; • includes PM2.5 monitoring (although this obligation could be satisfied by the regional air quality monitoring network if sufficient justification is provided); • evaluates and reports on the effectiveness of the air quality management system and the best practice air quality management measures; and <p>(v) include a protocol that has been prepared in consultation with the owners of nearby mines (including Integra Underground, Ashton, Rix's Creek North and the Mount Owen Complex) to minimise the cumulative air quality impacts of the mines.</p> <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>
17	<p>17C. Potentially Affected Lands</p> <p>(i) In the event that the EPA determines that noise from the mining operations at any residence (built or with building approval at the date of this Consent) or more than 25% of any property in the vicinity of Maison Dieu Road is in excess of the relevant noise level design goals set out in clause 10 of this Consent for two (2) consecutive monitoring periods, the Applicant must purchase such property within six (6) months of receipt of a written request from the owner of the affected property.</p> <p>(ii) In the event that the EPA determines that dust from the mining operations increases the dust deposition rate by more than 2 gm/m2/month averaged over any six (6) month period, at any residence (built or with building approval at the date of this Consent) or over more than 25% of any property in the vicinity of Maison Dieu Road is the Applicant must purchase such property within six (6) months of receipt of a written request from the owner of the affected property.</p>



11 November 2019

Mary-Anne Crawford
Manager Development and Environmental Services
Singleton Council
12-14 Queen Street
SINGLETON NSW 2330

Our ref: 12514725-37540
Your ref:

Email: mcrawford@singleton.nsw.gov.au

Dear Mary-Anne

Rix's Creek South Mine Independent Environmental Compliance Audit

Bloomfield Collieries Pty Ltd (Bloomfield) has engaged GHD to undertake an independent environmental audit of the Rix's Creek South Mine operations in accordance with Condition 26 of the Development Consent (DA 49/94). The scope of the audit is to:

- Assess the environmental performance of the development and whether it is complying with the relevant requirements of the consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
- Review the adequacy of strategies, plans or programs required under the Development Consent
- Recommend measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval.

Bloomfield has nine auditable obligations within DA 49/94 which require consultation with Singleton Council in regard to these obligations.

It is understood Bloomfield previously sent correspondence on 23 August 2019 request comment on Bloomfield's performance. We are writing to follow-up on this correspondence, to invite you to comment on Bloomfield's performance with DA 49/94 and other project requirements, as you may deem appropriate.

The site visit component of the audit is scheduled for the week commencing Monday, 25 November 2019. It would be appreciated if you could submit your written comments by **Friday, 22 November 2019**.

Sincerely

Elliot Holland
Senior Environmental Scientist
0400 551 095
elliott.holland@ghd.com

Attachment: Development Consent conditions relevant to Singleton Council

Attachment – Development Approval Conditions relevant to Singleton Council

Condition	Requirement
6	<p>The Applicant must:</p> <ul style="list-style-type: none"> i. within six (6) months of the date of this consent or within such further period as the Singleton Council ("the Council") may permit, submit for Council's approval: <ul style="list-style-type: none"> a. An updated detailed landscaping plan covering all portions within the proposed mining area and associated lands owned by the Applicant. The Applicant must engage a suitably qualified person to assist in preparing the landscaping plan. The plan must provide for the establishment of trees and shrubs and the construction of mounding. The plan must incorporate appropriate erosion control and sediment control practices for earthworks associated with the development. b. Details of the visual appearance of all buildings, structures, facilities or works (including paint colours and specifications). Buildings and structures must be designed and constructed/renovated so as to present a neat and orderly appearance and to blend as far as possible with the surrounding landscape. c. A comprehensive plan of landscape management which must include detailed plans, specifications for the maintenance of all landscape works and plantings, and maintenance of building materials and claddings, proposed screen plantings and mounding along the New England Highway and mine overburden dumps. iii. comply with the requirements of Council in respect to any supplementary tree planting and visual amenity enhancement works within or immediately outside the mining lease area which may be identified by the Council in consultation with relevant land holders as necessary for the maintenance of satisfactory visual amenity in the local area.
9	<p>The Applicant must prepare a Traffic Management Plan for the development, to the satisfaction of the Secretary. The Plan must:</p> <ul style="list-style-type: none"> i. be submitted to the Secretary for approval prior to commencement of construction of the cut and cover tunnel; ii. be prepared in consultation with the RMS and Singleton Shire Council; iii. include procedures for regular monitoring of compliance with this plan; and iv. include a Construction Traffic Management Plan for the construction of the rail loop and rail spur, including: <ul style="list-style-type: none"> • traffic control measures for vehicle movements along the New England Highway; • measures that would be implemented to minimise traffic and road safety impacts, and • management of heavy vehicles, particularly oversize loads to and from the site. <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>

Condition	Requirement
16A	<p>The Applicant must prepare a detailed Landscape Management Plan for the development to the satisfaction of the DRG and the Secretary. This plan must:</p> <p>(i) be prepared in consultation with OEH, DPI Water and Singleton Shire Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary;</p> <p>(ii) include a:</p> <ul style="list-style-type: none"> • Rehabilitation Management Plan to be submitted for approval by the Secretary by 31 March 2010; • Final Void Management Plan to be submitted for approval by the Secretary by 31 December 2011; and • Mine Closure Plan to be submitted for approval by the Secretary by 31 December 2011. <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>
22	<p>The Applicant must pay to the Council a financial contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 in the amount of \$900.00 per additional employee (as identified within the EIS and Supplementary Document) according to the requirements of the Council's Section 94 Contributions Plan No. 1. The Applicant must pay the contribution to Council within six (6) months of acting upon this consent;</p>
23	<p>The Applicant must:</p> <p>(a) The Applicant must provide road deviations adjacent to the highway in accordance with Figure 34 of the EIS to the satisfaction of the RMS and the Council unless a valid Management Plan is in operation. These deviations must be constructed at the Applicant's cost and be constructed to allow two- way traffic movement and to an all weather gravel standard for a design speed of forty (40) kilometres per hour.</p> <p>(b) The Applicant must conduct all closures of the New England Highway for blasting in accordance with the Management Plan included in Appendix 2 of the EIS Supplementary Document to the satisfaction of the RMS and the Council.</p> <p>(c) In the event that the RMS, after consultation with the Applicant and the Council deems that the requirements of the Management Plan are not being met, the Applicant must cease blasting within 500 metres of the highway.</p>
24	<p>The Applicant must liaise with the Council in regard to the future closure/relocation of Middle Fallbrook Road in order to provide an alternative road link and proceed to construct such alternative road link as required, in conjunction with potential alternative road link to be provided by other mines to the north of the development. Any relocation must be designed and constructed to the Council's bitumen sealed rural roads standard.</p>
25	<p>In the event that the Applicant and the Council or a Government body other than the Department, cannot agree on the specification or requirements applicable under this consent, other than in subclause 17C(iv), the matter shall be referred by either party to the Secretary or if not resolved, to the Minister, whose determination of the disagreement shall be final and binding on the parties.</p>

Condition	Requirement
27	<p>The Applicant must:</p> <ul style="list-style-type: none"> (i) minimise and monitor the waste generated by the project; and (ii) ensure that the waste generated by the project is appropriately stored, handled, and disposed of; (iii) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (iv) report on waste management and minimisation in the annual review, to the satisfaction of the Secretary.

From: Steven Cox <Steven.Cox@environment.nsw.gov.au>
Sent: Friday, 23 August 2019 11:15 AM
To: Chris Knight
Cc: Chris Quinn; Robert Gibson
Subject: RE: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Hi Chris,

Yes, we'll wait for the successful tenderer to contact us and request input. Thanks for clarifying the process.

Regards
Steven

Steven Cox
Senior Team Leader Planning
Hunter Central Coast Branch

Biodiversity and Conservation Division | Department of Planning, Industry and Environment
T 02 4927 3140 | **M** 0472 800 088 | **E** steven.cox@environment.nsw.gov.au
Level 4, 26 Honeysuckle Drive, Newcastle NSW 2300
www.dpie.nsw.gov.au



**Planning,
Industry &
Environment**

The DPIE Hunter Central Coast Branch Planning Team has a group email address: rog.hcc@environment.nsw.gov.au. Please address all further email correspondence in relation to Planning and Aboriginal cultural heritage regulation matters to this address.

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: Chris Knight <cknight@bloomcoll.com.au>
Sent: Friday, 23 August 2019 11:05 AM
To: Steven Cox <Steven.Cox@environment.nsw.gov.au>
Cc: Chris Quinn <cquinn@bloomcoll.com.au>
Subject: RE: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Hi Steven,

Thank you for your email.

We are currently seeking pricing from three consultants. I have no issues if you wish to wait for the approved consultant to contact OEH. I will ensure they contact OEH for any comment.

Also I note your further email which is noted for any future correspondence.

Best Regards,



WE CARE. WE DELIVER.

Chris Knight

Environment Manager

E: cknight@bloomcoll.com.au | T: 02 6578 8824 | M: 0403 058 777

W: www.bloomcoll.com.au

PO Box 4, East Maitland, NSW 2323

North: Bridgman Road, South: Rixs Creek Lane, Singleton, NSW 2330 Australia

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From: Steven Cox [<mailto:Steven.Cox@environment.nsw.gov.au>]

Sent: Friday, 23 August 2019 10:55 AM

To: Chris Knight <cknight@bloomcoll.com.au>

Cc: Chris Quinn <cquinn@bloomcoll.com.au>

Subject: RE: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Hi Chris,

Who will be undertaking the independent audit? We normally get these requests from the organisation that will be undertaking the independent audit, not from the proponent/mine.

Regards

Steven

Steven Cox

Senior Team Leader Planning

Hunter Central Coast Branch

Biodiversity and Conservation Division | Department of Planning, Industry and Environment

T 02 4927 3140 | M 0472 800 088 | E steven.cox@environment.nsw.gov.au

Level 4, 26 Honeysuckle Drive, Newcastle NSW 2300

www.dpie.nsw.gov.au



**Planning,
Industry &
Environment**

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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: Chris Knight <cknight@bloomcoll.com.au>

Sent: Friday, 23 August 2019 9:29 AM

To: Steven Cox <Steven.Cox@environment.nsw.gov.au>

Cc: Chris Quinn <cquinn@bloomcoll.com.au>

Subject: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Dear Steven,

Please find attached letter in regard to the upcoming Independent Environmental Audit for Rix's Creek South Mine.

Best Regards,



Chris Knight

Environment Manager

E: cknight@bloomcoll.com.au | T: 02 6578 8824 | M: 0403 058 777

W: www.bloomcoll.com.au

PO Box 4, East Maitland, NSW 2323

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North: Bridgman Road, South: Rixs Creek Lane, Singleton, NSW 2330 Australia

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DOC19/986151-1; EF13/3519

GHD
GHD Tower
Level 3
24 Honeysuckle Drive
NEWCASTLE NSW 2300

Email: Elliot.holland@ghd.com

12 November 2019

Attention: Elliot Holland

Dear Mr Holland

Rix's Creek South Mine Independent Environmental Audit

Reference is made to your email dated 11 November 2019 to the Environment Protection Authority ("EPA") requesting review and comment in relation to the preparation of the *Rix's Creek South Mine Independent Environmental Audit*.

The Environment Protection Authority ("EPA") encourages independent audit towards proponents improving their environmental performance. We do not provide input as our role is to set environmental objectives for environmental/conservation management and manage outcomes.

I refer you to the EPA's public register <http://www.epa.nsw.gov.au/prpoeo/index.htm> where you can search for regulatory activity undertaken by the EPA for Environment Protection Licences 3391 for Rix's Creek Pty. Limited.

If you wish to discuss the matter further, please contact me on 02 4908 6833.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'nryan'.

NATASHA RYAN
Regional Operations Officer - Hunter
Environment Protection Authority

From: Neil Mcelhinney <neil.mcelhinney@planning.nsw.gov.au>
Sent: Tuesday, 3 September 2019 2:31 PM
To: Chris Knight
Cc: Chris Quinn
Subject: RE: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Follow Up Flag: Follow up
Flag Status: Flagged

Chris,

The Regulator suggests the audit include the following scope:

1. Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP.
2. Verify that the MOP is compatible with the description of operations contained in the planning approval. In particular:
 - Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s).
 - Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval.
3. Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection.
4. Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation.
5. Review the rehabilitation monitoring program, Trigger Action Response Plan, remediation actions as outlined in the approved MOP, to determine if performance issues identified in Scope 4 (above) are addressed.
6. Determine if controls to ensure soil / growth media resources are available to achieve nominated final land uses are appropriate? For example, is there sufficient soil quantity to achieve a specified final land use outcome?

Please contact me if clarification is required.

Kind regards,

Neil McElhinney
Inspector Environment

Resources Regulator | Department of Planning, Industry and Environment
T 02 4063 6724 | **M** 0429 154 075 | **E** neil.mcelhinney@planning.nsw.gov.au
516 High Street, Maitland NSW 2320
resourcesregulator.nsw.gov.au



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From: Chris Knight <cknight@bloomcoll.com.au>
Sent: Friday, 23 August 2019 9:49 AM
To: Neil Mcelhinney <neil.mcelhinney@planning.nsw.gov.au>
Cc: Chris Quinn <cquinn@bloomcoll.com.au>
Subject: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Dear Neil,

Please find attached letter in regard to the upcoming Independent Environmental Audit for Rix's Creek South Mine.

Best Regards,



Chris Knight
Environment Manager
E: cknight@bloomcoll.com.au | T: 02 6578 8824 | M: 0403 058 777
W: www.bloomcoll.com.au
PO Box 4, East Maitland, NSW 2323
North: Bridgman Road, South: Rixs Creek Lane, Singleton, NSW 2330 Australia

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From: Adam McKenzie <Adam.MCKENZIE@rms.nsw.gov.au>
Sent: Friday, 23 August 2019 1:19 PM
To: Chris Knight
Cc: Chris Quinn
Subject: RE: Agency Consultation- Rix's Creek South- Independent Environmental Audit
Attachments: 2019_IEA_agency_consultation_RMS.PDF

Hi Chris

RMS has not comments or concerns relating this Audit.

Regards

Adam McKenzie
Area Maintenance Manager – Hunter Valley
Regional Infrastructure Services - Hunter Region
T 02 4908 7666
M 0411 040 571
rms.nsw.gov.au

Roads and Maritime Services
Floor 8, 266 King St Newcastle NSW 2300

From: Chris Knight [mailto:cknight@bloomcoll.com.au]
Sent: Friday, 23 August 2019 9:39 AM
To: Adam McKenzie
Cc: Chris Quinn
Subject: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Hi Adam,
Please find attached letter in regard to the upcoming Independent Environmental Audit for Rix's Creek South Mine.

As our consent contains requirements from RMS we are required to consult with agencies as part of our Independent Environmental Audit. If you are not the correct person to respond to the email please let me know.

Best Regards,



Chris Knight
Environment Manager
E: cknight@bloomcoll.com.au | T: 02 6578 8824 | M: 0403 058 777
W: www.bloomcoll.com.au
PO Box 4, East Maitland, NSW 2323
North: Bridgman Road, South: Rixs Creek Lane, Singleton, NSW 2330 Australia

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From: Adam McKenzie <Adam.MCKENZIE@rms.nsw.gov.au>
Sent: Friday, 23 August 2019 1:19 PM
To: Chris Knight
Cc: Chris Quinn
Subject: RE: Agency Consultation- Rix's Creek South- Independent Environmental Audit
Attachments: 2019_IEA_agency_consultation_RMS.PDF

Hi Chris

RMS has not comments or concerns relating this Audit.

Regards

Adam McKenzie
Area Maintenance Manager – Hunter Valley
Regional Infrastructure Services - Hunter Region
T 02 4908 7666
M 0411 040 571
rms.nsw.gov.au

Roads and Maritime Services
Floor 8, 266 King St Newcastle NSW 2300

From: Chris Knight [mailto:cknight@bloomcoll.com.au]
Sent: Friday, 23 August 2019 9:39 AM
To: Adam McKenzie
Cc: Chris Quinn
Subject: Agency Consultation- Rix's Creek South- Independent Environmental Audit

Hi Adam,
Please find attached letter in regard to the upcoming Independent Environmental Audit for Rix's Creek South Mine.

As our consent contains requirements from RMS we are required to consult with agencies as part of our Independent Environmental Audit. If you are not the correct person to respond to the email please let me know.

Best Regards,



Chris Knight
Environment Manager
E: cknight@bloomcoll.com.au | T: 02 6578 8824 | M: 0403 058 777
W: www.bloomcoll.com.au
PO Box 4, East Maitland, NSW 2323
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From: Adam Mckenzie <Adam.MCKENZIE@rms.nsw.gov.au>
Sent: Monday, 11 November 2019 7:31 AM
To: Elliot Holland
Cc: Michelle Kiejda; Joe Krsul (InTouch); Peter Marler
Subject: RE: 12514725 - Rix's Creek South Mine IEA
Attachments: 12514715-LET_RMS.PDF

Thanks for the notification.

No comments from RMS/Transport.

Regards

Adam McKenzie
Area Maintenance Manager – Hunter Valley
Regional Infrastructure Services - Hunter Region
T 02 4908 7666
M 0411 040 571
rms.nsw.gov.au

Roads and Maritime Services
Floor 8, 266 King St Newcastle NSW 2300

From: Elliot Holland [mailto:Elliot.Holland@ghd.com]
Sent: Monday, 11 November 2019 5:33 AM
To: Adam Mckenzie
Cc: Michelle Collins-Roe
Subject: 12514725 - Rix's Creek South Mine IEA

Hi Adam,

Please find attached a letter in regard to the upcoming Independent Environmental Compliance Audit for the Rix's Creek South Mine, in accordance with Condition 26 of the Development Consent (DA 49/94)

Bloomfield has auditable obligations within DA 49/94 which require consultation with the Roads and Maritime Services in regard to these obligations.

The site visit component of the audit is scheduled for the week commencing Monday, 25 November 2019. It would be appreciated if you could submit your written comments by Friday, 22 November 2019.

Regards,
Elliot Holland
(B. Env. Sc. & Mgt.)
Senior Environmental Scientist

GHD
Proudly employee owned
T: +612 4979 9923 | E: elliott.holland@ghd.com
GHD Tower, Level 3, 24 Honeysuckle Drive Newcastle NSW 2300 | www.ghd.com

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Appendix C – Independent Audit Submission Form

Independent Audit Declaration Form	
Project name	Rix's Creek South Mine
Consent Number	49/94
Description of project	Refer to Section 1.1
Project address	Rix's Creek Lane, Rix's Creek South CHPP
Proponent	Bloomfield Collieries Pty Limited
Title of audit	Rix's Creek South – Independent Environmental Compliance Audit
Date	9 January 2020

I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:

- The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits
- The findings of the audit are reported truthfully, accurately and completely
- I have exercised due diligence and professional judgement in conducting the audit
- I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit
- I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child
- I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family)
- Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

a) The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.

b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).

Name of Lead auditor	Elliot Holland
Signature	
Qualification	Lead Auditor – Environmental Management Systems
Email address	Elliot.holland@ghd.com
Company and address	GHD Pty Ltd (GHD) GHD Tower, Level 3, 24 Honeysuckle Drive Newcastle NSW 2300
Date	9 January 2020

Appendix C – Independent Audit Submission Form

Independent Audit Declaration Form	
Project name	Rix's Creek South Mine
Consent Number	49/94
Description of project	Refer to Section 1.1
Project address	Rix's Creek Lane, Rix's Creek South CHPP
Proponent	Bloomfield Collieries Pty Limited
Title of audit	Rix's Creek South – Independent Environmental Compliance Audit
Date	14 January 2020

I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:

- The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits
- The findings of the audit are reported truthfully, accurately and completely
- I have exercised due diligence and professional judgement in conducting the audit
- I have acted professionally, in an unbiased manner and did not allow undue influence to limit or override objectivity in conducting the audit
- I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child
- I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family)
- Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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Name of Lead auditor	Elliot Holland
Signature	
Qualification	Lead Auditor – Environmental Management Systems
Email address	Elliot.holland@ghd.com
Company and address	GHD Pty Ltd (GHD) GHD Tower, Level 3, 24 Honeysuckle Drive Newcastle NSW 2300
Date	14 January 2020

Appendix D – Development Consent (DA 49/94) Checklist

Number	Condition	Compliance	Evidence	Comments
	General			
1	<p>1. The Development is to be carried out generally in accordance with the:</p> <ul style="list-style-type: none"> (i). Environmental Impact Statement prepared by Envirosciences Pty Limited, dated November 1994; (ii). Supplementary Document prepared by Envirosciences Pty Limited, dated April 1995; (iii). Correspondence from Bloomfield Collieries Pty Limited accompanying the application seeking a modification to the development consent, dated 12 November 1998; (iv). Information provided by Rix's Creek Mine accompanying the application seeking a modification to the development consent, dated 20 November 2003; (v). Information prepared by Hunter Development Brokerage Pty Ltd accompanying the application seeking a modification to the development consent, dated 14 April 2004; (vi). The modification application "Rix's Creek Mine Cut and Cover Tunnel, New England Highway: Statement of Environmental Effects", prepared by Sinclair Knight Merz and dated May 2009; (vii). The modification application DA 49/94 MOD 5 and accompanying documents entitled Rix's Creek Rail Loop Section 75W Modification Environmental Assessment dated April 2013, Submissions Report Modification No.5 – Proposed Rail Loop and Loading Facility dated July 2013, and letter from Global Acoustics regarding Rix's Creek Proposed Rail Loop Environmental Noise Assessment dated 10 September 2013; (viii). The modification application DA 49/94 MOD 6 and accompanying letter from Rix's Creek Pty Limited titled <i>Proposed Modification to Rix's Creek Open Cut Mine Maximum Consented Production Rate</i> and dated 22 October 2014; (ix). The modification application DA 49/94 MOD 7 and accompanying document from Bloomfield Collieries Pty Ltd titled Environmental Assessment for Proposed Modifications to Rix's Creek DA 49/94 N90/00356 (Mod 7) and Integra OpenCut Project 08_0102 (Mod 5) and dated 4 February 2016; (x). The modification application DA 49/94 MOD 8 and accompanying document from Bloomfield Collieries Pty Ltd titled <i>Environmental Assessment for Proposed Modifications to Rix's Creek DA 49/94 N90/00356 (Mod 8)</i> undated; (xi). The modification application DA 49/94 MOD 9 and accompanying documents from Bloomfield Collieries Pty Ltd titled Environmental Assessment for Proposed Modifications to Rix's Creek DA 49/94 N90/00356 (Mod 9) and Rix's Creek North Open Cut Project 08_0102 (Mod 7), and Rixs Creek – (DA 49/94 Mod 9) and Rixs Creek North (DA 08_0102 Mod 7) Response to Submissions; and (xii). The modification application DA 49/94 MOD 10 and accompanying documents from Bloomfield Collieries Pty Ltd titled <i>Rix's Creek South Mine – DA 49/94 Modification 10 Time Extension Contingency for the Determination of the Project Continuation</i> dated 26 February 2019, and <i>Rix's Creek South Modification 10 Response to Submissions for The Bloomfield Group</i> dated April 2019. 	Compliant	Environmental Assessment documentation on the Rix's Creek website	<p>Review of available documentation during the conduct of this audit indicates general compliance with the requirements of this condition. However, it is noted that aspects of the project have noted been triggered during the audit period including:</p> <ul style="list-style-type: none"> • Condition 1(v): Receipt and/or processing of bulk coal samples from the Bickham Coal Project. • Condition 1(vii): Construction of the rail loop and rail spur.
1A	The Development is to be carried out in accordance with the conditions of this consent.	Non-compliant (Low risk)	Development consent (DA 49/94)	Not all of the conditions of consent have been complied with. See risk ratings for each individual non-compliance.
1B	If there is any inconsistency between the documents listed in condition 1, the more recent document shall prevail to the extent of the inconsistency. The conditions of this consent shall prevail over all documents listed in condition 1.	Note		
	Duration			
2	Approval in respect of coal extraction is limited to a period of 21 years and nine months from the date of this consent or from the date of issue of a mining lease in satisfaction of Mining Lease Application No. 17 Singleton wherever is the latter.	Not triggered	N/A	Not applicable.

Number	Condition	Compliance	Evidence	Comments
	Statutory requirements			
3	The Applicant must ensure that all statutory requirements including but not restricted to those set down by the Local Government Act, 1993, Pollution Control Act, 1970, Clean Air Act, 1961, Clean Water Act, 1970, Noise Control Act, 1975, Protection of the Environment Administration Act, 1991 and all other relevant legislation, Regulations, Australian Standards, Codes, Guidelines and Notices, Conditions, Directions, Notices and Requirements of the Office of Environment and Heritage (OEHL), Environment Protection Authority (EPA), Department of Primary Industries Water (DPI Water), Division of Resources and Geoscience (DRG) and Roads and Maritime Services (RMS), are fully met.	Non-compliant (Low risk)		Review of available documentation indicates non-compliances have been recorded during the audit period for relevant acts and agencies detailed in this condition.
	Production level			
4	Mining plans for submission to DRG must be based on a total movement of materials in mining not exceeding 16.1 million bank cubic metres in any year.	Compliant	Annual Reviews for 2016, 2017 and 2018 Current production data for 2019	Review of the Annual Reviews for 2016 to 2018 indicates total movements of materials have not exceeded 16.1 million bank cubic metres (BCM) in any year. Review of the 2019 data to 27 November 2019 indicates movement of 7.4 million bank cubic metres.
	Transmission line relocation			
5	The Applicant must relocate any TransGrid transmission lines within the mining lease to the satisfaction of TransGrid and at a mutually agreed time.	Not triggered	N/A	Not triggered.
	Visual amenity and lighting			
6	The Applicant must: (i). Within six (6) months of the date of this consent or within such further period as the Singleton Council ("the Council") may permit, submit for Council's approval: (a) An updated detailed landscaping plan covering all portions within the proposed mining area and associated lands owned by the Applicant. The Applicant must engage a suitably qualified person to assist in preparing the landscaping plan. The plan must provide for the establishment of trees and shrubs and the construction of mounding. The plan must incorporate appropriate erosion control and sediment control practices for earthworks associated with the development. (b) Details of the visual appearance of all buildings, structures, facilities or works (including paint colours and specifications). Buildings and structures must be designed and constructed/renovated so as to present a neat and orderly appearance and to blend as far as possible with the surrounding landscape. (c) A comprehensive plan of landscape management which must include detailed plans, specifications for the maintenance of all landscape works and plantings, and maintenance of building materials and claddings, proposed screen plantings and mounding along the New England Highway and mine overburden dumps. (ii). Apply a surface sealant such as bitumen emulsion, straw or seed within 30 days of its construction to any mounding or bunding as directed by EPA. (iii). Comply with the requirements of Council in respect to any supplementary tree planting and visual amenity enhancement works within or immediately outside the mining lease area which may be identified by the Council in consultation with relevant land holders as necessary for the maintenance of satisfactory visual amenity in the local area.	Non-compliant (Low risk)	N/A	Review of the 2016 IEA identified that the recommendation for a formal building maintenance program to be prepared has not been addressed. In the 2018 Annual Review, commitment was made to ensure the revised Landscape Management Plan was submitted by June 2019, which did not occur. Therefore, a non-compliance has been recorded against this condition, and the recommendation from the 2016 IEA updated in this report. This non-compliance would generally be considered an Administrative non-compliances under the NSW Government Independent Audit Guideline (NSW Government, 2015). Recommendation 01: Ensure a review of the Landscape Management Plan is completed within 3 months, and includes a formal building maintenance plan.
7	The Applicant must: (i). implement all reasonable and feasible measures to mitigate visual and off-site lighting impacts of the project; (ii). ensure no unshielded outdoor lights shine above the horizontal; and (iii). ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting, or its latest version, to the satisfaction of the Secretary.	Compliant	Internal correspondence (March 2019 and September 2019) Complaints records 2016 to current	Review of available documentation, including internal correspondence related to Top Pad lighting and Product Stacker lighting was sighted during the audit. The Product Stacker correspondence was in March 2019 and directly related to ensuring compliance with the requirements of this condition and the Australian Standard (AS4282). The Top Pad correspondence was in September 2019 and related to a lighting complaint, with review of documentation indicating an investigation was completed and steps undertaken to mitigate visual and off-site lighting impacts of the project at the time of the complaint. Review of complaints records for 2016-current indicate lighting is not a significant issue of concern, with one (1) complaint received in 2016 and another in September 2019. In both instances, actions were undertaken to address.

Number	Condition	Compliance	Evidence	Comments
	Bushfire management			
8	The Applicant must: (i). Ensure that the project is suitably equipped to respond to fires on site; and (ii). Assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the Mine.	Compliant	Bushfire Management Plan (October 2019)	Review of available documentation indicates a Bushfire Management Plan is maintained for the Mine that covers the requirements of this condition for the Mine.
	Traffic management			
9	The Applicant must prepare a Traffic Management Plan for the development, to the satisfaction of the Secretary. The Plan must: (i). Be submitted to the Secretary for approval prior to commencement of construction of the cut and cover tunnel (ii). Be prepared in consultation with the RMS and Singleton Shire Council (iii). Include procedures for regular monitoring of compliance with this plan (iv). Include a Construction Traffic Management Plan for the construction of the rail loop and rail spur, including: <ul style="list-style-type: none"> Traffic control measures for vehicle movements along the New England Highway Measures that would be implemented to minimise traffic and road safety impacts Management of heavy vehicles, particularly oversize loads to and from the Mine The Applicant must implement the management plan as approved from time to time by the Secretary. 	Not triggered	Traffic Management Plan (TMP)	The TMP for the Project related to construction of the Rix's Creek Mine 'Cut and Cover Tunnel' crossing of the New England Highway. Compliance in relation to Condition 9(i)(ii)&(iii) and Condition 9A was considered during the 2016 IEA and are not applicable considerations for the 2019 IEA. In addition, construction of the rail loop and rail spur has not commenced, therefore, Condition 9(iv) has also not been triggered.
9A	The Applicant must obtain all necessary approvals from the RMS prior to commencing construction.	Not triggered	N/A	Not applicable. See comments at Condition 9
	NOISE			
	Noise criteria			
10	The Applicant must: (i). Comply with LA 10 daytime noise level design goals set out below: <ul style="list-style-type: none"> The Retreat 42 dB(A) Singleton Heights 42 dB(A) Maison Dieu Road 38 dB(A) (ii). Comply with LA 10 night time noise level design goals set out below: <ul style="list-style-type: none"> The Retreat 40 dB(A) Singleton Heights 40 dB(A) Maison Dieu Road 38 dB(A) Appendix 4 sets out the requirements for evaluating compliance with these criteria.	Compliant	Annual Reviews for 2016, 2017 and 2018 Agency consultation Official Caution (Notice: 1572797)	Review of monitoring records, and Annual Reviews/Annual Returns for 2016, 2017 and 2018 indicate no exceedances of relevant criteria during the 2019 IEA period. While review of documentation indicated two (2) low frequency exceedances occurred at EPA Monitoring Point 32 (NM5) on 14 June 2018 and 8 April 2019; these exceedances relate to Rix's Creek North operations, not Rix's Creek South. Therefore, while an exceedance of EPL criteria has occurred, it is not in relation to operations being assessed as part of this audit.
	Operating conditions			
10A	The Applicant must: (i). Implement best practice noise management, including all reasonable and feasible noise mitigation measures, to minimise the operational, low frequency, and rail noise generated by the project at all times, including during temperature inversions (ii). Operate a comprehensive noise management system that uses a combination of predicted 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 mitigation measures to ensure compliance with the relevant conditions of this approval (iii). Maintain or improve the effectiveness of noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired (iv). Ensure that noise attenuated plant is deployed preferentially in locations relevant to sensitive receivers (v). Minimise the noise impacts of the project during meteorological conditions under which data is to be excluded for the purposes of assessing compliance with these conditions (see Appendix 4) (vi). Co-ordinate the noise management on site with noise management at nearby mines (including Integra Underground, Ashton, Rix's Creek North and the Mount Owen Complex) to minimise cumulative noise impacts to the satisfaction of the Secretary.	Compliant	Noise Management Plan (NMP) Annual Reviews for 2016, 2017 and 2018 Complaints data Noise Monitoring Reports Site inspection Site interviews	See comments at Condition 10 of Schedule 2

Number	Condition	Compliance	Evidence	Comments																							
	Noise management plan																										
11	<p>The Applicant must prepare a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(i). Be prepared in consultation with the EPA, and then submitted to the Secretary for approval by 30 April 2017;</p> <p>(ii). Describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none">• compliance with the noise criteria and operating conditions of this approval; and• best management practice is being employed; <p>(iii). Describe the noise management system in detail;</p> <p>(iv). Include a noise monitoring program that:</p> <ul style="list-style-type: none">• uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project;• includes a protocol for determining exceedances of the relevant conditions in this approval;• evaluates and reports on the effectiveness of the noise management system and the best practice noise management measures; and <p>(v). Includes a protocol that has been prepared in consultation with the owners of nearby mines (including Integra Underground, Ashton, Rix’s Creek North and the Mount Owen Complex) to minimise the cumulative noise impacts of the mines.</p> <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>	Compliant	<p>Noise Management Plan (NMP), including correspondence verifying submission to the Secretary prior 30 April 2017 and approval of the Secretary</p> <p>Correspondence verifying consultation with the EPA during preparation of the NMP</p> <p>Greater Ravensworth Cumulative Environmental Protocol (GRCEP) for Air Quality, Noise and Blasting.</p>	<p>Review of the NMP indicates approval of the NMP on 28 March 2017, with a subsequent variation approved 31 July 2019.</p> <p>Condition 11(i): Consultation with the EPA was observed to have been undertaken in preparation of the NMP in Appendix F of the NMP.</p> <p>Condition 11(ii): Addressed in Section 6 of the NMP.</p> <p>Condition 11(iii): Addressed in Section 2.2 of the NMP.</p> <p>Condition 11(iv): Addressed in Section 4 and 5 of the NMP.</p> <p>Condition 11(v): Addressed in Section 6.2.5 of the NMP.</p> <p>Review of the GRCEP indicates the existence of a protocol with nearby mines (Mount Owen Complex, Ravensworth Operations, Ashton Coal, Integra Underground Mine, & Rix’s Creek Mine) to manage air quality, noise and blasting impacts.</p> <p>While the NMP is noted to address the requirements of the Development Consent, review of the current NMP indicates it reads as more a RCN document that includes RCS as well; rather than being a combined plan covering both sites. An example of this is in Appendix A of the NMP, relevant conditions of consent related to noise are detailed for RCN, but not RCS. Therefore, a recommendation for improvement has been made.</p> <p>Recommendation 02: A review of the NMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.</p>																							
11A	<p>Prior to construction of the rail loop and rail spur, the Applicant must:</p> <p>(i). Prepare (and during construction implement) a Construction Noise Management Plan prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) (or any relevant updated version), to the satisfaction of the Secretary; and</p> <p>(ii). Install temporary noise barriers in a suitable location to minimise noise impacts resulting from construction of the southern section of the rail spur, unless otherwise agreed by the Secretary.</p>	Not triggered	Site interviews Annual Reviews	Not applicable. Construction of the rail loop and rail spur has not commenced; therefore, this condition has not been triggered.																							
11B	The Applicant must ensure that construction activities are restricted to standard construction hours specified in the Interim Construction Noise Guideline (DECC, 2009). If works are required outside standard construction hours, the Applicant must consult with the community and seek approval from the Secretary prior to commencement of construction.	Not triggered	2016, 2017 and 2018 Annual Reviews Site interviews	Not applicable. This condition relates to construction of the rail loop and rail spur, which has not commenced to date.																							
	BLASTING																										
	Blasting criteria																										
12	<p>The Applicant must ensure that the blasting on site does not cause exceedances of the criteria in Table 1.</p> <p>Table 1: Blasting criteria</p> <table><tr><th>Receiver</th><th>Airblast Overpressure (dB(Lin Peak))</th><th>Ground Vibration (ppv(mm/s))</th><th>Allowable Exceedance</th></tr><tr><td rowspan="2">Residence on privately-owned land</td><td>115</td><td>5</td><td>5% of the total number of blasts over a period of 12 months</td></tr><tr><td>120</td><td>10</td><td>0%</td></tr><tr><td>Main Northern Rail Line</td><td>-</td><td>25</td><td>0%</td></tr><tr><td>Public roads</td><td>-</td><td>100</td><td>0%</td></tr><tr><td>All other public infrastructure</td><td>-</td><td>50</td><td>0%</td></tr></table> <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner or infrastructure owner to exceed the criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Receiver	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (ppv(mm/s))	Allowable Exceedance	Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months	120	10	0%	Main Northern Rail Line	-	25	0%	Public roads	-	100	0%	All other public infrastructure	-	50	0%	Compliant	Annual Reviews for 2016, 2017 and 2018 Blast monitoring for 2019	<p>Review of available information indicates no exceedances of blast criteria has occurred during the 2019 IEA period.</p> <p>It is noted Rix’s Creek South Mine initiated a blast on 12 July 2018. Blast monitors did not exceed the blast criteria, however a high overpressure result, which exceeded the blast criteria limit, was measured at an operational monitor (monitor not included in Blast Management Plan or EPL3391) at the Civic Avenue Monitor of 120.8 dBA. While a Penalty Notice was initially issued by DPIE on 15 February 2019 in relation to this exceedance, it was officially withdrawn on 11 April 2019. However, this monitoring point is now an official compliance monitoring location (as per the 2018 Annual Review).</p>
Receiver	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (ppv(mm/s))	Allowable Exceedance																								
Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months																								
	120	10	0%																								
Main Northern Rail Line	-	25	0%																								
Public roads	-	100	0%																								
All other public infrastructure	-	50	0%																								

Number	Condition	Compliance	Evidence	Comments
	Blasting hours			
12A	The Applicant must only carry out blasting on site between 9 am and 5 pm Monday to Saturday 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 2016, 2017 and 2018 Blast Monitoring Results – 2016, 2017, 2018 and 2019	Review of available documentation indicates compliance with the requirements of this condition during the 2019 IEA period.
12B	The Applicant must: (i). implement best blasting management practice on site to: <ul style="list-style-type: none"> protect the safety of people and livestock in the surrounding area; protect private or public property in the surrounding area; minimise the dust and fume emissions of the blasting; and (ii). Co-ordinate the blasting on site with the blasting at nearby mines (including Ashton, Rix's Creek North and the Mount Owen Complex) to minimise cumulative blasting impacts; (iii). Co-ordinate the blasting on site with nearby underground mines (including Integra Underground) to minimise operational disturbance and to ensure the safety of underground personnel; and (iv). Operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.	Compliant	Blast Management Plan (BMP) Annual Reviews for 2016, 2017 and 2018 Complaints data Evidence of consultation with nearby mines Integra Underground, Ashton, Rix's Creek North and the Mount Owen Complex GRCEP for Air Quality, Noise and Blasting. Site inspection	Review of available information indicates no exceedances of blast criteria has occurred during the 2019 IEA period. Furthermore, controls to minimise impacts of blasting are detailed in Section 5 of the BMP, including a Blast Management Coordination and Cumulative Protocol, with Annual Reviews for 2016-2017 indicating blasts were cancelled and rescheduled due to unfavourable weather conditions, this included rainfall, windspeed, wind direction, dust potential, fume potential and overpressure potential. Review of the GRCEP indicates the existence of a protocol with nearby mines (Mount Owen Complex, Ravensworth Operations, Ashton Coal, Integra Underground Mine, & Rix's Creek Mine) to manage air quality, noise and blasting impacts.
12C	The Applicant must not undertake blasting within 500 metres of: (i). The New England Highway without the approval of the RMS; and (ii). The Main Northern Railway without the approval of the ARTC.	Compliant	Blast Management Plan (BMP) Annual Reviews for 2016, 2017 and 2018 Complaints data Site inspection Site interviews Road occupancy licence	Review of Annual Reviews for 2016, 2017 and 2018 indicates that blasting is undertaken within 500 m of the New England Highway in accordance with an existing Road Occupancy License (currently ROL 695092) through RMS, which is renewed every 6 months. During the site interviews, it was noted that blasting is not being undertaken within 500 metres of the Main Northern Railway
	Blast Management Plan			
12D	The Applicant must prepare a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must: (i). Be prepared in consultation with OEH, and then submitted to the Secretary for approval by 30 April 2017; (ii). Describe the blast mitigation measures that would be implemented to ensure compliance with the relevant condition of this approval; (iii). Describe the measures that would be implemented to ensure that the public can get up-to-date information on the proposed blasting schedule on site; (iv). Include a blast monitoring program to evaluate the performance of the project; and (v). Include a protocol that has been prepared in consultation with the owners of the nearby mines (including Ashton, Rix's Creek North and the Mount Owen Complex) for minimising and managing the cumulative blasting impacts of the mines. The Applicant must implement the approved management plan as approved from time to time by the Secretary.	Compliant	Blast Management Plan (BMP), including correspondence verifying submission to the Secretary prior 30 April 2017 and approval of the Secretary Correspondence verifying consultation with the OEH and EPA during preparation of the BMP GRCEP for Air Quality, Noise and Blasting	Review of the BMP indicates approval of the BMP on 28 March 2017, with a subsequent variation approved 31 July 2019. Condition 12D(i): Consultation with the OEH and EPA was observed to have been undertaken in preparation of the BMP in Appendix C of the BMP. Condition 12D(ii): Addressed in Section 5 of the BMP. Condition 12D(iii): Addressed in Section 6 of the BMP. Condition 12D(iv): Addressed in Section 4 of the BMP. Condition 12D(v): Addressed in Section 5.4 of the BMP. Review of the GRCEP indicates the existence of a protocol with nearby mines (Mount Owen Complex, Ravensworth Operations, Ashton Coal, Integra Underground Mine, & Rix's Creek Mine) to manage air quality, noise and blasting impacts. While the BMP is noted to address the requirements of the Development Consent, review of the current BMP indicates it reads as more a RCN document that includes RCS as well; rather than being a combined plan covering both sites. An example of this is in Appendix A of the BMP, relevant conditions of consent related to blasting are detailed for RCN, but not RCS. Therefore, a recommendation for improvement has been made. Recommendation 03: A review of the BMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.

Number	Condition	Compliance	Evidence	Comments
12E	<p>The Applicant must not carry out blasting that is within 500 metres of any privately- owned land or land not owned by the Applicant unless:</p> <p>(i). The Applicant has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Applicant has advised the Department in writing of the terms of this agreement; or</p> <p>(ii). The Applicant has:</p> <ul style="list-style-type: none"> • Demonstrated to the satisfaction of the Secretary that the blasting can be carried out without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and • Updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land. 	Compliant	<p>BMP</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Site interviews</p>	<p>Review of the BMP, Annual Reviews (2016, 2017 and 2018) and the conduct of site interviews indicate blasting has not been undertaken within 500 metres of any privately-owned land or land not owned by Bloomfield.</p>
	AIR QUALITY AND GREENHOUSE GAS			
	Odour			
13	The Applicant must ensure that no offensive odours are emitted from the Mine, as defined under the POEO Act.	Compliant	<p>Air Quality and Greenhouse Gas Management Plan (AQGGMP)</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Complaints register</p>	<p>Addressed in Section 6.3 of the AQGGMP.</p> <p>Review of complaints records indicate three (3) complaints related to odour on 12/07/2018, 18/10/2018 and 7/11/2018; with relevant consultation undertaken with the complainant and actions implemented as relevant. Review of available documentation does not indicate these events constituted 'offensive odour' as defined under the POEO Act. Furthermore, consultation with the EPA did not indicate any concerns in relation to potential offensive odour issues relating to the Mine.</p>
	Greenhouse gas emissions			
13A	The Applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the Mine to the satisfaction of the Secretary.	Compliant	<p>AQGGMP</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>NPI Reporting for the audit period</p>	<p>Addressed in Section 6.4.3 of the AQGGMP.</p> <p>Review of available documentation also indicates National Pollutant Inventory (NPI) is completed, estimating emission of NPI substances to air land and water, with relevant tracking documentation also sighted.</p>

Number	Condition	Compliance	Evidence	Comments															
13B	<p>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 in Table 1A at any residence on privately-owned land.</p> <p><i>Table 1A: Air quality criteria</i></p> <table><tr><th>Pollutant</th><th>Averaging Period</th><th>Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^{a,d} 30 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>^a 50 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td>^{a,d} 90 µg/m³</td></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>^b 2 g/m²/month ^a 4 g/m²/month</td></tr></table> <p><i>Notes to Table 1A:</i></p> <p>a. Cumulative impact (ie increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b. Incremental impact (ie increase in concentrations due to the development alone, with zero allowable exceedances of the criteria over the life of the development).</p> <p>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.</p> <p>d. Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary.</p> <p>e. "Reasonable and feasible avoidance measures" includes, but is not limited to, the operational requirements in condition 14.</p>	Pollutant	Averaging Period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 30 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³	^c Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month	Non-compliant (Low risk)	Air Quality and Greenhouse Gas Management Plan (AQGGMP) Annual Reviews for 2016, 2017 and 2018 Complaints data Agency consultation	<p>Intermittent exceedances of the 2 g/m²/month criteria was noted in 2016, 2017 and 2018. However, compliance with the 4 g/m²/month criteria is noted.</p> <p>In relation to PM10 monitoring, the following observations are noted:</p> <ul style="list-style-type: none">• 2016: PM10: 4 exceedances of 24 hr criteria; however, overarching compliance with annual criteria• 2017: PM10: 5 exceedances of 24 hr criteria; however, overarching compliance with annual criteria• 2018: No exceedances; however, lack of monitoring for Dust Track RCS SE in August 2018, with monitoring still completed at Dust Track RCS NW.• 2019: PM 10: 5 exceedances of 24 hr criteria; however, four (4) of these exceedances were noted to be in relation to regional fires and dust conditions. Review of available documentation indicates DPIE noted the regional fire and dust conditions on these days and was satisfied with operational actions taken to minimise dust emissions during these conditions. Overarching compliance with annual criteria is noted. In addition, review of monitoring records indicates the Dust Track RCS NW monitoring failed from 15 December 2018 to 4 January 2019, with monitoring still completed at Dust Track RCS SE. <p>Therefore, a finding of non-compliant (low risk), with no recommendation, was made based on the following:</p> <ul style="list-style-type: none">• While the exceedances of 24 hr criteria are noted. The site complies with annual criteria.• Review of available documentation indicates exceedances have reduced during the reporting, with 4 of the 5 exceedances for 2019 related to regional conditions outside the control of the mine site.• Consultation with relevant agencies, including the EPA, did not identify dust generation as a relevant concern for the Mine.• Review of complaints records indicates minimal concern from the community relating to air quality, with a general decline in complaints related to air quality received during the 2019 IEA period (see Section 4.2.1).• Site inspection observations indicates proactive management and communication in managing potential air quality impacts of the Mine (see Section 4.2.1). <p><i>Note: The site inspection was undertaken on Tuesday, 26 November 2019; with temperatures up to 35°C and wind gusts up to 80km/hr, from the west/north-west.</i></p>
Pollutant	Averaging Period	Criterion																	
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a,d} 30 µg/m ³																	
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³																	
Total suspended particulates (TSP)	Annual	^{a,d} 90 µg/m ³																	
^c Deposited dust	Annual	^b 2 g/m ² /month ^a 4 g/m ² /month																	
	Operating conditions																		
14	<p>The Applicant must:</p> <p>(i). Implement best practice air quality management on site, including all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions generated by the project, including those generated by spontaneous combustion;</p> <p>(ii). Minimise any visible air pollution generated by the project;</p> <p>(iii). Operate a comprehensive air quality management system on site 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 approval;</p> <p>(iv). Minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d in condition 13B);</p> <p>(v). Minimise surface disturbance on the Mine; and</p> <p>(vi). Co-ordinate the air quality management on site with the air quality management of nearby mines (including Integra Underground, Ashton, Rix's Creek North and the Mount Owen Complex) to minimise cumulative air quality impacts, to the satisfaction of the Secretary.</p>	Non-compliant (Low risk)	Air Quality and Greenhouse Gas Management Plan (AQGGMP) Annual Reviews for 2016, 2017 and 2018 GRCEP for Air Quality, Noise and Blasting Site inspection	<p>Review of available documentation indicates general compliance with the requirements of this condition</p> <p>However, a finding of non-compliant (low risk) has been made in relation to this condition for the reasons discussed in Condition 13B of Schedule 2.</p>															

Number	Condition	Compliance	Evidence	Comments
	Air quality and greenhouse gas management plan			
14A	<p>The Applicant must prepare an Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (i). Be prepared in consultation with EPA, and then submitted to the Secretary for approval by 30 April 2017; (ii). Describe the measures that would be implemented to ensure: <ul style="list-style-type: none"> • Compliance with the air quality criteria and operating conditions of this approval • Best practice air quality management is being employed (iii). Describe the air quality management system in detail (iv). Include an air quality monitoring program that: <ul style="list-style-type: none"> • Uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project • Includes a protocol for determining any exceedances of the relevant conditions of this approval • Adequately supports the proactive and reactive air quality management system • Includes PM2.5 monitoring (although this obligation could be satisfied by the regional air quality monitoring network if sufficient justification is provided) • Evaluates and reports on the effectiveness of the air quality management system and the best practice air quality management measures (v). Include a protocol that has been prepared in consultation with the owners of nearby mines (including Integra Underground, Ashton, Rix's Creek North and the Mount Owen Complex) to minimise the cumulative air quality impacts of the mines. <p>The Applicant must implement the approved management plan as approved from time to time by the Secretary.</p>	Compliant	<p>AQGGMP</p> <p>Correspondence verifying submission to the Secretary by 30 April 2017</p> <p>Correspondence verifying approval of the Secretary</p> <p>Correspondence verifying consultation with the EPA during preparation of the AQGGMP</p> <p>GRCEP for Air Quality, Noise and Blasting</p>	<p>Review of the AQGGMP indicates the current revision for the AQGGMP was approved by DPIE on 31 July 2019, while the initial AQGGMP was approved 28 March 2017.</p> <p>Review of the AQGGMP indicates approval of the AQGGMP on 28 March 2017, with a subsequent variation approved 31 July 2019.</p> <p>Condition 14A(i): Addressed in Appendix A of the AQGGMP.</p> <p>Condition 14A (ii): Addressed in Section 6 of the AQGGMP.</p> <p>Condition 14A (iii): Addressed in Section 6 of the AQGGMP.</p> <p>Condition 14A (iv): Addressed in Section 7 of the AQGGMP.</p> <p>Condition 14A (v): Addressed in Section 6.1.3 of the AQGGMP.</p> <p>Review of the GRCEP indicates the existence of a protocol with nearby mines (Mount Owen Complex, Ravensworth Operations, Ashton Coal, Integra Underground Mine, & Rix's Creek Mine) to manage air quality, noise and blasting impacts.</p>
	METEOROLOGICAL MONITORING			
14B	<p>For the life of the project, the Applicant must ensure that there is a meteorological station in the vicinity of the Mine that:</p> <ul style="list-style-type: none"> (i). Complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and (ii). Is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy or as otherwise approved by the EPA. 	Compliant	<p>Annual Reviews for 2016, 2017 and 2018</p>	<p>Review of available documentation indicates a meteorological station is operated on-site capable of continuously monitoring wind speed, wind direction, sigma-theta (the standard deviation of horizontal wind directions), temperature, rainfall, relative humidity, barometric pressure and solar radiation.</p>
	SOIL AND WATER			
14C	<p>The Applicant must obtain all necessary water licences for the project under the <i>Water Act 1912</i> or the <i>Water Management Act 2000</i>.</p>	Compliant	<p>Water Management Plan (WMP)</p> <p>Annual Reviews for 2016, 2017 and 2018</p>	<p>Review of the WMP and Annual Reviews indicates that the Mine holds water licences for interception of groundwater in the open cut pit and extraction from the Hunter River.</p>
14D	<p>The Applicant must ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match its available water supply, to the satisfaction of the Secretary.</p>	Compliant	<p>Site interviews</p> <p>Site inspections</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Water Management Plan (WMP)</p>	<p>Review of the Annual Reviews indicates that the volume of groundwater intercepted by the open cut pit was within the entitlement associated with 20BL170863 in 2018, 2017 and 2016.</p>
	Surface water discharges			
14E	<p>The Applicant must ensure that all surface water discharges from the Mine comply with the:</p> <ul style="list-style-type: none"> (i). Discharge limits (both volume and quality) set for the project in any EPL; or (ii). Relevant provisions of the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002. 	Not triggered	<p>Annual Reviews for 2016, 2017 and 2018</p> <p>Annual Returns for 2016, 2016 and 2018</p>	<p>No discharges from the Mine occurred during the audit period.</p>

Number	Condition	Compliance	Evidence	Comments
	Water management plan			
15	<p>The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Secretary. This Plan must:</p> <ul style="list-style-type: none"> (i). Be prepared in consultation with DPI Water by a suitably qualified expert whose appointment has been approved by the Secretary; (ii). Be submitted to the Secretary by 31 March 2010; and (iii). Include: <ul style="list-style-type: none"> • A site water balance for the development, which includes details of sources and security of water supply, on site water use and management and off site water transfers and investigates and describes measures to minimise water use by the development. • Details on the diversion of Rix's Creek, including updates on monitoring and rehabilitation; • A surface water monitoring program with: <ul style="list-style-type: none"> – Detailed baseline data of surface water flows and quality in the watercourses that could be affected by the development; – Surface water impact assessment criteria, including trigger levels for investigating potentially adverse surface water impacts of the development; – A program to monitor surface water flows and quality in the watercourse that could be affected by the development. • A groundwater monitoring program with: <ul style="list-style-type: none"> – Detailed baseline data of groundwater levels, yield and quality in the region, and privately owned groundwater bores, which could be affected by the development; – Groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts of the development; and – A program to monitor: <ul style="list-style-type: none"> • groundwater inflows to the open cut mining operations; and • impacts of the development on the regions aquifers, any groundwater bores, and surrounding watercourses, including monitoring to the western boundary of the mine lease ; and • A surface and groundwater response plan which describes the measures and/or procedures that would be implemented to: <ul style="list-style-type: none"> – Respond to any exceedances of the surface water and groundwater assessment criteria; – Offset the loss of any baseflow to the surrounding watercourse and/or associated creeks caused by the development; – Compensate landowners of privately-owned land whose water supply is adversely affected by the development; and – Mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation. – The Applicant must implement the management plan as approved from time to time by the Secretary. 	Non—compliant (ANC)	Water Management Plan (WMP)	<p>While general compliance with the requirements of this condition was noted, the administrative issues were identified in relation to the WMP following</p> <ul style="list-style-type: none"> • Water licensing: The WMP includes details of all relevant licences under the <i>Water Management Act 200</i> and <i>Water Act 1912</i>. However, this information does not provide clarification on the different functions of these license in relation to the Mine, and makes it difficult to determine the total volume, security and use of water at the Mine. • Water inventory: Absence of discussion on how the available water inventory relates to the expected demand for Mine operations. • Water security: Insufficient detail is provided in relation to the description of the sources and security of water supply • Water storages: Insufficient detail is provided in relation to the description of the location, function, and capacity of erosion and sediment control structures. <p>This non-compliance would generally be considered an Administrative non-compliances under the NSW Government Independent Audit Guideline (NSW Government, 2015).</p> <p>While administrative issues were identified with the WMP, the site inspection verified these components are addressed, but are simply not adequately addressed in the WMP (see Section 4.2.1).</p> <p>Recommendation 04: <i>The WMP to be updated to include:</i></p> <ul style="list-style-type: none"> • <i>A clear explanation of how the water licences and works approvals held by Bloomfield relate to each other and relate to different uses across the Rix's Creek Mine.</i> • <i>A detailed description of the security of water supply, considering the water inventory across the entire Rix's Creek Mine and the measures to minimise water use on site, considering issues such as the recent commissioning of solid bowl centrifuges.</i> • <i>A layout plan showing all drains and water storages that form part of the water management system, including indication of topography such as contours.</i>
	Erosion and sediment control plan			
15A	<p>The Applicant must prepare an Erosion and Sediment Control Plan. This Plan must:</p> <ul style="list-style-type: none"> (i). Be consistent with the requirements of the Managing Urban Stormwater: Soils and Construction Manual (Landcom 2004, or its latest version); (ii). Identify activities that could cause soil erosion and generate sediment; (iii). Describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters; (iv). Describe the location, function, and capacity of erosion and sediment control structures; and (v). Describe what measures would be implemented to monitor and maintain the structures over time. <p>The Applicant must implement the plan as approved from time to time by the Secretary.</p>	Compliant	WMP, including ESCPs	<p>Review of the Erosion and Sediment Control Plan within the WMP indicates that the plan is consistent with Landcom (2004), identifies overburden emplacement and shaping as the key activity, that is mitigated by prompt rehabilitation.</p> <p>The WMP includes a detailed description of water storages but lacks a layout plan of all drain and water storages.</p> <p>Observations during the site inspection indicates that site operations are in general accordance with the plan.</p>

Number	Condition	Compliance	Evidence	Comments
	Rixs Creek diversion			
16	The Applicant must: (i). Liaise with DPI Water and meet their requirements for the design, construction and maintenance of any diversion of Rixs Creek; (ii). Not divert Rixs Creek in the southern mining area; (iii). Not mine within 20 m of the bank of Rixs Creek in Pit 2 and Pit 3.	Not triggered	N/A	Not triggered
	Landscape Management			
16A	The Applicant must prepare a detailed Landscape Management Plan for the development to the satisfaction of the DRG and the Secretary. This plan must: (i). Be prepared in consultation with OEH, DPI Water and Singleton Shire Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; (ii). Include a: <ul style="list-style-type: none"> Rehabilitation Management Plan to be submitted for approval by the Secretary by 31 March 2010; Final Void Management Plan to be submitted for approval by the Secretary by 31 December 2011; and Mine Closure Plan to be submitted for approval by the Secretary by 31 December 2011. The Applicant must implement the management plan as approved from time to time by the Secretary.	Non-compliant (ANC)	Landscape Management Plan Annual Reviews for 2016, 2017 and 2018	Compliance with the requirements of this condition were considered during completion of the 2016 IEA. The LMP was approved by the DPIE on 22 January 2014. Review of the 2016 IEA identified that the recommendation for a formal building maintenance program to be prepared and implemented to specifically deal with reviewing the maintenance of buildings. In the 2018 Annual Review, commitment was made to ensure the revised Landscape Management Plan was submitted by June 2019, which did not occur. Therefore, a finding of non-compliant (low risk) has been made and the recommendation from the 2016 IEA re-produced in the 2019 IEA. See Recommendation 01 .
	Rehabilitation Management Plan			
16B	The Rehabilitation Management Plan must include: (i). The objectives for rehabilitation of the Mine of the development. (ii). A description of the short, medium, and long term measures that would be implemented to rehabilitate the development and the remnant vegetation and habitat on the Mine. (iii). Detailed performance and completion criteria for the rehabilitation of the Mine. (iv). A detailed description of how the performance of the rehabilitation of the mine would be monitored over time to achieve the stated objectives. (v). A detailed description of what measures would be implemented over the next 3 years, including the procedures to be implemented for: <ul style="list-style-type: none"> Minimising and rehabilitating disturbed areas Protecting vegetation and soil outside the disturbance areas Undertaking pre-clearance surveys Managing impacts on fauna Landscaping the Mine to minimise visual impacts Conserving and reusing topsoil Collecting and propagating seed for rehabilitation works Salvaging and reusing material from the Mine for habitat enhancement Controlling weeds and feral pests Controlling access Bushfire management (vi). A program to monitor the effectiveness of these measures, and progress against the performance and completion criteria. (vii). 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. (viii). Details of who is responsible for monitoring, reviewing, and implementing the plan.	Non-compliant (ANC)	N/A	Compliance with the requirements of this condition were considered during completion of the 2016 IEA. Review of available documentation indicates the RMP was to be updated and re-submitted for approval. This has not been completed to date; however, the auditor has determined the requirements of Schedule 2, Condition 16B of DA 49/94 relating to the RMP have been adopted into the current MOP. Review of correspondence from DPIE on 17 October 2017 indicates approval for the Rix's Creek North MOP to serve as the relevant RMP for the purposes of Condition 52 of Project Approval 08_0102. No correspondence from DPIE was sighted to confirm this is also the case for Schedule 2, Condition 16B of DA 49/94. However, it is considered likely to be the case. This notwithstanding, a non-compliance (ANC) has been found in relation to this condition. Recommendation 05: Consistent with the approach for Rix's Creek North, consultation should be undertaken with DPIE to confirm acceptance of relevant RMP requirements being adopted into the current MOP.
	Final void management			

Number	Condition	Compliance	Evidence	Comments																																																														
16C	<p>The Final Void Management Plan must:</p> <ul style="list-style-type: none">(i). Incorporate design criteria and specifications for the final void based on verified groundwater modelling predictions and a re-assessment of post-mining groundwater equilibration(ii). Assess the potential interactions between creeks on the Mine and the final void(iii). Describe what actions and measures would be implemented to:<ul style="list-style-type: none">Minimise any potential adverse impacts associated with the final void; andManage and monitor the potential impacts of the final void.	Compliant	N/A	<p>This condition was considered in the 2016 IEA (and noted as compliant, with no recommendations), with no subsequent relevant revisions completed during the 2019 IEA period.</p> <p>Furthermore, this document has been generally superseded by the current Mining Operations Plan (MOP).</p>																																																														
	Mine closure plan																																																																	
16D	<p>The Mine Closure Plan must:</p> <ul style="list-style-type: none">(i). Define the objectives and criteria for mine closure(ii). Investigate options for the future use of the Mine, including the final void/s(iii). Investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local employment levels(iv). Describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development(v). Describe how the performance of these measures would be monitored over time	Non-compliant (ANC)	N/A	<p>This condition was considered in the 2016 IEA (and noted as compliant, with no recommendations), with no subsequent relevant revisions completed during the 2019 IEA period.</p> <p>Review of available documentation indicates the Mine Closure Plan was to be updated and re-submitted for approval. This has not been completed to date.</p> <p>Therefore, the relevant recommendations from the 2016 IEA have been reproduced in the 2019 IEA.</p> <p>Recommendation 06: Mine Closure Plan to be updated to include objectives and criteria for mine closure for ML 1432 and completion criteria for each domain.</p>																																																														
	BIODIVERSITY																																																																	
16E	<p>The Applicant must implement the biodiversity offset strategy as outlined in Table 2 and as generally described in the documents listed in condition 1 (vii) of schedule 2 (and shown conceptually in Appendix 2), to the satisfaction of the Secretary.</p> <p><i>Table 2: Biodiversity Offset Strategy</i></p> <table><tr><th rowspan="2">Offset Type</th><th colspan="8">Offset Area (hectares)</th></tr><tr><th>1</th><th>2</th><th>3</th><th>4</th><th>5</th><th>6</th><th>7</th><th>Total</th></tr><tr><td>Central Hunter Ironbark-Spotted Grey-Gum Box Forest EEC</td><td>6.89</td><td>1.47</td><td>0.51</td><td>3.14</td><td>6.70</td><td>3.07</td><td>1.49</td><td>23.27</td></tr><tr><td>Central Hunter Grey Box-Ironbark Woodland EEC</td><td>1.07</td><td>1.55</td><td>0.86</td><td>0.06</td><td>0</td><td>0.21</td><td>0</td><td>3.75</td></tr><tr><td>Hunter Lowlands Redgum Forest EEC</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0.69</td><td>0.69</td></tr><tr><td>Derived Grassland</td><td>44.02</td><td>13.53</td><td>4.96</td><td>8.36</td><td>5.91</td><td>3.74</td><td>10.09</td><td>90.61</td></tr><tr><td>Total</td><td>51.98</td><td>16.55</td><td>6.33</td><td>11.56</td><td>12.61</td><td>7.02</td><td>12.27</td><td>118.32</td></tr></table>	Offset Type	Offset Area (hectares)								1	2	3	4	5	6	7	Total	Central Hunter Ironbark-Spotted Grey-Gum Box Forest EEC	6.89	1.47	0.51	3.14	6.70	3.07	1.49	23.27	Central Hunter Grey Box-Ironbark Woodland EEC	1.07	1.55	0.86	0.06	0	0.21	0	3.75	Hunter Lowlands Redgum Forest EEC	0	0	0	0	0	0	0.69	0.69	Derived Grassland	44.02	13.53	4.96	8.36	5.91	3.74	10.09	90.61	Total	51.98	16.55	6.33	11.56	12.61	7.02	12.27	118.32	Not triggered	Site interviews Annual Reviews	Not applicable. Construction of the rail loop and rail spur has not commenced; therefore, this condition has not been triggered.
Offset Type	Offset Area (hectares)																																																																	
	1	2	3	4	5	6	7	Total																																																										
Central Hunter Ironbark-Spotted Grey-Gum Box Forest EEC	6.89	1.47	0.51	3.14	6.70	3.07	1.49	23.27																																																										
Central Hunter Grey Box-Ironbark Woodland EEC	1.07	1.55	0.86	0.06	0	0.21	0	3.75																																																										
Hunter Lowlands Redgum Forest EEC	0	0	0	0	0	0	0.69	0.69																																																										
Derived Grassland	44.02	13.53	4.96	8.36	5.91	3.74	10.09	90.61																																																										
Total	51.98	16.55	6.33	11.56	12.61	7.02	12.27	118.32																																																										

Number	Condition	Compliance	Evidence	Comments
16F	<p>The Applicant must prepare a Biodiversity Management Plan for the rail loop and rail spur as generally described in the documents listed in condition 1 (vii) of schedule 2, to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (i). Be prepared in consultation with OEH, and be submitted to the Secretary for approval prior to construction of the rail loop and rail spur (ii). Describe how the implementation of the offset strategy would be integrated with the overall rehabilitation of the mine site (iii). Include: <ul style="list-style-type: none"> • A description of the short, medium, and long term measures that would be implemented to manage: <ul style="list-style-type: none"> – The offset strategy – Vegetation and habitat on the Mine and in the offset areas • Detailed performance and completion criteria for implementation of the offset strategy • A detailed description of the measures that would be implemented for: <ul style="list-style-type: none"> – Revegetation and regeneration within the disturbance areas and offset areas, including establishment of canopy, sub-canopy (if relevant), understorey and ground strata – Maximising salvage and beneficial use of resources in areas that are to be impacted, including vegetation, fauna habitat and soil – Protecting vegetation and soil outside the disturbance areas – Conserving and reusing topsoil – Undertaking pre-clearance surveys – Managing impacts on fauna – Collecting and propagating seed – Salvaging, transplanting and/or propagating threatened flora and native grassland – Controlling weeds and feral pests – Managing grazing – Controlling access – Bushfire management • A program to monitor the effectiveness of these measures, and progress against the performance and completion criteria • A description of the potential risks to successful revegetation, and a description of the contingency measures that would be implemented to mitigate these risks • Details of who would be responsible for monitoring, reviewing, and implementing the plan <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>	Not triggered	Site interviews Annual Reviews	Not applicable. Construction of the rail loop and rail spur has not commenced; therefore, this condition has not been triggered.

Number	Condition	Compliance	Evidence	Comments
	HERITAGE			
16G	<p>The Applicant must prepare a Heritage Management Plan for the rail loop and rail spur as generally described in the documents listed in condition 1 (vii) of schedule 2, to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (i). Be prepared in consultation with OEH, registered Aboriginal parties and the Heritage Council NSW, and be submitted to the Secretary for approval prior to construction of the rail loop and rail spur; (ii). Include the following for the management of Aboriginal heritage on site: <ul style="list-style-type: none"> • A plan of management for the disturbance of land associated with the rail loop, rail spur and visual bund; and • A program/procedures for: <ul style="list-style-type: none"> – Salvage, test excavation and/or management of Aboriginal sites and potential archaeological deposits within the project disturbance area; – Protection and monitoring of Aboriginal sites outside the project disturbance area; – Managing the discovery of any new Aboriginal objects or skeletal remains during the project; and – Ongoing consultation and involvement with all registered Aboriginal parties in the conservation and management of Aboriginal cultural heritage on the Mine, including prior to any salvage works; and (iii). Include the following for the management of historic heritage on site: <ul style="list-style-type: none"> • A plan of management for the disturbance of land associated with the rail loop and rail spur; and • A program/procedures for: <ul style="list-style-type: none"> – Avoiding and preserving culturally significant sites where possible; – Monitoring, salvage and/or management of historic heritage sites within the project disturbance area; – Taking full archival records of historic heritage sites that would be disturbed by the project; – Protection and monitoring of heritage items outside the project disturbance area; and – Managing the discovery of any new heritage items identified during the project. <p>The Applicant must implement the management plan as approved from time to time by the Secretary.</p>	Not triggered	Site interviews Annual Reviews	Construction of the rail loop and rail spur has not commenced; therefore, this condition has not been triggered.
	ACQUISITION OF AFFECTED LANDS			
17A	<p>Affected Lands defined in the Development Consent of 19 October, 1989.</p> <p>The Applicant must forthwith upon receipt of a request to purchase land identified as being within the area of affectation defined in the development consent for Rixs Creek Coal Mine of 19 October 1989 and owned by any of: R J Eveleigh Wendy Bowman & G R Elder Estate I H. Bowman Elizabeth S. Bowman Durian Holdings purchase such land.</p> <p>In the event of failure to complete the purchase within six (6) months, clause 17C(iv) below, applies.</p>	Compliant	Site interviews Annual Reviews	<p>Review of available information indicates a request for acquisition was made in August 2019, with an offer for acquisition made in November 2019.</p> <p>It is noted that purchase of the land is required to be completed by February 2020.</p>
17B	<p>Affected Lands other than those defined in the Development Consent of 19 October, 1989</p> <ul style="list-style-type: none"> (i). The Applicant must within six (6) months of receipt of a written request from any of the owners of the properties listed in Attachment 1 of this Consent, purchase the whole of the properties. In the event of failure to complete the purchase within six (6) months, clause 17C(iv) below, applies. (ii). Where acquisition has not been sought of a property subject to sub-clause 17B(i) an owner or occupier of a dwelling on the property may request the Applicant to carry out measures at the dwelling to mitigate the impact upon the residence of dust fallout/concentration, noise, and vibration, emanating from the mine in excess of the criteria set out in this Consent. The Applicant must forthwith carry out such measures at its own expense. (iii). In the event that within one (1) month of a request instigated under sub-clause 17B(ii), the Applicant and the owner or occupier cannot agree upon the measures to be carried out, either party may refer the matter to the Community Consultative Committee. The Applicant must forthwith carry out the measures which may be required by the said Committee. 	Not triggered	Site interviews Annual Reviews	Site interviews and review of available documentation indicates that condition has not been triggered.

Number	Condition	Compliance	Evidence	Comments
17C	<p>Potentially Affected Lands</p> <p>(i). In the event that the EPA determines that noise from the mining operations at any residence (built or with building approval at the date of this Consent) or more than 25% of any property in the vicinity of Maison Dieu Road is in excess of the relevant noise level design goals set out in clause 10 of this Consent for two (2) consecutive monitoring periods, the Applicant must purchase such property within six (6) months of receipt of a written request from the owner of the affected property.</p> <p>(ii). In the event that the EPA determines that dust from the mining operations increases the dust deposition rate by more than 2 gm/m2/month averaged over any six (6) month period, at any residence (built or with building approval at the date of this Consent) or over more than 25% of any property in the vicinity of Maison Dieu Road is the Applicant must purchase such property within six (6) months of receipt of a written request from the owner of the affected property.</p> <p>(iii). In respect of a request to purchase land arising under subclause 17A, 17B, 17C(i) or 17C(ii), the Applicant must pay the owners the acquisition price which must take into account and provide payment for:</p> <ol style="list-style-type: none"> A sum not less than the current market value of the owner's interest in the land or part thereof (as the case may be) having regard to the existing use of the land whosoever is the occupier and all improvements thereon immediately Prior to the granting of this consent as if the land was unaffected by the development proposal. The provisions of this subclause do not apply to the holder of an authority under the Mining Act, 1992. The owners reasonable compensation for disturbance allowance and relocation costs within the Local Government Areas of Singleton or Muswellbrook. The owners reasonable costs for obtaining legal advice and expert witnesses for the purposes of determining the acquisition price of the land and the terms upon which it is to be acquired. <p>(iv). In the event that the Applicant and any owner referred to in subclause 17(A) and 17(B)(i) and 17(C) cannot agree within the time limit upon the acquisition price of the land and/or the terms upon which it is to be acquired, then:</p> <ol style="list-style-type: none"> Either party may refer the matter to the Secretary who must request the President for the time being of the Australian Institute of Valuers and Land Economists to appoint a qualified independent valuer, suitably experienced in compensation issues, who must determine, after consideration of any submissions from the owners and the Applicant, the acquisition price as described and referred to in subclause (iii) herein. In the event that the independent valuer requires guidance on any contentious legal, planning or other issues, the independent valuer must refer the matter to the Secretary, recommending the appointment of a qualified panel. The Secretary, if satisfied that there is need for a qualified panel, must arrange for the constitution of the panel. The panel must consist of: <ol style="list-style-type: none"> the appointed independent valuer, the Secretary, or her nominee, and/or the President of the Law Society of NSW or his nominee. <p>The qualified panel must on the advice of the valuer determine the issue referred to it and advise the valuer. The panel may recommend to the Secretary to request the Institution of Surveyors (NSW) to appoint an independent surveyor to determine the part of the land to be acquired in relation to the area of affectation which may reasonably be subdivided and acquired having regard to topography, provisions of planning instruments and other associated matters;</p> <ol style="list-style-type: none"> The Applicant must bear the costs of any valuation or survey assessment requested by the Secretary in accordance with subclauses (a) and (b) herein. Upon receipt of a valuation arising pursuant to subclauses (a) and (b), the Applicant must offer to acquire the relevant land at a price not less than the said valuation. Should be Applicant's offer to acquire not be accepted by an owner within six (6) months of the date of such offer, the Applicant's obligations to such owner pursuant to this Clause must cease. Upon settlement of the acquisition referred to in this Clause the Applicant must also pay to the owner the costs and compensation assessed pursuant to subclause (iii) herein including the owner's reasonable costs in the event of a subdivision. <p>All acquisitions of land under this condition must be reported in the Annual Report. Once sub-clauses 17A, 17B and 17C have been complied with they must not be reapplied for the duration of the development consent. This applies to lands already purchased under the development consent of 19 October, 1989</p>	Not triggered	Site interviews Annual Reviews	Site interviews and review of available documentation indicates that condition has not been triggered.

Number	Condition	Compliance	Evidence	Comments
	ENVIRONMENTAL MANAGEMENT			
	Environmental management strategy			
18	<p>If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must:</p> <ul style="list-style-type: none"> (i). Be submitted to the Secretary for approval; (ii). Provide the strategic framework for the environmental management of the project; (iii). Identify the statutory approvals that apply to the project; (iv). Describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project; (v). Describe the procedures that would be implemented to: <ul style="list-style-type: none"> • Keep the local community and relevant agencies informed about the operation and environmental performance of the project; • Receive, handle, respond to, and record complaints; • • resolve any disputes that may arise during the course of the project; • • respond to any non-compliance; and • • respond to emergencies; and (vi). Include: <ul style="list-style-type: none"> • Copies of any strategies, plans and programs approved under the conditions of this approval; and • A clear plan depicting all the monitoring required to be carried out under the conditions of this approval. <p>The Applicant must implement the approved strategy as approved from time to time by the Secretary.</p>	Compliant	Environmental Management Strategy (EMS)	Review of available documentation indicates an EMS exists for the Mine, with revisions approved by DPIE on 28 March 2017 and 2 July 2019, and contains the relevant information required by the condition.

Number	Condition	Compliance	Evidence	Comments
	Management plan requirements			
18A	<p>The Applicant must ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none"> (i). Detailed baseline data; (ii). A description of: <ul style="list-style-type: none"> • The relevant statutory requirements (including any relevant approval, licence or lease conditions); • Any relevant limits or performance measures/criteria; and • The specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; (iii). A description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (iv). A program to monitor and report on the: <ul style="list-style-type: none"> • Impacts and environmental performance of the project; and • Effectiveness of any management measures (see (c) above); (v). A contingency plan to manage any unpredicted impacts and their consequences; (vi). A program to investigate and implement ways to improve the environmental performance of the project over time; (vii). A program to regularly review management practices to align with contemporary best practice industry standards; (viii). A protocol for managing and reporting any: <ul style="list-style-type: none"> • Incidents; • Complaints; • Non-compliances with the conditions of this approval and statutory requirements; and • Exceedances of the impact assessment criteria and/or performance criteria; and (ix). A protocol for periodic review of the plan. <p>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>	Compliant	Management Plans	<p>Review of the management plans associated with the operation of the Mine indicates general compliance with the requirements of this condition.</p> <p>Compliance was noted for all management plans; however, recommendations for improvement were made for the NMP and BMP.</p>
	Preparation of Management Plans			
18B	Prior to approval of management plans required under Schedule 2, all existing management plans, monitoring programs, strategies, programs, protocols, etc approved as at the date of approval of Modification 8 shall continue to have full force and effect.	Not triggered	N/A	Not applicable.
	Relationship between management plans			
18C	With the agreement of the Secretary, the Applicant may combine any strategy, plan or program required by this approval with any similar strategy, plan or program required for Rix's Creek North.	Compliant	AQGGMP, NMP, BMP, EMS Correspondence from DPIE	<p>Review of correspondence from DPIE dated 28 March 2017 indicates approval to combine the following management plans for Rix's Creek South and Rix's Creek North mines:</p> <ul style="list-style-type: none"> • AQGGMP • NMP • BMP • EMS.

Number	Condition	Compliance	Evidence	Comments
	REPORTING			
	Incident reporting			
18D	The Applicant must immediately notify the Secretary (using the contact name, email address and phone number provided by the Department from time to time) and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested. This report must include the time and date of the incident, details of the incident, measures implemented to prevent re-occurrence and must identify and non-compliance with this consent.	Compliant	Evidence verifying notification of the Secretary immediately after becoming aware of the incident Evidence of provision of incident report within 7 days of the incident Annual Reviews for 2016, 2017 and 2018 Site interviews	Review sample incident records indicates compliance with the requirements of this condition, with a sample PM10 24 hour criteria exceedance and associated reporting for 2019 reviewed during the audit. Evidence of DPIE satisfaction with reporting and justification was also sighted.
	Regular reporting			
18E	The Applicant must provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any approved plans or programs of the conditions of this approval.	Compliant	Rix's Creek website	A review of the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments) indicates compliance with the requirements of Condition 20 of this consent, with relevant documentation sighted and up-to-date.
	Evidence of consultation			
18F	Where consultation with any public authority is required by the conditions of this consent, the Applicant must: a. Consult with the relevant public authority prior to submitting the required document to the Secretary for approval; b. Submit evidence of this consultation as part of the relevant document; c. Describe how matters raised by the authority have been addressed and any matters not resolved; and d. Include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant.	Compliant		Refer to relevant discussion at Conditions 11, 12B, 12D, 14, 14A, 15, 16A, 16F, 16G, 23, 26.
	ANNUAL REVIEW			
19	By the end of March each year, or other timing as may be agreed by 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: (i). Describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year; (ii). Include a comprehensive review of the monitoring results and complaints records of the development over the past calendar year, which includes a comparison of these results against the: • Relevant statutory requirements, limits or performance measures/criteria; • Requirements of any plan or program required under this consent; • Monitoring results of previous years; and • Relevant predictions in the documents listed in condition 1 of Schedule 2; (iii). Identify any non-compliance over the past calendar year, and describe what actions were (or are being) taken to ensure compliance; (iv). Identify any trends in the monitoring data over the life of the development; (v). Identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (vi). Describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.	Compliant	Annual Reviews for 2016, 2017 and 2018	Review of the 2016, 2017 and 2018 Annual Reviews indicate relevant reporting requirements of this condition have been met during the 2019 IEA period.

Number	Condition	Compliance	Evidence	Comments
	COMPLAINTS			
20	The Applicant must observe all requirements of the DRG complaints protocol and refer to complaints received in the Annual Review (Condition 19).	Compliant	Complaints register Annual Reviews for 2016, 2017 and 2018	Review of the Annual Reviews for 2016, 2017 and 2018 indicate complaints are reported in the Annual Review in accordance with requirements of this condition, while a complaints register was sighted as being maintained and available for review of the Rix's Creek website: https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/complaint-register
	COMMUNITY CONSULTATIVE COMMITTEE			
21	The Applicant must operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. This CCC must be operated in general accordance with the Community Consultative Committee (CCC) Guidelines for State Significant Projects (Department of Planning, 2016, or its latest version). <i>Notes:</i> <ul style="list-style-type: none"> • 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 Applicant may, with the approval of the Secretary, combine the function of this CCC with the function of other CCCs in the area. 	Compliant	CCC meeting minutes	CCC meeting minutes were sighted for the Project during 2016, 2017 and 2018, with meeting minutes for 2019 also sighted. Review of documentation on 16 August 2018 indicates approval was requested from DPIE to combine the RCN and RCS CCCs.
	FINANCIAL CONTRIBUTIONS			
22	The Applicant must pay to the Council a financial contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 in the amount of \$900.00 per additional employee (as identified within the EIS and Supplementary Document) according to the requirements of the Council's Section 94 Contributions Plan No. 1. The Applicant must pay the contribution to Council within six (6) months of acting upon this consent;	Not triggered	N/A	This condition was considered as part of the 2011 IEA and is not relevant to the 2019 IEA.
	CLOSURE OF THE NEW ENGLAND HIGHWAY FOR BLASTING			
23	The Applicant must: a. The Applicant must provide road deviations adjacent to the highway in accordance with Figure 34 of the EIS to the satisfaction of the RMS and the Council unless a valid Management Plan is in operation. These deviations must be constructed at the Applicant's cost and be constructed to allow two- way traffic movement and to an all weather gravel standard for a design speed of forty (40) kilometres per hour. b. The Applicant must conduct all closures of the New England Highway for blasting in accordance with the Management Plan included in Appendix 2 of the EIS Supplementary Document to the satisfaction of the RMS and the Council. c. (c) In the event that the RMS, after consultation with the Applicant and the Council deems that the requirements of the Management Plan are not being met, the Applicant must cease blasting within 500 metres of the highway.	Compliant	Road Occupancy Licence (RoL) 1185380 and 1185380/001 BMP Agency consultation	Blasting was undertaken within 500 m of the New England Highway in accordance with a Road Occupancy Licence (RoL) for the project and the relevant BMP. The New England Highway was closed to traffic in accordance with the RoL for the Mine, with review of available documentation indicates Condition 23(a) has not been triggered, with the approval of RMS. The RoL was recently re-approved through to 30 June 2020. Consultation with RMS during the conduct of the 2019 IEA did not identify any concerns relating to closure of the New England Highway for blasting.
	CLOSURE/RELOCATION OF MIDDLE FALBROOK ROAD			
24	The Applicant must liaise with the Council in regard to the future closure/relocation of Middle Fallbrook Road in order to provide an alternative road link and proceed to construct such alternative road link as required, in conjunction with potential alternative road link to be provided by other mines to the north of the development. Any relocation must be designed and constructed to the Council's bitumen sealed rural roads standard.	Not triggered	Site interviews 2007 IEA	The 2007 IEA identified compliance with this condition, and this is no longer applicable.
	DISPUTE RESOLUTION			
25	In the event that the Applicant and the Council or a Government body other than the Department, cannot agree on the specification or requirements applicable under this consent, other than in subclause 17C(iv), the matter shall be referred by either party to the Secretary or if not resolved, to the Minister, whose determination of the disagreement shall be final and binding on the parties.	Not triggered	N/A	During the 2019 IEA, no documentation was identified to indicate dispute between Bloomfield and the Council or any other government body. Site interviews indicate this condition has not been triggered during the 2019 IEA period.

Number	Condition	Compliance	Evidence	Comments
	INDEPENDENT ENVIRONMENTAL AUDIT			
26	<p>By the end of December 2016, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission, commence and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> (i). Be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (ii). Include consultation with the relevant agencies; (iii). 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 (including any assessment, plan or program required under these approvals); (iv). Review the adequacy of strategies, plans or programs required under the abovementioned approvals; (v). Recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and (vi). Be conducted and reported to the satisfaction of the Secretary. <p>The Applicant must implement these recommendations, to the satisfaction of the Secretary.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Secretary.</i></p>	Compliant	2016 IEA (Umwelt 2016)	Review of the 2016 IEA indicates the audit team was approved by DPIE on 22 August 2016, and the report submitted before the end of December 2016.
26A	Within 12 weeks of commencing each audit, unless the Secretary agrees otherwise, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of any measures proposed to address the recommendations.	Compliant	IEA 2016 Action Plan	Review of available documentation indicates that while an Action Plan for the 2016 IEA was submitted to DPIE on 19 January 2017, with the Mine inspection completed 10 and 11 November 2016.
	WASTE			
27	<p>The Applicant must:</p> <ul style="list-style-type: none"> (i). Minimise and monitor the waste generated by the project; and (ii). Ensure that the waste generated by the project is appropriately stored, handled, and disposed of; (iii). Manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (iv). Report on waste management and minimisation in the annual review, to the satisfaction of the Secretary. 	Non-compliant (Low risk)	<p>Annual Reviews for 2016, 2017 and 2018</p> <p>Site inspection</p> <p>Site interviews</p> <p>Agency consultation</p>	<p>Relevant requirements are noted to be reported in Section 4.6 of Annual Reviews for 2016, 2017, and 2018. Consultation with Council during the preparation of the 2019 IEA did not identify any concerns relating to the management of on-site sewage treatment and disposal. However, review of the 2017 Annual Review identified a non-compliance related to oil rags within the workshop not being disposed in dedicated waste bins located on site, instead being disposed within general waste bins.</p> <p>Therefore, a finding of non-compliance (Low risk) has been assigned, with no recommendation made, based on the following considerations:</p> <ul style="list-style-type: none"> • Review of the 2017 Annual Review indicates actions were implemented to address the non-compliance, including additional oil rag bins serviced by a licensed waste contractor. • Review of the 2018 Annual Review indicates no further re-occurrence of the issue. • Actions undertaken to address this issue. • The site inspection did not identify any issues in relation to ongoing issues related to waste management.
28	<p>Within 3 months of:</p> <ul style="list-style-type: none"> (i). The submission of an incident report under condition 18D above; (ii). The submission of an audit report under condition 26A above; (iii). The submission of an Annual Review under condition 19 above; and (iv). The approval of a modification to this consent, <p>the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. The Applicant must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p><i>Note:</i></p> <ul style="list-style-type: none"> • This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project. • Revisions related to the rail loop modification must be submitted prior to commencing construction. 	Non-compliant (Low risk)	<p>Review of relevant management plans</p> <p>Annual Reviews for 2016, 2017 and 2018</p>	<p>Review of available documentation indicates the Landscape Management Plan, Mine Closure Plan, Final Void Management Plan, and the Rehabilitation Management Plan have not been revised since before the 2016 IEA, despite the Landscape Management Plan, Mine Closure Plan and Rehabilitation Management Plan having recommendations requiring revision and re-submission to DPIE.</p> <p>Therefore, a finding of non-compliant (Low risk) has been found in relation to this condition and the recommendation made below. This non-compliance is administrative in nature.</p> <p>Recommendation 07: The Landscape Management Plan, Mine Closure Plan and Rehabilitation Management Plan should be reviewed within 3 months of this audit and revised to address the recommendations of the 2016 IEA.</p>

Number	Condition	Compliance	Evidence	Comments
	Updating and Staging Submission Of Strategies, Plans Or Programs			
29	<p>To ensure the strategies, plans or programs under this consent are updated on a regular basis, and that they incorporate any appropriate mitigation measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>The Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Applicant may revise any strategy, plan or program approved under this consent without consulting with all the parties nominated under the applicable conditions of consent.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.</p> <p>If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p> <p>Notes:</p> <ul style="list-style-type: none"> While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program. 	Non-compliant (Low risk)	Relevant management plans	<p>Review of management plans for the Mine indicate that relevant plans required by this consent are updated on a regular basis; with plans having a minimum review frequency of 36 months.</p> <p>However, a non-compliance has been found as not all management plans have been updated on a regular basis.</p> <p>See Schedule 2, Condition 28 for further discussion.</p>
	Access to Information			
30	<p>The Applicant must:</p> <p>a. Make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> The documents referred to in condition 1 of Schedule 2; All current statutory approvals for the project; All approved strategies, plans and programs required under the conditions of this approval; The monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans or programs; A complaints register, which is to be updated on a monthly basis; Minutes of CCC meetings; The annual reviews over the life of the project; Any independent environmental audit, and the Applicant's response to the recommendations in any audit; and Any other matter required by the Secretary; <p>b. Keep this information up-to-date, to the satisfaction of the Secretary.</p>	Compliant	Website review:	<p>A review of the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments) indicates compliance with the requirements of this condition, with relevant documentation sighted and up-to-date</p>

Number	Condition	Compliance	Evidence	Comments
	Independent Review			
31	<p>If a land-owner considers the project to be exceeding the relevant criteria in Schedule 2, they may ask the Secretary in writing for an independent review of the impacts of the development on their land.</p> <p>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.</p> <p>If the Secretary is satisfied that an independent review is warranted, within 2 months of the Secretary's decision, the Applicant must:</p> <p>a. Commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none">• Consult with the landowner to determine their concerns;• Conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 2; and• If the development is not complying with that criteria, identify measures that could be implemented to ensure compliance with the relevant criteria; and <p>b. Give the Secretary and landowner a copy of the independent review; and</p> <p>c. Comply with any written requests made by the Secretary to implement any findings of the review.</p>	Not triggered	Site interviews	This condition has not been triggered during the 2019 IEA period.

Appendix E – EPL 3391 Checklist

Number	Condition	Compliance	Evidence	Comments									
1	Administrative Controls												
A1	What the licence authorises and regulates												
A1.1	<div>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.</div> <div>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.</div> <table><thead><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr></thead><tbody><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></tbody></table> <div>Note: In relation to this licence, the licensee must comply with:</div> <div>a) the activity scale limits imposed by this licence;</div> <div>b) the activity scale limits which apply for the reporting period specified in this licence; and</div> <div>c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the Environmental Planning and Assessment Act 1979.</div>	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 interviews Site inspection	It was verified during site interviews and the site inspection that these, and no other activities, are being undertaken.
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	<div>The licence applied to the following premises:</div> <table><thead><tr><th>Premises Details</th></tr></thead><tbody><tr><td>RIX'S CREEK MINE</td></tr><tr><td>RIX'S CREEK LANE</td></tr><tr><td>SINGLETON</td></tr><tr><td>NSW 2330</td></tr><tr><td>PREMISED DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016</td></tr></tbody></table>	Premises Details	RIX'S CREEK MINE	RIX'S CREEK LANE	SINGLETON	NSW 2330	PREMISED DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016	Compliant	SIX Maps/SEED Portal	Review of aerial photography with cadastral overlay indicates activities are within the area described.			
Premises Details													
RIX'S CREEK MINE													
RIX'S CREEK LANE													
SINGLETON													
NSW 2330													
PREMISED DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016													
A3	Other activities												
A3.1	<div>This licence applies to all other activities carried on at the premises, including:</div> <table><thead><tr><th>Ancillary Activity</th></tr></thead><tbody><tr><td>Sewage Treatment Systems</td></tr></tbody></table>	Ancillary Activity	Sewage Treatment Systems	Compliant	Site interviews Site inspection Annual Reviews for 2016, 2017 and 2018	During the conduct of the audit it was identified that a sewage operation system is operated and maintained in accordance with this EPL. Review of 2016, 2017 and 2018 Annual Reviews indicates the septic system is approved by the local authorities. RCS: OSSM Approval No: 2820/2002 auto-renewal expiry 30/06/2020.							
Ancillary Activity													
Sewage Treatment Systems													
A4	Information supplied to EPA												
A4.1	<div>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.</div> <div>In this condition the reference to "the licence application" includes a reference to:</div> <div>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</div> <div>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</div>	Note	Site interviews Site inspection										

Number	Condition	Compliance	Evidence	Comments																												
2	Discharges to Air and Water and Application to Land																															
P1	Location of monitoring/discharge points and areas																															
P1.1	<div>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.</div> <div><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>TEOM identified as "RCN - North West" at coordinates 321505 6406475 (Easting Northing) shown on Figure 2.</td></tr><tr><td>13</td><td>Particulate Matter Monitoring</td><td></td><td>TEOM identified as "RCN - South East" at coordinates 327035 6401815 (Easting Northing) shown on Figure 2.</td></tr><tr><td>14</td><td>Particulate Matter Monitoring</td><td></td><td>TEOM identified as "RCN - North East" at coordinates 327990 6404130 (Easting Northing) shown on Figure 2.</td></tr><tr><td>15</td><td>Particulate Matter Monitoring</td><td></td><td>DustTrak identified as "RCS - North-West" at coordinates 321930 6401025 (Easting Northing) shown on Figure 2.</td></tr><tr><td>16</td><td>Particulate Matter Monitoring</td><td></td><td>DustTrak identified as "RCS - South-East" at coordinates 324390 6399090 (Easting Northing) shown on Figure 2.</td></tr></table></div> <div>Note: The EPA notes that Licensee will also use monitoring data from the Upper Hunter Air Quality Monitoring Network monitors at Camberwell and Singleton North West when deriving a differential between upwind and downwind PM10 concentrations.</div>	Air				EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description	12	Particulate Matter Monitoring		TEOM identified as "RCN - North West" at coordinates 321505 6406475 (Easting Northing) shown on Figure 2.	13	Particulate Matter Monitoring		TEOM identified as "RCN - South East" at coordinates 327035 6401815 (Easting Northing) shown on Figure 2.	14	Particulate Matter Monitoring		TEOM identified as "RCN - North East" at coordinates 327990 6404130 (Easting Northing) shown on Figure 2.	15	Particulate Matter Monitoring		DustTrak identified as "RCS - North-West" at coordinates 321930 6401025 (Easting Northing) shown on Figure 2.	16	Particulate Matter Monitoring		DustTrak identified as "RCS - South-East" at coordinates 324390 6399090 (Easting Northing) shown on Figure 2.	Non-compliance (Low risk)	Air Quality and Greenhouse Gas Management Plan (AQGGMP) Annual Reviews for 2016, 2017 and 2018 Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Site inspection	See discussion for Condition 13B of Schedule 2 of DA 49/94.
Air																																
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15	Particulate Matter Monitoring		DustTrak identified as "RCS - North-West" at coordinates 321930 6401025 (Easting Northing) shown on Figure 2.																													
16	Particulate Matter Monitoring		DustTrak identified as "RCS - South-East" at coordinates 324390 6399090 (Easting Northing) shown on Figure 2.																													
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																														
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	Water Management Plan (WMP) Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 Site inspection	Review of the WMP indicates that these locations form part of the surface water monitoring program.																												

Number	Condition				Compliance	Evidence	Comments
	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description			
	8	Ambient water quality monitoring		At the point where Martin Creek enters the mine site at coordinates 327730 6402830 (Easting Northing), labelled as RCN-W3 on Figure 3.			
	9	Ambient water monitoring		At the point where Station Creek leaves the mine site at coordinates 324000 6405900 (Easting Northing), labelled as RCN-W1 on Figure 3.			
	10	Ambient water monitoring		At the point where Black Wattle Creek enters the mine site at coordinates 326260 6403920 (Easting Northing), labelled as RCN-W6 on Figure 3.			
	17	Ambient water quality monitoring		Rixs Creek Railway at coordinates 326390 6401690 (Easting Northing) labelled as RCS-W1 on Figure 3.			
	18	Ambient water quality monitoring		At co-ordinates 325760 6400260 (Easting Northing) labelled as RCS-W6-CWD 6 on Figure 3.			
	19	Ambient water quality monitoring		At coordinates 325390 6399750 (Easting Northing) labelled as RCS-W5-CWD 2 on Figure 3.			
	20	Ambient water quality monitoring		At coordinates 325400 6399560 (Easting Northing) labelled as RCS-W4-CWD 1 on Figure 3.			
	21	Ambient water quality monitoring		At coordinates 324500 6400130 (Easting Northing) labelled as RCS-W2-Rixs Creek-NEH on Figure 3.			
	22	Ambient water quality monitoring		At coordinates 323770 6398410 (Easting Northing) labelled as RCS-W10-Rixs Creek- Below Operation on Figure 3.			
	23	Ambient water quality monitoring		At coordinates 322590 6397360 (Easting Northing) labelled as RCS-W3-Rixs Creek-Maison Dieu on Figure 3.			
	27	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	Monitoring at 325633, 640432 (easting northing) from Northern CHPP STP to discharge utilisation area labelled on Figure 4.			
	28	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	Monitoring at 325725, 6401296 (easting northing) Southern CHPP STP to discharge utilisation area labelled on Figure 4.			

Number	Condition	Compliance	Evidence	Comments																																																												
P1.4	<div>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.</div> <table><tr><th colspan="3">Noise/Weather</th></tr><tr><th>EPA identi- fication 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 at coordinates 320685 6405605 (Easting Northing) labelled as Camberwell on Figure 5.</td></tr><tr><td>5</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor at coordinates 327665 6400815 (Easting Northing) labelled as Retreat on Figure 5.</td></tr><tr><td>6</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor at coordinates 326900 6397690 (Easting Northing) labelled as Mines Rescue Singleton Heights on Figure 5.</td></tr><tr><td>7</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor at coordinates 322575 6397475 (Easting Northing) labelled as Wright's Maison Dieu on Figure 5.</td></tr><tr><td>11</td><td>Meteorological Station</td><td>Meteorological station at coordinates 322160 6399325 (Easting Northing) labelled as Weather Station on Figure 2.</td></tr><tr><td>24</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor at coordinates 321630 6405025 (Easting Northing) labelled as Watling on Figure 5.</td></tr><tr><td>25</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor at coordinates 325890 6407975 (Easting Northing) labelled as Cherry on Figure 5.</td></tr><tr><td>26</td><td>Air blast overpressure & ground vibration peak particle velocity monitoring</td><td>Blast monitor at coordinates 327985 6404125 (Easting Northing) labelled as Bridgeman Rd on Figure 5.</td></tr><tr><td>29</td><td>Noise monitoring</td><td>Monitoring at coordinates 319720 6403667 (Easting Northing) shown as NM1 on Figure 1.</td></tr><tr><td>30</td><td>Noise monitoring</td><td>Monitoring at coordinates 325528 6408420 (Easting Northing) shown as NM3 on Figure 1.</td></tr><tr><td>31</td><td>Noise monitoring</td><td>Monitoring at coordinates 328418 6406145 (Easting Northing) shown as NM4 on Figure 1.</td></tr><tr><td>32</td><td>Noise monitoring</td><td>Monitoring at coordinates 327907 6404030 (Easting Northing) shown as NM5 on Figure 1.</td></tr><tr><td>34</td><td>Noise monitoring</td><td>Monitoring at coordinates 327114 6398857 (Easting Northing) shown as NM7 on Figure 1.</td></tr><tr><td>35</td><td>Noise monitoring</td><td>Monitoring at coordinates 324970 6397138 (Easting Northing) shown as NM8 on Figure 1.</td></tr><tr><td>36</td><td>Noise monitoring</td><td>Monitoring at coordinates 322635 6395438 (Easting Northing) shown as NM10 on Figure 1.</td></tr><tr><td>37</td><td>Noise monitoring</td><td>Monitoring at coordinates 323600 6397220 (Easting Northing) shown as NM11 on Figure 1.</td></tr><tr><td>38</td><td>Noise monitoring</td><td>Monitoring at coordinates 318050 6399643 (Easting Northing) shown as NM12 on Figure 1.</td></tr><tr><td>39</td><td>Noise monitoring</td><td>Monitoring at coordinates 327636, 6400559 (Easting Northing) shown as NM6 on Figure 1.</td></tr></table>	Noise/Weather			EPA identi- fication no.	Type of monitoring point	Location description	4	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 320685 6405605 (Easting Northing) labelled as Camberwell on Figure 5.	5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 327665 6400815 (Easting Northing) labelled as Retreat on Figure 5.	6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 326900 6397690 (Easting Northing) labelled as Mines Rescue Singleton Heights on Figure 5.	7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 322575 6397475 (Easting Northing) labelled as Wright's Maison Dieu on Figure 5.	11	Meteorological Station	Meteorological station at coordinates 322160 6399325 (Easting Northing) labelled as Weather Station on Figure 2.	24	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 321630 6405025 (Easting Northing) labelled as Watling on Figure 5.	25	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 325890 6407975 (Easting Northing) labelled as Cherry on Figure 5.	26	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 327985 6404125 (Easting Northing) labelled as Bridgeman Rd on Figure 5.	29	Noise monitoring	Monitoring at coordinates 319720 6403667 (Easting Northing) shown as NM1 on Figure 1.	30	Noise monitoring	Monitoring at coordinates 325528 6408420 (Easting Northing) shown as NM3 on Figure 1.	31	Noise monitoring	Monitoring at coordinates 328418 6406145 (Easting Northing) shown as NM4 on Figure 1.	32	Noise monitoring	Monitoring at coordinates 327907 6404030 (Easting Northing) shown as NM5 on Figure 1.	34	Noise monitoring	Monitoring at coordinates 327114 6398857 (Easting Northing) shown as NM7 on Figure 1.	35	Noise monitoring	Monitoring at coordinates 324970 6397138 (Easting Northing) shown as NM8 on Figure 1.	36	Noise monitoring	Monitoring at coordinates 322635 6395438 (Easting Northing) shown as NM10 on Figure 1.	37	Noise monitoring	Monitoring at coordinates 323600 6397220 (Easting Northing) shown as NM11 on Figure 1.	38	Noise monitoring	Monitoring at coordinates 318050 6399643 (Easting Northing) shown as NM12 on Figure 1.	39	Noise monitoring	Monitoring at coordinates 327636, 6400559 (Easting Northing) shown as NM6 on Figure 1.	Compliant	BMP NMP Blast Monitoring Records Noise Monitoring Records Annual Reviews for 2016, 2017 and 2018 Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Reporting Periods Site inspection	Review of monitoring records, and Annual Returns and Annual Reviews for 2016, 2017 and 2018 indicate monitoring is being undertaken at the locations required by this condition. <i>Note: EPL locations 15 & 16 are the only sites applicable to the operation of the Rix's Creek South Mine.</i>
Noise/Weather																																																																
EPA identi- fication no.	Type of monitoring point	Location description																																																														
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P1.5	Figure 1 in Condition P1.4 refers to the document titled "EPL 3391 Noise Monitoring Sites" dated 12/2/2019 EPA Reference DOC19/44904-03.	Note																																																														

Number	Condition	Compliance	Evidence	Comments															
P1.6	Figure 2 in Conditions P1.1 and P1.4 refers to the document titled "Rixs Creek P/L Air Quality and Green House Gas Management Plan Air Quality Monitoring Sites" dated 10/2/2017 EPA Reference DOC17/119016.	Note																	
P1.7	Figure 3 in Condition P1.3 refers to the document titled "Rixs Creek P/L EPL 3391 Surface Water Monitoring Sites" dated February 2017 EPA Reference DOC17/119016-01.	Note																	
P1.8	Figure 4 in Condition P1.3 refers to the document titled "Rixs Creek P/L EPL 3391 Sewage Treatment Infrastructure and Major Plant and Facilities" dated 15/2/2017 EPA Reference DOC17/119016-02.	Note																	
P1.9	Figure 5 in Condition P1.4 refers to the document titled "Rixs Creek P/L- EPL 3391 Blast Monitoring Sites" dated 10/2/2017 EPA Reference DOC17/119016.	Note																	
P1.10	The datum for grid references in this Licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.	Note																	
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	Annual Returns for 2016, 2017 and 2018 Annual Reviews for 2016, 2017 and 2018 Site visit Site interviews	Review of the Annual Review indicates that no breaches of the Section 120 of the POEO Act occurred during the audit period.															
L2	Waste																		
L2.1	<p>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.</p> <table> <tr> <th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr> <tr> <td>NA</td><td>Plasterboard and ceramics</td><td>Plasterboard to be used for soil amelioration and amendment</td><td>As specified in each particular resource recovery exemption</td><td>The Licensee must comply with The plasterboard exemption 2014.</td></tr> <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 to be used for soil amelioration and amendment</td><td>As specified in each particular resource recovery exemption</td><td>The Licensee must comply with The biosolids exemption 2014.</td></tr> </table>	Code	Waste	Description	Activity	Other Limits	NA	Plasterboard and ceramics	Plasterboard to be used for soil amelioration and amendment	As specified in each particular resource recovery exemption	The Licensee must comply with The plasterboard exemption 2014.	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 to be used for soil amelioration and amendment	As specified in each particular resource recovery exemption	The Licensee must comply with The biosolids exemption 2014.	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 Site inspection Site interviews	<p>Review of available documentation and site interviews indicates compliance with the requirements of this condition. The site inspection did not identify any evidence to suggest the licensee is causing, permitting or allowing any waste to be received at the premises, except the wastes expressly referred to.</p> <p>Review of available and site interviews indicates biosolids are used as part of the rehabilitation process in accordance with recovery exemptions. Plasterboards and ceramics have not been brought to site to date.</p>
Code	Waste	Description	Activity	Other Limits															
NA	Plasterboard and ceramics	Plasterboard to be used for soil amelioration and amendment	As specified in each particular resource recovery exemption	The Licensee must comply with The plasterboard exemption 2014.															
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 to be used for soil amelioration and amendment	As specified in each particular resource recovery exemption	The Licensee must comply with The biosolids exemption 2014.															
L3	Noise limits																		
L3.1	Noise generated at the premises must not exceed the noise limits in the Table below.	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 Official Caution (Notice 1572797) Agency consultation Site inspection	<p>Review of monitoring records, and Annual Reviews/Annual Returns for 2016, 2017 and 2018 indicate no exceedances of relevant criteria during the 2019 IEA period.</p> <p>While review of documentation indicated two (2) low frequency exceedances occurred at EPA Monitoring Point 32 (NM5) on 14 June 2018 and 8 April 2019; these exceedances relate to Rix's Creek North operations, not Rix's Creek South. Therefore, while an exceedance of EPL criteria has occurred, it is not in relation to operations being assessed as part of this audit.</p>															

Number	Condition	Compliance	Evidence	Comments																																	
	<table><tr><th>Location</th><th>Day/Evening/Night LAeq (15 minute)</th><th>Night LA1 (1 minute)</th></tr><tr><td>EPA 29 and NMG1</td><td>40</td><td>48</td></tr><tr><td>EPA 30 and NMG3</td><td>40</td><td>45</td></tr><tr><td>EPA 31 and NMG4</td><td>37</td><td>49</td></tr><tr><td>EPA 32 and NMG5</td><td>41</td><td>47</td></tr><tr><td>EPA 33 and NMG6</td><td>42</td><td>47</td></tr><tr><td>EPA 34 and NMG7</td><td>40</td><td>45</td></tr><tr><td>EPA 35 and NMG8</td><td>40</td><td>47</td></tr><tr><td>EPA 36 and NMG10</td><td>40</td><td>47</td></tr><tr><td>EPA 37 and NMG11</td><td>40</td><td>47</td></tr><tr><td>EPA 38 and NMG12</td><td>40</td><td>47</td></tr></table>	Location	Day/Evening/Night LAeq (15 minute)	Night LA1 (1 minute)	EPA 29 and NMG1	40	48	EPA 30 and NMG3	40	45	EPA 31 and NMG4	37	49	EPA 32 and NMG5	41	47	EPA 33 and NMG6	42	47	EPA 34 and NMG7	40	45	EPA 35 and NMG8	40	47	EPA 36 and NMG10	40	47	EPA 37 and NMG11	40	47	EPA 38 and NMG12	40	47		Site interviews	
Location	Day/Evening/Night LAeq (15 minute)	Night LA1 (1 minute)																																			
EPA 29 and NMG1	40	48																																			
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EPA 34 and NMG7	40	45																																			
EPA 35 and NMG8	40	47																																			
EPA 36 and NMG10	40	47																																			
EPA 37 and NMG11	40	47																																			
EPA 38 and NMG12	40	47																																			
L3.2	For the purpose of condition L3.1: a) EPA (number) refers to EPA identification point numbers as referenced in condition P1.4; and b) NMG (number) refers to all residential receivers on land within noise monitoring groups identified by Figure 1	Note																																			
L3.3	For the purpose 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 Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 Noise monitoring records	Review of noise monitoring records indicates compliance with the requirements of this condition.																																	
L3.4	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 Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 Noise monitoring records	Review of noise monitoring records indicates compliance with the requirements of this condition.																																	
L3.5	For the purposes of condition L3.4: a) Data recorded by a meteorological station installed on the premises at EPA Identification Point 11 must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 Noise monitoring records	Review of noise monitoring records indicates compliance with the requirements of this condition.																																	
L3.6	A non-compliance of condition L3.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured: <ul style="list-style-type: none">at any location within the Noise Monitoring Groups defined in Condition L3.1.	Note																																			

Number	Condition	Compliance	Evidence	Comments
L3.7	<p>For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.</p> <p>Definitions:</p> <ul style="list-style-type: none"> NSW Industrial Noise Policy refers to the document titled " New South Wales Industrial Noise Policy" published by the EPA in January 2000. Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L3.8. 	Compliant	<p>Annual Returns for 2016/2017, 2017/2018 and 2018/2019</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Site inspection</p> <p>Site interviews</p>	Review of noise monitoring records indicates compliance with the requirements of this condition.
L4	Blasting			
L4.1	Blasting in or on the premises must only be carried out between 0900 hours and 1700 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.	Compliant	<p>Blast Monitoring Records</p> <p>Noise Monitoring Records</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Annual Returns for 2016/2017, 2017/2018 and 2018/2019</p>	Review of blast monitoring records 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: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 4, 5, 6 or 7 in Condition P1.4.	Compliant	<p>Blast Monitoring Records</p> <p>Noise Monitoring Records</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Annual Returns for 2016/2017, 2017/2018 and 2018/2019</p>	Review of available documentation including Annual Returns and Annual Reviews for 2016, 2017 and 2018, and Blast Monitoring Records indicates compliance with the requirements of this condition.
L4.3	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, 5, 6 or 7 in Condition P1.4.	Compliant	<p>Blast Monitoring Records</p> <p>Noise Monitoring Records</p> <p>Annual Reviews for 2016, 2017 and 2018</p> <p>Annual Returns for 2016/2017, 2017/2018 and 2018/2019</p>	<p>Review of available documentation including Annual Returns and Annual Reviews for 2016, 2017 and 2018, and Blast Monitoring Records indicates compliance with the requirements of this condition.</p> <p>It is noted Rix's Creek South Mine initiated a blast on 12 July 2018. Blast monitors did not exceed the blast criteria, however a high overpressure result, which exceeded the blast criteria limit, was measured at an operational monitor (monitor not included in Blast Management Plan or EPL3391) at the Civic Avenue Monitor of 120.8 dBA. While a Penalty Notice was initially issued by DPIE on 15 February 2019 in relation to this exceedance, it was officially withdrawn on 11 April 2019. However, this monitoring point is now an official compliance monitoring location (as per the 2018 Annual Review).</p>

Number	Condition	Compliance	Evidence	Comments
L4.4	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, 5, 6 or 7 in Condition P1.4.	Compliant	Blast Monitoring Records Noise Monitoring Records Annual Reviews for 2016, 2017 and 2018 Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of available documentation including Annual Returns and Annual Reviews for 2016, 2017 and 2018, and Blast Monitoring Records indicates compliance with the requirements of this condition.
L4.5	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, 5, 6 or 7 in Condition P1.4.	Compliant	Blast Monitoring Records Noise Monitoring Records Annual Reviews for 2016, 2017 and 2018 Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of available documentation including Annual Returns and Annual Reviews for 2016, 2017 and 2018, and Blast Monitoring Records 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 Monitoring Records Noise Monitoring Records Annual Reviews for 2016, 2017 and 2018 Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of available documentation including Annual Returns and Annual Reviews for 2016, 2017 and 2018, and Blast Monitoring Records 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 interviews Site inspection Above-ground storage survey	During the conduct of the audit, documentation reviewed and the site inspection indicates general compliance with the requirements of this condition. During the site inspection, above-ground liquid storage facilities were sighted and located within appropriately bunded areas. With a survey completed on above-ground liquid storage facilities to ensure 110% bunding capacity during the 2019 IEA period. In addition containers containing dangerous goods were noted to be on-site and appropriately stored. An oil water separator system is noted to operate in the workshop, with waste oil taken off-site every Thursday by Southern Oil.

Number	Condition	Compliance	Evidence	Comments
Uis	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	Pulse maintenance system, including plant maintenance record sample. Site interviews. Site inspection PIRMP Training Package	During site interviews it was noted that a 300 page employee induction/presentation is maintained for the Mine, providing an overview of key policies and systems, site HSE and environmental requirements, emergency/incident management, PPE and more. This induction was sighted during the audit. During the site interviews, the work order system used on site 'Pulse' was noted to be used. Equipment maintenance is scheduled through pulse based on scheduled, opportunity and as needs (i.e. when visual inspections identify an issue). The PIRMP is tested each year. The PIRMP was last tested in March 2019, with the current revision dated 18 March 2019.
O2.2	The licensee is responsible for the correct operation of the sewage treatment system on their premises.	Compliant	Maintenance records Site interviews Annual Reviews for 2016, 2017 and 2018 Agency consultation	Review of 2016, 2017 and 2018 Annual Reviews indicates the septic system is approved by the local authorities. RCS: OSSM Approval No: 2820/2002 auto-renewal expiry 30/06/2020. Consultation with the EPA and Council during completion of the 2019 IEA did not identify any concerns in relation to the operation of the on-site sewage treatment system
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	Site interviews Annual Reviews for 2016, 2017 and 2018 Documentation – Service contracts, maintenance program	Review of 2016, 2017 and 2018 Annual Reviews indicates the septic system is regularly inspection by a specialist water treatment contractor. The septic tanks are vacuum cleaned out to remove sludge build up on a quarterly schedule or as required by a suitably qualified waste contractor and the resulting waste is removed from site.
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	Site interviews Annual Reviews for 2016, 2017 and 2018	Review of available documentation verifies a service agreement exists with HydroCon Services Pty Ltd. See comments at Condition O2.3
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	Documentation – Service contracts, maintenance program/records	Review of available documentation verifies a service agreement exists with HydroCon Services Pty Ltd to carry out monthly services of the sewage treatment system. Documentation verifies recommendations are made, as relevant, during these inspection; with actions undertaken to address.
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	Sewerage Treatment System maintenance Program Written records for quarterly inspections	Review of available documentation indicates compliance with the requirements of this condition.

Number	Condition	Compliance	Evidence	Comments
O3	Dust			
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	Site inspection Site interviews AQGGMP	<p>As a result of the adverse weather conditions, operations on the day of site inspection were revised, including avoidance of current rehabilitation activities (i.e. topsoil placement) to limit the potential for dust generation. Furthermore, active management and communication between teams was observed during the site inspection, ensuring potential areas of dust generation received a water cart to avoid potential impacts.</p> <p>The haul roads were observed to be sufficiently watered to limit dust generation, with up to five water carts available on-site. It was advised that general practice to minimise potential dust generation on site is to ensure a water truck for each haul run.</p> <p>Activities within the active mining area were observed to be resulting in minimal, and mitigated, dust generation. Plate 18 and Plate 19 provide an overview of observations during the site inspection, facing generally north from the viewing platform above the Active Mining Area – West Pit. As shown, operations on site were resulting in negligible dust generation during adverse conditions. Potentially significant dust generation north/north-west of Bloomfield-owned operations provided an indication of the negligible contribution of the Mine toward cumulative air quality in the wider area.</p>
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	Site inspection Site interviews AQGGMP Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018	<p>Review of the AQGGMP indicates management and mitigation measures are in place to address, while site interviews indicate that a water truck is used for each haul trip completed.</p> <p>Haul roads were observed to be sufficiently watered to limit dust generation, with up to five water carts available on-site.</p>
O4	Effluent application to land			
O4.1	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	Site inspection Site interviews STP Program	Review the STP program and site inspection verifies compliance with this condition.
O4.2	The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted "Effluent Re-Use Area Keep Out" and controlled in a manner to ensure exclusion of persons from that area.	Compliant	Site inspection Site interviews	The signage was identified during the site inspection.
O4.3	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	Site inspection Site interviews	Identified during the site inspection, with no drift or ponding issues identified.
O5	Emergency Response			
O5.1	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.	Compliant	PIRMP Site inspection	Review of available documentation indicates a PIRMP exists for the Mine, with the current revision dated 18 March 2019.

Number	Condition	Compliance	Evidence	Comments																
O6	Other operating Conditions																			
O6.1	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 interviews Site inspection Above-ground storage survey	During the site inspection, above-ground liquid storage facilities were sighted and located within appropriately bunded areas. With a survey completed on above-ground liquid storage facilities to ensure 110% bunding capacity during the 2019 IEA period. These facilities are also connected to the wider oil/water separator system at the Mine workshop, via underground piping. With waste oil taken off-site every Thursday by Southern Oil.																
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		See Conditions M1.2 and M1.3																
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	Site inspection Site interviews Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018	Review of EPL Monitoring Records available on the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/epl-monitoring) verifies compliance with the requirements of this condition, with monitoring records for air, water, noise and blasting available from 2014-current.																
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	Site inspection Site interviews Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018	Review of EPL Monitoring Records available on the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/epl-monitoring) verifies compliance with the requirements of this condition, with monitoring records for air, water, noise and blasting available from 2014-current.																
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:	Note																		
M2.2	<div>Air monitoring requirements</div> <div>POINT 12,13,14</div> <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>AM-22</td></tr></table> <div>POINT 15,16</div> <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> <div>Note: Special Method 1 requires the Licensee to undertake the monitoring of PM10 concentration in strict accordance with the manufacturer's operating manual supplied with the continuous monitoring equipment and titled "Model 8530/8531/8532EP DustTrak II Operation and Service Manual", or any updated version as published by the manufacturer.</div>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	Special Method 1	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019 Annual Reviews for 2016, 2017 and 2018 PM10 Monitoring Record samples	Review of available documentation, including EPL Monitoring Records available on the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/epl-monitoring) verifies general compliance with the requirements of this condition. However, the following non-compliances are noted: <ul style="list-style-type: none">2017/2018 Reporting Period – No monitoring at Monitoring Points 12 (November), 15 (September and November) and 16 (November), reported to the EPA in the Annual Return for the 2017/2018 Reporting Period.
Pollutant	Units of measure	Frequency	Sampling Method																	
PM10	micrograms per cubic metre	Continuous	AM-22																	
Pollutant	Units of measure	Frequency	Sampling Method																	
PM10	micrograms per cubic metre	Continuous	Special Method 1																	

Number	Condition	Compliance	Evidence	Comments																																
M2.3	<p>Water and/or Land Monitoring Requirements: POINT 8,9,10,17,18,19,20,21,22,23</p> <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>Once a month (min. of 4 weeks)</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Once a month (min. of 4 weeks)</td><td>Grab sample</td></tr><tr><td>Total dissolved solids</td><td>milligrams per litre</td><td>Once a month (min. of 4 weeks)</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Once a month (min. of 4 weeks)</td><td>Grab sample</td></tr></tbody></table> <p>POINT 27,28</p> <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 during discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly during discharge</td><td>Grab sample</td></tr></tbody></table>	Pollutant	Units of measure	Frequency	Sampling Method	Electrical conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample	pH	pH	Once a month (min. of 4 weeks)	Grab sample	Total dissolved solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample	Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Faecal Coliforms	colony forming units per 100 millilitres	Quarterly during discharge	Grab sample	pH	pH	Quarterly during discharge	Grab sample	Compliant	Annual Returns for 2016, 2017 and 2018 Annual Reviews for 2016, 2017 and 2018	<p>Review of available documentation, including EPL Monitoring Records available on the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/epl-monitoring) verifies general compliance with the requirements of this condition; however, review of available documentation indicates:</p> <ul style="list-style-type: none">2016/2017 Reporting Period – No monitoring at some points during December 2016 and January/February 2017, due to Rix's Creek being dry and no water being available to sample, reported to the EPA in the Annual Return for the 2016/2017 Reporting Period..2017/2018 Reporting Period – No monitoring at Monitoring Points 8, 9, 10, 21, 22, and 23 during the reporting period, due to Rix's Creek being dry and no water being available to sample. Reported to the EPA in the Annual Return for the 2017/2018 Reporting Period. <p>Due to the reasons provided for lack of monitoring, a non-compliance has not been recorded for this condition.</p>
Pollutant	Units of measure	Frequency	Sampling Method																																	
Electrical conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample																																	
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pH	pH	Quarterly during discharge	Grab sample																																	
M3	Testing methods – concentration limits																																			
M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>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</p> <p>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.</p>	Compliant	Monitoring records	<p>Review of available documentation, including EPL Monitoring Records available on the Rix's Creek website (https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/epl-monitoring) verifies compliance with the requirements of this condition. Furthermore, consultation with the EPA during the completion of the 2019 IEA did not indicate any issues with EPL related monitoring (or otherwise) being completed for the Mine.</p>																																
M3.2	<p>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.</p> <p>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".</p>	Compliant	WMP	<p>Review of the WMP indicates that the water samples are analysed by laboratories that are NATA accredited.</p>																																
M4	Weather Monitoring																																			
M4.1	<p>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.</p>	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019	<p>Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.</p>																																

Number	Condition	Compliance	Evidence	Comments																																			
	POINT 11 <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>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>10 minutes</td><td>Continuous</td></tr> <tr> <td>Wind Direction at 10 metres</td><td>AM-2 & AM-4</td><td>Degrees</td><td>10 minutes</td><td>Continuous</td></tr> <tr> <td>Wind Speed</td><td>AM-2 & AM-4</td><td>metres per second</td><td>10 minutes</td><td>Continuous</td></tr> <tr> <td>Sigma Theta</td><td>Special Method 2</td><td>Degrees</td><td>10 minutes</td><td>Continuous</td></tr> <tr> <td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>10 minutes</td><td>Continuous</td></tr> <tr> <td>Relative humidity</td><td>AM-4</td><td>percent</td><td>10 minutes</td><td>Continuous</td></tr> </tbody> </table> <p>Note: Special Method 2 means sampling method in accordance with Part E4 of Appendix E of the NSW Industrial Noise Policy</p>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous	Wind Speed	AM-2 & AM-4	metres per second	10 minutes	Continuous	Sigma Theta	Special Method 2	Degrees	10 minutes	Continuous	Rainfall	AM-4	millimetres	10 minutes	Continuous	Relative humidity	AM-4	percent	10 minutes	Continuous			
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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	Review of the complaints register available on the Rix's Creek Mine website indicates compliance: https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/complaint-register																																			
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 the Complaints Register indicates compliance in relation to 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 the complaints register available on the Rix's Creek Mine website indicates compliance: https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/complaint-register																																			
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered	Audit interviews	Audit interviews indicate that this condition has not been triggered.																																			
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	Website	Review of the Rix's Creek Mine website indicates compliance: https://www.bloomcoll.com.au/sustainability/environmental-management/rixs-creek-assessments/complaint-register																																			
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	Site interviews																																				
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note																																					
M7	Blasting																																						
M7.1	To determine compliance with the blasting conditions of this licence: a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 4, 5, 6 and 7 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.	Compliant	Blasting monitoring records BMP	Review of blast monitoring records and the BMP for the Mine indicates compliance with the requirements of this condition.																																			

Number	Condition	Compliance	Evidence	Comments												
	<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			
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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, 13, 14, 15 and 16 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.	Non-compliance (Low risk)	Air Quality monitoring records Annual Reviews for 2017, 2018 and 2019 Site interviews Has a request been made?	In relation to PM10 monitoring, the following observations are noted: <ul style="list-style-type: none">2018: Lack of monitoring for Dust Track RCS SE in August 2018, with monitoring still completed at Dust Track RCS NW.2019: Lack of monitoring for Dust Track RCS NW, with the system failing from 15 December 2018 to 4 January 2019, with monitoring still completed at Dust Track RCS SE. Therefore, a finding of non-compliant (low risk) was made based on the following: <ul style="list-style-type: none">Consultation with relevant agencies, including the EPA, did not identify dust generation as a relevant concern for the Mine, or this missed monitoring as an issue of concern; with review of the EPA's response to the lack of monitoring in 2018 indicating a non-compliance occurred but due to the continued operation of the other Dust Track monitor, was not a high level of concern.Review of complaints records indicates minimal concern from the community relating to air quality, with a general decline in complaints related to air quality received during the 2019 IEA.Site inspection observations indicates proactive management and communication in managing potential air quality impacts of the Mine, as discussed against Condition 13B of DA 49/94.Review of available documentation indicates the issues were rectified as soon as the issue was identified, based on end of month validation. The issue was identified as part of the monthly validation check; and was not identified earlier due to the SKADA system (which is operated to identify monitoring issues) having issues and resulting in lack of monitoring not being picked up under end of month validation. As the issue relates to the SKADA system, no recommendation has been made in this audit.												
M9	Noise monitoring															
M9.1	To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with conditions L3.6 and: a) at a minimum of 6 locations from those listed condition P1.4 shown to be experiencing noise enhancing meteorological conditions; b) occur every calendar month in a reporting period; and c) occur during one night-time period as defined in the NSW Industrial Noise Policy for a minimum of 30 minutes at each location from a) during the night.	Non-compliant (Low risk)	Noise Management Plan (NMP) Annual Reviews for 2016, 2017 and 2018 Complaints data	Review of available documentation indicates occurrences during the audit period in which monitoring was not completed at all relevant locations (e.g. 6 February 2018, 4 April 2018, 14 June 2018, 11 July 2018 and 1 August 2018); of which the EPA and DPIE are already aware. A finding of non-compliance (Low risk), with no recommendation, has been made for the following reasons:												

Number	Condition	Compliance	Evidence	Comments
			Noise Monitoring Reports Site inspection Site interviews	<ul style="list-style-type: none"> Review of noise monitoring records indicates no exceedances of criteria have occurred in relation to operations at the Mine. Review of complaints records indicates a general downward trend in the number of complaints received in relation to noise from the Mine (see Section 4.2.1). The EPA advice notes that while the lack of monitoring on 6 February 2018, 4 April 2018, 14 June 2018, 11 July 2018 and 1 August 2018, regulatory action was determined to not be required as monitoring was completed at other locations. Consultation with the EPA during the conduct of the 2019 IEA did not identify noise as an issue of concern for the Mine.
M9.2	Where required in writing by the EPA, the licensee must carry out monitoring to determine if the modification factors in Section 4 of the NSW Industrial Noise Policy need to be applied.	Compliant	Noise Monitoring Report	Review of noise monitoring reports indicates this is completed as part of noise monitoring for the RCS site.
6	Reporting Conditions			
R1	Annual Return Documents			
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> 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. <p>At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.</p>	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>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.</p>	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ol style="list-style-type: none"> 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. <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	Not triggered	N/A	
R1.4	<p>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:</p> <ol style="list-style-type: none"> 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	
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 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.

Number	Condition	Compliance	Evidence	Comments
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 2015/2016, 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates 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 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates 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.	Compliant	Annual Returns for 2015/2016, 2016/2017, 2017/2018 and 2018/2019	Review of Annual Returns indicates compliance with the requirements of this condition.
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. 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.	Compliant	Annual Reviews 2016, 2017 and 2018 Incident reports Site interviews	Review of Annual Returns indicates compliance with the requirements of this condition.
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.	Compliant	Site interviews Agency interviews Correspondence to Request for Information (RFI) (28/08/2017)	Review of available documentation indicates a request for information was requested in relation to a blast overpressure complaint, with a letter prepared to address the EPA's RFI, in accordance with Conditions R3.1, R.3.2 and R.3.3.
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.	Compliant	Site interviews Agency interviews Correspondence to Request for Information (RFI) (28/08/2017)	Review of available documentation indicates a request for information was requested in relation to a blast overpressure complaint, with a letter prepared to address the EPA's RFI, in accordance with Conditions R3.1, R.3.2 and R.3.3.
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 aspecified 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.	Compliant	Site interviews Agency interviews Correspondence to Request for Information (RFI) (28/08/2017)	Review of available documentation indicates a request for information was requested in relation to a blast overpressure complaint, with a letter prepared to address the EPA's RFI, in accordance with Conditions R3.1, R.3.2 and R.3.3.
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	Site interviews Agency interviews	

Number	Condition	Compliance	Evidence	Comments
R4	Other reporting conditions Blast Exceedance Reporting			
R4.1	The Licensee must report any exceedance of the Licence blasting limits to the regional office of the EPA 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 Reviews for 2016, 2017 and 2018 Blast Monitoring Records	Review of available information indicates no exceedances of blast criteria has occurred during the 2019 IEA period. It is noted Rix's Creek South Mine initiated a blast on 12 July 2018. Blast monitors did not exceed the blast criteria, however a high overpressure result, which exceeded the blast criteria limit, was measured at an operational monitor (monitor not included in Blast Management Plan or EPL3391) at the Civic Avenue Monitor of 120.8 dBA. While a Penalty Notice was initially issued by DPIE on 15 February 2019 in relation to this exceedance, it was officially withdrawn on 11 April 2019. However, this monitoring point is now an official compliance monitoring location (as per the 2018 Annual Review).
R4.2	Within 14 days following a blast exceedance, the Licensee must undertake an investigation into the exceedance and provide the EPA with a report that includes: a) the date and time of blast; b) the location of the blast on the premises; c) the blast monitoring results at each blast monitoring station; d) an explanation of why blast limits were exceeded; and e) an explanation of how the Licensee will avoid future blast limit exceedances.	Not triggered	Annual Reviews for 2016, 2017 and 2018 Blast Monitoring Records	See detail at Condition R4.1.
	Blast Monitoring Report			
R4.3	The Licensee must supply with each Annual Return, a Blast Monitoring Report which must include the following information relating to each blast carried out within the premises during the reporting period covered by the Annual Return: a) the date and time of the blast; b) the location of the blast on the premises; c) the blast monitoring results at each blast monitoring station; and d) an explanation for any missing blast monitoring results.	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.
	Sewerage Treatment System Report			
R4.4	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 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.
R4.5	The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.	Compliant	Annual Returns for 2015/2016, 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.
	Noise Exceedance Reporting			
R4.6	The licensee must notify the EPA in writing of any exceedance of noise criteria in this licence immediately after the licensee becomes aware of the exceedance.	Compliant	2018 Annual Review Site interviews	Review available documentation indicates that the only noise non-compliance relevant to the Mine during the 2019 IEA period was the result of an official caution issued by the EPA in relation to low-frequency exceedance of attended noise compliance monitoring in June 2018, which was reported to the EPA by Bloomfield.
	Noise Compliance Assessment Report			
R4.7	A noise compliance assessment report must be submitted to the EPA with the Annual Return. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits presented in Condition L3.1; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in condition L3.1.	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns indicates compliance with the requirements of this condition.

Number	Condition	Compliance	Evidence	Comments
	Water Quality Monitoring Report			
R4.8	<p>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:</p> <p>a) for the monitoring required by the Licence during the reporting period to which the Annual Return Relates:</p> <p>(i). a summary of results for all ambient water quality monitoring required by the Licence in table form and graphical form;</p> <p>(ii). total daily continuous rainfall monitoring results for the Annual Return period from the Licence meteorological station on the premises in graphical form; and</p> <p>(iii). a plan with the location of the monitoring.</p> <p>b) A graphical presentation of the trends of ambient water quality 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 monitoring location. This must be shown against rainfall records graphically for the period of record.</p>	Compliant	Annual Returns for 2016/2017, 2017/2018 and 2018/2019	Review of the 2016/2017, 2017/2018 and 2018/2019 Annual Returns 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	Kept in hard copy on-site. Sighted during the site inspection.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered	Site interviews	No EPA inspections during the audit period; however, the EPL is retained on-site.
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Site inspection Site interviews	Kept in hard copy on-site. Sighted during the site inspection.
G2	Other general conditions			
G2.1	Complete Programs	Note		

Number	Condition			Compliance	Evidence	Comments
	Program	Description	Completed Date			
	Bunding Improvement Program	Bunding Improvement Program - prepare assessment report and timeframes for completion of any improvement works. Protect surface and ground water from contamination. (#)	31-March-2011			
	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.	29-June-2012			
	Coal Mine Particulate Matter Control Best Management Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012			
	Premises noise limits	The licensee is to determine noise limits for the premises in accordance with the INP or otherwise as consistent with the project approval and develop a compliance monitoring program to assess compliance with those limits	30-June-2017			
	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 - Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014			
	Particulate Matter Control Best Practice – 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 - Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden	30-July-2014			
	Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands.	30-March-2015			
	Particulate Matter Control Best Practice Implementation - Rix's Creek North	Implementation of particulate matter best management practices to address wheel-generated dust in Rix's Creek North area.	20-June-2016			

Appendix F – Auditors response to matters raised by CCC members

Comment	Issue	Auditor's response
Groundwater metered take(reported) from the Rix's Creek South and groundwater incidental metered take(reported) from the void	Water resources	Water intercepted in the open cut pits is monitored for compliance with relevant Water Access Licences (WALs)
Failure to identify disturbance outside the approved area for mining, which related to the enforceable undertaking- how much overburden was removed, where was allocated to, how much water was removed and what water licence was used to allow extraction and what was the metered take(reported)	Extraction outside approved area	N/A – This incident occurred prior to the 2019 IEA period and was a relevant finding of the 2016 IEA.
What was the metered water take from Rix's Creek South provided to the Rix's Creek North?	Water resources	Rix's Creek North and Rix's Creek South have an integrated water management system (WMS). Therefore, there is no requirement to meter operational transfers between Rix's Creek North and Rix's Creek South. Instead metering for compliance with relevant WALs occurs at the point of extraction.
What was the metered water take from the Rix's Creek North to the Rix's Creek South and including the water from the Mount Thorley Joint Venture Water (MTJV) Supply Scheme (high security water licence held by Singleton Council)	Water resources	Review of available documentation was unable to determine the applicability of this comment, with no documentation available to verify that any water is received at Rix's Creek South from the Mount Thorley Joint Venture Water (MTJV) Supply Scheme.
Within the public interest and importance of independence, has GHD been employed by the Bloomfield before been selected as independent auditor, have GHD declared any conflict of interest?	Independence of audit team	Refer to Appendix A and Appendix C.
Hopefully the environmental audit will include inspections of Rix's Creek Mine's offset areas and a report on regrowth, understorey, accumulation of fuel load, potential fire risk in the event of lightning strikes, and firebreaks and hazard reduction practices.	Offsetting	Not applicable. This is out of scope for the 2019 IEA.

Comment	Issue	Auditor's response
*Recycling rates %/ kgs/ tonnes of items outlined at CCC meetings (as well as what is not able to be recycled).	Waste management	See general comments in Section 4.2.2. However, the auditor notes relevant waste management on-site is generally reported within Section 4.8 of the Annual Reviews, in accordance with relevant conditions of DA 49/94.
Grazing trail statistics - assessment of the viability of the areas of land reclaimed/ rehabilitated showing end use functionality.	Rehabilitation / Final Land Use	Not applicable. This is out of scope for the 2019 IEA.
List of vegetation species used on site (categorised into storey representation ie ground cover etc and endemic (local seed stock)	Rehabilitation / Final Land Use	Not applicable. This is out of scope for the 2019 IEA.
Review of wildlife species on site (mammals, bird, amphibians etc. and any particular management program that may be in place for their protection, breeding etc.)	Biodiversity	Not applicable. This is out of scope for the 2019 IEA.

GHD

Level 3 GHD Tower 24 Honeysuckle Drive Newcastle NSW 2300
PO BOX 5403 Hunter Region Mail Centre NSW 2310
T: 61 2 4979 9999 F: 61 2 4979 9988 E: ntlmail@ghd.com



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Document Status

Revision	Author	Reviewer		Approved for Issue		
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