



**Bloomfield Collieries Pty Ltd**  
Rix's Creek North Mine  
Independent Environmental Audit 2020

December 2020

# Executive summary

GHD Pty Ltd (GHD) was engaged by Bloomfield Collieries Pty Ltd (Bloomfield) to conduct an independent audit of compliance of the Rix's Creek North Mine at Singleton, NSW. The Minister for Planning approved the development pursuant to Section 75J of the *Environmental Planning and Assessment Act 1979* on 23 August 2016 and modified on 1 September 2017 and 3 April 2019 (the Project Approval).

Bloomfield's Rix's Creek North Mine is located in the Upper Hunter Valley, within the Singleton local government area of NSW, about six kilometres north of the township of Singleton. The site extracts coal by truck and excavator methods of removing topsoil and blasting overburden. The site is approved for extraction of six million tonnes per annum (Mtpa) of run of mine (ROM) coal from its existing northern and western mining operations. Bloomfield advised that the northern operations is currently in care and maintenance and therefore extraction is limited to 4.5 Mtpa.

Schedule 5, Condition 11 of the Project Approval requires an independent environmental audit to be undertaken by the end of December 2011 and every three years thereafter. The last independent environmental audit of the mine was undertaken in 2017. This report presents the findings of the 2020 independent environmental audit.

At the time of audit, Bloomfield demonstrated a high level of compliance with the requirements of Project Approval 08\_0102 and Environment Protection Licence (EPL) 3391. A range of positive measures were observed during the audit that demonstrated compliance with many of the requirements of the Project Approval and EPL including;

- Development and implementation of a predictive modelling tool for assessing the noise, air and blasting impacts of their operations on neighbours.
- Establishment of a working group with neighbouring mine sites and a cumulative impact protocol to manage the cumulative impacts of the mines in the Upper Hunter Valley.
- Working constructively with tenants and landowners on mine-owned land to provide mitigation where it was requested.
- Monitoring of noise nightly to ensure locations predicted to have the greatest noise impact through the predictive modelling tool are within relevant noise criteria.
- Development of a noise app in consultation with Global Acoustics which can calculate instantaneous low frequency penalties and probabilities of noise enhancing inversion conditions whilst out in the field.
- Works to enhance biodiversity offset areas including removal of invasive *Acacia Saligna* and direct seeding of local indigenous vegetation.
- Progressive rehabilitation of the mine was observed.

A number of management plans have been prepared for the mine's operations including programs and plans developed in accordance with the Project Approval. The noise and water management plans were reviewed in detail as part of the audit. These management plans were found to be generally adequate for the type of operations at Rix's Creek North with some recommendations for improvement made.

Environmental monitoring required by the EPL and Project approval was being undertaken for the site however the ephemeral nature of the creek systems at Rix's Creek North make the sampling frequency requirements in the EPL difficult for Bloomfield to comply with. Downtime in fixed air quality monitoring equipment occurred during the audit period however Bloomfield are monitoring and managing the equipment to minimise downtime.

Compliance and improvement opportunities were identified related to content of management plans addressing Project Approval conditions, not achieving the sampling frequency for all monitoring requirements in the EPL, timing of night time noise monitoring, reporting incidents within regulatory timeframes and content of annual water quality reports to support the EPL annual return.

This report is subject to, and must be read in conjunction with, the limitations set out in Section 1.4, and the assumptions and qualifications contained throughout this report.

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# 1. Introduction

## 1.1 Introduction

Bloomfield Collieries Pty Ltd (Bloomfield) owns and operates Rix's Creek North Mine (Rix's Creek North). Rix's Creek North is located in the Upper Hunter Valley, within the Singleton local government area of NSW, about six kilometres north of the township of Singleton. The site extracts coal by truck and excavator methods of removing topsoil and blasting overburden. The site is approved for extraction of six million tonnes per annum (Mtpa) of run of mine (ROM) coal from its existing northern and western mining operations. Bloomfield advised that the northern operations is currently in care and maintenance and therefore extraction is limited to 4.5 Mtpa.

Bloomfield operate Rix's Creek North Mine in accordance with the following approvals:

- Project Approval 08\_0102
- Environment Protection Licence (EPL) 3391

GHD Pty Ltd (GHD) was engaged by Bloomfield, and approved in advance by the Department of Planning, Industry and Environment (DPIE), to conduct an independent environmental audit of Bloomfield's compliance with the requirements of the abovementioned approvals.

This report responds to the audit scope as outlined in Section 1.2.

## 1.2 Scope of the audit

The scope of the audit was defined by the Project Approval 08\_0102 Schedule 5, Condition 11 as follows:

*By the end of December 2011, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:*

*(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*

*(b) include consultation with the relevant agencies;*

*(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);*

*(d) review the adequacy of any approved strategies, plans or programs required under these approvals, with particular reference to management practices to ensure that they align with contemporary best practice industry standards;*

*(e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and*

*(f) be conducted and reported to the satisfaction of the Secretary.*

*Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.*

The methodology for the audits to address the above scopes is provided in Section 2. The audit period is 28 October 2017 to 3 November 2020.

### **1.3 Audit team**

Demelza Scott, Grace Rogers, Tyler Tinkler and Evelyn Potoczny of GHD undertook the audit at the request of Bloomfield. The audit team was approved by DPIE in a letter dated 11/09/2020 to undertake the independent environmental audit of the Rix's Creek North Mine, a copy of the letter is provided in Appendix A.

The participants in the audit were:

- Demelza Scott (GHD) – Lead Auditor
- Grace Rogers (GHD) – Assistant Auditor
- Tyler Tinkler (GHD) – Water Specialist
- Evelyn Potoczny (GHD) – Noise Specialist
- Chris Knight (Bloomfield) – Environment Manager
- Chris Quinn (Bloomfield) – Environment Advisor
- David Holmes (Bloomfield) – Graduate Environment Advisor

### **1.4 Limitations**

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

GHD otherwise disclaims responsibility to any person other than Bloomfield Collieries Pty Ltd 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.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described throughout this report. GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by Bloomfield Collieries Pty Ltd and others who provided information to GHD (including Government authorities)], 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.

The opinions, conclusions and any recommendations in this report are based on information obtained from, and testing undertaken at or in connection with, specific sample points. Site conditions at other parts of the site may be different from the site conditions found at the specific sample points.

Investigations undertaken in respect of this report are constrained by the particular site conditions, such as the location of buildings, services and vegetation. As a result, not all relevant site features and conditions may have been identified in this report.

Site conditions (including the presence of hazardous substances and/or site contamination) may change after the date of this Report. GHD does not accept responsibility arising from, or in connection with, any change to the site conditions. GHD is also not responsible for updating this report if the site conditions change.

## 2. Audit methodology

The audit was carried out in accordance with the requirements of ISO 19011:2018 'Guidelines for auditing management systems' and the 'Independent Audit Guideline' (Department of Planning and Environment, 2015). In particular, the GHD team conducted the audit considering the following:

- The key principles of auditing including the requirement of auditors to conduct themselves in an ethical manner, report truthfully and accurately, be diligent and have the appropriate competency to conduct the audit, be independent, and apply an evidence-based approach to conducting the audit.
- The audit objectives, scope and criteria were based on the Conditions of Consent. The scope of the audit was limited to the scope specified in Section 1.2.
- An appropriate audit team was selected with skills and experience in environmental auditing to ensure that an adequate assessment of compliance with the Conditions of Consent could be made.
- Relevant documentation (as detailed below) was reviewed prior to the audit to make an initial determination of conformity of the system to the requirements of the Conditions of Consent, and to prepare an audit checklist containing appropriate questions to address during the site audit.
- Audit opening and closing meetings were conducted with the auditee to explain the format of the audit upfront and to highlight preliminary audit findings at the conclusion of the site audit.
- During the site inspection, audit interviews were conducted with Bloomfield personnel and additional documentary evidence was collected. An inspection of the site was conducted to verify relevant compliance aspects of the audit.
- Verifiable evidence was collected and recorded throughout the audit and evaluated against the Conditions of Consent to determine conformity or non-conformity. All evidence was recorded on the Compliance Table (Appendix D).
- A complete and accurate report was prepared and distributed to provide a record of the audit and its findings.

### 2.1 Document review

GHD reviewed documentation associated with the operational activities of the project. Bloomfield provided a number of documents for review including:

- Management plans referenced in the Project Approval and other instruments
- Monitoring records
- Correspondence with relevant stakeholders including authorities
- Site procedures
- Training materials
- Reports prepared as required in the Project Approval and other instruments
- Minutes of meetings.

The documentation sighted by the auditors is referenced throughout Appendix D.



## **2.2 Consultation with agencies**

As required by the audit scope, GHD consulted with the identified agencies prior to the site audit. A letter was sent to each of the identified agencies referenced in MP 08\_0102 advising them of the upcoming audit, GHD's role in conducting the audit and invited comment on Bloomfield's performance with regards to the requirements of the approval that related to their agency. A sample letter is included in Appendix B.

GHD received comment from DPIE, Resources Regulator, EPA, CCC and DPIE- Mining, Exploration and Geoscience (MEG) as shown in Appendix B and Table 2-1.

**Table 2-1 Agency feedback**

Agency	Response Date	Response	Comment
DPIE	15 October 2020	Please ensure the IEA is undertaken in accordance with the requirements of the consents, including previous Department correspondence to Bloomfield.	Refer to this report.
Resources Regulator	16 October 2020	<ol style="list-style-type: none"> <li>1. Review relevant mining leases and exploration licences as agreed with Resources Regulator.</li> <li>2. Undertake an assessment of compliance against the conditions of title related to environmental management.</li> <li>3. 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.</li> <li>4. Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular: <ul style="list-style-type: none"> <li>– 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);</li> <li>– 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;</li> <li>– Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria verified by reviewing monitoring reports and rehabilitation inspection records;</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. Refer to Section 3.4.1</li> <li>2. Refer to Section 3.4.1</li> <li>3. Refer to Appendix D, Schedule 3 Condition 51-54.</li> <li>4. Refer to Appendix D, Schedule 3 Condition 51-54. The site inspection of recent rehabilitation did not identify any areas that failed.</li> <li>5. Resources Regulator recently conducted an inspection of RCN and identified that a Rehabilitation Risk Assessment should be completed. Sighted letter RR to Bloomfield dated 14/09/2020. Bloomfield are planning to complete this.</li> <li>6. Rehabilitation is progressing as per the MOP and the rehabilitation monitoring program. Refer to Appendix D, Schedule 3 Condition 51-54.</li> </ol>

Agency	Response Date	Response	Comment
		<ul style="list-style-type: none"> <li>– Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation;</li> <li>– 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;</li> <li>– Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and</li> <li>– 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 outcomes.</li> </ul> <ol style="list-style-type: none"> <li>5. Review progress of the development of a specific rehabilitation risk assessment to identify the range of risks and associated controls throughout the life of mine to achieve sustainable rehabilitation outcomes.</li> <li>6. In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.</li> </ol>	

Agency	Response Date	Response	Comment
CCC	28 October 2020	<ol style="list-style-type: none"> <li>1. Height of the overburden dumps to the consent conditions.</li> <li>2. Water management - especially related to no discharge from site.</li> <li>3. Biodiversity management - relates audits of the said land to consent conditions specified.</li> <li>4. Land disturbance as per consent conditions- audits, relates to mining outside boundaries.</li> <li>5. Rehabilitation classification as per consent condition.</li> </ol>	<p>1. Surveyor engaged to survey height of the overburden dumps. Requirements for overburden dumps are provided for in section 2.3.4 of the Mining Operations Plan. Maximum Heights as approved under SSD 6300 (RCS) are:</p> <ul style="list-style-type: none"> <li>• South Pit Dump 145m RL</li> <li>• Arties Pit Dump 160m RL</li> <li>• West Pit Dump 165m RL</li> </ul> <p>Survey results show no heights exceed these limits.<sup>1</sup></p> <p>2. Refer to Section 3.1.2.</p> <p>3. Refer to Appendix D, Conditions 37-42A.</p> <p>4. Survey plan showing approved disturbance area sent to DPIE as part of documentation submission under new SSD. Shows that mining operations are within approved disturbance area. Bloomfield advised that they haven't advanced mining operations outside mining areas shown in current plan.<sup>1</sup></p> <p>5. Refer to Appendix D, Conditions 51-54.</p>
EPA	16 October 2020	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.	Noted.

<sup>1</sup> Note the CCC provided one set of comments for the RCN and RCS independent environmental audits, this question relates to RCS only.

Agency	Response Date	Response	Comment
DPIE – MEG	3 November 2020	MEG has no comments to make in relation to the Rix's Creek Mine Audit and does not need to attend the site inspection the week beginning 2 November 2020.	Noted.

## 2.3 Site audit and inspection

The site audit was conducted by GHD auditors Demelza Scott, Grace Rogers, Tyler Tinkler and Evelyn Potoczny on 4 and 5 November 2020. Bloomfield representatives were Chris Knight, Chris Quinn and David Holmes. The audit team conducted interviews with relevant personnel and observations guided by the audit criteria which addressed the conditions of the development consents.

Conditions on the day of the site inspection (4 November 2020) was warm and partly cloudy.

Photographs from the site inspections are provided in Appendix E.

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

All information obtained during the audit process was verified by the audit team where possible e.g. statements made by site personnel were verified by viewing documentation and/or visual observations made during the site inspection.

### 2.3.1 Opening and closing meetings

The opening and closing meetings were held on site in a Bloomfield meeting room. A follow up closing meeting was conducted on 11 November 2020 following more detailed review of the findings from the audit. The list of participants is provided in Table 2-2.

**Table 2-2 Personnel involved in opening and closing meetings**

Name	Organisation
Demelza Scott	GHD
Grace Rogers	GHD
Tyler Tinkler	GHD
Evelyn Potoczny	GHD
Chris Knight	Bloomfield
Chris Quinn	Bloomfield
David Holmes	Bloomfield

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

## 2.4 Reporting

This report presents the findings of the Rix's Creek North Mine 2020 Independent Environmental Audit required by Schedule 5, Condition 11 of PA 08\_0102. This report responds to the scope of the audit as outlined in Table 2-3.

**Table 2-3 Audit scope requirements**

Requirement	Reference
Be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary	Section 1.3 and Appendix A.
Include consultation with the relevant agencies	Section 2.2
Assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)	Section 3.1
Review the adequacy of any approved strategies, plans or programs required under these approvals, with particular reference to management practices to ensure that they align with contemporary best practice industry standards	Section 3.2
Recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy, plan or program required under the abovementioned approvals	Section 4

## 3. Audit findings

The Rix's Creek Mine development consents required the audit to:

- Assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals).
- Review the adequacy of any approved strategies, plans or programs required under these approvals, with particular reference to management practices to ensure that they align with contemporary best practice industry standards.
- Recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy, plan or program required under the abovementioned approvals.

The following sections outline the audit's assessment of Rix's Creek North Mine compliance with PA 08\_0102 and EPL 3391.

### 3.1 Environmental performance

A range of positive measures were observed during the audit that demonstrated compliance with many of the requirements of the Project Approval and EPL.

Bloomfield have developed and implemented a predictive modelling tool for assessing the noise, air and blasting impacts of their operations on neighbours. The tool allows them to design blast events and plan site activities based on predicted weather conditions and determine modifications required to minimise impacts on neighbours.

Bloomfield have established a working group with neighbouring mine sites and a cumulative impact protocol to manage the cumulative impacts of the mines in the Singleton region. The mines advise each other of blast events and meet quarterly to discuss challenges they've had with regard to managing air quality, noise and blasting.

Bloomfield are working constructively with tenants and landowners on mine-owned land to provide mitigation where it was requested.

#### 3.1.1 Noise

During the site visit, Bloomfield personnel were forthcoming in producing any evidence requested, and showed that Rix's Creek Mine have exhibited exemplary best practice noise management during the audit period. Of particular note are the following initiatives:

- The EnvMet system which is used to proactively manage noise impacts through predictive meteorological monitoring. The system is used to assist in the placement of mining equipment on a daily basis to decrease the risk of adverse noise impacts due to the meteorological conditions at the time. It is also used to predict favourable blasting conditions.



- Nightly noise monitoring by suitably trained Bloomfield staff to ensure locations predicted to have the greatest noise impact through the EnvMet system are within relevant noise criteria. This nightly noise monitoring program is flexible in that the staff member will prioritise locations or remain in one location if noise levels are elevated. This staff member then communicates back to Rix's Creek on necessary equipment shut offs or relocation to ensure noise levels remain within criteria.
- The noise application developed in consultation with Global Acoustics which can calculate instantaneous low frequency penalties and probabilities of noise enhancing inversion conditions whilst out in the field.

Rix's Creek has also shown good reactive noise management in response to complaints as sited in the Rix's Creek Mine 2020 Complaints Register.

### **3.1.2 Water**

An inspection of the water management system of Rix's Creek North Mine was undertaken 4 November 2020. The findings of the inspection were:

- The physical infrastructure for separation of clean, dirty and mine water was well established and well understood by site personal.
- The separation of clean and dirty water near the workshop area relies on a reinforced concrete box culvert that underlies a clean water diversion.
- The oil and water separator was inspected and appeared in good working order.
- Regular clean and maintenance of build up of coal material was evident.
- Operation of dewatering of sediment dams of the periphery of the open cut area of disturbance water was sighted.
- Management of runoff from areas of progressive rehabilitation, including contour drains was evident.

### **3.1.3 Waste**

Bloomfield have developed a Waste Management System for Rix's Creek Mine, using a similar structure to an environmental management system to provide a framework for waste management across the site. The Waste Management System identifies the types of wastes generated and where they are disposed to. Bloomfield currently engage three waste contractors to fulfill their various waste disposal and recycling requirements; Suez, Toxfree and Simms. Although Bloomfield advised that they have recently put out a tender for one waste management contractor to collect and dispose of all waste streams to try and address some issues with regards to multiple contractors for one service.

The site inspection identified that, while waste is generally segregated and well managed, skip bins for recyclable materials including cardboard or scrap metal were either not being used for the labelled waste type or were contaminated with other waste streams e.g. soft plastics. Both of these issues could result in segregated recyclable materials being disposed of to landfill.

Refer to Appendix E for photo log from site inspections, and Recommendation 4.

Bloomfield import biosolids, mulched vegetation and recycled gypsum plasterboard to site for use in rehabilitation in accordance with EPL 3391 and the material-specific resource recovery exemption. Biosolids and gypsum are used for soil amelioration, while mulch is used for erosion control and moisture retention. Global Renewables are Bloomfield's supplier of biosolids. The application of biosolids (location and application rates) is determined following soil testing at proposed final use location and the chemical composition of the biosolids as per the EPA *Environmental Guidelines: Use and Disposal of Biosolids*.

The 2019 and 2018 Annual Reviews reports on the import and use of these materials. Biosolids have been applied during the audit period however not mulch or gypsum.

The audit did not inspect the biosolids storage area or observe application of biosolids.

### **3.1.4 Chemical storage**

The audit conducted a general review of the storage of chemicals and fuels across RCN. The audit did not assess procedures for handling chemicals, PPE or chemical handling training of personnel.

Bloomfield maintain a subscription to ChemAlert for maintenance of Safety Data Sheets (SDSs). It is available for all staff to access on the Bloomfield intranet. The ChemAlert database does not however provide a hazardous chemicals register specific to RCN operations to record the chemicals and volumes maintained on site as required by the Work Health Safety (WHS) Regulations 2017. The site inspection did not check for hard copy SDSs at the point of storage and use. Bloomfield advised that, where contractors bring new chemicals to site they need to be approved, Bloomfield personnel check the SDS on ChemAlert and assess for suitability to accept.

While the audit did not review training for staff in the use of chemicals, Bloomfield advised that they provide training for site personnel including fire response and use of firefighting foam. Sighted competency in *onsite* training competency register.

During the site inspection, it was generally observed that chemicals were being stored in accordance with the WHS Regulations:

- Bunds were located undercover to prevent filling with rainwater.
- Cabinets were provided for flammable liquids and gases with appropriate safety signage.
- Spill kits and fire protection were provided in all chemical storage areas with appropriate safety signage.
- LPG and other cylinders were being stored securely to protect from damage.
- Bulk diesel storage is bunded and separated from other chemical storage areas.
- A purpose-built bulk lubricant storage facility has been constructed outside the workshop with a lubricant delivery system into the workshop. The facility includes built in bunding, is undercover and includes the appropriate safety signage.

While the majority of chemicals were stored appropriately, a couple of items identified during the site inspection did not comply with WHS Regulations for dangerous goods storage including:

- An IBC was found outside the workshop on bare ground with no bunding and no lid containing small quantity (50 litres) of oil.
- A mobile service trailer was stored in the open on bare ground. The trailer was observed to be rusted with substantial holes in the base and the potential to leak oil across site.
- 44 gallon drums in the CHPP flammable storage container were stacked two high and posed a risk of falling.

- Unlabelled containers were observed across site where chemicals or fuels had been decanted into smaller containers for use. The WHS Regulations requires that all hazardous chemicals are labelled including where they are transferred or decanted from their original container.

Refer to Appendix E for photo log from site inspections.

**Recommendation 1: Decommission the mobile service trailer.**

**Corrective Action 1: Store chemicals and fuels in accordance with the WHS Regulations.**

### 3.1.5 Complaints and Incident Management

The following section provides a summary of incidents and complaints during the audit period.

#### Complaints

A summary of the complaints received at Rix's Creek North Mine is provided in Table 3-1. A review of the complaints records for the audit period demonstrates that Bloomfield actively investigate complaints, implement changes to site operations to alleviate the impact on neighbours or undertake monitoring to assess impact and respond to complainants.

**Table 3-1 Summary of complaints during the audit period**

Type	2018	2019	2020
Blast	5	3	4
Noise	5	2	9
Dust	4	3	3
Water	0	0	0
Lights	0	0	1
Odour	0	0	0
Other	2	0	0
TOTAL	14	8	17 <sup>3</sup>

#### Incidents

There was one reportable incident during the audit period, refer to Appendix D 1, Schedule 5, Condition 8.

### 3.2 Adequacy of strategies/plans/programs

The audit assessed the adequacy of strategies and management plans prepared for Rix's Creek North Mine. Adequacy was determined based on inclusion of content in relevant conditions and the Guideline for Preparation of Environmental Management Plans (DIPNR, 2004), suitability of the plans for the site operations and effectiveness in management environmental impact of the Mine. As DPIE requested noise and water specialists on the audit team, the following plans were reviewed for adequacy and are discussed below:

1. RCM Noise Management Plan, version 1.7, July 2019
2. RCM Water Management Plan, version 1.4, May 2019.

<sup>2</sup> Other was not a complaint type in the 2018 Rix's Creek Mine Complaints Register.

<sup>3</sup> Note that the 2020 Rix's Creek Mine Complaints Register does not distinguish between RCN and RCS complaints. And the register is current to the end of November.

### 3.2.1 Noise

The 2020 Noise Management Plan (NMP) was submitted to the Department on June 2, 2020 however at the time of writing still has not been approved. The 2019 NMP is current and operational until the revised plan has been approved.

The 2019 NMP appears to be adequate for Rix's Creek Mine operations. A few issues were identified with the NMP, as follows:

- Section 5.1 specifies night time compliance monitoring starting from 9 pm. Night time is defined by the Noise Policy for Industry and Condition L3.3 of EPL 3391 as the period between 10 pm and 7 am.
- References to the Industrial Noise Policy (INP) are out of date and should instead refer to the Noise Policy for Industry (NPI).

Refer to Appendix D, EPL Condition M9.1.

### 3.2.2 Water

Bloomfield operate in accordance with the current approved Rix's Creek Mine Water Management Plan (WMP) (version 1.4, May 2019) which was reviewed as part of the audit. The currently approved WMP was generally adequate for and consistent with water management plans for operations of similar scale and nature, with some exceptions as discussed below. These exceptions are all considered low risk, and the site personnel interviewed demonstrated a good understanding these risks:

- Detailed baseline data on surface water flows and quality in creeks. While, the residual risk of surface water impacts for a mature open cut mining operation with mainly in pit dumping is low, the WMP does not include a summary of, or refer to previous assessments of, baseline surface water flow (qualitative description as ephemeral) and water quality.
- Describe the location, function and capacity of erosion and sediment control structures. Figure 1, 2 and 3 of the WMP shows the location of erosion and sediment control structures, however the function of each structure is not clear without further detail of the extent and nature of their contributing catchment, which could also be inferred from contours or shown with shading or flow path arrows. Such conceptual plans are generally found in the water management plans for NSW mining projects.
- Details of security of water supply. While the water security of a mature open cut mining operation, with a large disturbed catchment area, existing in pit water storages and currently relatively low coal production rates, is inherently high, the current approved WMP provides no discussion on the water security of current and future operations. This discussion would be quantified by a summary of water balance predictions, separately required by the consent conditions.

***Corrective Action 2: Update RCM Water Management Plan to address all requirements of Schedule 3, Condition 36.***

## 3.3 Implementation of 2017 IEA Recommendations

The recommendations made in the 2017 Independent Environmental Audit of Rix's Creek North Mine (Umwelt, 2017) and the status of the recommendations as at 4 November 2020 are provided in Table 3-2 below.

**Table 3-2 Follow up on 2017 Audit Findings**

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
<b>PA 08_102</b>		
Schedule 3, Condition 2 Schedule 3, Condition 3 Schedule 3, Condition 4 Schedule 3, Condition 5	Bloomfield either seek to modify the consent to remove the requirement to assess compliance of noise limits over vacant land or approval to complete noise modelling annually to validate noise monitoring results in this regard and report in the annual review or complete modelling as required in response to any complaints received in this regard.	Modification 9 of PA 08_102 included an assessment of noise on 25% of privately owned land. Review of condition concluded that project approval requires that Bloomfield ensure that noise generated by the project does not exceed the criteria at any residence on privately owned land OR on more than 25 percent of any privately owned land. So, if Bloomfield are assessing noise at all residences specified in Condition 2, then they are satisfying the requirements of the condition. Refer to Appendix D.
Schedule 3, Condition 8	Bloomfield should seek to formalise the request of compliance reports from train operators to demonstrate that all locomotives are approved to operate on the NSW rail networks. Bloomfield should confirm with the Department appropriate conditions of RailCorp and ARTC EPL's that should be referenced here and that need to be complied with.	RailCorp and ARTC's EPLs have been modified to remove the requirement to ensure locomotives meet noise goals. Each of the rail haulage provider's now have an EPL and they must comply with their conditions including use of EPA approved locomotives. This recommendation is no longer applicable.
Schedule 3, Condition 10	A formal protocol should be developed in consultation with the owners of the nearby mines as required and that it be included in the noise management plan for the Departments approval.	Bloomfield have developed a protocol for management of cumulative impacts with the neighbouring mines as per Condition 10. Refer to Appendix D.

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
Schedule 3, Condition 16 Schedule 3, Condition 27 Schedule 3, Condition 40	Bloomfield should follow up with the Department the status of the management plans that have been submitted for approval under these conditions.	The management plans referred to in the 2017 audit have since been approved by the Department as reported in Bloomfield's response to the Auditor's Recommendations from the 2017 audit.
Schedule 3, Condition 19	A formal protocol should be developed in consultation with the owners of the nearby mines as required and that it be included in the blast management plan for the Departments approval.	Bloomfield have developed a protocol for management of cumulative impacts with the neighbouring mines as per Condition 19. Refer to Appendix D.
Schedule 3, Condition 22 Schedule 3, Condition 23	Bloomfield either seek to modify the consent to remove the requirement to assess compliance of air quality criteria over vacant land or seek approval from the Department to complete air modelling annually to validate monitoring results in this regard and report in the annual review or complete modelling as required in response to any complaints received in this regard.	Modification 9 of PA 08_102 included an assessment of air quality impact on 25% of privately owned land. This assessment was completed while the mine was at full production. Review of condition concluded that project approval requires that Bloomfield ensure that air quality impacts generated by the project does not exceed the criteria at any residence on privately owned land OR on more than 25 percent of any privately owned land. So, if Bloomfield are assessing air quality at all residences specified in Condition 2, then they are satisfying the requirements of the condition. Refer to Appendix D.
Schedule 3, Condition 27	A formal protocol should be developed in consultation with the owners of the nearby mines as required and that it be included in the AQGGMP management plan for the Departments approval.	Bloomfield have developed a protocol for management of cumulative impacts with the neighbouring mines as per Condition 27. Refer to Appendix D.

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
Schedule 3, Condition 33	A review of the water management system, monitoring requirements and procedures should be completed with key findings used to update the water management plan for the Department's approval.	<p>A new draft Water Management Plan for Rix's Creek Mine has been prepared following commencement of development under SSD 6300 for Rix's Creek South Mine.</p> <p>No surface water discharges from the site have occurred in the audit period.</p> <p>Refer to Section 3.2.2.</p>
Schedule 3, Condition 36	Detailed erosion and sediment control plans should be reviewed and updated to provide a consistent and coordinated approach and that these are included in the water management plan.	<p>A new draft Water Management Plan for Rix's Creek Mine has been prepared following commencement of development under SSD 6300 for Rix's Creek South Mine.</p> <p>Refer to Section 3.2.2.</p>
Schedule 3, Condition 36	The water management plan should be updated to include specific trigger levels for water quality as required by this condition.	<p>A new draft Water Management Plan for Rix's Creek Mine has been prepared following commencement of development under SSD 6300 for Rix's Creek South Mine. The draft WMP includes reference to specific trigger levels for surface water quality as the 100th percentile limit stipulated in the ANZECC (2000) limit for irrigation guidelines.</p>
Schedule 3, Condition 37	It is recommended that the Martins Creek Biodiversity Offset Area be confirmed by a surveyor and if it is below the minimum size advice should be sought from the Department as to whether the area needs to be increased or if any further offsetting arrangements are required to address this condition.	<p>The current approved Biodiversity Management Plan states that the Martins Creek Biodiversity Offset Area does achieve the minimum size advice in Condition 37.</p> <p>Refer to Appendix D.</p>
Schedule 3, Condition 40	Update the Biodiversity Management Plan to include the following: 1. Specific mention of introducing naturally scarce elements	<p>1. Section 2.6.11 of the Biodiversity Management Plan includes a number of actions to enhance structural</p>

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
	<ol style="list-style-type: none"> <li>2. Specific reference in Section 2.6.8 as to how the measure included will manage salinity</li> <li>3. Measures to specifically address the reuse of topsoil</li> <li>4. A section on pre-clearance surveys and the method</li> <li>5. A section on how visual impacts will be minimised.</li> </ol>	<p>diversity and shelter of biodiversity offset areas to enhance habitat for local fauna which the audit considers to be introducing naturally scarce elements.</p> <p>2. While Section 2.6.8 of the Biodiversity Management Plan does not specifically mention that erosion, sediment and soil management measures are designed to manage salinity, it is evident that this is the case.</p> <p>3. The Biodiversity Management Plan includes biannual monitoring and focus on direct seeding to minimise ground impacts during revegetation works. Bloomfield advised that topsoil is not imported for revegetation works.</p> <p>4. The purpose of the Biodiversity Management Plan is to outline the management arrangements for biodiversity offset areas on site and how management of these areas will integrate with rehabilitation activities. Given this, a pre-clearance survey procedure is not relevant to activities in the biodiversity offset areas as clearing of vegetation in these areas is likely to be restricted to invasive species. However Section 2.6.4 of the Biodiversity Management Plan states that ‘any works undertaken on site that require the clearing of vegetation...will be undertaken in accordance with the site <i>Land Disturbance Management Procedure</i>’.</p> <p>5. Bloomfield advised that there was a wall installed to screen views of road users of the mine as part of the original Integra Project consent in 2010. A visual wall</p>



Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
		assessment was conducted to show that the wall could come down as the trees behind it were established. This requirement does not however relate to the biodiversity offset areas as none of these are in the line of site of residences.
Schedule 3, Condition 44	Incorrect reference to Project Approval Condition – Management Plan states this as Schedule 3, Condition 47 (actually 44) During the next revision of the HMP that this error should be corrected.	The new draft Heritage Management Plan is currently with the DPIE for approval.
Schedule 3, Condition 46	Include a lighting component in an appropriate site management plan and ensure that procurement of all lighting for site complies with this standard.	The Mining Operations Plan (MOP) includes reference to lighting and AS4282. Bloomfield provided evidence of various communications with Rix’s Creek Mine staff regarding the requirement for external lighting to comply with AS4282.
Schedule 3, Condition 52	Include all Rehabilitation Objectives from Table 15 in the rehabilitation management plan as required by this condition.	The current approved MOP includes the rehabilitation objectives from Table 15.
Schedule 5, Condition 5	A process of regular review and revision of management plans should be established to confirm compliance with this condition.	Bloomfield advised that the document management system includes an automated reminder for annual reviews of management plans and procedures. Sighted M-Files document assignment for Chris Knight review of Land Disturbance Management Procedure.
Schedule 5, Condition 10	A formal or methodical review of compliance under this project approval should be completed each year in the Annual Reviews.	The Annual Review template now has a compliance section that includes review of compliance. Refer to Appendix D.
Schedule 5, Condition 13	Provide a link to CCC meeting minutes and Annual Reviews on the Rix’s Creek North website and update website to explain that the two sites are operated together but under separate consents.	This recommendation has been completed. CCC minutes and Annual Reviews are on the Rix’s Creek website.

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
Schedule 5, Condition 13	The 2014 Independent Audit of Rix's Creek North and response to recommendations should be uploaded to the Rix's Creek North website.	This recommendation has been completed. Response to auditors' recommendations for previous audits is on the Rix's Creek website.
<b>Statement of Commitments</b>		
SoC B2, SoC B4, SoC B11	<p>Update the rehabilitation management plan in the MOP to include discussion on:</p> <ul style="list-style-type: none"> <li>• Material will not be stripped in either extremely wet or dry conditions</li> <li>• Tracking over previously laid soil will be avoided to minimise compression effects</li> <li>• An inventory of available soil will be maintained to ensure adequate topsoil materials are available for planned rehabilitation activities.</li> </ul>	<p>A review of the Permit to Disturb and the Land Disturbance Management Procedure identified that neither include protocols for topsoil stripping. Bloomfield advised that the Land Disturbance Management Procedure is currently due for review, sighted M-Files document assignment to Chris Knight for review. Bloomfield advised that the procedure that would be used was to not strip in wet conditions and in dry conditions to manage dust with water carts. Mapping of RCM highlights no-go zone in red. This is highlighted in new starter/contractor inductions. Driving over previously rehabilitated areas is prohibited without an approved Permit to Disturb and assessment by Environment Team.</p> <p>A topsoil inventory is maintained in GIS, including volumes. This is updated annually. Sighted Camberwell Pit Topsoil and Subsoil Plan 2020 and Falbrook Pit Topsoil and Subsoil Plan 2020. Surveyors come to site once material is taken from an area to recalculate available volumes.</p> <p><b><i>Recommendation 2: Update Land Disturbance Management Procedure to include protocols for topsoil stripping.</i></b></p>

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
SoC C5	The rehabilitation management plan and or biodiversity management plan should be updated to detail how rehabilitation of groundwater dependent ecosystems will be undertaken. This update should include trigger thresholds for the groundwater management response.	Groundwater dependent ecosystems are addressed in the Water Management Plan. This recommendation is no longer applicable.
SoC C11	At next opportunity change commitment to 'Bloomfield' instead of 'ICO' in condition.	There have not been any changes to the statement of commitments since the previous audit.
SoC D5	At next opportunity liaise with the Department to remove portal sump from commitment as this is located at Integra Underground.	There have not been any changes to the statement of commitments since the previous audit.
SoC D7	Update the Erosion Sediment Control Plans to capture the commitment that If the weather outlook indicates future significant rainfall, water will be pumped out of any dirty water storage (with the potential to discharge offsite) that is within 100 mm of spilling, provided that a suitable alternative storage location is available elsewhere on the site.	The current approved Water Management Plan has committed to Landcom (2004), which requires dirty water storages to be dewatered within five days following rainfall. This condition is more stringent than the SoC condition therefore it is the auditors opinion that this recommendation is no longer applicable.
SoC H13 SoC H14	Include locations of new TEOMs (including the NW TEOM) in regards to the vicinity of residences listed under these SOCs in the AQGGMP	A new draft Air Quality and Greenhouse Gas Management Plan is currently with the DPIE for approval.

### 3.4 Assessment of compliance

A summary of compliance with the conditions of PA 08\_0102 and EPL 3391 is provided in Table 3-3. A summary of the identified non-compliances is provided in Table 3-4.

**Table 3-3 Summary of compliance**

Compliance	Details	Compliance status
Compliant	Full compliance with the requirements of the condition	122
Non-compliant	Does not meet the main requirements of the condition	5
Administrative non-compliance	Technical non-compliance with a regulatory approval that does not impact on performance and is considered minor in nature	1
Not verified	Compliance could not be determined at the time of the audit due to lack of data, information or inaccessibility at the time of the audit	3
Not triggered	Condition was not applicable at the time of audit	37
Note	A statement or fact, where no assessment of compliance is required.	18
Total number of conditions assessed	-	186

**Table 3-4 Summary of non-compliance**

Non-compliance	Details	Risk rating
Development consent, Schedule 3, Condition 36	The RCM Water Management Plan generally addressed the requirements of Condition 36, however it does not include: <ul style="list-style-type: none"> <li>• Discussion on water security of the site under a range of potential future rainfall conditions</li> <li>• Clear description of the location or function of the erosion and sediment control structures</li> <li>• Detailed baseline data of the surface flows and water quality in creeks.</li> </ul>	Low
Development consent, Schedule 5, Condition 2	Management plans prepared by Bloomfield under MP 08_0102 generally meets the requirements of Condition 2. However, the biodiversity management plan does not include management of incidents, complaints, exceedances and non-compliances.	Administrative
EPL, Condition M2.1	Bloomfield did not monitor as required by Condition M2.1 for all monitoring locations at the required frequency due to downtime in equipment or lack of flow in waterways. Sighted non-compliances reported in EPL 3391 Annual Return 2020. Refer to conditions M2.2 and M2.3.	Low

Non-compliance	Details	Risk rating
EPL, Condition M2.2	Bloomfield did not collect air quality samples at the frequency specified by Condition M2.2. Non-compliances are noted to have been related to software issues or downtime for maintenance. Non-compliances were reported to the EPA.	Low
EPL, Condition M2.3	Bloomfield did not collect water quality samples at all monitoring locations at the frequency specified in Condition M2.3. The surface water quality monitoring locations are located on ephemeral streams, and water quality samples are collected when flowing water is present. Non-compliances are noted to have been related to software issues or downtime for maintenance. Non-compliances were reported to the EPA.	Low
EPL, Condition M9.1	Bloomfield did not conduct noise monitoring within the relevant time periods as specified by EPL Condition L3.3. Monthly noise monitoring reports by SLR show monitoring was undertaken at a minimum of six locations on a monthly basis, however night-time noise monitoring was often undertaken during the evening period as defined by the Noise Policy for Industry 2017, with no reference to any agreement with the EPA allowing this.	Low
EPL, Condition R2.2	Bloomfield provided written details to the EPA within seven days of becoming aware of an incident, but not within seven days from which the incident occurred as there was a delay between the date of the low frequency noise exceedance and the consultant notifying Bloomfield.	Administrative
EPL, Condition R5.8	Bloomfield provide a summary of the water quality monitoring program for the reporting period April to March in a tabular form. The water quality monitoring report however does not address all requirements of Condition R5.8 as it does not include: <ul style="list-style-type: none"> <li>• Graphs of water quality monitoring results for the current and previous reporting period or total daily continuous rainfall</li> <li>• A plan showing the location of monitoring points.</li> </ul>	Administrative

### 3.4.1 Compliance with Mining and Coal Leases

Rix's Creek North Mine operates in accordance with the following coal and mining leases:

- Coal lease 357
- Mining lease 1630
- Mining lease 1648
- Mining lease 1649
- Mining lease 1650
- Mining lease 1651

- Mining lease 1725.

These leases require Bloomfield include conditions related to environmental performance as outlined in Table 3-5.

**Table 3-5 Coal and mining lease conditions**

Condition	Where addressed in report
Notice to landholders	Refer to Appendix D 1 Schedule 4, Condition 1-3
Environmental harm	Refer to Appendix D 1 and Appendix D 2 Condition R2,
Mining operations plan	Refer to Appendix D 1 Schedule 3, Conditions 51-54
Annual environmental management report	Refer to Appendix D 1 Schedule 5, Condition 10
Environmental incident report	Refer to Appendix D 2, Condition R2
Additional environmental reports	Refer to Appendix D 1 Schedule 2, Condition 5 and Appendix D 2, Condition R3
Rehabilitation	Refer to Appendix D 1 Schedule 3, Conditions 51-54
Subsidence management	Not triggered. There are no underground operations at Rix's Creek North Mine.
Working requirement	Outside the scope of this audit
Blasting	Refer to Appendix D 1 Schedule 3, Conditions 11-19
Safety	Outside the scope of this audit
Prevention of soil erosion and pollution	Refer to Appendix D 1 Schedule 3, Condition 36 and Appendix D 2, Condition R4
Transmission lines, communication lines and pipelines	Refer to Appendix D 1 Schedule 2, Condition 15
Roads and tracks	Refer to Appendix D 1 Schedule 2, Condition 15
Trees and vegetation	Refer to Appendix D 1, Schedule 2, Conditions 10 and 26
Resource recovery	Not triggered during the audit period. Bloomfield have not had any direction from the Director-General to recover minerals deemed recoverable but not being extracted.
Indemnity	Not assessed as part of this audit
Single security	Not assessed as part of this audit
Prescribed dam	Not assessed as part of this audit
Suspension of mining operations	Not triggered. Mining operations at RCN are ongoing.
Cooperation agreement	Refer to Appendix D 1, Schedule 4, Conditions 1-3
Barriers	Not triggered. There are not underground mining operations at RCN during the audit period.

## 4. Recommendations

Detailed audit findings are presented in Appendix D. Section 4.1 summarises the corrective actions and recommendations of the audits.

### 4.1 Corrective actions

Corrective actions are required to correct matters of compliance identified by the audit. The review of compliance with PA 08\_0102 and EPL 3391 identified eight non-compliances. Corrective actions to address these non-compliances are summarised in Table 4-1.

**Table 4-1 Summary of corrective actions**

Reference No.	Condition	Corrective Action
CA1	Environmental performance	Store chemicals and fuels in accordance with the WHS Regulations.
CA2	Environmental performance Development consent, Schedule 3, Condition 36	Update RCM Water Management Plan to address all requirements of Schedule 3, Condition 36.
CA3	Development consent, Schedule 5, Condition 2	Update Biodiversity Management Plan to include reference to the procedures for management of incidents, complaints, exceedances and non-compliances in the Environmental Management Strategy.
CA4	EPL, Condition M9.1	Update the Noise Management Plan night-time monitoring period to comply with Condition L3.3 and M9.1.
CA5	EPL, Condition R5.8	Ensure the 2020/21 Annual Water Quality Monitoring Report includes graphical presentation of results, rainfall data and a plan of the monitoring locations.

### 4.2 Recommendations

Recommendations seek to address matters of concern raised by agencies, matters that may lead to a non-compliance or where elements of the proponent's systems and plans were not found to be effective. The recommendations identified during the audit are summarised in Table 4-2.

**Table 4-2 Summary of recommendations**

s	Condition	Recommendations
R1	Environmental performance	Decommission the mobile service trailer.
R2	2017 audit findings SoC Conditions B2, B4 and B11	Update Land Disturbance Management Procedure to include protocols for topsoil stripping.
R3	Development consent, Schedule 3, Condition 9	Acoustic consultant to recommend mitigation measures for equipment exceeding sound power limits.
R4	Development consent, Schedule 3, Condition 25	Provide a better website address in future letters to tenants to assist with locating the particulate matter monitoring data.
R5	Development consent, Schedule 3, Condition 48	Reinforce importance of waste segregation with operational personnel in workshop and stores.
R6	EPL, Condition L3.7	Acoustic consultant to update monthly reports to reflect updated condition L3.7 referencing the Noise Policy for Industry (2017) in lieu of the Industrial Noise Policy.



# Appendices

# **Appendix A** – Approval of Audit Team



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

Attention: Chris Knight, Environment Manager  
By Email ONLY: [cknight@bloomcoll.com.au](mailto:cknight@bloomcoll.com.au)

11/09/2020

Dear Mr Knight

**RIX'S CREEK NORTH MINE (MP 08\_0102)  
INDEPENDENT ENVIRONMENTAL AUDIT 2021**

Reference is made to correspondence from Bloomfield Collieries Pty Ltd (Bloomfield) dated 3 September 2020 seeking endorsement of the proposed audit team for the upcoming Independent Environmental Audit (IEA) required by Schedule 5, Condition 11 of project approval MP 08\_0102 (the approval) for the Rix's Creek North Mine (the site).

The Secretary has considered Bloomfield's request and endorses the following audit team from GHD for the 2021 IEA:

- Ms Demelza Scott – Lead auditor;
- Mr Tyler Tinkler – Water specialist;
- Ms Evelyn Potoczny – Noise specialist; and
- Ms Grace Rogers – Assistant auditor.

The IEA is to be conducted in accordance with the conditions of the approval, and the Department's *Independent Audit Guideline* (October 2015).

As previously advised, Bloomfield may undertake the three IEAs concurrently, and a combined audit report may be submitted for Rixs Creek North (MP 08\_0102) and Rixs Creek South (DA 49/94 and SSD 6300). If Bloomfield take this approach, the IEA period end date will be the same for all three audits and the following audit periods will apply:

- DA 49/94 - 2 November 2019 to the date of surrender of DA 49/94 (no later than 24 February 2021);
- SSD 6300 – 24 February 2020 to the date of surrender of DA 49/94 (no later than 24 February 2021); and
- MP 08\_0102 – 28 October 2017 to the date of surrender of DA 49/94 (no later than 24 February 2021).

The IEA audit inspection date shall coincide with the end of the audit period.

The IEA report together with responses to any recommendations (RAR) contained in the IEA report, and proposed completion dates (DD/MM/YYYY) for actions to be implemented, should be submitted via the Department's Major Projects website within 12 weeks of commencing the IEA.

If you wish to discuss the matter further, please contact Ann Hagerthy, Senior Compliance Officer, on 02 6575 3407 or email to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink that reads "H Watters". The signature is written in a cursive, flowing style.

Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary

# **Appendix B** – Agency Consultation



14 October 2020

Our ref: 12537545-37812-50

NSW Department of Planning, Industry and Environment  
(Division of Resources and Geosciences)  
Email: [assessment.coordination@planning.nsw.gov.au](mailto:assessment.coordination@planning.nsw.gov.au)

To Whom It May Concern,

### **Rix's Creek Mine Independent Environmental Audit 2020 Request for Comment**

GHD Pty Ltd (GHD) has been engaged by Bloomfield Collieries Pty Limited (Bloomfield Group) to undertake an independent environmental audit of the Rix's Creek North Mine in accordance with its Development Consent granted by the Department of Planning, Industry and Environment (MP 08\_102). The scope of the Audit is to:

- Assess the environmental performance of the project
- Assess whether it is complying with the requirements in the consent, EPL or other (including any assessment, plan or program required under these approvals)
- review the adequacy of strategies, plans or programs required under the abovementioned consents, and
- recommend appropriate measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents.

Bloomfield Group have a number of auditable obligations to the Department of Planning, Industry and Environment (Division of Resources and Geosciences) (DPIE – DRG) under the Development Consent (attached) and Environment Protection Licence 3391. I am writing to you to invite comment from the DPIE – DRG in regard to these obligations.

It would be appreciated if you could provide your comments in regard to the performance of Bloomfield Group in meeting these obligations under the following headings:

- Compliance with requirements
- Progress to meeting requirements
- Details of incidents of non-compliance
- Adequacy of actions taken
- Adequacy of the requirements of the licence.

I also invite you to comment on Bloomfield Group's performance with other requirements, as you may deem appropriate.

The site visit for the audit is scheduled to be conducted on the week of 2 November 2020. We wish to invite you to participate in a short teleconference prior to the audit in the week of 26 October 2020 to provide your feedback on Bloomfield Groups' compliance/performance so that we may adequately address any concerns during the audit.

Upon receipt of this letter, please advise GHD of the primary contact within your organisation that will be coordinating this request. It would be appreciated if you could submit your written comments by Wednesday 28 October 2020.

All correspondence in relation to this matter should be directed to Demelza Scott, GHD Lead Auditor on 02 6393 6410 or [demelza.scott@ghd.com](mailto:demelza.scott@ghd.com) .

Kind regards



**Demelza Scott**

Lead Environmental Auditor  
Senior Environmental Scientist  
+61 2 63936410

Attachment: Development Consent conditions relevant to DPIE – DRG

## Attachment – Development Consent conditions relevant to DPIE – DRG

<b>MP 08_102</b>	
<b>Schedule 3</b>	
<b>Ref.</b>	<b>Condition</b>
36	<p><b>Water Management Plan</b></p> <p>The Proponent must prepare a Water Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH, EPA, DRG and Council, and be endorsed by DoL-L&amp;W and then submitted to the Secretary for approval;</p> <p>(b) include detailed performance criteria and describe measures to ensure that the Proponent complies with the Water Management Performance Measures (see Table 13);</p> <p>(c) include a Site Water Balance, which must include details of:</p> <ul style="list-style-type: none"> <li>• sources and security of water supply;</li> <li>• water use on site;</li> <li>• water management on site;</li> <li>• any off-site water transfers, and</li> <li>• describe what measures would be implemented to minimise clean water use on site.</li> </ul> <p>(d) include an Erosion and Sediment Control Plan, which must:</p> <ul style="list-style-type: none"> <li>• identify activities that could cause soil erosion and generate sediment;</li> <li>• describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;</li> <li>• describe the location, function and capacity of erosion and sediment control structures and flood management structures; and</li> <li>• describe what measures would be implemented to maintain the structures over time;</li> </ul> <p>(e) include a Surface Water Management Plan, which must include:</p> <ul style="list-style-type: none"> <li>• detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project;</li> <li>• surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts from the project (for existing creeks and reinstated/rehabilitated creeks);</li> <li>• a program to monitor and assess: <ul style="list-style-type: none"> <li>– surface water flows and quality;</li> </ul> </li> </ul>



<b>MP 08_102</b>	
<b>Schedule 3</b>	
<b>Ref.</b>	<b>Condition</b>
	<ul style="list-style-type: none"> <li>– impacts on water users;</li> <li>– stream health; and</li> <li>– channel stability.</li> </ul> <p>(f) Include a Groundwater Management Plan, which must include:</p> <ul style="list-style-type: none"> <li>• detailed baseline data of groundwater levels, yield and quality in the region, particularly for privately-owned groundwater bores that could be affected by the project;</li> <li>• groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater water impacts; and a program to monitor and assess: <ul style="list-style-type: none"> <li>– groundwater inflows to the mining operations;</li> <li>– impacts on regional aquifers;</li> <li>– impacts on the groundwater supply of potentially affected landowners;</li> <li>– impacts on the Glennies Creek and Station Creek; and</li> <li>– impacts on groundwater dependent ecosystems and riparian vegetation;</li> </ul> </li> </ul> <p>(g) a Surface and Groundwater Response Plan, which must include:</p> <ul style="list-style-type: none"> <li>• a response protocol for any exceedances of the surface water and groundwater assessment criteria, including provisions for independent investigation by a suitable qualified hydrogeologist whose appointment has been approved by the Secretary;</li> <li>• measures to offset the loss of any baseflow to watercourses caused by the project;</li> <li>• measures to compensate landowners of privately-owned land whose water supply is adversely affected by the project; and measures to mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation.</li> </ul> <p>The Proponent must implement the management plan as approved by the Secretary.</p>
52	<p><b>Rehabilitation Management Plan</b></p> <p>The Proponent must prepare a Rehabilitation Management Plan for the project to the satisfaction of DRG. This plan must:</p> <p>(a) be prepared in consultation with the Department, OEH, DoI-L&amp;W, Council and the CCC;</p> <p>(b) be submitted to the DRG for approval within 3 months of approval of MOD 8;</p> <p>(c) be prepared in accordance with any relevant DRG guideline, and be consistent with the rehabilitation objectives in Table 15 and be generally consistent with the rehabilitation strategy described in the documents referred to in condition 2 of Schedule 2;</p>

<b>MP 08_102</b>	
<b>Schedule 3</b>	
<b>Ref.</b>	<b>Condition</b>
	<p>(d) identify and describe all mining and rehabilitation domains, and include detailed performance and completion criteria for each domain and triggers for remedial actions;</p> <p>(e) describe the measures to be implemented on the site to comply with the criteria in paragraph (d) and address all aspects of rehabilitation including mine closure, final landform (including final voids), postmining land uses and water management in the final landform;</p> <p>(f) include detailed mine plans and scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next three years, or other suitable time period as agreed with DRG;</p> <p>(g) describe how rehabilitation will be integrated with Rix's Creek South;</p> <p>(h) include procedures for the reasonable use of interim stabilisation and temporary vegetation strategies to minimise the area exposed for dust generation; and</p> <p>(i) include a program to monitor, independently audit and report on progress against the criteria in paragraph (d) and the effectiveness of the measures in paragraph (e).</p> <p>The Proponent must implement the management plan as approved by the Secretary</p>
54	Rehabilitation of all areas disturbed by the exploration drilling program is to be undertaken in accordance with an approved Mining Operations Plan / Rehabilitation Management Plan, to the satisfaction of DRG.
C2	<p><b>Groundwater</b></p> <p>All results will be reviewed and updated monitoring and remediation plans will be developed as required in consultation with DoI-L&amp;W, DRG and OEH.</p>

AREQ0013120

Ms Demelza Scott  
GHD  
270 Summer Street  
Orange NSW 2800  
By email: demelza.scott@ghd.com

Dear Ms Scott

**Subject: Rixs Creek North Mine – Independent Environmental Audit**

Thank you for your email and letter dated 14 October 2020 requesting consultation on the independent audit to be undertaken of the Rixs Creek North Mine.

The Rixs Creek Mine is covered by the titles listed below.

- CL352 (1973)
- CL357 (1973)
- ML1432 (1992)
- ML1630 (1992)
- ML1648 (1992)
- ML1649 (1992)
- ML1650 (1992)
- ML1651 (1992)
- ML1725 (1992)

The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.

- Review relevant mining leases and exploration licences as agreed with Resources Regulator;
- Undertake an assessment of compliance against the conditions of title related to environmental management;
- 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;
- Undertake a critical review of the MOP, including an assessment of its compatibility 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);

**NSW Resources Regulator**

516 High Street Maitland NSW 2320 | PO Box 344 HRMC NSW 2310 | Tel: 1300 814 609 |  
[resourcesregulator.nsw.gov.au](http://resourcesregulator.nsw.gov.au)

- 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;
- Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records;
- Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation;
- 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;
- Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and
- 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 outcomes.
- Review progress of the development of a specific rehabilitation risk assessment to identify the range of risks and associated controls throughout the life of mine to achieve sustainable rehabilitation outcomes.

In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.

Yours sincerely

**Jenny Ehmsen**  
Principal Compliance Auditor

16 October 2020



DOC20/852159-1, EF13/3519

GHD

By email: demelza.scott@ghd.com

16 October 2020

Attention: Demelza Scott

Dear Ms / Mr Scott

### **Rixs Creek North and South – Independent Environmental Audit**

I refer to your letters dated 14 October 2020 regarding input to the Independent Environmental Audit of Rixs Creek Mine North and South near Singleton.

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 require any further information regarding this matter please me on (02) 4908 6833.

Yours sincerely

**NATASHA RYAN**  
**Regulatory Operations Officer**

**From:** [Scott Anson](#)  
**To:** [Demelza Scott](#)  
**Cc:** [DRG RO Assessment Coordination Mailbox](#); [Leanne O'Brien](#); [Kisani Nicholson](#)  
**Subject:** GHD request for comment - Rix's Creek Mine Audits  
**Date:** Tuesday, 3 November 2020 9:33:24 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image007.jpg](#)  
[Rixs Creek North Mine DRG-Request for comment.pdf](#)

---

Hi Demelza

GHD's request has been referred to the relevant units within MEG. I advise that MEG has no comments to make in relation to the Rix's Creek Mine Audit and does not need to attend the site inspection the week beginning 2 November 2020.

MEG notes that matters identified in your letter are considerations for the NSW Resources Regulator.

MEG has previously forwarded this correspondence to the Regulator for attention and understands that the Regulator is liaising with GHD.

If you have any question please contact me on the details below.

Thank you and regards  
Scott

**Scott Anson**  
**Manager Assessment Coordination**

Mining, Exploration and Geoscience | Department of Regional NSW  
**T** 02 4063 6972 | **M** 0499 944 780 | **E** [scott.anson@planning.nsw.gov.au](mailto:scott.anson@planning.nsw.gov.au)  
516 High Street Maitland NSW 2320 | PO Box 344 HRMC NSW 2310  
[nsw.gov.au/regionalnsw](http://nsw.gov.au/regionalnsw)



*The Department of Regional New South Wales acknowledges that it stands on Country which always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.*

Assessment Coordination Unit: 02 4063 6534 or [assessment.coordination@planning.nsw.gov.au](mailto:assessment.coordination@planning.nsw.gov.au)

---

**From:** Kisani Nicholson <[Kisani.Nicholson@ghd.com](mailto:Kisani.Nicholson@ghd.com)>  
**Sent:** Thursday, 15 October 2020 2:03 PM  
**To:** DRG RO Assessment Coordination Mailbox <[assessment.coordination@planning.nsw.gov.au](mailto:assessment.coordination@planning.nsw.gov.au)>  
**Cc:** Demelza Scott <[Demelza.Scott@ghd.com](mailto:Demelza.Scott@ghd.com)>  
**Subject:** Request for comment - Rix's Creek Mine Audits

To Whom It May Concern

GHD have been appointed as the auditor to conduct an Independent Environmental Audit of the Rix's Creek north mines. We are writing to seek input from DPIE DRG into the preparation of the audit. See attached letter.

Please feel free to pass this onto the most appropriate person in your organisation to respond. If you have any questions, please feel free to contact Demelza Scott on 02 6393 6410 or [demelza.scott@ghd.com](mailto:demelza.scott@ghd.com) if you have queries regarding this request.

Many thanks.

Kind regards,

**Kisani Nicholson**  
**Team Administrator**

**GHD**

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**From:** [Lisa Andrews](#)  
**To:** [Demelza Scott](#)  
**Cc:** [Kisani Nicholson](#)  
**Subject:** Re: Request for information - Rix's Creek Mine Audits  
**Date:** Wednesday, 28 October 2020 2:52:03 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Further to the email of 15 October 2020, I have received the following request from one of the community representatives for inclusion (if appropriate) in the Independent Environment Audit:

*In relation to Rix's creek North.*

1. *height of the overburden dumps to the consent conditions*
2. *water management- especially related to no discharge from site*
3. *Biodiversity management- relates audits of the said land to consent conditions specified*
4. *land disturbance as per consent conditions- audits, relates to mining outside boundaries*
5. *Rehabilitation classification as per consent condition*

*In relation to Rix's creek South*

1. *Biodiversity management- relates audits of the said land to consent conditions specified*
2. *land disturbance as per consent conditions- audits, relates to mining outside boundaries*
3. *Height of overburden areas as per consent condition*
4. *Rehabilitation classification as per consent condition*

In terms of my comments as Independent Chairperson of the project's Community Consultative Committee (CCC), I advise:

- The CCC meets on a bi-annual basis (May & October). Extra-ordinary meetings are convened if necessary.

The committee receives a comprehensive presentation from staff including, but not limited to:

- Proposed Modifications and updates on modifications currently being assessed by DPIE
- Monitoring and Environmental Performance (including, noise, blasting and air quality)
- Community Complaints and Responses
- Pest Management
- Weed Management
- Biodiversity Offsets
- Water Management
- Rehabilitation
- Mine Tours undertaken on site by school/community groups



## Community Sponsorship Programs

- The Bloomfield Foundation

In terms of feedback, I advise:

- The company (Bloomfield) is very committed to its complaint's process. If received, it takes all complaints very seriously, investigates, mitigates and responds, with outcomes to the complainant. The results are then reported back to the CCC.
- The company employs a dedicated officer to monitor noise and mitigate issues at night, based on operational activities and weather conditions to avoid impacting on neighbours.
- The company is very proactive in predicting possible dust issues from strong winds. Predictive tools are used to model potential issues and appropriate mitigation instigated.
- The Bloomfield Foundation is a well respected and important organisation providing funding to charitable organisations in the area. This goes well above and beyond the company's sponsorship program and the projects' conditions of consent.

I would be happy to discuss any of these matters further, should you require any further information.

Regards  
Lisa

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



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On Thu, Oct 15, 2020 at 1:29 PM Kisani Nicholson <[Kisani.Nicholson@ghd.com](mailto:Kisani.Nicholson@ghd.com)> wrote:

Dear Lisa

GHD have been appointed as the auditor to conduct an Independent Environmental Audit of the Rix's Creek north and south mines. We are writing to seek input from the Community Consultative Committee into the preparation of the audit. See attached letter.

Please feel free to pass this onto the most appropriate person in your organisation to respond. If you have any questions, please feel free to contact Demelza Scott on 02 6393 6410 or [demelza.scott@ghd.com](mailto:demelza.scott@ghd.com) if you have queries regarding this request.

Kind regards,

**Kisani Nicholson**  
Team Administrator

**GHD**

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T: +61 2 6393 6400 | E: [kisani.nicholson@ghd.com](mailto:kisani.nicholson@ghd.com)

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**From:** [Steven Cox](#)  
**To:** [Kisani Nicholson](#)  
**Cc:** [Demelza Scott](#)  
**Subject:** RE: Request for Comment - Rix's Creek Mine Audits (NORTH Mine)  
**Date:** Thursday, 15 October 2020 3:07:18 PM  
**Attachments:** [image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.jpg](#)  
[image001.jpg](#)

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Hi Kisani,

I was a bit lazy in not referring you to our regional mailbox for the earlier audit request. But since there is more than one, can you please resend the Rix's Creek request and any future requests for advice to [rog.hcc@environment.nsw.gov.au](mailto:rog.hcc@environment.nsw.gov.au) rather than directly to individual team members or me. Such emails will be saved in our document management system (and documents from file transfer websites will be downloaded) and will be forwarded to me within 24 hrs. If I'm on leave they will go to the Acting Team Leader (so they can't be missed or lost if someone is away).

Sorry to be a pain.

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](mailto:steven.cox@environment.nsw.gov.au)  
Level 4/26, Honeysuckle Drive Newcastle NSW 2309  
Locked Bag 1002, Dangar NSW 2309  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

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---

**From:** Kisani Nicholson <Kisani.Nicholson@ghd.com>

**Sent:** Thursday, 15 October 2020 2:42 PM

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

**Cc:** Demelza Scott <Demelza.Scott@ghd.com>

**Subject:** RE: Request for Comment - Rix's Creek Mine Audits (NORTH Mine)

Hi Steven

Thank you so much for your quick response. We also have a similar Request for Comment for the North Mine, please find attached.

Many thanks.

Kind regards,

**Kisani Nicholson**  
**Team Administrator**

**GHD**

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T: +61 2 6393 6400 | E: [kisani.nicholson@ghd.com](mailto:kisani.nicholson@ghd.com)

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

**Sent:** Thursday, 15 October 2020 2:22 PM

**To:** Kisani Nicholson <[Kisani.Nicholson@ghd.com](mailto:Kisani.Nicholson@ghd.com)>

**Cc:** Demelza Scott <[Demelza.Scott@ghd.com](mailto:Demelza.Scott@ghd.com)>

**Subject:** RE: Request for Comment - Rix's Creek Mine Audits

Hi Kisani,

Thank you for the opportunity to provide input into the audit process, however in this case we don't have any specific concerns to raise for the audit.

Good luck with the audit.

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](mailto:steven.cox@environment.nsw.gov.au)

Level 4/26, Honeysuckle Drive Newcastle NSW 2309

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---

**From:** Kisani Nicholson <[Kisani.Nicholson@ghd.com](mailto:Kisani.Nicholson@ghd.com)>

**Sent:** Thursday, 15 October 2020 2:00 PM

**To:** Steven Cox <[Steven.Cox@environment.nsw.gov.au](mailto:Steven.Cox@environment.nsw.gov.au)>

**Cc:** Demelza Scott <[Demelza.Scott@ghd.com](mailto:Demelza.Scott@ghd.com)>

**Subject:** Request for Comment - Rix's Creek Mine Audits

Dear Steven

GHD have been appointed as the auditor to conduct an Independent Environmental Audit of the Rix's Creek south mines. We are writing to seek input from DPIE BCD into the preparation of the audit. See attached letter.

Please feel free to pass this onto the most appropriate person in your organisation to respond. If you have any questions, please feel free to contact Demelza Scott on 02 6393 6410 or [demelza.scott@ghd.com](mailto:demelza.scott@ghd.com) if you have queries regarding this request.

Many thanks.

Kind regards,

**Kisani Nicholson**  
**Team Administrator**

**GHD**

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**From:** [Ann Hagerthy](#)  
**To:** [Kisani Nicholson](#)  
**Cc:** [Demelza Scott](#); [Heidi Watters](#)  
**Subject:** RE: Request for comment - Rix's Creek Mine Audits  
**Date:** Friday, 16 October 2020 2:26:19 PM  
**Attachments:** [image005.jpg](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)

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Hi Kisani,

Thanks for your email. Please ensure the IEA is undertaken in accordance with the requirements of the consents, including previous Department correspondence to Bloomfield. Please also seek input from Bloomfield to inform your findings.

Regards,

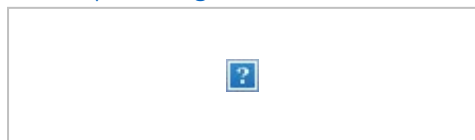
**Ann Hagerthy**  
**Senior Compliance Officer**

Planning & Assessment - Compliance | Department of Planning, Industry and Environment  
**T** 02 6575 3407 | **M** 0428 976 540 | **E** [ann.hagerthy@planning.nsw.gov.au](mailto:ann.hagerthy@planning.nsw.gov.au)  
PO Box 3145 | Singleton NSW 2330

Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

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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:** Kisani Nicholson <Kisani.Nicholson@ghd.com>  
**Sent:** Friday, 16 October 2020 8:54 AM  
**To:** Ann Hagerthy <Ann.Hagerthy@planning.nsw.gov.au>  
**Cc:** Demelza Scott <Demelza.Scott@ghd.com>  
**Subject:** Request for comment - Rix's Creek Mine Audits

Dear Ann

GHD have been appointed as the auditor to conduct an Independent Environmental Audit of the Rix's Creek north and south mines. We are writing to seek input from the DPIE into the preparation of the audit. See attached letter.

Please feel free to pass this onto the most appropriate person in your organisation to respond. If you have any questions, please feel free to contact Demelza Scott on 02 6393 6410 or

[demelza.scott@ghd.com](mailto:demelza.scott@ghd.com) if you have queries regarding this request.

Many thanks.

Kind regards,

**Kisani Nicholson**  
**Team Administrator**

**GHD**

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# Appendix C – Independent Audit Submission Form

Independent Audit Declaration Form	
Project name	Rix's Creek North Mine
Consent Number	PA 08_0102 and EPL 3391
Description of project	Refer to Section 1.1
Project address	Rix's Creek Lane, Singleton, NSW
Proponent	Bloomfield Collieries Pty Limited
Title of audit	Rix's Creek North – Independent Environmental Audit
Date	4 November 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: Demelza Scott**

**Signature:** 

<b>Qualification</b>	Demelza Scott – Environmental Management Systems
<b>Email address</b>	<a href="mailto:Demelza.Scott@ghd.com">Demelza.Scott@ghd.com</a>
<b>Company and address</b>	GHD Pty Ltd (GHD) 270 Summer St Orange NSW 2800 Australia
<b>Date</b>	10/12/2020.

# **Appendix D** – Audit Compliance Tables

**Appendix D 1 PA 08\_0102**

Condition Number	Condition	Compliance	Evidence	Comments
	Schedule 2			
	Administrative Conditions			
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
1	In addition to meeting the specific performance criteria established under this project approval, the Proponent must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.	Compliant	Refer below	Bloomfield are implementing reasonable and feasible measures to prevent and/or minimise material harm to the environment from mining operations. No evidence of material harm to the environment was observed during the audit.
	TERMS OF APPROVAL			
2	The Proponent must carry out the project generally in accordance with the: (a) previous EAs; (b) open cut project EA; (c) EA Mod 1; (d) EA Mod 2; (e) EA Mod 4; (f) EA Mod 5; (g) EA Mod 6; (h) EA Mod 7; (i) EA Mod 8; and (j) project layout plan.	Compliant	Refer below	Bloomfield are generally carrying out the project in accordance with the environmental assessments listed in Condition 2.
3	The Proponent must carry out the project in accordance with the: (a) Statement of Commitments; and (b) conditions of this approval. Notes to conditions 2 and 3: • Previous EAs for the project are listed in Appendix 2; • The project layout plan is shown in Appendix 3; • The Statement of Commitments is reproduced in Appendix 9; and • This project approval is intended to regulate all existing and approved development on site.	Compliant		Bloomfield are generally carrying out the project in accordance with the approvals listed in Condition 3.

Condition Number	Condition	Compliance	Evidence	Comments
4	If there is any inconsistency between the above documents then the most recent document must prevail to the extent of the inconsistency. However, the conditions of this approval must prevail to the extent of any inconsistency.	Note		
5	The Proponent must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any reports, strategies, plans, programs, reviews, audits, or correspondence that are submitted in accordance with the conditions of this approval; (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with the conditions of this approval; and (c) the implementation of any actions or measures contained in these documents.	Compliant	Letter from DPIE to Bloomfield dated 26/05/2020 Letter from DPIE to Bloomfield dated 16/10/2020 RCN Glennies and Station Creek Riparian Monitoring and Management Plan	Bloomfield received a request for information from DPIE dated 26/05/2020 regarding the status of riparian rehabilitation works on Glennies Creek and Station Creek and requested a copy of the Riparian Monitoring and Management Plan that was referenced in the update. Sighted letter 16/10/20 from DPIE to Bloomfield stating that Riparian Monitoring and Management Plan satisfied the requirements and asked Bloomfield to place a copy of the management plan on the Rix's Creek website. Sighted copy on website.
	LIMITS OF APPROVAL			
	Mining Operation			
6	The Proponent may carry out open cut mining operations on site until 31 December 2035. Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Secretary and DRG. Consequently, this approval will continue to apply in all respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.	Note		Open cut mining operations at Rix's Creek north mine are ongoing in accordance with this condition.

Condition Number	Condition	Compliance	Evidence	Comments
	Coal Production			
7	The Proponent must not extract more than: (a) 1.5 million tonnes of ROM coal from the open cut mining operations in the northern mining area in a calendar year; and (b) 4.5 million tonnes of ROM coal from the open cut mining operations in the western mining area in a calendar year.	Compliant	Rix's Creek Mine 2019 Annual Review Email from Logistics & Shipping Officer to Environmental Advisor titled 'Train movements from 1 January to 15 October 2020' dated 16 October 2020	Bloomfield manage coal extraction in accordance with the consent. The 2019 RCM Annual Review reported that for the ROM coal production was 2.98 million tonnes in 2018 and 1.21 million tonnes in 2019 which is well within the 4.5 million tonnes permitted to be extracted from the western mining area. Bloomfield provided coal production volumes for 2020 up to the time of audit (1/01/2020-15/10/2020) in an email from the Logistics and Shipping Officer to the Environmental Advisor which reported total ROM coal delivered as 1.16 million tonnes. Bloomfield advised that the northern mining area is currently in care and maintenance.
	Coal Transport			
8	The Proponent must not: (a) export more than 7.3 million tonnes of coal from the site in a calendar year; NSW Government Department of Planning and Environment 7 (b) dispatch more than 7 trains a day from the site; and (c) dispatch more than 3 trains a day from the site, when averaged over each calendar year.	Compliant	RCN Train Movement Records June 2017- December 2019 Email from Logistics & Shipping Officer to Environmental Advisor titled 'Train movements	Records demonstrated that the maximum volume of coal exported during the reporting period was 1.7 million tonnes in 2019. No more than four trains were dispatched from site in any day and averaged over the year this equated to less than one train per day. Data for 2020 was provided in an email which indicated that 373 trains had been dispatched from site between 1/01/2020 and 15/10/2020 which equated to 1.2 trains per day and a total of 3.2 million tonnes of coal. The

Condition Number	Condition	Compliance	Evidence	Comments
			from 1 Jan to 15 October 2020' dated 16 October 2020	data provided in this email did not provide daily numbers of trains to confirm whether less than seven trains had been dispatched each day during 2020. We expect that when the calendar year train movement report is generated, it will include this information.
9	The Proponent must not transport coal from the site by public road, except in an emergency situation and with the prior approval of the Secretary	Compliant	Audit interviews	Bloomfield advised that no coal is transported by public roads during the audit period and they do not have approval to transport by road. The audit did not sight any evidence to support this however only facilities for loading washed coal onto trains was sighted during the inspection, no facilities were sighted for loading trucks.
	Hours of Operation			
10	The Proponent must only carry out: (a) open cut mining operations in the northern mining area from 7am to 10pm, seven days a week (including public holidays); and (b) vegetation clearing and topsoil stripping on site between 7am and 6pm.	Compliant	Rix's Creek Mine Permit to Disturb – Camberwell Pit Southwest Clearance Area dated 21/03/2017 Bloomfield Group Permit to Disturb – Rix's Creek Dulwich Block dated 3/06/2019 RCM Environmental	Bloomfield advised that the northern mining area of RCM is currently in care and maintenance. The RCM Environmental Management Strategy states that removal of overburden and coal from Camberwell Pit can be conducted 24 hours per day, seven days per week. Bloomfield manage vegetation clearing and stripping through the Bloomfield Group Permit to Disturb forms. These forms specify the hours of operation for Vegetation Clearing and Topsoil Stripping as 7am – 6pm. These forms are reviewed and signed off by a member of the Environment Team

Condition Number	Condition	Compliance	Evidence	Comments
			Management Strategy 17/06/2019	prior to vegetation clearing and stripping works being undertaken.
	<b>SURRENDER OF CONSENT AND APPROVALS</b>			
11	By the end of June 2017, or as otherwise agreed by the Secretary, the Proponent must surrender all existing development consents and project approvals for the site (other than this approval and the development consent for the Glennies Creek to Ashton Water Pipeline granted by Council on 13 February 2004) in accordance with Sections 75YA and 104A of the EP&A Act. Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or approval should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.	Not applicable	Bloomfield Collieries Pty Ltd Independent Environmental Audit of Rix's Creek North Mine, Final, December 2017	Addressed as part of previous IEA.
12	Prior to the surrender of these consents and/or approvals, the conditions of this approval (including any notes) must prevail to the extent of any inconsistency with the conditions of these consents and/or approvals.	Not applicable	Bloomfield Collieries Pty Ltd Independent Environmental Audit of Rix's Creek North Mine, Final, December 2017	Addressed as part of previous IEA.
	<b>STRUCTURAL ADEQUACY</b>			
13	The Proponent must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. Notes: <ul style="list-style-type: none"> <li>Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works;</li> </ul>	Not triggered		Bloomfield advised that there has not been any new buildings and structures, or alterations/additions to existing buildings or structures during the audit period to trigger this condition.

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the project; and</li> <li>The project is located in the Patrick Plains Mine Subsidence District. Under Section 15 of the Mine Subsidence Compensation Act 1961, the Proponent is required to obtain the SA NSW's approval before constructing or relocating any improvements on site.</li> </ul>			
	DEMOLITION			
14	The Proponent must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Not triggered		Bloomfield advised that there has not been any demolition work carried out in the audit period to trigger this condition.
	INFRASTRUCTURE			
	Protection of Public Infrastructure			
15	<p>Unless the Proponent and the applicable authority agree otherwise, the Proponent must:</p> <p>(a) repair or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project, except where impacts to such works have otherwise been fully compensated through the compensation provisions of the Mining Act 1992.</p>	Not triggered		Bloomfield advised that there has not been any damage to public infrastructure during the audit period to trigger this condition.
	OPERATION OF PLANT AND EQUIPMENT			
16	<p>The Proponent must ensure that all the plant and equipment used on site, or to transport coal from the site, is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	Compliant	Bloomfield Group Mechanical Service Sheet CAT 16G Grader dated 20/10/2020 Bloomfield Group	<p>Bloomfield maintain and operate plant and equipment on site in a proper and efficient condition.</p> <p>Sighted 250hr service of CAT 16G Grader and 12 month mechanical service of ALT-5 Alternator to demonstrate maintenance of plant and equipment.</p>



Condition Number	Condition	Compliance	Evidence	Comments
			Mechanical Service Sheet ALT-5 Alternator dated 21/10/2020 Copy of Book 1 – Plant and Equipment Maintenance Register for 17/10-25/10 Onsite record for Mark Rhodes Bloomfield Group 103 prestart inspection on heavy mining equipment	Maintenance register shows scheduling of service and repairs for a range of plant and equipment. Sighted licensing and competency record in onsite for Mark Rhodes including water cart, excavator, truck, loader, grader, haul truck, light vehicle and skid steer loader. Sighted 103 prestart inspection on heavy mining equipment prior to use each day. Sign book, done in triplicate.
	EVIDENCE OF CONSULTATION			
17	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document; and NSW Government Department of Planning and Environment 8 (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Compliant	RCM Noise Management Plan, Version 1.7, July 2019 RCM Blast Management Plan, version 1.6, July 2019 RCM Water Management Plan, version 1.4, May 2019	Bloomfield demonstrated compliance with Condition 17 where other conditions in this consent required consultation with identified parties in preparation of management plans. Examples included: <ul style="list-style-type: none"> <li>• Noise Management Plan</li> <li>• Blast Management Plan</li> <li>• Water Management Plan</li> <li>• Air Quality and Greenhouse Gas Management Plan</li> </ul>

Condition Number	Condition	Compliance	Evidence	Comments
			RCM Air Quality and Greenhouse Gas Management Plan, Todoroski Air Sciences, July 2019 RCN Heritage Management Plan, February 2016 RCM Mining Operations Plan, December 2019	<ul style="list-style-type: none"> <li>Heritage Management Plan</li> <li>Rehabilitation Management Plan.</li> </ul>
	COMPLIANCE			
18	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Compliant	Bloomfield employee induction powerpoint	Bloomfield's employee induction was sighted and included conditions of approval, environment protection licence, permit to disturb, incident notification and management, complaints, key environmental issues associated with mining activities at the site and cultural heritage.
	APPLICABILITY OF GUIDELINES			
19	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Note		
20	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary	Not triggered		Bloomfield advised that they haven't been directed to comply with any

Condition Number	Condition	Compliance	Evidence	Comments																		
	may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.			updated versions of guidelines, protocols, standards or policies.																		
	SCHEDULE 3																					
	ENVIRONMENTAL PERFORMANCE CONDITIONS																					
	ACQUISITION UPON REQUEST																					
1	<p>Upon receiving a written request for acquisition from an owner of the land containing a residential receiver listed in Table 1, the Proponent must acquire the land in accordance with the procedures in conditions 6 and 7 of Schedule 4.</p> <p><i>Table 1: Land subject to acquisition upon request</i></p> <table border="1"> <thead> <tr> <th>Residential Receiver No.</th> <th>Acquisition Basis</th> </tr> </thead> <tbody> <tr> <td>11 – F Ferraro</td> <td>Noise</td> </tr> <tr> <td>64 – W &amp; A Gardner</td> <td>Noise</td> </tr> <tr> <td>87 – B &amp; R Richards</td> <td>Noise</td> </tr> <tr> <td>106 – B &amp; R Richards</td> <td>Noise</td> </tr> <tr> <td>111 – T Burgess</td> <td>Noise</td> </tr> <tr> <td>153 – R &amp; D Hall</td> <td>Noise and Air Quality</td> </tr> <tr> <td>351 – <a href="#">WG Bowman</a></td> <td>Noise</td> </tr> <tr> <td>352 – <a href="#">AS Bowman</a></td> <td>Noise</td> </tr> </tbody> </table> <p>For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise by the owner of a listed residential receiver should be included as part of the land to be acquired. Where the Proponent and the owner(s) cannot agree whether non-contiguous parcels of land should be included, either party may refer the matter to the Secretary for resolution. The Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 7 and 8 of Schedule 4 must be final.</p> <p>Note: To interpret the locations referred to in Table 1, see the applicable figures in Appendix 4</p>	Residential Receiver No.	Acquisition Basis	11 – F Ferraro	Noise	64 – W & A Gardner	Noise	87 – B & R Richards	Noise	106 – B & R Richards	Noise	111 – T Burgess	Noise	153 – R & D Hall	Noise and Air Quality	351 – <a href="#">WG Bowman</a>	Noise	352 – <a href="#">AS Bowman</a>	Noise	Not triggered		Bloomfield advised that this condition has not been triggered as there have not been any requests for acquisition under this condition.
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	NOISE																					
	Noise Criteria																					

Condition Number	Condition	Compliance	Evidence	Comments																																																																																																					
2	<p>Except for the land referred to in Table 1 for which the acquisition basis is noise, the Proponent must ensure that the noise generated by the project does not exceed the criteria in Table 2 at any residence on privately owned land or on more than 25 percent of any privately-owned land.</p> <p><i>Table 2: Noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th colspan="2" rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L<sub>Aeq</sub>(15min)</th> <th>L<sub>Aeq</sub>(15min)</th> <th>L<sub>Aeq</sub>(15min)</th> <th>L<sub>A1</sub>(1min)</th> </tr> </thead> <tbody> <tr> <td>NAG 1</td> <td>All privately-owned land</td> <td>38</td> <td>38</td> <td>36</td> <td>46</td> </tr> <tr> <td>NAG 2</td> <td>All privately-owned land</td> <td>39</td> <td>39</td> <td>37</td> <td>47</td> </tr> <tr> <td>NAG 3</td> <td>All privately-owned land</td> <td>40</td> <td>40</td> <td>39</td> <td>49</td> </tr> <tr> <td rowspan="4">NAG 4</td> <td>99, 100</td> <td>39</td> <td>39</td> <td>39</td> <td>47</td> </tr> <tr> <td>88, 91, 95</td> <td>40</td> <td>40</td> <td>40</td> <td>47</td> </tr> <tr> <td>105, 161</td> <td>41</td> <td>41</td> <td>41</td> <td>47</td> </tr> <tr> <td>All other privately-owned land</td> <td>42</td> <td>42</td> <td>37</td> <td>47</td> </tr> <tr> <td rowspan="7">NAG 5</td> <td>104</td> <td>35</td> <td>35</td> <td>35</td> <td>52</td> </tr> <tr> <td>139</td> <td>36</td> <td>36</td> <td>36</td> <td>52</td> </tr> <tr> <td>103</td> <td>37</td> <td>37</td> <td>37</td> <td>52</td> </tr> <tr> <td>121</td> <td>40</td> <td>40</td> <td>40</td> <td>52</td> </tr> <tr> <td>118, 154</td> <td>43</td> <td>43</td> <td>43</td> <td>52</td> </tr> <tr> <td>Deleted</td> <td>45</td> <td>45</td> <td>45</td> <td>52</td> </tr> <tr> <td>Deleted</td> <td>47</td> <td>47</td> <td>47</td> <td>52</td> </tr> <tr> <td>All other privately-owned land</td> <td>50</td> <td>46</td> <td>42</td> <td>52</td> </tr> <tr> <td rowspan="2">NAG 6</td> <td>137</td> <td>35</td> <td>35</td> <td>35</td> <td>48</td> </tr> <tr> <td>133</td> <td>37</td> <td>37</td> <td>37</td> <td>48</td> </tr> </tbody> </table>	Location		Day	Evening	Night		L <sub>Aeq</sub> (15min)	L <sub>Aeq</sub> (15min)	L <sub>Aeq</sub> (15min)	L <sub>A1</sub> (1min)	NAG 1	All privately-owned land	38	38	36	46	NAG 2	All privately-owned land	39	39	37	47	NAG 3	All privately-owned land	40	40	39	49	NAG 4	99, 100	39	39	39	47	88, 91, 95	40	40	40	47	105, 161	41	41	41	47	All other privately-owned land	42	42	37	47	NAG 5	104	35	35	35	52	139	36	36	36	52	103	37	37	37	52	121	40	40	40	52	118, 154	43	43	43	52	Deleted	45	45	45	52	Deleted	47	47	47	52	All other privately-owned land	50	46	42	52	NAG 6	137	35	35	35	48	133	37	37	37	48	Compliant	<p>RCN, Landform Amendment, Exploration and Blasting Frequency Modification, Statement of Environmental Effects, Hansen Bailey, June 2020</p> <p>Monthly noise monitoring reports (January-August 2020)</p> <p>Rix's Creek Night-time Noise Monitoring Summary Sheets dated 16/10/2020 and 18/10/2020</p>	<p>A review of the monthly compliance noise monitoring reports (monitoring and reporting conducted by SLR) for January – August 2020 showed that noise criteria was not exceeded at any location.</p> <p>The Statement of Environmental Effects for Modification 9 of MP 08_0102 included a Noise and Blasting Impact Assessment. The NBIA assessed noise at all known private residential receptors that may be noise impacted by RCN operations.</p> <p>The outcome of this assessment was that no private landholdings have more than 25 percent of the area predicted to exceed acceptable noise amenity levels plus 5 dB in any time period, for either of the two stages assessed. Therefore, no additional properties would be entitled to voluntary land acquisition rights due to predicted impact over the land area.</p>
Location				Day	Evening	Night																																																																																																			
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Condition Number	Condition	Compliance	Evidence	Comments	
	132	38	38	38	48
	All other privately-owned land	41	41	38	48
NAG 7	All privately-owned land	45	42	39	49
	142	35	35	35	45
NAG 8	All other privately-owned land	42	42	35	45
	146, 148, 149	35	35	35	48
	143, 144, 145, 147, 150, 151, 152	36	36	36	48
NAG 9	2	37	37	37	48
	3, 4	39	39	39	48
	All other privately-owned land	40	40	38	48
	5	40	40	40	47
NAG 10	6, 11	41	41	41	47
	8	42	42	42	47
	All other privately-owned land	39	39	37	47
	18	35	35	35	49
	20, 21	37	37	36	49
NAG 11	19	37	37	37	49
	17	38	38	38	49
	7	39	39	39	49
	12, 15	40	40	40	49
	14, 16	42	42	42	49
	All other privately-owned land	41	41	39	49
	52, 55	35	35	35	45
NAG 12	51, 56	37	37	37	45
	53, 57	38	38	38	45
	50, 54	39	39	39	45
	62	40	40	40	45
	All other privately-owned land	38	38	35	45
	24, 25, 26, 27, 28, 29, 30, 36, 37, 38, 39, 40, 41	35	35	35	46
NAG A	31	36	36	35	46
	42, 43	36	36	36	46
	32	37	37	35	46
	22, 23	37	37	37	46
	34	39	39	36	46
	35	39	39	35	46
	All other privately-owned land	39	39	36	46
NAG B	All privately-owned land	37	37	35	45
	47	39	39	39	45
NAG C	63	40	40	40	45
	All other privately-owned land	37	37	35	45
NAG D	44, 48	36	36	36	48
	49	39	39	39	48
	All other privately-owned land	40	40	38	48
NAG F	65, 66	39	39	39	50
	67	40	40	40	50
	68	42	42	42	50
	All other privately-owned land	40	40	40	50
NAG G	All privately-owned land	41	41	39	50
	All other privately-owned land	35	35	35	45

Condition Number	Condition	Compliance	Evidence	Comments
	<p>However, these criteria do not apply if the Proponent, or another mining company, has acquired the land or if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p>Noise generated by the project is to be measured in accordance with the relevant requirements of the INP. Appendix 5 sets out the requirements for evaluating compliance with these criteria.</p> <p>Note: To interpret the locations referred to in Table 2, see the applicable figures in Appendix 4.</p>			
3	<p>Noise Acquisition Criteria</p> <p>If noise generated by the project exceeds the criteria in Table 3 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the owner, the Proponent must acquire the land in accordance with the procedures in conditions 7 and 8 of Schedule 4.</p>	Not triggered		Bloomfield advised that this condition has not been triggered.

Condition Number	Condition	Compliance	Evidence	Comments																																																																																			
	<p>Table 3: Noise acquisition criteria dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> <tr> <th><i>L<sub>Aeq</sub>(15min)</i></th> <th><i>L<sub>Aeq</sub>(15min)</i></th> <th><i>L<sub>Aeq</sub>(15min)</i></th> </tr> </thead> <tbody> <tr><td>All privately-owned land in NAG 1</td><td>44</td><td>44</td><td>42</td></tr> <tr><td>All privately-owned land in NAG 2</td><td>45</td><td>45</td><td>43</td></tr> <tr><td>All privately-owned land in NAG 3</td><td>46</td><td>46</td><td>45</td></tr> <tr><td>All privately-owned land in NAG 4</td><td>48</td><td>48</td><td>43</td></tr> <tr><td>All privately-owned land in NAG 5</td><td>56</td><td>52</td><td>48</td></tr> <tr><td>All privately-owned land in NAG 6</td><td>47</td><td>47</td><td>44</td></tr> <tr><td>All privately-owned land in NAG 7</td><td>51</td><td>48</td><td>45</td></tr> <tr><td>All privately-owned land in NAG 8</td><td>48</td><td>48</td><td>41</td></tr> <tr><td>All privately-owned land in NAG 9</td><td>46</td><td>46</td><td>44</td></tr> <tr><td>All privately-owned land in NAG 10</td><td>45</td><td>45</td><td>43</td></tr> <tr><td>All privately-owned land in NAG 11</td><td>47</td><td>47</td><td>45</td></tr> <tr><td>All privately-owned land in NAG 12</td><td>44</td><td>44</td><td>41</td></tr> <tr><td>All privately-owned land in NAG A</td><td>45</td><td>45</td><td>42</td></tr> <tr><td>All privately-owned land in NAG B</td><td>43</td><td>43</td><td>41</td></tr> <tr><td>All privately-owned land in NAG C</td><td>43</td><td>43</td><td>41</td></tr> <tr><td>All privately-owned land in NAG D</td><td>46</td><td>46</td><td>44</td></tr> <tr><td>All privately-owned land in NAG F</td><td>46</td><td>46</td><td>46</td></tr> <tr><td>All privately-owned land in NAG G</td><td>47</td><td>47</td><td>45</td></tr> <tr><td>All other privately-owned land</td><td>41</td><td>41</td><td>41</td></tr> </tbody> </table> <p>Noise generated by the project is to be measured in accordance with the relevant requirements of the INP. Appendix 5 sets out the requirements for evaluating compliance with these criteria. Notes:</p> <ul style="list-style-type: none"> <li>To interpret the locations referred to in Table 3, see the applicable figures in Appendix 4; and</li> <li>For this condition to apply, the exceedances of the criteria must be systemic.</li> </ul>	Location	Day	Evening	Night	<i>L<sub>Aeq</sub>(15min)</i>	<i>L<sub>Aeq</sub>(15min)</i>	<i>L<sub>Aeq</sub>(15min)</i>	All privately-owned land in NAG 1	44	44	42	All privately-owned land in NAG 2	45	45	43	All privately-owned land in NAG 3	46	46	45	All privately-owned land in NAG 4	48	48	43	All privately-owned land in NAG 5	56	52	48	All privately-owned land in NAG 6	47	47	44	All privately-owned land in NAG 7	51	48	45	All privately-owned land in NAG 8	48	48	41	All privately-owned land in NAG 9	46	46	44	All privately-owned land in NAG 10	45	45	43	All privately-owned land in NAG 11	47	47	45	All privately-owned land in NAG 12	44	44	41	All privately-owned land in NAG A	45	45	42	All privately-owned land in NAG B	43	43	41	All privately-owned land in NAG C	43	43	41	All privately-owned land in NAG D	46	46	44	All privately-owned land in NAG F	46	46	46	All privately-owned land in NAG G	47	47	45	All other privately-owned land	41	41	41			
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	<b>Cumulative Noise Criteria</b>															
4	<p>The Proponent must implement all reasonable and feasible measures to ensure that the noise generated by the project combined with the noise generated by other mines in the vicinity does not exceed the criteria in Table 4 at any residence on privately-owned land or on more than 25 percent of any privately owned land (except for the residential receivers in Table 1 for which the acquisition basis is noise). The Proponent must share the costs associated with implementing these measures on an equitable basis as possible with the relevant mines.</p> <p><i>Table 4: Cumulative noise criteria dB(A) LAeq (period)</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> </thead> <tbody> <tr> <td>NAGs 4, 5, 8 and 9</td> <td>55</td> <td>45</td> <td>40</td> </tr> <tr> <td>All other privately-owned land</td> <td>50</td> <td>45</td> <td>40</td> </tr> </tbody> </table> <p>Cumulative noise is to be measured in accordance with the relevant requirements of the INP. Appendix 5 sets out the requirements for evaluating compliance with these criteria.</p> <p>For the purposes of this condition, ‘reasonable and feasible avoidance and mitigation measures’ includes, but is not limited to, the requirements in conditions 9 and 10 to develop and implement a real-time noise management system that ensures effective operational response to the risk of exceedance of the criteria.</p> <p>Note: To identify the locations referred to in Table 4, see the figures in Appendix 4.</p>	Location	Day	Evening	Night	NAGs 4, 5, 8 and 9	55	45	40	All other privately-owned land	50	45	40	Compliant	RCM Noise Management Plan, Version 1.7, July 2019 Inter-mine meeting minutes dated 28/09/2020	<p>Rix’s Creek implements all reasonable and feasible measures to ensure that noise generated by Rix’s Creek mine does not exceed criteria as listed in Condition 2, and also attends regular Inter mine meetings which discuss environmental aspects with potential for cumulative impacts of, dust, noise, blasting, as well as other general issues.</p> <p>The NMP describes the Cumulative Noise Protocol where if nightly attended noise monitoring finds an exceedance of the cumulative criteria, Rix’s Creek personnel will notify other mines of findings and outcomes.</p>
Location	Day	Evening	Night													
NAGs 4, 5, 8 and 9	55	45	40													
All other privately-owned land	50	45	40													
	<b>Cumulative Noise Acquisition Criteria</b>															
5	<p>If the noise generated by the project combined with the noise generated by other mines in the vicinity exceeds the criteria in Table 5 at any residence on privately-owned land or on more than 25 percent of privately-owned land (except for the residential receivers in Table 1 for which the acquisition basis is noise), then upon receiving a written request for acquisition from the landowner, the Proponent must acquire the land on an equitable basis as possible</p>	Not triggered		Bloomfield advised that this condition has not been triggered.												



Condition Number	Condition	Compliance	Evidence	Comments												
	<p>with the relevant mines in accordance with the procedures in conditions 7 and 8 of Schedule 4.</p> <p><i>Table 5: Cumulative noise acquisition criteria dB(A) L<sub>Aeq</sub> (period)</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> </thead> <tbody> <tr> <td>NAGs 4, 5, 8 and 9</td> <td>60</td> <td>50</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>55</td> <td>50</td> <td>45</td> </tr> </tbody> </table> <p>Cumulative noise is to be measured in accordance with the relevant requirements of the INP. Appendix 5 sets out the requirements for evaluating compliance with these criteria.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>To interpret the locations referred to in Table 5, see the applicable figures in Appendix 4; and</li> <li>For this condition to apply, the exceedances of the criteria must be systemic.</li> </ul>	Location	Day	Evening	Night	NAGs 4, 5, 8 and 9	60	50	45	All other privately-owned land	55	50	45			
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	Additional Noise Mitigation Measures															
6	<p>Upon receiving a written request from the owner of any residence:</p> <p>(a) on the land listed in Table 1 for which the acquisition basis is noise; or</p> <p>(b) on land listed in Table 6; or</p> <p>(c) on privately-owned land where subsequent noise monitoring shows the noise generated by the project is greater than or equal to the criteria in Table 7,</p> <p>the Proponent must implement additional noise mitigation measures (such as double-glazing, insulation, and/or air conditioning) at the residence in consultation with the landowner.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p>	Compliant	Burgess Enclosure Offer dated 21/06/2020.	<p>Two requests have been received during the audit period.</p> <p>Receiver 111 T Burgess (listed in Table 1) has previously requested installation of patio enclosure, air conditioning, solar panels and double glazing. Burgess has requested additional double glazing for one window.</p> <p>Receiver 105 J &amp; G McNerney (listed in Table 6) has requested additional noise mitigation of double glazing for one window and one sliding door.</p> <p>Contact was initiated to Versalite on 16/10/2020 to conduct a measure and</p>												

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	<p>Table 6: Land where additional noise mitigation measures are available on request</p> <table border="1"> <tbody> <tr> <td>5 – D P Cox</td> <td>6 – W G Cox</td> </tr> <tr> <td>8 – DK Geelan</td> <td>16 – A Lambkin</td> </tr> <tr> <td>14 – M Hoggan</td> <td>31 – C Craven</td> </tr> <tr> <td>20 – Mr Garvie</td> <td>48 – G Cheetham</td> </tr> <tr> <td>32 – M Langdon</td> <td>50 – D &amp; M Bridge</td> </tr> <tr> <td>47 – B &amp; R Cherry</td> <td>54 – G Holmes</td> </tr> <tr> <td>53 – K &amp; J Badior</td> <td>63 – J &amp; M Moore</td> </tr> <tr> <td>62 – D Moran</td> <td>95 – J &amp; T Clarke</td> </tr> <tr> <td>91 – T &amp; D Olofsson</td> <td>161 – V Lopes</td> </tr> <tr> <td>105 – J &amp; G McInerney</td> <td>363 – D &amp; L Bynon</td> </tr> </tbody> </table> <p>Note: To interpret the locations referred to in Table 6, see the applicable figures in Appendix 4.</p> <p>Table 7: Additional noise mitigation criteria dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> <tr> <th>L<sub>Aeq</sub>(15min)</th> <th>L<sub>Aeq</sub>(15min)</th> <th>L<sub>Aeq</sub>(15min)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land in NAG 1</td> <td>41</td> <td>41</td> <td>39</td> </tr> <tr> <td>All privately-owned land in NAG 2</td> <td>42</td> <td>42</td> <td>40</td> </tr> <tr> <td>All privately-owned land in NAG 3</td> <td>43</td> <td>43</td> <td>42</td> </tr> <tr> <td>All privately-owned land in NAG 4</td> <td>45</td> <td>45</td> <td>40</td> </tr> <tr> <td>All privately-owned land in NAG 5</td> <td>53</td> <td>49</td> <td>45</td> </tr> <tr> <td>All privately-owned land in NAG 6</td> <td>44</td> <td>44</td> <td>41</td> </tr> <tr> <td>All privately-owned land in NAG 7</td> <td>48</td> <td>45</td> <td>42</td> </tr> <tr> <td>All privately-owned land in NAG 8</td> <td>45</td> <td>45</td> <td>38</td> </tr> <tr> <td>All privately-owned land in NAG 9</td> <td>43</td> <td>43</td> <td>41</td> </tr> <tr> <td>All privately-owned land in NAG 10</td> <td>42</td> <td>42</td> <td>40</td> </tr> <tr> <td>All privately-owned land in NAG 11</td> <td>44</td> <td>44</td> <td>42</td> </tr> <tr> <td>All privately-owned land in NAG 12</td> <td>41</td> <td>41</td> <td>38</td> </tr> <tr> <td>All privately-owned land in NAG A</td> <td>42</td> <td>42</td> <td>39</td> </tr> <tr> <td>All privately-owned land in NAG B</td> <td>40</td> <td>40</td> <td>38</td> </tr> <tr> <td>All privately-owned land in NAG C</td> <td>40</td> <td>40</td> <td>38</td> </tr> <tr> <td>All privately-owned land in NAG D</td> <td>43</td> <td>43</td> <td>41</td> </tr> <tr> <td>All privately-owned land in NAG F</td> <td>43</td> <td>43</td> <td>43</td> </tr> <tr> <td>All privately-owned land in NAG G</td> <td>44</td> <td>44</td> <td>42</td> </tr> <tr> <td>All other privately-owned land</td> <td>38</td> <td>38</td> <td>38</td> </tr> </tbody> </table> <p>Cumulative noise is to be measured in accordance with the relevant requirements of the INP. Appendix 5 sets out the requirements for evaluating compliance with these criteria.</p>	5 – D P Cox	6 – W G Cox	8 – DK Geelan	16 – A Lambkin	14 – M Hoggan	31 – C Craven	20 – Mr Garvie	48 – G Cheetham	32 – M Langdon	50 – D & M Bridge	47 – B & R Cherry	54 – G Holmes	53 – K & J Badior	63 – J & M Moore	62 – D Moran	95 – J & T Clarke	91 – T & D Olofsson	161 – V Lopes	105 – J & G McInerney	363 – D & L Bynon	Location	Day	Evening	Night	L <sub>Aeq</sub> (15min)	L <sub>Aeq</sub> (15min)	L <sub>Aeq</sub> (15min)	All privately-owned land in NAG 1	41	41	39	All privately-owned land in NAG 2	42	42	40	All privately-owned land in NAG 3	43	43	42	All privately-owned land in NAG 4	45	45	40	All privately-owned land in NAG 5	53	49	45	All privately-owned land in NAG 6	44	44	41	All privately-owned land in NAG 7	48	45	42	All privately-owned land in NAG 8	45	45	38	All privately-owned land in NAG 9	43	43	41	All privately-owned land in NAG 10	42	42	40	All privately-owned land in NAG 11	44	44	42	All privately-owned land in NAG 12	41	41	38	All privately-owned land in NAG A	42	42	39	All privately-owned land in NAG B	40	40	38	All privately-owned land in NAG C	40	40	38	All privately-owned land in NAG D	43	43	41	All privately-owned land in NAG F	43	43	43	All privately-owned land in NAG G	44	44	42	All other privately-owned land	38	38	38			quote for additional noise mitigation at both receivers. Measurements started 4/11/2020 and process for installation is still ongoing.
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NAGs 4, 5, 8 and 9	57	47	42													
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	Rail Noise			
8	The Proponent must seek to ensure that its rail spur is only accessed by locomotives that are approved to operate on the NSW rail network in accordance with noise limits L6.1 to L6.4 in RailCorp's EPL (No. 12208) and ARTC's EPL (No. 3142) or a Pollution Control Approval issued under the former Pollution Control Act 1970.	Not triggered		RailCorp and ARTC's EPLs have been modified to remove the requirement to ensure locomotives meet noise goals. Each of the rail haulage provider's now have an EPL and they must comply with their conditions including use of EPA approved locomotives. This condition is considered to be no longer applicable.
	Operating Conditions			
9	The Proponent must: (a) 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; (b) 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; (c) 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; (d) ensure that noise attenuated plant is deployed preferentially in locations relevant to sensitive receivers; (e) 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 5); and (f) co-ordinate the noise management on site with noise management at nearby mines (including Integra Underground, Ashton, Rix's Creek South and the Mount Owen Complex) to	Compliant	Morning toolbox meeting minutes dated 19/10/2020 Rix's Creek Night-time Noise Monitoring Summary Sheets dated 16/10/2020 and 18/10/2020 Mobile Plant Sound Power Screening 2019 report Mobile Plant Sound Power Screening 2018 report Results of predictive	Bloomfield manage site operations in accordance with Condition 9. Night-time attended noise monitoring is completed at RCM every day by an environmental technician to determine the noise levels at the residential receivers (results sighted dated 16/10/2020 and 18/10/2020). The EnvMet model is used to predict weather conditions 24 hours in advance. This model is validated by the data from the attended noise monitoring (noise modelling results sighted dated 19/10/2020). The use of this predictive forecast system in conjunction with attended noise monitoring enables operations to be planned and modified as might be necessary in order to actively manage compliance. Noise monitoring results during the audit period confirm that there have been no exceedances of the relevant noise criteria.

Condition Number	Condition	Compliance	Evidence	Comments
	minimise cumulative noise impacts, to the satisfaction of the Secretary.		noise model dated 19/10/2020	<p>Sound power level testing is undertaken annually. Rix's Creek has supplied Mobile Plant Sound Power Screening 2018 and Mobile Plant Sound Power Screening 2019 reports which found a number of equipment exceeding respective sound power limits, however no recommendations were made to maintain or improve effectiveness of noise suppression. Morning toolbox meetings (minutes provided for 19/10/2020) discuss current status of plant and equipment, next 24 hours, environmental conditions, and results of noise monitoring and predictive noise modelling for next 24 hour period. This is used to plan noise generating activities appropriately.</p> <p>The RCM 2020 Complaints register also shows how operations were modified upon receipt of a complaint. Monthly compliance monitoring is undertaken by SLR. Monthly noise compliance reports are available to view on Bloomfield's website.</p> <p>RCM has established a protocol with neighbouring mines to manage cumulative impacts to air quality, noise and blasting which includes communicating between sites when certain activities are being undertaken and scheduled meetings to discuss issues each site is experiencing. Inter mine meeting for coordination.</p>

Condition Number	Condition	Compliance	Evidence	Comments
				Minutes of inter mine meeting provided for 28/9/2020 which show discussion of environmental aspects with potential for cumulative impacts, dust, noise, blasting, as well as general issues. <b>Recommendation 3: Acoustic consultant to recommend mitigation measures for equipment exceeding sound power limits.</b>
	Noise Management Plan			
10	<p>The Proponent must prepare a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and then submitted to the Secretary for approval;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> <li>• Compliance with the noise criteria and operating conditions of this approval; and</li> <li>• Best management practice is being employed;</li> </ul> <p>(c) describe the noise management system in detail;</p> <p>(d) include a noise monitoring program that:</p> <ul style="list-style-type: none"> <li>• Uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project;</li> <li>• Includes a protocol for determining exceedances of the relevant conditions in this approval;</li> <li>• Evaluates and reports on the effectiveness of the noise management system and the best practice noise management measures; and</li> </ul> <p>(e) includes a protocol that has been prepared in consultation with the owners of nearby mines (including Integra Underground, Ashton, Rix's Creek South and the Mount Owen Complex) to minimise the cumulative noise impacts of the mines.</p> <p>The Proponent must implement the management plan as approved by the Secretary.</p>	Compliant	RCM Noise Management Plan, version 1.7, July 2019	The noise management plan generally fulfilled all the requirements of condition 10.
	BLASTING			

Condition Number	Condition	Compliance	Evidence	Comments																			
	Blasting Criteria																						
11	<p>The Proponent must ensure that the blasting on site does not cause exceedances of the criteria in Table 9.</p> <p><i>Table 9: Blasting criteria</i></p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Airblast Overpressure (dB(Lin Peak))</th> <th>Ground Vibration (ppv(mm/s))</th> <th>Allowable Exceedance</th> </tr> </thead> <tbody> <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 Railway culverts and bridges</td> <td>-</td> <td>25</td> <td>0%</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50</td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner or infrastructure owner to exceed the criteria, and the Proponent 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 Railway culverts and bridges	-	25	0%	All public infrastructure	-	50	0%	Compliant	Blast results 2018, 2019 and 2020	<p>Blasting records show no exceedance of ground vibration or airblast overpressure limits during blasting events</p> <p>Complaints received in relation to blasting:</p> <ul style="list-style-type: none"> <li>• 2018 – 6</li> <li>• 2019 – 3</li> <li>• 2020 – 3 (up to end Sept 2020)</li> </ul> <p>Airblast overpressure reading of 1406.3 was recorded on 4/09/2020 however this was proved to be an error in typing out results. Actual reading on 4/09/2020 was 106.3.</p>
Receiver	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (ppv(mm/s))	Allowable Exceedance																				
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Main Northern Railway culverts and bridges	-	25	0%																				
All public infrastructure	-	50	0%																				
	Blasting Hours																						
12	The Proponent 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	Blast results 2018, 2019 and 2020	<p>All blast events occurred within the approved hours, 9 am-5 pm Monday-Saturday.</p> <p>No blasting occurred on Sundays or public holidays.</p>																			
	Blasting Frequency																						
13	<p>The Proponent must not carry out more than:</p> <p>(a) 1 blast a day in the northern mining area unless an additional blast is required following a blast misfire;</p> <p>(b) 2 blasts a day in the existing Camberwell south pit, and then 1 blast a day when the mining moves from this pit into the western mining area unless an additional blast is required following a blast misfire; and</p> <p>(c) 10 blasts a week on site, averaged over any 12 month period.</p>	Compliant	Blast results 2018, 2019 and 2020	<p>Blast results show no blasts in the northern mining area, no more than two blasts per day in the Camberwell pit, and no more than 10 blasts in one week.</p> <p>Note that mining has not moved to the western Camberwell mining area in this audit period.</p>																			
	Property Investigations																						

Condition Number	Condition	Compliance	Evidence	Comments
14	<p>If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pits on site for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent 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"> <li>• establish the baseline condition of the buildings and/or structures on the land or update the previous property inspection report; and</li> <li>• identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and</li> </ul> <p>(b) give the landowner a copy of the new or updated property inspection report.</p>	Compliant	Letter from Bloomfield to M Wright dated 1/05/2020	Bloomfield provided a letter to resident M Wright, dated 1/5/2020 which outlines the process to request a property inspection to establish the baseline condition of the building. Upon consultation with the resident, a suitably qualified structural engineer had been commissioned to undertake the building inspection. Building inspection was undertaken on 12/11/20.
	Property Investigations			
15	<p>If any landowner of privately-owned land within 2 kilometres of any approved open cut mining pit on site claims that the buildings and/or structures on his/her land have been damaged as a result of blasting on site, then within 2 months of receiving this request the Proponent must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report.</p> <p>If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent must repair the damages to the satisfaction of the Secretary.</p> <p>If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.</p>	Not triggered		Bloomfield advised that they have not had any requests to trigger this condition.



Condition Number	Condition	Compliance	Evidence	Comments
	Operating Conditions			
16	<p>The Proponent must:</p> <p>(a) implement best blasting management practice on site to:</p> <ul style="list-style-type: none"> <li>protect the safety of people and livestock in the surrounding area;</li> <li>protect private or public property in the surrounding area;</li> <li>minimise the dust and fume emissions of the blasting; and</li> </ul> <p>(b) co-ordinate the blasting on site with the blasting at nearby mines (including Ashton, Rix's Creek South and the Mount Owen Complex) to minimise cumulative blasting impacts;</p> <p>(c) 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</p> <p>(d) 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.</p>	Compliant	RCM Blast Management Plan, version 1.6, July 2019 Bloomfield website – Blasting information Email distribution list	<p>Bloomfield are managing blasting activities on site in accordance with Condition 16.</p> <p>The RCM Blast Management Plan outlines best blasting management practices, including but not limited to:</p> <ul style="list-style-type: none"> <li>Making use of information systems</li> <li>Ensuring blasts are designed by a suitably qualified blasting engineer</li> <li>Limit blasts to between 9 am to 5 pm Monday to Saturday</li> <li>Utilise the EnvMet system to predict noise enhancing conditions</li> <li>Cumulative blasting impacts are managed through an email system, where scheduled blasts are communicated with other mines as required. Email distribution list sighted showing representatives from all mines in the vicinity. Each mine has a typical timeframe during which to conduct their blasts. An Integra underground representative is on the email distribution list for notifications on blasting. Blasting information hotline is located on the Bloomfield website for any member of the public to contact to find out about scheduled blasts. An SMS service which any member of the public can opt into notifies when and where blasts are scheduled. Sighted SMS on C. Quinn's phone.</li> </ul>
17	<p>The Proponent must not undertake blasting within 500 metres of:</p> <p>(a) Middle Falbrook Road or Stony Creek Road without the approval of Council;</p>	Compliant	Letter from DPIE to Bloomfield	Bloomfield have obtained an approval from regulators for blasting within 500 m of public infrastructure.

Condition Number	Condition	Compliance	Evidence	Comments
	(b) the New England Highway without the approval of the RMS; and (c) the Main Northern Railway without the approval of the ARTC.		dated 8/02/2020 RMS approval for blasting within 500 m of New England Highway Blasting deed between Rix's Creek and ARTC dated 25/10/2019	Sighted letter to DPIE that Bloomfield believed they could satisfy the conditions of B18. Sighted letter from DPIE (dated 8/02/2020) giving approval for blasting within 500 m of public roads. Road closures are put into place prior to each blast being undertaken. Signage on roads are installed which advises public of next scheduled blast. Council is advised of road closures prior to each blast. Document showing approval from RMS to conduct blasting within 500 m of New England Highway was sighted, i.e. road occupancy licence. Highway is closed prior to each blast being undertaken. Blasting deed (dated 25/10/2019) between Rix's Creek and ARTC for blasting within 500 m of Main Northern Railway was sighted. Deed includes requirements for risk assessment which Bloomfield advised were completed. ARTC allocates a time for blasting and for Bloomfield to take possession of the rail line. One weeks' notice is required with possession officer to oversee clearing of line, taking possession, etc. Monitors are set up to monitor culverts along rail line.
18	The Proponent must not carry out blasting in the northern or western mining areas that is within 500 metres of any privately-owned land or land not owned by the Proponent unless:	Compliant		Refer to Condition B17.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(a) the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Department in writing of the terms of this agreement; or</p> <p>(b) the Proponent has:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• 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.</li> </ul>			
	Blast Management Plan			
19	<p>The Proponent must prepare a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH, and then submitted to the Secretary for approval;</p> <p>(b) describe the blast mitigation measures that would be implemented to ensure compliance with the relevant condition of this approval;</p> <p>(c) 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;</p> <p>(d) include an agreed strategy for the management of potential blast interactions with Integra Underground, including details of agreed:</p> <ul style="list-style-type: none"> <li>• Systems for the prior and timely notification of scheduled blasting and subsidence activities;</li> <li>• Personnel evacuation and safety protocols for specific blast events; and</li> <li>• Procedures and protocols for managing the interaction of the two mines; and</li> </ul> <p>(e) include a blast monitoring program to evaluate the performance of the project; and</p>	Compliant	RCM Blast Management Plan, version 1.6, July 2019	The blast management plan generally fulfilled all the requirements of condition 19.

Condition Number	Condition	Compliance	Evidence	Comments
	(f) include a protocol that has been prepared in consultation with the owners of the nearby mines (including Ashton, Rix's Creek South and the Mount Owen Complex) for minimising and managing the cumulative blasting impacts of the mines.  The Proponent must implement the management plan as approved by the Secretary			
	AIR QUALITY & GREENHOUSE GAS			
	Odour			
20	The Proponent must ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Compliant	Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)	Bloomfield manage odour from the operations. A review of the Rix's Creek complaints registers for the audit period (2018-2020) shows that there were three odour complaints in 2018 and then no odour complaints in 2019 and 2020. Bloomfield advised that they run an odour logger during some blasting events where there is an identified risk of odour or fume in the blast modelling. There were no offensive odours detected during the site inspection.
	Greenhouse Gas Emissions			
21	The Proponent must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Secretary.	Compliant	Audit interviews Site inspection	Bloomfield implement a number of measures to minimise the release of greenhouse gas emissions as part of operations including: <ul style="list-style-type: none"> <li>• Shutdown of equipment when not in use</li> <li>• Turn off lights when not in use</li> <li>• No emission of spontaneous combustion</li> </ul>

Condition Number	Condition	Compliance	Evidence	Comments															
				<ul style="list-style-type: none"> <li>Maintenance of plant and equipment (refer to Schedule 2 Condition 16), and</li> <li>If reasonable and feasible then consider emissions in purchasing decisions.</li> </ul>															
22	<p>Air Quality Criteria</p> <p>Except for the land referred to in Table 1 for which the acquisition basis is air quality, the Proponent must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the project does not or contribute to exceedance of the criteria listed in Table 10 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.</p> <p><i>Table 10: Air quality criteria</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion<sup>d</sup></th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td><sup>a</sup> 30 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>a</sup> 50 µg/m<sup>3</sup></td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td><sup>a</sup> 90 µg/m<sup>3</sup></td> </tr> <tr> <td><sup>c</sup> Deposited dust</td> <td>Annual</td> <td><sup>b</sup> 2 g/m<sup>2</sup>/month      <sup>a</sup> 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p>Notes to Table 10:</p> <ul style="list-style-type: none"> <li>a Cumulative impact (i.e. increase in concentrations due to the project plus background concentrations due to all other sources);</li> <li>b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);</li> <li>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; and NSW Government Department of Planning and Environment 17</li> <li>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or</li> </ul>	Pollutant	Averaging Period	Criterion <sup>d</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	<sup>a</sup> 30 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>a</sup> 50 µg/m <sup>3</sup>	Total suspended particulates (TSP)	Annual	<sup>a</sup> 90 µg/m <sup>3</sup>	<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month <sup>a</sup> 4 g/m <sup>2</sup> /month	Compliant	<p>Rix's Creek North Mine, Landform Amendment Exploration and Blasting Frequency Modification, Statement of Environmental Effects, Hansen Bailey, June 2020.</p> <p>Rix's Creek Mine Air Quality &amp; Greenhouse Gas Management Plan, version 1.5, February 2016</p> <p>Annual Reviews 2018 and 2019</p>	<p>The Statement of Environmental Effects for Modification 9 of MP 08_102 included an Air Quality Impact Assessment. The AQIA assessed potential air quality impacts over more than 25% of privately owned land for all known private residents. The assessment indicated that the privately owned vacant blocks (N234-240) owned by two landholders are predicted to exceed the criteria on more than 25% of the land.</p> <p>Bloomfield operate RCN in accordance with RCM AQGGMP which includes the following mitigation measures:</p> <ul style="list-style-type: none"> <li>Actively wet down dig faces</li> <li>Run extra water cart</li> <li>Not using tracks when not needed</li> <li>Air quality predictive modelling</li> <li>Park up gear if too windy</li> <li>TARP for dust in AQGGMP</li> <li>Air quality monitoring program including TEOM, dust deposition</li> </ul>
Pollutant	Averaging Period	Criterion <sup>d</sup>																	
Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	<sup>a</sup> 30 µg/m <sup>3</sup>																	
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Condition Number	Condition	Compliance	Evidence	Comments
	<p>any other activity which has been endorsed by the EPA and then agreed to by the Secretary.</p> <p>For the purposes of this condition, 'reasonable and feasible avoidance and mitigation measures' includes, but is not limited to, the requirements in conditions 26 and 27 to develop and implement a real-time air quality management system that ensures effective operational response to the risk of exceedance of the criteria.</p>		<p>Email from DPE to Bloomfield dated 7/11/2016</p> <p>Letter from Bloomfield to DPE dated 12/08/2019</p>	<p>gauges and dustrack at all privately owned residences.</p> <p>Air quality monitoring during the audit period identified exceedances of Depositional dust and PM10 criteria in Condition B22 occurred during the audit period as reported in the Annual Reviews 2018 and 2019. Prolonged drought and regional bushfires contributed to poor air quality. Assessments of the upstream versus downstream PM10 concentrations and weather conditions are conducted where exceedances of the criteria occur to identify the contribution from offsite sources. Sighted email from DPE to mines in the Hunter Valley confirming this approach to assessing exceedances and reportable incidents. During the audit period, all exceedances of the criteria were found to be predominantly from offsite sources and as a result, none of the elevated levels were not reported as exceedances of the criteria in Condition B22. Sighted letter and report from Bloomfield to DPE dated 12/08/2019 following exceedances of PM10 criteria at three of the site TEOMs during the period 8-10/08/2019 which reviews the upstream and downstream TEOM concentrations, wind speed and wind direction to determine where the dust was generated. It concluded that based on the upstream concentration being</p>

Condition Number	Condition	Compliance	Evidence	Comments																		
				higher than the downstream, and the wind speed and direction, that elevated PM10 was coming from offsite sources. The report also identified the measures that were implemented on site when the exceedances were identified.																		
23	<p>Air Quality Acquisition Criteria</p> <p>If particulate matter emissions generated by the project cause or contribute to exceedance of the cumulative criteria in Table 11 at any residence on privately-owned land or on more than 25 percent of any privately owned land, then upon receiving a written request for acquisition from the landowner the Proponent must acquire the land in accordance with the procedures in condition 7 and 8 of Schedule 4.</p> <p><i>Table 11: Air quality acquisition criteria</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion<sup>d</sup></th> </tr> </thead> <tbody> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td><sup>a</sup> 30 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>a</sup> 150 µg/m<sup>3</sup></td> </tr> <tr> <td>Particulate matter &lt; 10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>b</sup> 50 µg/m<sup>3</sup></td> </tr> <tr> <td>Total suspended particulates (TSP)</td> <td>Annual</td> <td><sup>a</sup> 90 µg/m<sup>3</sup></td> </tr> <tr> <td><sup>c</sup> Deposited dust</td> <td>Annual</td> <td><sup>b</sup> 2 g/m<sup>2</sup>/month      <sup>a</sup> 4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <p>Notes to Tables 11:</p> <ul style="list-style-type: none"> <li>• a Cumulative impact (i.e. increase in concentrations due to the project plus background concentrations due to all other sources);</li> <li>• b Incremental impact (i.e. incremental increase in concentrations due to the project on its own);</li> <li>• 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 -</li> </ul>	Pollutant	Averaging Period	Criterion <sup>d</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	<sup>a</sup> 30 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>a</sup> 150 µg/m <sup>3</sup>	Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>b</sup> 50 µg/m <sup>3</sup>	Total suspended particulates (TSP)	Annual	<sup>a</sup> 90 µg/m <sup>3</sup>	<sup>c</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month <sup>a</sup> 4 g/m <sup>2</sup> /month	Not triggered		Bloomfield advised that they have not received any requests for acquisition.
Pollutant	Averaging Period	Criterion <sup>d</sup>																				
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Condition Number	Condition	Compliance	Evidence	Comments				
	<p>Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and</p> <ul style="list-style-type: none"> <li>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity which has been endorsed by the EPA and then agreed to by the Secretary.</li> </ul>							
	Additional Dust Mitigation Measures							
24	<p>Upon receiving a written request from the owner of any residence:</p> <p>(a) on the land listed in Table 1 for which the acquisition basis is air quality;</p> <p>(b) on the land listed in Table 12; or</p> <p>(c) on privately-owned land where subsequent air quality monitoring shows the dust generated by the project exceeds the air quality limits in Table 10,</p> <p>the Proponent must implement additional reasonable and feasible dust mitigation measures (such as a first flush roof system, internal or external air filters, and/or air conditioning) at the residence in consultation with the owner.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p> <p><i>Table 12: Land subject to dust mitigation on request</i></p> <table border="1"> <tbody> <tr> <td>88 – M &amp; T De Jong</td> <td>106 – B &amp; R Richards</td> </tr> <tr> <td>112 – S &amp; C Ernst</td> <td>111 – T Burgess</td> </tr> </tbody> </table> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>To interpret the locations referred to in Table 12, see the applicable figures in Appendix 4;</li> <li>For this condition to apply, the exceedances of the criteria must be systemic; and</li> <li>112 – S &amp; C Ernst has been acquired by the Proponent.</li> </ul>	88 – M & T De Jong	106 – B & R Richards	112 – S & C Ernst	111 – T Burgess	Compliant	<p>De Jong tank cleaning invoice dated 20/05/2020</p> <p>M-files capital approval request for purchase of replacement solar panels for De Jong residence</p> <p>Letter from Bloomfield to T &amp; C Burgess dated 21/06/2020</p> <p>Burgess Spanline invoice dated 5/08/2020</p> <p>stating that a quote was received by Spanline on the 22/04/2020</p>	<p>Bloomfield have received requests for additional dust mitigation measures from landowners De Jong and Burgess.</p> <p>De Jong requested tanks to be cleaned out. Sighted tank cleaning invoice dated 20/05/2020. Cleaned air conditioner and solar panels, did not sight invoices. Cleaning of solar panels identified issue with exposed wiring. Sighted M-files capital approval request for purchase of replacement solar panels. To be installed later this calendar year.</p> <p>Burgess requested air conditioning, enclosure of patio, double glazing and solar panels as part of additional dust mitigation measures. Bloomfield advised that the air conditioning has been installed and the patio enclosure work is underway at the time of audit. Sighted invoice from Spanline dated 5/08/2020. Sighted capital approval request for Burgess solar panels. While the enclosure of the patio is not strictly in accordance with VLAMP mitigation measures, Bloomfield</p>
88 – M & T De Jong	106 – B & R Richards							
112 – S & C Ernst	111 – T Burgess							



Condition Number	Condition	Compliance	Evidence	Comments
			M-files capital approval request for solar panels for Burgess residence	agreed to this in lieu of covering future cleaning costs.  Bloomfield advised that there have not been any disputes regarding additional dust mitigation measures.
	Mine-owned Land			
25	<p>The Proponent must ensure that particulate matter emissions generated by the project do not exceed the criteria in Table 10 at any occupied residence on any mine-owned land (including land owned by adjacent mines), unless:</p> <p>(a) the tenant and/or landowner has been notified of any health risks in accordance with the notification requirements under Schedule 4 of this approval;</p> <p>(b) the tenant on land owned by the Proponent can terminate the tenancy agreement without penalty, subject to giving reasonable notice, and the Proponent uses its best endeavours to provide assistance with relocation and sourcing of alternative accommodation;</p> <p>(c) air mitigation measures such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant and landowner (where owned by another mine other than the Proponent);</p> <p>(d) particulate matter air quality monitoring is undertaken to inform the tenant and landowner (where owned by a mine other than the Proponent) of potential health risks; and</p> <p>(e) monitoring data is presented to the tenant in an appropriate format, for a medical practitioner to assist the tenant in making an informed decision on the health risks associated with occupying the property, to the satisfaction of the Secretary.</p>	Compliant	<p>Template of letter to rental property tenant</p> <p>Register of letters delivered and acknowledgement of receipt signed by tenants dated November 2019</p>	<p>Bloomfield advise new tenants or landowners in accordance with Condition 25. The trigger to send letters, is a new tenant or tenancy agreement. Sighted letters to rental property tenants flagging the general health risks and telling them what they can do including providing notice for termination of tenancy, link to Rix's Creek Mine website for monitoring results, Factsheet NSW health mine dust and you. While a link to the Bloomfield website is provided in the letter, this is not a link to the monitoring information just the Bloomfield homepage.</p> <p>Sighted register to show that letters are delivered, signed by tenants as acknowledgement of receipt, dated November 2019.</p> <p><b>Recommendation 4: Provide a better website address in future letters to tenants to assist with locating the particulate matter monitoring data.</b></p>
	Operating Conditions			

Condition Number	Condition	Compliance	Evidence	Comments
26	<p>The Proponent must:</p> <p>(a) 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>(b) minimise any visible air pollution generated by the project;</p> <p>(c) 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>(d) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d in conditions 22 and 23);</p> <p>(e) minimise surface disturbance on the site; and</p> <p>(f) co-ordinate the air quality management on site with the air quality management of nearby mines (including Integra Underground, Ashton, Rix's Creek South and the Mount Owen Complex) to minimise cumulative air quality impacts, to the satisfaction of the Secretary.</p>	Compliant	<p>Rix's Creek Mine Air Quality &amp; Greenhouse Gas Management Plan, version 1.5, February 2016</p> <p>Audit interviews</p> <p>Site inspection</p> <p>Demonstration of software</p> <p>Complaints registers (2018, 2019 and 2020)</p> <p>Bloomfield Group Permit to Disturb</p>	<p>Bloomfield implement a range of best practice air quality management on site.</p> <p>RCM have received a small number of dust and odour complaints each year.</p> <p>RCM operate an air quality management system on site, this was demonstrated during the audit and its use in planning potentially dust and odour generating activities to avoid impacts on neighbours and to monitor air quality impacts during normal mine operations.</p> <p>The permit to disturb was sighted which manages surface disturbance activities and is reviewed and signed off by the Environment Team.</p> <p>RCM has established a protocol with neighbouring mines to manage cumulative impacts to air quality, noise and blasting which includes communicating between sites when certain activities are being undertaken and scheduled meetings to discuss issues each site is experiencing.</p>
	Air Quality & Greenhouse Gas Management Plan			
27	<p>The Proponent must prepare an Air Quality &amp; Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA, and then submitted to the Secretary for approval;</p> <p>(b) describe the measures that would be implemented to ensure:</p> <ul style="list-style-type: none"> <li>Compliance with the air quality criteria and operating conditions of this approval; and</li> </ul>	Compliant	<p>Rix's Creek Mine Air Quality &amp; Greenhouse Gas Management Plan, version 1.5, February 2016</p>	<p>The air quality and greenhouse gas management plan generally fulfilled all the requirements of condition 27.</p> <p>Refer to Condition 26.</p> <p>Bloomfield demonstrated implementation of the plan through sighting online real time air quality and meteorological monitoring data, site inspection seeing water carts, site</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>Best practice air quality management is being employed;</li> </ul> <p>(c) describe the air quality management system in detail;</p> <p>(d) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> <li>Uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the project;</li> <li>Includes a protocol for determining any exceedances of the relevant conditions of this approval;</li> <li>Adequately supports the proactive and reactive air quality management system;</li> <li>Includes PM2.5 monitoring (although this obligation could be satisfied by the regional air quality monitoring network if sufficient justification is provided);</li> <li>Evaluates and reports on the effectiveness of the air quality management system and the best practice air quality management measures; and</li> </ul> <p>(e) include a protocol that has been prepared in consultation with the owners of nearby mines (including Integra Underground, Ashton, Rix's Creek South and the Mount Owen Complex) to minimise the cumulative air quality impacts of the mines.</p> <p>The Proponent must implement the management plan as approved by the Secretary.</p>		<p>Audit interviews</p> <p>Site inspection</p> <p>Demonstration of software</p> <p>Complaints registers (2018, 2019 and 2020)</p>	<p>speed limits etc in action, reporting of data in the annual review, complaints register and small number of air quality/odour complaints, minutes from meetings with nearby mines to coordinate and discuss cumulative impact issues.</p>
	<b>METEOROLOGICAL MONITORING</b>			
28	<p>For the life of the project, the Proponent must ensure that there is a meteorological station in the vicinity of the site that: NSW Government Department of Planning and Environment 19</p> <p>(a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and</p> <p>(b) 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.</p>	Compliant	<p>Online real time monitoring data – teledata</p>	<p>Refer to EPL Condition M4.1.</p>
	<b>SOIL &amp; WATER</b>			
	Water Supply			

Condition Number	Condition	Compliance	Evidence	Comments
29	The Proponent must obtain all necessary water licences for the project under the Water Act 1912 or the Water Management Act 2000.	Compliant	RCM Water Management Plan, version 1.4, May 2019 RCM Water Management Plan, draft, version 2.5, August 2020	The current approved RCM Water Management Plan includes a number of water licences that are unrelated to the project in Table 2 Groundwater Licences. This has however been addressed in the new draft RCM Water Management Plan Table D2 Water Licences.
30	The Proponent 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.	Compliant	RCM Water Management Plan, version 1.4, May 2019 RCM Water Management Plan, draft, version 2.5, August 2020	The current approved and draft new WMP appears to show forecast groundwater take exceeding the available allocation in year 2025, however the draft WMP identifies that additional licensing requirements are being negotiated with DPIE Water.
	Baseflow Offsets			
31	The Proponent must offset the loss of any baseflow to the surrounding watercourses and/or associated creeks caused by the project to the satisfaction of the Secretary. Notes: <ul style="list-style-type: none"> <li>This condition does not apply in the case of losses of baseflow which are negligible.</li> <li>Offsets should be provided via the retirement of adequate water entitlements to account for the loss attributable to the project.</li> <li>The Proponent is not required to provide additional baseflow offsets where such offsets have already been provided under previous consents or approvals for the project. These existing offsets are to be described and evaluated in the Surface and Ground Water Response Plan (see below).</li> </ul>	Not triggered	Annual Review 2018 and 2019	Bloomfield did not identify any loss of baseflow in the Annual Reviews during the audit period.
	Compensatory Water Supply			
32	The Proponent must provide compensatory water supply to any landowner of privately-owned land whose water entitlements are	Not triggered	Annual Review 2018 and 2019	Bloomfield did not identify any issues related to loss of water entitlement in

Condition Number	Condition	Compliance	Evidence	Comments
	<p>impacted (other than an impact that is negligible) as a result of the project, in consultation with DoI-L&amp;W, and to the satisfaction of the Secretary.</p> <p>The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must be provided (at least on an interim basis) as soon as practicable after the loss being identified.</p> <p>If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p> <p>If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent must provide alternative compensation to the satisfaction of the Secretary.</p>			the Annual Reviews during the audit period.
	Surface Water Discharges			
33	<p>The Proponent must ensure that all surface water discharges from the site comply with the:</p> <p>(a) discharge limits (both volume and quality) set for the project in any EPL; or</p> <p>(b) relevant provisions of the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.</p>	Not triggered	Annual Review 2018 and 2019	Bloomfield advised that there has been no off-site surface water discharge during the audit period. A review of the Annual Reviews

Condition Number	Condition	Compliance	Evidence	Comments
	Glennies Creek and Station Creek Alluvial Aquifers			
34	<p>The Proponent must not undertake any open cut mining operations within 150 metres of the Glennies Creek alluvial aquifer or Station Creek alluvial aquifer without the prior written approval of the Secretary. In seeking this approval, the Proponent must consult with Dol-L&amp;W and demonstrate to the satisfaction of the Secretary that adequate safeguards have been incorporated into the Surface and Groundwater Response Plan (see below) to minimise, prevent and/or adequately offset groundwater leakage from the alluvial aquifers.</p> <p>Notes: The alluvial aquifers and 150 metre buffer zones are shown conceptually on the figure in Appendix 6. This condition does not restrict the Proponent's right to construct and use water management works, access tracks, environmental bunds, remediation works and other similar works.</p>	Not triggered	Annual Review 2018 and 2019	Bloomfield did not report any loss of baseflow in the Annual Reviews from the audit period.
35	Water Management Performance Measures			
	The Proponent must comply with the performance measures in Table 13 to the satisfaction of the Secretary.	Compliant	RCM Water Management Plan, version 1.4, May 2019 RCM Annual Reviews 2018 and 2019 Site inspection	The draft WMP identifies that the total onsite containment of process water is sufficient to contain an average recurrence interval (ARI) rainfall event of 1 in 100 years (ARI100), in satisfaction of the relevant performance measures.

Condition Number	Condition	Compliance	Evidence	Comments																				
	Table 13: Water management performance measures																							
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Condition Number	Condition	Compliance	Evidence	Comments
	<p>Aquatic and riparian ecosystems</p> <ul style="list-style-type: none"> <li>• Maintain or improve baseline channel stability</li> <li>• Develop site-specific in-stream water quality objectives in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> procedures (DECC 2006), or its latest version</li> </ul>			
	Water Management Plan			
36	<p>The Proponent must prepare a Water Management Plan for the project to the satisfaction of the Secretary.</p> <p>This plan must:</p> <p>(a) be prepared in consultation with OEH, EPA, DRG and Council, and be endorsed by DoI-L&amp;W and then submitted to the Secretary for approval;</p> <p>(b) include detailed performance criteria and describe measures to ensure that the Proponent complies with the Water Management Performance Measures (see Table 13);</p> <p>(c) include a Site Water Balance, which must:</p> <ul style="list-style-type: none"> <li>• include details of: <ul style="list-style-type: none"> <li>- sources and security of water supply;</li> <li>- water use on site;</li> <li>- water management on site; and</li> <li>- any off-site water transfers, and</li> </ul> </li> <li>• describe what measures would be implemented to minimise clean water use on site;</li> </ul> <p>(d) include an Erosion and Sediment Control Plan, which must:</p> <ul style="list-style-type: none"> <li>• identify activities that could cause soil erosion and generate sediment;</li> <li>• describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;</li> <li>• describe the location, function and capacity of erosion and sediment control structures and flood management structures; and</li> </ul>	Non-compliant	<p>RCM Water Management Plan, version 1.4, May 2019</p> <p>RCM Water Management Plan, draft, version 2.5, August 2020</p>	<p>The RCM Water Management Plan addressed a number of requirements of Condition 36, however it does not include:</p> <p>Discussion on water security of the site under a range of potential future rainfall conditions</p> <p>Clear description of the location or function of the erosion and sediment control structures (such as colour coding of figures, or flow paths of diversions/drains shown on the relevant plans)</p> <p>Detailed baseline data of the surface flows (such as qualitative identification of ephemeral regimes and tabulated summaries of quantitative water quality from previous surface water assessments).</p> <p>Refer to Section 3.2.2 and Corrective Action 2.</p>



Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>• describe what measures would be implemented to maintain the structures over time;</li> </ul> <p>(e) include a Surface Water Management Plan, which must include:</p> <ul style="list-style-type: none"> <li>• detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project;</li> <li>• surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts from the project (for existing creeks and reinstated/rehabilitated creeks);</li> <li>• a program to monitor and assess: <ul style="list-style-type: none"> <li>– surface water flows and quality;</li> <li>– impacts on water users;</li> <li>– stream health; and</li> <li>– channel stability.</li> </ul> </li> </ul> <p>(f) Include a Groundwater Management Plan, which must include:</p> <ul style="list-style-type: none"> <li>• detailed baseline data of groundwater levels, yield and quality in the region, particularly for privately-owned groundwater bores that could be affected by the project;</li> <li>• groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater water impacts; and</li> <li>• a program to monitor and assess: <ul style="list-style-type: none"> <li>– groundwater inflows to the mining operations;</li> <li>– impacts on regional aquifers;</li> <li>– impacts on the groundwater supply of potentially affected landowners;</li> <li>– impacts on the Glennies Creek and Station Creek; and</li> <li>– impacts on groundwater dependent ecosystems and riparian vegetation;</li> </ul> </li> </ul>			

Condition Number	Condition	Compliance	Evidence	Comments																	
	<p>(g) a Surface and Groundwater Response Plan, which must include:</p> <ul style="list-style-type: none"> <li>• a response protocol for any exceedances of the surface water and groundwater assessment criteria, including provisions for independent investigation by a suitable qualified hydrogeologist whose appointment has been approved by the Secretary;</li> <li>• measures to offset the loss of any baseflow to watercourses caused by the project;</li> <li>• measures to compensate landowners of privately-owned land whose water supply is adversely affected by the project; and</li> <li>• measures to mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation.</li> </ul> <p>The Proponent must implement the management plan as approved by the Secretary</p>																				
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37	<p>The Proponent must implement the biodiversity offset strategy summarised in Table 14, described in the open cut and underground project EAs (as amended by EA Mod 4), and shown conceptually in the figures in Appendix 8 to the satisfaction of the Secretary.</p> <p><i>Table 14: Biodiversity offset strategy</i></p> <table border="1"> <thead> <tr> <th>Area</th> <th>Offset Type</th> <th>Minimum Size (hectares)</th> </tr> </thead> <tbody> <tr> <td>Northern Biodiversity Offset Area</td> <td rowspan="5">Existing vegetation to be enhanced and restored to re-establish functioning ecosystems, and additional vegetation to be established, including regeneration of a minimum of 87 hectares of Derived Grassland/Native Pasture to vegetation communities representative of the Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC.</td> <td>88</td> </tr> <tr> <td>Southern Biodiversity Offset Area</td> <td>30</td> </tr> <tr> <td>Bridgeman Biodiversity Offset Area</td> <td>86</td> </tr> <tr> <td>Martins Creek Biodiversity Offset Area</td> <td>194</td> </tr> <tr> <td>Appletree Flat Biodiversity Offset Area</td> <td>216</td> </tr> <tr> <td><b>TOTAL</b></td> <td></td> <td><b>614</b></td> </tr> </tbody> </table>	Area	Offset Type	Minimum Size (hectares)	Northern Biodiversity Offset Area	Existing vegetation to be enhanced and restored to re-establish functioning ecosystems, and additional vegetation to be established, including regeneration of a minimum of 87 hectares of Derived Grassland/Native Pasture to vegetation communities representative of the Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC.	88	Southern Biodiversity Offset Area	30	Bridgeman Biodiversity Offset Area	86	Martins Creek Biodiversity Offset Area	194	Appletree Flat Biodiversity Offset Area	216	<b>TOTAL</b>		<b>614</b>	Compliant	<p>Letter from Bloomfield to BCT October 2019</p> <p>RCN Biodiversity Management Plan, AECOM, December 2017</p>	<p>The biodiversity offset strategy adopted by Bloomfield includes entering into conservation agreements over offset areas on site with BCT. This approach and the biodiversity offset strategy as outlined in Table 14 of Condition 37 is documented in the Biodiversity Management Plan. Agreements between Bloomfield and BCT are currently in final draft. BCT conducted an inspection of the areas on 14 October 2020.</p> <p>The conservation agreements are to be updated based on feedback from BCT. Sighted letter from Bloomfield to BCT October 2019, outlining the</p>
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Northern Biodiversity Offset Area	Existing vegetation to be enhanced and restored to re-establish functioning ecosystems, and additional vegetation to be established, including regeneration of a minimum of 87 hectares of Derived Grassland/Native Pasture to vegetation communities representative of the Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC.	88																			
Southern Biodiversity Offset Area		30																			
Bridgeman Biodiversity Offset Area		86																			
Martins Creek Biodiversity Offset Area		194																			
Appletree Flat Biodiversity Offset Area		216																			
<b>TOTAL</b>		<b>614</b>																			

Condition Number	Condition	Compliance	Evidence	Comments
				<p>history of conservation agreements during audit period.</p> <p>During the inspection of the site, direct seeding revegetation works were observed, refer to Appendix E, Observation 4, biodiversity offset areas were observed to be fenced off to restrict access and <i>Acacia saligna</i> spraying and removal was observed. Bloomfield advised that weed control was yet to be undertaken at the revegetation site visited to allow establishment of the natives.</p> <p>Rix's Creek North Biodiversity Management Plan (2017) includes the BOA's in Table 7. The previous audit report (Umwelt 2017) reported that the Martins Creek BOA was smaller than the size required in Table 14 however the 2017 Biodiversity Management Plan reports the size of the Martins Creek BOA to be 207 hectares.</p>
38	<p>The biodiversity offset strategy must:</p> <p>(a) ensure provision of at least 140 hectares of Narrow-leafed Ironbark-Spotted Gum-Forest Red Gum Forest (or a suitable equivalent) to further offset the impact of the open cut project; (b) include an additional 6 hectares of Central Hunter Swamp Oak Forest (or a suitable equivalent) to offset the impacts from Integra Underground on the Glendell Biodiversity Offset Area; and</p> <p>(c) include an offer to transfer the Appletree Flat Biodiversity Offset Area to OEH for long term conservation purposes. This offer must include sufficient funding for the ongoing management of the Appletree Flat Biodiversity Offset Area to the satisfaction of the Secretary.</p>	Compliant	<p>Transfer of title under the Property Act dated 29/03/18</p> <p>RCN Biodiversity Management Plan, AECOM, December 2017</p>	<p>Baseline assessments of offset sites were conducted which included a flora and fauna assessment to identify vegetation types present.</p> <p>The Appletree Flat biodiversity conservation area has been transferred to National Parks and Wildlife Service (NPWS). Sighted transfer of title under the property act dated 29/03/18.</p> <p>Refer to Condition 41 for information on independent audit of offset areas.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	Long Term Security of Offsets			
39	By 31 October 2016, or as otherwise agreed by the Secretary, the Proponent must make suitable arrangements to provide appropriate long term security for all the areas in the biodiversity offset strategy to the satisfaction of the Secretary.	Not triggered	Letter from DPIE to Bloomfield dated 6/05/2020	Bloomfield have sought a 12 month extension for the RCN biodiversity offset requirement outlined in Condition 39. Bloomfield have experienced delays with security the offsets through BCT. There has been some progress made in the last few months. Sighted letter dated 6/05/20 from DPIE, extension to 30/04/21.
	Biodiversity Management Plan			
40	<p>The Proponent must prepare a Biodiversity Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH and then submitted to the Secretary for approval;</p> <p>(b) describe how the implementation of the biodiversity offset strategy would be integrated with the overall rehabilitation of the site;</p> <p>(c) include:</p> <ul style="list-style-type: none"> <li>• a description of the short, medium, and long term measures that would be implemented to: <ul style="list-style-type: none"> <li>- implement the biodiversity offset strategy; and</li> <li>- manage the remnant vegetation and habitat, both on site and in the biodiversity offset areas;</li> </ul> </li> <li>• detailed performance and completion criteria for the implementation of the biodiversity offset strategy;</li> <li>• a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for: <ul style="list-style-type: none"> <li>- enhancing the quality of existing vegetation and fauna habitat in the biodiversity offset areas with ecological functions that are comparable with similar, undisturbed ecosystems;</li> </ul> </li> </ul>	Compliant	RCN Biodiversity Management Plan, AECOM, December 2017	<p>The draft Biodiversity Management Plan was reviewed as part of the last audit. The Biodiversity Management Plan has since been finalised and approved by DPIE.</p> <p>A discussion on closing out 2017 audit findings related to the Biodiversity Management Plan are addressed in Section 3.3, Table 3-1 in the audit report.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>- restoring native vegetation and fauna habitat in the biodiversity offset areas through focusing on assisted natural regeneration;</li> <li>- targeting vegetation establishment including a program for active revegetation of 87.2 ha of Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC on the site and the timeframe in which this will be achieved;</li> <li>- introducing naturally scarce elements of fauna habitat (where practicable);</li> <li>- acquiring quantitative baseline data for existing ecosystems in the Appletree Flat</li> <li>- Biodiversity Offset Area and on the site, including the Northern, Southern, Bridgeman and Martins Creek Biodiversity Offset areas – these must include habitat, flora and fauna baseline data;</li> <li>- maximising salvage and beneficial use of resources in areas that are to be impacted, including vegetative, soil and cultural heritage resources;</li> <li>- protecting vegetation and soil outside the areas that are to be impacted;</li> <li>- managing salinity;</li> <li>- conserving and reusing topsoil;</li> <li>- undertaking pre-clearance surveys;</li> <li>- managing impacts on fauna;</li> <li>- landscaping the site to minimise visual impacts;</li> <li>- collecting and propagating seed;</li> <li>- salvaging and reusing material from the site for habitat enhancement;</li> <li>- controlling weeds and feral pests, including terrestrial and aquatic species;</li> <li>- managing grazing and agriculture on site and in the biodiversity offset areas;</li> <li>- controlling access;</li> <li>- bushfire management; and</li> </ul>			

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>- managing potential conflicts between the biodiversity offset areas and Aboriginal cultural heritage values;</li> <li>• a description of the potential risks to the successful implementation of the biodiversity offset strategy, and a description of the contingency measures that would be implemented to mitigate these risks;</li> <li>• a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria; and</li> <li>• details of who would be responsible for monitoring, reviewing, and implementing the plan.</li> </ul> <p>The Proponent must implement the management plan as approved by the Secretary.</p>			
41	<p>The Proponent must commission a suitably qualified, experienced and independent person approved by the Secretary to conduct an audit by 31 December 2020, and a second audit 5 years thereafter, of all biodiversity areas subject to regeneration, restoration and/or protection as Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC, as referred to in condition 37. A report on each audit is to be submitted to the Secretary within 6 months of completing the audit for approval.</p> <p>Each report must, for each area of Derived Grassland/Native Pasture proposed for regeneration and restoration as Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC and for each existing area of Central Hunter Ironbark-Spotted Gum-Grey Box Forest EEC:</p> <p>(a) report all relevant baseline data (as at the date of project approval) concerning flora and fauna ecosystem condition and ecosystem function;</p> <p>(b) report all relevant current data (as at the time of the audit) concerning flora and fauna, ecosystem condition and ecosystem function;</p> <p>(c) provide a scientifically-valid comparison of the baseline data with the current data;</p>	Compliant	<p>Audit interview Letter from Bloomfield to DPIE dated 3/09/2020 Letter from DPIE to Bloomfield dated 11/09/2020</p>	<p>Bloomfield engaged OzArk to undertake an independent audit in accordance with Condition 41. Sighted approval of the audit team in letter from DPIE to Bloomfield dated 11/09/2020. The audit was completed on 19-20/10/20.</p> <p>At the time of the independent environmental audit Bloomfield hadn't received a copy of the report.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(d) provide a scientifically-valid comparison of the current data with the data from the first audit and including the baseline data (in the case of the second audit);</p> <p>(e) report on any works and/or other disturbance that has taken place in the areas since project approval;</p> <p>(f) describe the management measures undertaken to regenerate and/or restore the areas, including the dates and/or periods during which those measures were implemented;</p> <p>(g) evaluate the effectiveness of the management measures undertaken; and</p> <p>(h) recommend any additional management measures to regenerate, restore and/or protect the EEC and provide a schedule for their implementation.</p>			
	Conservation Bond			
42	<p>Within 6 months of the approval of the Biodiversity Management Plan (see above), the Proponent must lodge a conservation bond with the Department to ensure that the biodiversity offset strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan.</p> <p>The sum of the bond must be determined by:</p> <p>(a) calculating the full cost of implementing the biodiversity offset strategy (other than land acquisition costs); and</p> <p>(b) employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the Secretary.</p> <p>The calculation of the conservation bond must be submitted to the Department for approval at least 1 month prior to lodgement of the final bond.</p> <p>If the biodiversity offset strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary, the Secretary will release the bond. If the biodiversity offset strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary,</p>	Compliant	RCN Biodiversity Management Plan, AECOM, December 2017 Bank Guarantee Number CL00961215	The Biodiversity Management Plan includes a copy of the Conservation Bond Cover Sheet for the Rix's Creek North Mine and the conservation areas specified in Condition 37 to the value of \$534,000. Sighted copy of bank guarantee through Macquarie Bank which is dated 18 December 2015 which is two years prior to the approval of the Biodiversity Management Plan as per condition 40 was 22/12/2017.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>the Secretary will call in all or part of the conservation bond and arrange for the satisfactory completion of the relevant works.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>Alternative funding arrangements for long term management of the biodiversity offset strategy, such as provision of capital and management funding as agreed by OEH as part of a Biobanking Agreement or transfer to conservation reserve estate (or any other mechanism agreed with OEH) can be used to reduce the liability of the conservation bond.</li> <li>The sum of the bond may be reviewed in conjunction with any revision to the biodiversity offset strategy or the completion of major milestones within the approved plan.</li> </ul>			
42A	<p>Targeted Survey</p> <p>Prior to the commencement of the exploration drilling program, the Proponent must:</p> <p>a) conduct a targeted survey for <i>Diuris tricolor</i> during its known flowering time (mid-September to mid October) within the area of disturbance of each proposed borehole, in consultation with OEH.</p> <p>b) prepare a report, to the satisfaction of the Secretary, detailing:</p> <ul style="list-style-type: none"> <li>the results of the survey;</li> <li>whether the proposed exploration activities would harm <i>Diuris tricolor</i>;</li> <li>what measures would be implemented to avoid impacts on <i>Diuris tricolor</i> and other threatened species, populations or their habitats; and</li> <li>suitable offset arrangements in accordance with the NSW Biodiversity Offsets Policy for Major Projects, if the survey concludes that <i>Diuris tricolor</i> would be harmed by the proposed boreholes.</li> </ul> <p>The Proponent must implement the findings of the report, to the satisfaction of the Secretary.</p>	Not triggered		Assessed as part of 2017 audit.



Condition Number	Condition	Compliance	Evidence	Comments
	HERITAGE			
	Further Archaeological Investigation			
43	Prior to carrying out any development in the parts of the site outlined in purple on the figure in Appendix 8, unless the Secretary agrees otherwise, the Proponent must carry out further archaeological testing and investigation within the broader area outlined in purple on the figure in Appendix 7 to the satisfaction of the Secretary.	Not triggered	PA 08_0102	Bloomfield haven't conducted any development in the area referenced in Condition 43. Sighted figure from consent showing purple area.
	Heritage Management Plan			
44	<p>The Proponent must prepare a Heritage Management Plan for the project to the satisfaction of the Secretary.</p> <p>This plan must:</p> <p>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with OEH, the Aboriginal community, the Heritage Division, Council, local historical organisations and any relevant landowners;</p> <p>(c) be submitted to the Secretary for approval;</p> <p>(d) include the following for the management of Aboriginal cultural heritage on site:</p> <ul style="list-style-type: none"> <li>• recording, salvaging and/or managing all Aboriginal sites, objects and deposits that are to be destroyed within the open cut project area;</li> <li>• conserving, managing and monitoring all Aboriginal sites, objects and deposits that are to be protected within the open cut project area, including the 3 scarred trees identified within the western mining area;</li> <li>• maintaining and managing access to Aboriginal sites, objects and deposits by the Aboriginal community, including provision of an appropriate Keeping Place;</li> <li>• managing the discovery of any new Aboriginal objects or skeletal remains identified during the project; and</li> </ul>	Compliant	RCN Heritage Management Plan, February 2016	<p>The heritage management plan generally fulfilled all the requirements of condition 44.</p> <p>The plan is the same version which was reviewed as part of the 2017 audit.</p> <p>Bloomfield have demonstrated implementation of the HMP through site salvage conducted in conjunction with field archaeologists and Aboriginal community, establishment of a keeping place at the Integra Coal Operations offices at Camberwell.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>• ongoing consultation and involvement of the Aboriginal community in the conservation and management of Aboriginal cultural heritage values on the site.</li> </ul> <p>(e) include programs/ procedures for the following, in accordance with the applicable guidelines of the Heritage Division:</p> <ul style="list-style-type: none"> <li>• further historical investigation of the area outlined in purple on the figure in Appendix 7 to identify the potential archaeological resources within the area;</li> <li>• archaeological testing of the potential archaeological resources within the area outlined in purple on the figure in Appendix 7;</li> <li>• further archaeological investigation of any areas where the archaeological testing (referred to above) identifies significant archaeological deposits;</li> <li>• archaeological excavation of the known grave on site, identified as the James Halliday Glennie grave site;</li> <li>• detailed archival recording of the Dulwich property if it is to be mined, or the preparation of a detailed conservation management plan for the Dulwich property if it is not to be mined (subject to the agreement of the landowner);</li> <li>• archival recording of any other heritage items to be destroyed by the project;</li> <li>• conserving, managing, monitoring, and where appropriate, relocating any non-Aboriginal sites, objects and deposits on the site;</li> <li>• interpreting the findings of the additional heritage or archaeological investigations carried out on the site; and</li> <li>• managing the discovery of any new non-Aboriginal objects or skeletal remains identified during the project.</li> </ul> <p>The Proponent must implement the management plan as approved by the Secretary.</p>			

Condition Number	Condition	Compliance	Evidence	Comments
	TRANSPORT			
	Monitoring of Coal Transport			
45	<p>The Proponent must:</p> <p>(a) keep accurate records of:</p> <ul style="list-style-type: none"> <li>amount of coal transported from the site (on a monthly basis);</li> <li>the date and time of each train movement from the site; and</li> </ul> <p>(b) make these records publicly available on its website at the end of each calendar year</p>	Compliant	<p>RCN Train Movements CY2017</p> <p>RCN Train Movements CY2018</p> <p>RCN Train Movements CY2019</p> <p>Email from Logistics &amp; Shipping Officer to Environmental Advisor titled 'Train movements from 1 January to 15 October 2020' dated 16 October 2020</p>	<p>Bloomfield maintain records of coal movement by train including date and time, volumes per train and monthly. Refer to Schedule 2, Condition 8.</p> <p>Sighted train records on Rix's Creek website for 2015-2019.</p>
	VISUAL			
	Visual Amenity and Lighting			
46	<p>The Proponent must:</p> <p>(a) implement all reasonable and feasible measures to mitigate visual and off-site lighting impacts of the project;</p> <p>(b) ensure no unshielded outdoor lights shine above the horizontal; and</p> <p>(c) 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</p>	Compliant	<p>Correspondence to Rix's Creek staff RCM Mining Operations Plan, December 2019</p>	<p>Bloomfield have communicated the requirements of AS 4282 to site personnel, sighted email correspondence. The Environmental Officer who conducts night-time noise monitoring also conducts light checks each night, sighted RCN night time noise monitoring summary sheet, 3/11/2020 which included a note that there was no lighting issues. Where an</p>

Condition Number	Condition	Compliance	Evidence	Comments
			Complaints Register 2020	<p>issue is identified, the Environmental Officer notifies the RCN OCE (open cut examiner – shift supervisor). Bloomfield advised that a key risk for lighting amenity was set up of lighting plants onsite, in order to minimise impacts they ensure that the lights are tilted down.</p> <p>There has been one complaint in 2020 for lights where temporary lighting plants are setup for specific works, there have not been any complaints regarding lighting from haul trucks.</p>
	Additional Visual Mitigation Measures			
47	<p>Upon receiving a written request from the owner of any residence on privately-owned land which has significant direct views of the open cut mining operations on site, the Proponent must implement additional visual mitigation measures (such as landscaping treatments or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed towards minimising the visibility of the mining operations from the residence.</p> <p>If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p>	Not triggered		Bloomfield advised that it has not received any written requests that trigger Condition 47.

Condition Number	Condition	Compliance	Evidence	Comments
	WASTE			
48	<p>The Proponent must:</p> <ul style="list-style-type: none"> <li>(a) minimise and monitor the waste generated by the project; and</li> <li>(b) ensure that the waste generated by the project is appropriately stored, handled, and disposed of;</li> <li>(c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and</li> <li>(d) report on waste management and minimisation in the annual review, to the satisfaction of the Secretary.</li> </ul>	Compliant	<p>Site inspection Waste Management System RCM Annual Review, 2018, 2019</p>	<p>Bloomfield have developed a Waste Management System for RCM, similar structure to an environmental management system to provide a framework for waste management across RCM. The WMS identifies the types of wastes generated and where they are disposed to. Bloomfield currently engage three waste contractors; Suez, Toxfree and Simms. Bloomfield have recently put out a tender for one waste management contractor to collect and dispose of all waste streams.</p> <p>The Annual Review reports on the major waste streams, disposal and recycling in the reporting year. There was no discussion on waste minimisation within the annual review.</p> <p>Inspection of the site identified that, while waste is generally segregated and well managed it was observed that skip bins for cardboard or scrap metal were contaminated with other waste streams.</p> <p>Refer to Appendix E for photo log from site inspections.</p> <p>Refer to EPL Condition O2.2 for information on the management of the onsite sewage treatment.</p> <p><b><i>Recommendation 5: Reinforce importance of waste segregation with operational personnel in workshop and stores.</i></b></p>

Condition Number	Condition	Compliance	Evidence	Comments
	<b>BUSHFIRE MANAGEMENT</b>			
49	The Proponent must: (a) ensure that the project is suitably equipped to respond to fires on site; and (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site	Compliant	RCM Bushfire Management Plan, January 2020 Audit interviews Correspondence with RFS dated 24 January 2020 Onsite training register Site inspection	Bloomfield maintain an RCM Bushfire Management Plan which was prepared in consultation with the Rural Fire Service. Evidence of consultation with the RFS, feedback provided and incorporated. Sighted response to RFS from Bloomfield with how addressed comments. Bloomfield maintain water storages and slashing for fire breaks. Bloomfield have mapping of the site highlighting water storages, gates and entry points, and high-risk areas to assist in response to a fire. Equipment maintained for fire protection includes water carts with monitors, fire hydrant system, fire extinguishers. Bloomfield provide training for site personnel including fire response and use of firefighting foam. Sighted competency in onsite training competency register.
	<b>REHABILITATION</b>			
	<b>Rehabilitation Objectives</b>			
51	The Proponent must rehabilitate the site in a manner that is generally consistent with the rehabilitation strategy described in the documents referred to in condition 2 of Schedule 2 – and depicted conceptually in the figure in Appendix 8 – and the objectives in Table 15.	Compliant	RCM Mining Operations Plan, December 2019	Rehabilitation is ongoing at RCN. Rehabilitation activities and schedule are incorporated into the Mining Operations Plan (MOP). All of the rehabilitation objectives outlined in Condition 51 for RCN are included in the Mining Operation Plan.

Condition Number	Condition	Compliance	Evidence	Comments														
	<p><i>Table 15: Rehabilitation objectives</i></p> <table border="1"> <thead> <tr> <th>Area/Domain</th> <th>Rehabilitation Objectives</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> <li>• Safe, stable &amp; non-polluting</li> <li>• Final landforms designed to incorporate micro-relief and integrate with surrounding natural landforms</li> <li>• Constructed landforms maximise surface water drainage to the natural environment (excluding final void catchments)</li> <li>• Minimise long term groundwater seepage zones</li> <li>• Minimise visual impact of final landforms as far as is reasonable and feasible</li> </ul> </td> </tr> <tr> <td>Final voids</td> <td> <ul style="list-style-type: none"> <li>• Safe, stable &amp; non-polluting</li> <li>• Minimise the size and depth of the final void as far as is reasonable and feasible</li> <li>• Minimise the drainage catchment of the final void as far as is reasonable and feasible</li> <li>• Minimise the risk of flood interaction for all flood events up to and including the Probable Maximum Flood</li> <li>• Negligible high wall instability risk</li> </ul> </td> </tr> <tr> <td>Surface infrastructure</td> <td>To be decommissioned and removed, unless DRG agrees otherwise</td> </tr> <tr> <td>Historic underground workings</td> <td>Safe, stable &amp; non-polluting</td> </tr> <tr> <td>Other land affected by the project</td> <td>Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> <li>• local native plant species (unless DRG agrees otherwise); and</li> <li>• a landform consistent with the surrounding environment</li> </ul> </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> <li>• Ensure public safety</li> <li>• Minimise the adverse socio-economic effects associated with mine closure</li> </ul> </td> </tr> </tbody> </table> <p><i>Note: The rehabilitation objectives detailed in Table 15 apply to the entire site, including all landforms constructed under either this consent or previous consents. However, they do not require any additional earthmoving works to be undertaken for landforms that have been approved and constructed under previous consents or prior to the approval of MOD 6.</i></p>	Area/Domain	Rehabilitation Objectives	Site (as a whole)	<ul style="list-style-type: none"> <li>• Safe, stable &amp; non-polluting</li> <li>• Final landforms designed to incorporate micro-relief and integrate with surrounding natural landforms</li> <li>• Constructed landforms maximise surface water drainage to the natural environment (excluding final void catchments)</li> <li>• Minimise long term groundwater seepage zones</li> <li>• Minimise visual impact of final landforms as far as is reasonable and feasible</li> </ul>	Final voids	<ul style="list-style-type: none"> <li>• Safe, stable &amp; non-polluting</li> <li>• Minimise the size and depth of the final void as far as is reasonable and feasible</li> <li>• Minimise the drainage catchment of the final void as far as is reasonable and feasible</li> <li>• Minimise the risk of flood interaction for all flood events up to and including the Probable Maximum Flood</li> <li>• Negligible high wall instability risk</li> </ul>	Surface infrastructure	To be decommissioned and removed, unless DRG agrees otherwise	Historic underground workings	Safe, stable & non-polluting	Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> <li>• local native plant species (unless DRG agrees otherwise); and</li> <li>• a landform consistent with the surrounding environment</li> </ul>	Community	<ul style="list-style-type: none"> <li>• Ensure public safety</li> <li>• Minimise the adverse socio-economic effects associated with mine closure</li> </ul>			
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	Progressive Rehabilitation																	
51	The Proponent must carry out rehabilitation of the site progressively, that is, as soon as reasonably practicable following the disturbance.	Compliant	Site inspection	Bloomfield advised that the rehabilitation that has been completed during the audit period is part of the Camberwell pit rail corridor. Progressive rehabilitation was sighted during the site inspection, refer to photos from the site inspection in Appendix E.														

Condition Number	Condition	Compliance	Evidence	Comments
52	<p>Rehabilitation Management Plan</p> <p>The Proponent must prepare a Rehabilitation Management Plan for the project to the satisfaction of DRG. This plan must:</p> <p>(a) be prepared in consultation with the Department, OEH, DoI-L&amp;W, Council and the CCC;</p> <p>(b) be submitted to the DRG for approval within 3 months of approval of MOD 8;</p> <p>(c) be prepared in accordance with any relevant DRG guideline, and be consistent with the rehabilitation objectives in Table 15 and be generally consistent with the rehabilitation strategy described in the documents referred to in condition 2 of Schedule 2;</p> <p>(d) identify and describe all mining and rehabilitation domains, and include detailed performance and completion criteria for each domain and triggers for remedial actions;</p> <p>(e) describe the measures to be implemented on the site to comply with the criteria in paragraph (d) and address all aspects of rehabilitation including mine closure, final landform (including final voids), postmining land uses and water management in the final landform;</p> <p>(f) include detailed mine plans and scheduling for progressive rehabilitation to be initiated, undertaken and/or completed over the next three years, or other suitable time period as agreed with DRG;</p> <p>(g) describe how rehabilitation will be integrated with Rix's Creek South;</p> <p>(h) include procedures for the reasonable use of interim stabilisation and temporary vegetation strategies to minimise the area exposed for dust generation; and</p> <p>(i) include a program to monitor, independently audit and report on progress against the criteria in paragraph (d) and the effectiveness of the measures in paragraph (e).</p> <p>The Proponent must implement the management plan as approved by the Secretary.</p>	Compliant	RCM Mining Operations Plan, December 2019 Site inspection Rix's Creek 2019 Rehabilitation Monitoring Report, Final, Umwelt Environmental & Social Consultants, August 2020	<p>The Rehabilitation Management Plan is incorporated into the RCM Mining Operations Plan. The MOP:</p> <ul style="list-style-type: none"> <li>Was prepared in consultation with DPIE, BCD, DPIE-Water and Council, there is however no mention of consultation with the CCC</li> <li>References the DRG guidelines ESG3: Mining Operations Plan Guidelines 2013</li> <li>Identifies and describes all of the mining and rehabilitation domains and rehabilitation measures for each domain</li> <li>Includes detailed mine plans</li> <li>Is a combined MOP for RCS and RCN</li> <li>Includes temporary stabilisation strategies</li> <li>Includes rehabilitation monitoring.</li> </ul> <p>The audit did not sight correspondence confirming when the MOP was submitted to DRG.</p> <p>Bloomfield demonstrated implementation of the MOP. Areas undergoing rehabilitation were observed during the site inspection.</p>



Condition Number	Condition	Compliance	Evidence	Comments
				<p>Monitoring of rehabilitation is conducted biannually by a consultant and reported in the Annual Review. Rehabilitation monitoring was last conducted in 2019. Sighted rehabilitation monitoring report 2019, Umwelt. Monitoring focusses on established sites. The last rehabilitation monitoring reported that Bloomfield had adhered to some completion requirements however others were not achieved. Bloomfield advised that drought conditions inhibited rehabilitation and they are redoing some areas that were identified as failed.</p>
53	<p>Within 12 months of the completion of the exploration drilling program, the Proponent must plant 2 trees for every established tree removed during the exploration drilling program. The replacement trees must be of like-for-like species, planted in the same area from which they were removed, and be maintained until established.</p> <p>Note: An established tree is considered to be two metres or greater in height</p>	Compliant	<p>Sighted internal Bloomfield email dated 19/02/2019</p> <p>Sighted internal Bloomfield email dated 16/05/2019</p> <p>Sighted email from Bloomfield to Hunter Land Management dated 16/05/2019</p> <p>Sighted email from Hunter</p>	<p>Bloomfield advised that the exploration drilling program referenced in Condition 53 was completed in June 2018 and tree planting completed by end of May 2019.</p> <p>Sighted internal Bloomfield email dated 19/02/2019 confirming date of completion of exploration drilling program. Sighted internal Bloomfield email dated 16/05/2019 confirming number of trees impacted by the program as 16 saplings. Sighted email from Bloomfield to Hunter Land Management requesting a quote to conduct the planting dated 16/05/2019. Sighted email from Hunter Land Management to Bloomfield dated 28/05/2019 confirming completion of tree planting.</p>

Condition Number	Condition	Compliance	Evidence	Comments
			Land Management to Bloomfield dated 28/05/2019	The area was not inspected as part of the audit to confirm if these trees were being maintained until established.
54	Rehabilitation of all areas disturbed by the exploration drilling program is to be undertaken in accordance with an approved Mining Operations Plan / Rehabilitation Management Plan, to the satisfaction of DRG.	Compliant	RCM Annual Review 2018	Bloomfield advised that rehabilitation of areas disturbed by the exploration drilling program has been completed. Bloomfield advised that the drilling program resulted in very limited disturbance due to the drill methodology and the use of aboveground sumps. The 2018 Annual Review reported that on completion of exploration activity the location was rehabilitated by backfilling and sealing the borehole.
	SCHEDULE 4			
	ADDITIONAL PROCEDURES			
	NOTIFICATION OF LANDOWNERS			
1	<p>By the end of December 2010, the Proponent must:</p> <p>(a) notify in writing the owners of:</p> <ul style="list-style-type: none"> <li>the land listed in Table 1 of Schedule 3 that they have the right to require the Proponent to acquire their land at certain stages during the project;</li> <li>any residence on the land listed in Table 1, for which the acquisition basis is noise, or Table 6 of Schedule 3 that they are entitled to ask for additional noise mitigation to be installed at their residence at certain stages during the project;</li> <li>any residence on the land listed in Table 1, for which the acquisition basis is air quality, or Table 12 of Schedule 3 that they are entitled to ask for additional air quality mitigation measures to be installed at their residence at certain stages of the project; and</li> </ul>	Not triggered		Assessed in previous audit.

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>• any privately-owned land within 2 kilometres of any approved open cut mining pit on site that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated; and</li> <li>(b) send a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the open cut project EAs identify that dust emissions from the project are likely to be greater than the relevant air quality criteria in Schedule 3 at any time during the life of the project.</li> </ul>			
2	<p>Prior to entering into any tenancy agreement for any land owned by the Proponent that is predicted to experience exceedances of the relevant noise criteria or dust criteria in Schedule 3, the Proponent must:</p> <ul style="list-style-type: none"> <li>(a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land and give them a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time); and</li> <li>(b) advise the prospective tenants of the rights they would have under this approval, to the satisfaction of the Secretary.</li> </ul>	Compliant		Refer to Schedule 3, Condition 25.

Condition Number	Condition	Compliance	Evidence	Comments
3	<p>As soon as practicable after obtaining monitoring results showing:</p> <p>(a) an exceedance of any relevant criteria in Schedule 3, the Proponent must notify the affected landowner and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is again complying with the relevant criteria;</p> <p>(b) an exceedance of any relevant criteria in conditions 6(c) or 7 of Schedule 3, the Proponent must notify the applicable owner in writing that they are entitled to ask for additional noise mitigation to be installed at their residence;</p> <p>(c) an exceedance of any relevant criteria in condition 22 or 23 of Schedule 3, the Proponent must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine owned land); and</p> <p>(d) an exceedance of the relevant criteria in condition 24(c) of Schedule 3, the Proponent must notify the applicable owner of any residences on the land that they are entitled to ask for additional air quality mitigation measures to be installed at their residence.</p>	Not triggered		Bloomfield advised that this condition was not triggered during the audit period.
	INDEPENDENT REVIEW			
4	<p>If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then he/she may ask the Secretary in writing for an independent review of the impact of the project on his/her land. If the Secretary is not satisfied that an independent review is warranted, the Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 60 days of the request for a review. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Proponent 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"> <li>consult with the landowner to determine his/her concerns;</li> <li>conduct monitoring to determine whether the project is complying with the relevant criteria in Schedule 3; and</li> </ul>	Not triggered	Sighted correspondence from Bloomfield to M Wright dated 1/05/2020	<p>Bloomfield have not have any requests for an independent review of the impact of RCN operations on private land during the audit period.</p> <p>Bloomfield actively advise complainants of their rights for an independent review of impacts as sighted in letter to M Wright dated 1/05/2020 who was a complainant. The letter flagged this condition if they wanted to take their complaint further.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>• if the project is not complying with these criteria then:               <ul style="list-style-type: none"> <li>– determine if more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land;</li> <li>– identify the measures that could be implemented to ensure compliance with the relevant criteria; and</li> </ul> </li> </ul> <p>(b) give the Secretary and landowner a copy of the independent review</p>			
5	<p>If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant criteria in Schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent must:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until there is compliance with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner to allow the exceedances of the relevant criteria, to the satisfaction of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant acquisition criteria in Schedule 3, and that the project is primarily responsible for this non-compliance, then upon receiving a written request from the landowner, the Proponent must acquire all or part of the landowner's land in accordance with the procedures in conditions 8 to 9 below.</p>	Not triggered		Refer to Schedule 4, Condition 4.

Condition Number	Condition	Compliance	Evidence	Comments
6	<p>If the independent review determines that the relevant criteria in Schedule 3 are being exceeded, but that more than one mine is responsible for this exceedance, then together with the relevant mine/s the Proponent must:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until there is compliance with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Secretary.</p> <p>If the independent review determines that relevant acquisition criteria in Schedule 3 are being exceeded, but that more than one mine is responsible for the exceedance, then upon receiving a written request from the landowner, the Proponent must acquire all or part of the landowner's land on as equitable a basis as possible with the relevant mine/s in accordance with the procedures in conditions 7 to 8 below.</p>	Not triggered		Refer to Schedule 4, Condition 4.
	LAND ACQUISITION			
7	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent must make a binding written offer to the landowner based on:</p> <p>(a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the:</p> <ul style="list-style-type: none"> <li>existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and</li> <li>presence of improvements on the land and/or any approved building or structure which has been physically commenced on the land at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any</li> </ul>	Not triggered		Bloomfield advised that they have not received any requests for land acquisition in accordance with Condition 7.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>improvements that have resulted from the implementation of any additional mitigation measures required under conditions 6, 7 or 24 of Schedule 3;</p> <p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> <li>• relocating within the Singleton or Muswellbrook local government areas, or to any other local government area determined by the Secretary; and</li> <li>• obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and</li> </ul> <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary will request the President of the NSW Division of the Australian Property Institute (the API) to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> <li>• consider submissions from both parties;</li> <li>• determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;</li> <li>• prepare a detailed report setting out the reasons for any determination; and</li> <li>• provide a copy of the report to both parties.</li> </ul> <p>Within 14 days of receiving the independent valuer's report, the Proponent must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent</p>			

Condition Number	Condition	Compliance	Evidence	Comments
	<p>valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report disputing the independent valuer's determination, and any other relevant submissions.</p> <p>Within 14 days of this determination, the Proponent must make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.</p> <p>If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land must cease, unless the Secretary determines otherwise.</p>			
8	<p>The Proponent must pay all reasonable costs associated with the land acquisition process described above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.</p>	Not triggered		Refer to Schedule 4, Condition 7.
	SCHEDULE 5			
	ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	ENVIRONMENTAL MANAGEMENT			
	Environmental Management Strategy			
1	<p>If the Secretary requires, the Proponent must prepare an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval;</p> <p>(b) provide the strategic framework for the environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p>	Compliant	RCM Environmental Management Strategy, June 2019	Bloomfield maintain an environmental management strategy for the Rix's Creek Mines in accordance with Condition 1.



Condition Number	Condition	Compliance	Evidence	Comments
	<p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</p> <p>(e) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the project;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise during the course of the project;</li> <li>• respond to any non-compliance; and</li> <li>• respond to emergencies; and</li> </ul> <p>(f) include:</p> <ul style="list-style-type: none"> <li>• copies of any strategies, plans and programs approved under the conditions of this approval;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.</li> </ul> <p>The Proponent must implement the approved strategy as approved from time to time by the Secretary.</p>			
2	<p>Management Plan Requirements</p> <p>The Proponent must ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> <li>• the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>• any relevant limits or performance measures/criteria; and</li> </ul> <ul style="list-style-type: none"> <li>• 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;</li> </ul>	Administrative non-compliance	RCN Biodiversity Management Plan, AECOM, December 2017 RCM Water Management Plan, version 1.4, May 2019 RCM Environmental Management	<p>Management plans prepared by Bloomfield under MP 08_0102 generally meets the requirements of Condition 2. However the biodiversity management plan does not include management of incidents, complaints, exceedances and non-compliances.</p> <p><b>Corrective Action 3: Update Biodiversity Management Plan to include reference to the procedures for management of incidents, complaints, exceedances and non-</b></p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> <li>• impacts and environmental performance of the project; and</li> <li>• effectiveness of any management measures (see (c) above);</li> </ul> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the project over time;</p> <p>(g) a program to regularly review management practices to align with contemporary best practice industry standards;</p> <p>(h) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> <li>• incidents;</li> <li>• complaints;</li> <li>• non-compliances with the conditions of this approval and statutory requirements; and</li> <li>• exceedances of the impact assessment criteria and/or performance criteria; and</li> </ul> <p>(i) a protocol for periodic review of the plan.</p> <p>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>		<p>Strategy, June 2019</p> <p>RCM Noise Management Plan, Version 1.7, July 2019</p> <p>RCM Blast Management Plan, version 1.6, July 2019</p>	<p><b><i>compliances in the Environmental Management Strategy.</i></b></p>

Condition Number	Condition	Compliance	Evidence	Comments
	Preparation of Management Plans			
3	Prior to approval of management plans required under Schedule 3, all existing management plans, monitoring programs, strategies, programs, protocols, etc approved as at the date of approval of Modification 6 shall continue to have full force and effect, and may be revised under the requirements of condition 5 below as if subject to the conditions of this approval that applied prior to the approval of Modification 6, or otherwise with the approval of the Secretary.	Note		
	Relationships between Management Plans			
4	With the agreement of the Secretary, the Proponent may combine any strategy, plan or program required by this approval with any similar strategy, plan or program required for Rix's Creek South.	Compliant	Correspondence from Bloomfield to DPIE dated 10/02/2020 Correspondence from DPIE to Bloomfield dated 18/02/2020	Bloomfield sought permission from DPIE to combine seven management plans and the CCC across RCN and RCS. Sighted letter from Bloomfield to DPIE dated 10/02/2020. DPIE agreed to request, sighted letter dated 18/02/2020.
	Revision of Strategies, Plans & Programs			
5	Within 3 months of: (a) the submission of an incident report under condition 8 below; (b) the submission of an annual review under condition 10 below; (c) the submission of an audit report under condition 11 below, or (d) any modification of the conditions of this approval (unless the conditions require otherwise), the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. The Proponent 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.	Compliant	RCM Annual Review 2018 and 2019	Bloomfield have reviewed, updated and submitted management plans required under MP 08_0102 and Condition 5. This is reported on in the Annual Reviews. The following management plans have undergone recent update: <ul style="list-style-type: none"> <li>AQGGMP was updated to include the air quality cumulative protocol on the 24/07/2019 to coordinate with the nearby mines. The AQGGMP was subsequently approved by DPIE on 31/07/2019.</li> </ul>

Condition Number	Condition	Compliance	Evidence	Comments
	Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project			<ul style="list-style-type: none"> <li>An updated Bushfire Management Plan was submitted to the RFS for consultation in October 2019. Correspondence with comments from RFS dated 24/01/2020.</li> <li>Noise Management Plan was updated on the 24/07/2019 with an updated noise protocol being established between nearby mines. This updated NMP was subsequently approved by DPIE on 31/07/2019.</li> </ul>
	Updating & Staging Submissions of Strategies, Plans or Programs			
6	<p>The Proponent must regularly review the strategies, plans and programs required under this approval and ensure that these documents are updated to incorporate measures to improve the environmental performance of the project and reflect current best practice in the mining industry. To facilitate these updates, the Proponent may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Proponent may also submit any strategy, plan or program required by this approval on a staged basis.</p> <p>The Secretary may approve a revised strategy, plan or program required under this approval, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Proponent may revise any strategy, plan or program approved under this approval without consulting with all the parties nominated under the applicable conditions of approval.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the Proponent will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times.</p>	Compliant	M-files document management system Annual Review 2018, 2019 Audit interviews	<p>Bloomfield have established automatic reminders for annual reviews of management plans required under this approval through their M-files document management system. Where the review results in an update of a management plan, this is submitted to DPIE and not implemented until approved.</p> <p>Bloomfield advised that they have not sought to review a management plan and not go through consultation with the identified parties.</p> <p>Bloomfield advised that they have not requested staging of management plans for Rix's Creek North Mine.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<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"> <li>• While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and</li> <li>• 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.</li> </ul>			
	Community Consultative Committee			
7	<p>The Proponent must operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must be operated in general accordance with the Department's Community Consultative Committee Guidelines, November 2016 (or later version).</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval;</li> <li>• In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community;</li> <li>• The Proponent may, with the approval of the Secretary, combine the function of this CCC with the function of other CCCs in the area.</li> </ul>	Compliant	RCM CCC Minutes, 2018, 2019 and 2020	<p>Bloomfield have continued operation of the CCC established. Meeting minutes of the CCC are available on the Rix's Creek website. Representatives from Bloomfield at the CCC meeting were C Knight, C Quinn, Mining Manager and Project and Development Manager. Operation of the CCC has been in accordance with the requirements of the CCC guidelines 2016. The CCC chair provided feedback as part of agency consultation, refer to Appendix B. Sighted a disclosure of pecuniary interests for C Knight. This declaration is required to be submitted to the chair as part of CCC guidelines.</p>
	REPORTING			

Condition Number	Condition	Compliance	Evidence	Comments
	Incident Notification			
8	The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name) and set out the location and nature of the incident.	Compliant	Annual review 2018 Email from Bloomfield to EPA and DPE dated 11/07/2018	Bloomfield were made aware of a low frequency noise exceedance that occurred on 14/06/2018 which was detected by the noise consultant during monthly monitoring with a handheld monitor. The LAeq,15min Noise Criteria at NMG 5 (988 Bridgman Road Singleton) was exceeded after application of the low frequency penalty of 5dB. The measured LAeq was 40dB, but a 5dB NPfl low frequency penalty was applicable, resulting in a total LAeq of 45dB.  The consultant advised Bloomfield of the exceedance on 11/07/2018. Bloomfield advised the EPA and DPE on the same day.
9	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the development (including the development application number and name), set out the condition of this approval that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.  Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance	Compliant	Letter from Bloomfield to DPIE dated 17/07/2018	Bloomfield provided a written report to the DPE and EPA within seven days of becoming aware of the non-compliance. Sighted letter to DPIE from Bloomfield 17/07/2018.
	Annual Review			
10	By the end of March each year, or other timing as may be agreed by the Secretary, the Proponent must submit a report to the Department reviewing the environmental performance of the project to the satisfaction of the Secretary. This review must:	Compliant	Annual Review 2018 and 2019	Bloomfield have prepared and submitted Annual Reviews in accordance with Condition 10 throughout the audit period.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(a) describe the works (including any rehabilitation) that were carried out during the previous calendar year, and the works that are proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> <li>• relevant statutory requirements, limits or performance measures/criteria;</li> <li>• monitoring results of previous years; and</li> <li>• relevant predictions in the documents referred to in condition 2 of Schedule 2;</li> </ul> <p>(c) identify any non-compliance over the previous calendar year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measure will be implemented over the current calendar year to improve the environmental performance of the project.</p>			

Condition Number	Condition	Compliance	Evidence	Comments
	<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>			
11	<p>By the end of December 2011, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project.</p> <p>This audit must:</p> <p>(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);</p> <p>(d) review the adequacy of any approved strategies, plans or programs required under these approvals, with particular reference to management practices to ensure that they align with contemporary best practice industry standards;</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy, plan or program required under the abovementioned approvals; and</p> <p>(f) be conducted and reported to the satisfaction of the Secretary.</p> <p>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.</p>	Compliant	<p>2017 Rix's Creek North Independent Environmental Audit, Umwelt, December 2017</p> <p>2017 Bloomfield response to auditors' recommendations</p> <p>Letter from DPIE to Bloomfield dated 11/09/2020</p>	<p>Bloomfield have conducted independent environmental audits of Rix's Creek North Mine in accordance with Condition 11. The 2017 independent environmental audit and response to auditors' recommendations is available on the Rix's Creek website.</p> <p>The current audit team were approved by DPIE in a letter dated 11/09/2020.</p>
12	<p>Within 12 weeks of commissioning this audit, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report. The Proponent must implement these recommendations, to the satisfaction of the Secretary</p>	Compliant	<p>2017 Rix's Creek North Independent Environmental Audit, Umwelt, December 2017</p> <p>2017 Bloomfield</p>	<p>Bloomfield provided DPIE with a copy of the audit report and their response to the auditors' recommendations as required by Condition 12.</p>



Condition Number	Condition	Compliance	Evidence	Comments
			response to auditors' recommendations	
	Monitoring and Environmental Audits			
12A	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.</p> <p>Note: For the purposes of this condition, as set out in the EP&amp;A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</p>	Note		
	ACCESS TO INFORMATION			
13	<p>The Proponent must:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> <li>• the documents referred to in conditions 2 and 3 of Schedule 2;</li> <li>• all current statutory approvals for the project;</li> <li>• all approved strategies, plans and programs required under the conditions of this approval;</li> <li>• the monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans or programs;</li> <li>• a complaints register, which is to be updated on a monthly basis;</li> <li>• minutes of CCC meetings;</li> <li>• the annual reviews over the life of the project;</li> </ul>	Compliant		Bloomfield maintain the information required by Condition 13 on their website.

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> <li>• any independent environmental audit, and the Proponent's response to the recommendations in any audit; and</li> <li>• any other matter required by the Secretary;</li> </ul> <p>(b) keep this information up-to-date, to the satisfaction of the Secretary</p>			

**Appendix D 2 EPL 3391**

Number	Condition	Compliance	Evidence	Comments									
1	Administrative Controls												
A1	What the licence authorises and regulates												
A1.1	<p>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.</p> <p>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.</p> <table border="1"> <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>&gt; 2000000 - 5000000 T annual handing capacity</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>&gt; 3500000 - 5000000 T annual production capacity</td> </tr> </tbody> </table> <p>Note: In relation to this licence, the licensee must comply with:                      the activity scale limits imposed by this licence;                      the activity scale limits which apply for the reporting period specified in this licence; and                      the activity scale limits imposed by other legal instruments, such as approvals currently in force under the Environmental Planning and Assessment Act 1979.</p>	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	RCM Annual Review 2018 and 2019	Bloomfield are conducting activities associated with mining for coal and processing coal within the limits specified by Condition A1.1. The 2018 and 2019 Annual Reviews reported ROM Coal/Ore production at 4.67 Million tonnes and 3.55 Million tonnes respectively.
Scheduled Activity	Fee Based Activity	Scale											
Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity											
Mining for coal	Mining for coal	> 3500000 - 5000000 T annual production capacity											
A2	Premises or plant to which this licence applies												
A2.1	The licence applied to the following premises:	Compliant	Site inspection	Rix's Creek Mine is located on Rix's Creek Lane, Singleton. This is the location where the audit was conducted.									

Number	Condition	Compliance	Evidence	Comments							
	<table border="1"> <tr> <td><b>Premises Details</b></td> </tr> <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> </td> </tr> <tr> <td>PREMISES DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016</td> </tr> </table>	<b>Premises Details</b>	RIX'S CREEK MINE	RIX'S CREEK LANE	SINGLETON	NSW 2330		PREMISES DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016			
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A3	Other activities										
A3.1	<p>This licence applies to all other activities carried on at the premises, including:</p> <table border="1"> <tr> <td>Ancillary Activity</td> </tr> <tr> <td>Sewage Treatment Systems</td> </tr> </table>	Ancillary Activity	Sewage Treatment Systems	Compliant		Rix's Creek Mine operate two onsite sewage treatment and reuse systems, one for Rix's Creek North and one for Rix's Creek South.					
Ancillary Activity											
Sewage Treatment Systems											
A4	Information supplied to EPA										
A4.1	<p>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.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <ul style="list-style-type: none"> <li>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</li> <li>the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</li> </ul>	Compliant	Pollution control approval dated 3/04/1993	<p>Bloomfield are conducting activities generally in accordance with EPL 3391. Refer to Conditions A1 and A3 for current approved works and activities.</p> <p>The original environment protection licence (EPL) was granted under the Pollution Control Act 1970 on 3/04/1993 for Rix's Creek Colliery, 200,000-500,000 t coal extraction, and discharge of 2000-10,000 kL/day of water from site. Variations to the EPL since it was granted have increased permitted coal extraction and processing volumes, and made the Rix's Creek Mine a no discharge site.</p>							

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	<p>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.</p> <table border="1"> <thead> <tr> <th colspan="4">Air</th> </tr> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <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> </tbody> </table> <p>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.</p>	Air				EPA identification 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.	Compliant	RCM Air Quality and Greenhouse Gas Management Plan, Todoroski Air Sciences, July 2019	The air quality monitoring locations specified in Condition P1.1 are the monitoring locations where Bloomfield are conducting air quality monitoring. These locations are shown in the RCM AQGGMP.
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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.	Compliant	Plan of Rix's Creek North Sewage Plant, dated 26/05/2016 RCS Sewerage Treatment Plant, undated figure	Utilisation areas for irrigation of treated effluent from the RCN and RCS sewage treatment plans were sighted on figures as per Condition P1.2.																												
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.	Note		Refer below.																												

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P1.4	The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.	Compliant	Annual Review 2018, 2019 RCM Noise Management Plan Version 1.7, July 2019 RCM Blast Management	The locations specified in Condition P1.4 are found in figures within the 2018 and 2019 Annual Reviews, the Noise Management Plan and Blast Management Plan.																																																				

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	<p style="text-align: center;"><i>Noise/Weather</i></p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of monitoring point</th> <th>Location description</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>Air blast overpressure &amp; ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 320685 6405605 (Easting Northing) labelled as Cambervell on Figure 5.</td> </tr> <tr> <td>5</td> <td>Air blast overpressure &amp; 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 &amp; 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 &amp; 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 &amp; 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 &amp; 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 &amp; 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> </tbody> </table>	EPA identification no.	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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																																																											

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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		Bloomfield have not had any offsite discharges of water during the audit period.
L2	Waste			
L2.1	The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste	Compliant	Participation agreement between Bloomfield and Global Renewables Biosolids Application Report – May-Oct 2018 Site inspection	Bloomfield advised that these materials are imported to site for use in rehabilitation in accordance with the material specific resource recovery exemption. The 2019 and 2018 Annual Reviews report the spread of biosolids at the following rehabilitation areas including rates: <ul style="list-style-type: none"> <li>• Camberwell Pit Rail Corridor</li> <li>• Old North Pit Void</li> <li>• West Pit South Batter.</li> </ul>



Number	Condition					Compliance	Evidence	Comments
	Code	Waste	Description	Activity	Other Limits			
	NA	Mulched Vegetation	Mulch to be used as soil ameliorant in mining rehabilitation.		The Licensee must comply with The mulch exemption 2016.			<p>Global Renewables are Bloomfield's supplier of biosolids. Sighted participation agreement between Bloomfield and Global Renewables. Bloomfield advised that the reuse of biosolids at RCM (location and application rates) is determined following soil testing at proposed final use location and the chemical composition of the biosolids. Sighted Biosolids Application report – May-Oct 2018 which addresses the following issues:</p> <ul style="list-style-type: none"> <li>• Has biosolids been applied previously?</li> <li>• Results of soil testing pre and post application</li> <li>• Are there any sensitive areas near the application site?</li> <li>• Are there potential impacts on surface water or groundwater?</li> <li>• What is the classification of the biosolids based on chemical analysis?</li> <li>• What are the recommended application rates?</li> </ul> <p>Bloomfield advised, and a review of the Annual Review reports for 2018 and 2019 confirmed, that no mulch or gypsum was applied during the audit period.</p>
	NA	Gypsum plaster board	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.			

Number	Condition	Compliance	Evidence	Comments																																	
				The audit was not able to inspect the biosolids storage area due to wet weather. No other wastes were observed to be received at the premises.																																	
L3	Noise limits																																				
L3.1	<p>Noise generated at the premises must not exceed the noise limits in the Table below.</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day/Evening/Night LAeq (15 minute)</th> <th>Night LA1 (1 minute)</th> </tr> </thead> <tbody> <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> </tbody> </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	Compliant	<p>RCM Noise Management Plan, Version 1.7, July 2019</p> <p>EPL variation application form dated 14/08/2020</p> <p>Rix's Creek Night-time Noise Monitoring Summary Sheets dated 16/10/2020 and 18/10/2020</p> <p>Monthly noise monitoring reports (January-August 2020), SLR</p>	<p>Bloomfield did not report any exceedances of the noise limits in Condition L3.1 during the audit period.</p> <p>A review of the monthly compliance noise monitoring reports (monitoring and reporting conducted by SLR) for January – August 2020 showed that noise criteria was not exceeded at any location. Monthly noise compliance reports are available to view on Bloomfield's website.</p> <p>Noise monitoring locations have been grouped. Sighted letter at back of NMP Appendix E Global Acoustics which explains how monitoring locations have been grouped.</p> <p>Bloomfield advised that they have submitted an application for a variation to EPL 3391 with the EPA to amend EPL monitoring locations to match the SSD. Sighted EPL variation application form dated 14/08/20.</p>
Location	Day/Evening/Night LAeq (15 minute)	Night LA1 (1 minute)																																			
EPA 29 and NMG1	40	48																																			
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L3.2	<p>For the purpose of condition L3.1: EPA (number) refers to EPA identification point numbers as referenced in condition P1.4; and NMG (number) refers to all residential receivers on land within noise monitoring groups identified by Figure 1</p>	Note																																			

Number	Condition	Compliance	Evidence	Comments
L3.3	<p>For the purpose of condition L3.1:</p> <ul style="list-style-type: none"> <li>Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;</li> <li>Evening is defined as the period from 6pm to 10pm; and</li> <li>Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</li> </ul>	Note		
L3.4	<p>The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following:</p> <ul style="list-style-type: none"> <li>Wind speeds greater than 3 metres/second at 10 metres above the ground level;</li> <li>Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or</li> <li>Stability category G temperature inversion conditions.</li> </ul>	Note	Sighted mobile application	Bloomfield demonstrated mobile application which shows if weather conditions satisfy this condition for noise monitoring to be undertaken.
L3.5	<p>For the purposes of condition L3.4:</p> <p>Data recorded by a meteorological station installed on the premises at EPA Identification Point 11 must be used to determine meteorological conditions; and</p> <p>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.</p>	Compliant	Sighted onsite weather station data on Teledata	Bloomfield confirmed that data from the onsite weather station is used for the purpose of assessing Condition L3.4.
L3.6	<p>A non-compliance of condition L3.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:</p> <ul style="list-style-type: none"> <li>at any privately owned residential receiver within the Noise Monitoring Groups defined in Condition L3.1.</li> </ul>	Note		
L3.7	<p>For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.</p>	Note	Monthly noise monitoring reports (January-August 2020)	The monthly noise monitoring reports prepared by SLR refer to the Industrial Noise Policy for application of modification factors, rather than the Noise Policy for

Number	Condition	Compliance	Evidence	Comments
	<p>Definitions:</p> <ul style="list-style-type: none"> <li>Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L3.7.</li> </ul>			<p>Industry (2017) which is referenced in Condition L3.7.</p> <p><b>Recommendation 6: Acoustic consultant to update monthly reports to reflect updated condition L3.7 referencing the Noise Policy for Industry (2017) in lieu of the Industrial Noise Policy.</b></p>
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	Blast results 2018, 2019, 2020	<p>All blast events occurred within the approved hours, 9 am-5 pm Monday-Saturday.</p> <p>No blasting occurred on Sundays or public holidays.</p>
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 results 2018, 2019, 2020</p> <p>Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)</p>	<p>Blasting records show no exceedance of ground vibration or airblast overpressure limits during blasting events</p> <p>Complaints received in relation to blasting:</p> <ul style="list-style-type: none"> <li>2018 – 6</li> <li>2019 – 3</li> <li>2020 – 3 (up to end Sept 2020)</li> </ul> <p>Airblast overpressure reading of 1406.3 was recorded on 4/09/2020 however this was proved to be an error in typing out results. Actual reading on 4/09/2020 was 106.3.</p>

Number	Condition	Compliance	Evidence	Comments
L4.3	<p>The airblast overpressure level from blasting operations in or on the premises must not exceed:</p> <ul style="list-style-type: none"> <li>• 120 dB (Lin Peak) at any time;</li> <li>• at either monitoring point 4, 5, 6 or 7 in Condition P1.4.</li> </ul>	Compliant	<p>Blast results 2018, 2019, 2020</p> <p>Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)</p>	See condition L4.2
L4.4	<p>The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:</p> <ul style="list-style-type: none"> <li>• 5 mm/second for more than 5% of the total number of blasts during each reporting period;</li> <li>• at either monitoring point 4, 5, 6 or 7 in Condition P1.4.</li> </ul>	Compliant	<p>Blast results 2018, 2019, 2020</p> <p>Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)</p>	See condition L4.2.
L4.5	<p>The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:</p> <ul style="list-style-type: none"> <li>• 10 mm/second at any time;</li> <li>• at either monitoring point 4, 5, 6 or 7 in Condition P1.4.</li> </ul>	Compliant	<p>Blast results 2018, 2019, 2020</p> <p>Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)</p>	See condition L4.2.

Number	Condition	Compliance	Evidence	Comments
L4.6	<p>Offensive blast fume must not be emitted from the premises.</p> <p>Definition: 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:</p> <p>1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or 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.</p>	Compliant	Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)	<p>Bloomfield advised that odour is a factor included in the blast modelling to design a blast event. Bloomfield advised that the risk of odour is increased if you have wet holes. This can be managed through lining the hole to prevent moisture penetration, use of specialised blasting products or can pump out the water.</p> <p>An odour logger is used to measure offensive blast fume. The parameters measured are H2S, NO and NO2 against the health criteria in the Explosives Industry Guideline. Bloomfield advised that they are required to report to DPIE and EPA if they have Level 3 NOx impact offsite.</p> <p>A review of the Rix's Creek complaints registers for the audit period (2018-2020) shows that there were three odour complaints in 2018 and then no odour complaints in 2019 and 2020.</p>
4	Operating Conditions			
O1	Activities must be carried out in a competent manner			
O1.1	<p>Licensed activities must be carried out in a competent manner. This includes:</p> <p>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.</p>	Compliant	<p>Onsite training register Site inspection</p>	<p>Bloomfield were generally conducting their activities in a competent manner. All employees and contractors are required to complete an Employee Induction prior to commencing work on site. A training and competency register is maintained in Onsite for mandatory training, licences and registrations required for employees.</p>

Number	Condition	Compliance	Evidence	Comments
O2	Maintenance of plant and equipment			
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Compliant		Refer to Condition A29 in SSD 6300, and Schedule 2 Condition 16 in MP 08_0102.
O2.2	The licensee is responsible for the correct operation of the sewage treatment system on their premises.	Compliant	RCS STP report EPL 3391 Annual Return STP Analysis Hydrocon Services Field Service Report – RCS and RCN RCN and RCS STP Work Order Summary	Bloomfield maintain two sewage treatment systems, one at RCN and one at RCS. Bloomfield engage a consultant, Hydrocon, to manage the RCS and RCN sewage treatment plants and effluent irrigation systems. Hydrocon conduct monthly site inspections and maintenance. Sighted RCS STP report 22 October 2020 sheet of spreadsheet which is a written record of the inspection. Where issues are identified with either of the sewage treatment systems a work order is raised for Hydrocon to fix the issue. Sighted work order summary for RCN and RCS STP 2016-2020 which includes date and time for all maintenance undertaken on the systems. Effluent quality sampling is conducted, sighted EPL 3391 Annual Return STP analysis which provided monthly sampling results for RCN STP for pH, thermo coliforms and BOD5. Quarterly effluent quality sampling is undertaken at the RCS STP with five results available for pH, thermo coliforms and BOD5. A variation to

Number	Condition	Compliance	Evidence	Comments
				EPL 3391 in April 2020 increased the frequency of sampling at the two STPs to monthly. The audit did not review the council approval for the sewage treatment systems.
O2.3	Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.	Compliant		Refer to Condition O2.2.
O2.4	The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.	Compliant		Refer to Condition O2.2.
O2.5	The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4.	Compliant		Refer to Condition O2.2.
O2.6	The licensee must prepare a sewage treatment system maintenance program. The program must include: <ul style="list-style-type: none"> <li>• Certification from the system provider that the sewage treatment system is operating within its capacity;</li> <li>• Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and</li> <li>• Provide written records of each quarterly inspection.</li> </ul>	Compliant		Refer to Condition O2.2.
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 RCM Air Quality & Greenhouse Gas Management Plan, Todoroski Air	Refer to SSD 6300 Conditions B22 and B25, and MP 08_0102 Conditions 22 and 26.



Number	Condition	Compliance	Evidence	Comments
			Sciences Pty Ltd, February 2016	
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 RCM Air Quality & Greenhouse Gas Management Plan, Todoroski Air Sciences Pty Ltd, February 2016	Bloomfield operate in accordance with the RCM AQGGMP. Mitigation measures employed to manage the areas referred to in Condition O3.2 include actively wet down dig faces, run extra water cart at each site, not using access tracks when not needed, air quality predictive modelling to plan site activities, park up gear if too windy.
O3.3	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant		Refer to SSD 6300 Conditions B22 and B25, and MP 08_0102 Conditions 22 and 26.
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.	Not verified	Hydrocon Services Field Service Report – RCS and RCN	Inspection reports from Hydrocon for RCN STP include irrigation volumes in general remarks and recommendations. Comments include flow meter readings, total volume applied in the month, daily irrigation volumes and a comment about the irrigation volumes being normal or above / below normal.  There does not appear to be a specific check of the irrigation sprays or for ponding/runoff from the irrigation area.  Inspection reports from Hydrocon for RCS STP do not include any mention of irrigation equipment, areas or volume.

Number	Condition	Compliance	Evidence	Comments
				The audit was not able to inspect the effluent irrigation areas due to wet weather to confirm if spray drift is occurring beyond the boundary or if ponding is occurring.
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.	Not verified		The audit was not able to inspect the effluent irrigation areas due to wet weather to confirm the signage was still in place.
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.	Not verified		Bloomfield advised that the effluent irrigation setup is fixed sprays which are set in from boundary to prevent spray drift. The audit was not able to inspect the effluent irrigation areas due to wet weather to confirm if spray drift is occurring beyond the boundary or if ponding is occurring.
O5	Emergency Response			
O5.1	Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.	Compliant	Pollution Incident Response Management Plan, Rix's Creek, EPL 3391, March 2020	Bloomfield maintain a Pollution Incident Response Management Plan for RCM that is generally consistent with the Guideline for Preparation of a PIRMP. The PIRMP is maintained on the premises and available on Bloomfield's website. The PIRMP addresses incidents that may occur at the premises and which are likely to cause harm to the environment. The PIRMP activation, testing and updates is reported in the Annual Return for EPL 3391, sighted 2020 Annual Return.

Number	Condition	Compliance	Evidence	Comments
				The PIRMP was activated in April 2019 following a noise exceedance on 8/04/2019. The PIRMP was reviewed and tested on 25/03/2020, sighted PIRMP.
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 inspection	During the site inspection, all tanks were observed to be in bunds or on hardstand with drainage to the dirty water system. Bloomfield advised that they had conducted a crest locus study to identify the level that diesel tanks could be filled to not have spill outside of the bund. Refer to Appendix E for photo log from the site inspection.
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	2018, 2019, 2020 Blast Monitoring Results Rix's Creek Mine Monthly Compliance Noise Monitoring Reports January 2020-August 2020	Bloomfield maintain monitoring results in accordance with Condition M1.1. Sighted blast, noise, air quality and water quality.

Number	Condition	Compliance	Evidence	Comments
M1.2	<p>All records required to be kept by this licence must be:</p> <ul style="list-style-type: none"> <li>• in a legible form, or in a form that can readily be reduced to a legible form;</li> <li>• kept for at least 4 years after the monitoring or event to which they relate took place; and</li> <li>• produced in a legible form to any authorised officer of the EPA who asks to see them.</li> </ul>	Compliant	Bloomfield Rix's Creek Mine website	EPL monitoring records are available on Bloomfield's website for the four year period from 2016 to 2020.
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <ul style="list-style-type: none"> <li>• the date(s) on which the sample was taken;</li> <li>• the time(s) at which the sample was collected;</li> <li>• the point at which the sample was taken; and</li> <li>• the name of the person who collected the sample.</li> </ul>	Compliant	<p>Rix's Creek Mine Monthly Compliance Noise Monitoring Reports January 2020-August 2020</p> <p>2018, 2019, 2020 Blast Monitoring Results</p> <p>Water quality monitoring COC dated 16/09/2020</p> <p>Steel River Testing Dust Deposition Reports dated 23/01/2020, 3/03/2020, 23/03/2020, 28/04/2020 and 21/05/2020 and appended Dust</p>	<p>Blast monitoring results for 2020 included date, time and location, however the blast monitors are a fixed monitor so there is no person collecting the sample.</p> <p>Water quality monitoring results reviewed for 2020 included date and location. A Chain of Custody (COC) was reviewed for sampling undertaken on 16/09/2020 which showed D Holmes as sampler and times against each sample.</p> <p>Dust deposition reports and dust monitoring field sheets collected all of the information required by Condition M1.3.</p>

Number	Condition	Compliance	Evidence	Comments																								
			Monitoring Field Sheets and COC																									
M2	Requirement to monitor concentration of pollutants discharged																											
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Non-compliant	EPL 3391 Annual Return 2020	Bloomfield did not monitor as required by Condition M2.1 for all monitoring locations at the required frequency due to downtime in equipment or lack of flow in waterways. Sighted non-compliances reported in EPL 3391 Annual Return 2020. Refer to Condition M2.2 and M2.3.																								
M2.2	<p>Air monitoring requirements</p> <table border="1"> <thead> <tr> <th colspan="4">POINT 12,13,14</th> </tr> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Continuous</td> <td>AM-22</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="4">POINT 15,16</th> </tr> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Continuous</td> <td>Special Method 1</td> </tr> </tbody> </table> <p>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.</p>	POINT 12,13,14				Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	POINT 15,16				Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	Special Method 1	Non-compliant	<p>EPL 3391 Annual Return 2020</p> <p>POEO Public Register entry for EPL 3391</p>	<p>Bloomfield did not collect air quality samples at the frequency specified by Condition M2.2:</p> <ul style="list-style-type: none"> <li>Monitoring point 12, 360 samples of required 365</li> <li>Monitoring point 13, 355 samples of required 365</li> <li>Monitoring point 14, 361 samples of required 365</li> <li>Monitoring point 15, 360 samples of required 365.</li> </ul> <p>Bloomfield have a program of preventive and reactive maintenance of plant and equipment, as discussed in SSD 6300 Condition A29 and MP 08_0102 Schedule 2 Condition 16. These non-compliances resulted from software issues or downtime for maintenance and were reported</p>
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				to the EPA in the EPL 3391 Annual Return 2020. No further corrective action is required.																																
M2.3	<p>Water and/or Land Monitoring Requirements:</p> <p>POINT 8,9,10,17,18,19,20,21,22,23</p> <table border="1"> <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 border="1"> <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>Monthly during discharge</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Monthly 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	Monthly during discharge	Grab sample	pH	pH	Monthly during discharge	Grab sample	Non-compliant	EPL 3391 Annual Return 2020 POEO Public Register entry for EPL 3391	Bloomfield did not collect water quality samples at all monitoring locations at the frequency specified in Condition M2.3. The surface water quality monitoring locations are on ephemeral streams, and flowing water is not present at all times. The location is monitored on a monthly basis and a water quality sample is collected when flowing water is present. These non-compliances resulted from software issues or downtime for maintenance and were reported to the EPA in the relevant EPL 3391 Annual Returns. No further corrective action is required.
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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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> <ul style="list-style-type: none"> <li>any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</li> <li>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</li> <li>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.</li> </ul>	Compliant	Teledata – online environmental monitoring platform	Bloomfield monitor the concentration of pollutants emitted to air using the TEOM and DustTrack monitoring equipment specified in Condition M2.2. The RCM AQGGMP references the sampling methods required by the licence.																																

Number	Condition	Compliance	Evidence	Comments																																			
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted. Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".	Compliant	Water quality monitoring COC dated 16/09/2020 RCM Water Management Plan, Version 1.4, May 2019	Bloomfield collect water quality samples for laboratory analysis by laboratories that are accredited through the National Association of Testing Authorities, Australia (NATA). The RCM Water Management Plan specifies that grab samples are collected at the monitoring locations specified in the EPL once a month (minimum of four weeks).																																			
M4	Weather Monitoring																																						
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively. POINT 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 &amp; AM-4</td> <td>Degrees</td> <td>10 minutes</td> <td>Continuous</td> </tr> <tr> <td>Wind Speed</td> <td>AM-2 &amp; 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> Note: Special Method 2 means sampling method in accordance with Part E4 of Appendix E of the NSW Industrial Noise Policy	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	Compliant	Teledata – online environmental monitoring platform	Bloomfield maintain an onsite weather station which monitors weather conditions as specified in Condition M4.1. Sighted weather station information on Teledata which confirmed that they are monitoring the following parameters; temperature and humidity, wind speed and direction, rainfall, sigma theta using the required units of measure, averaging period and frequency.
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																			
Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous																																			
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Sigma Theta	Special Method 2	Degrees	10 minutes	Continuous																																			
Rainfall	AM-4	millimetres	10 minutes	Continuous																																			
Relative humidity	AM-4	percent	10 minutes	Continuous																																			
M5	Recording of pollution complaints																																						
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)	Bloomfield maintain an up-to-date complaints register and historical complaints registers on their website.																																			

Number	Condition	Compliance	Evidence	Comments
M5.2	The record must include details of the following: <ul style="list-style-type: none"> <li>the date and time of the complaint;</li> <li>the method by which the complaint was made;</li> <li>any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;</li> <li>the nature of the complaint;</li> <li>the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</li> <li>if no action was taken by the licensee, the reasons why no action was taken.</li> </ul>	Compliant	Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)	The complaints register on the Rix's Creek website includes all of the information required by Condition M5.2.
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)	Complaints registers on the Rix's Creek website go back to 2014. Bloomfield advised that they maintain them back to 2011 on file.
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered		Bloomfield advised that the EPA have not requested copies of complaints records during the audit period to trigger this condition.
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	Audit interviews	Bloomfield maintain a 24 hour complaints telephone line with out of hours calls going to a messaging service that goes to environment team, OCE, production team, and communications team.
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	Website	The telephone complaints line is advertised on the Rix's Creek website.



Number	Condition	Compliance	Evidence	Comments												
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	<p>To determine compliance with the blasting conditions of this licence: 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</p> <p>The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <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> </tbody> </table>	Parameter	Units of Measure	Frequency	Sampling Method	Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006	Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006	Compliant	Blast records	Blast records show compliant sampling method used for all blasts. Sited online blasting portal where electronic results are stored for all blast events.
Parameter	Units of Measure	Frequency	Sampling Method													
Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006													
Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006													
M8	Other monitoring and recording conditions Requirement to Monitor Particulate Matter															
M8.1	The Licensee must record the average PM10 concentration at Monitoring Points 12, 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.	Compliant	Teledata – online environmental monitoring platform	Teledata conducts 10 minute averaging of the continuous monitoring of PM10 from the onsite TEOMs. Sighted 10 minute rolling average for the last two days 3/11-5/11 on Teledata.												
M9	Noise monitoring															
M9.1	<p>To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with conditions L3.2 to L3.7 and:</p> <p>a) at a minimum of 6 locations from those listed condition P1.4 shown to be experiencing noise enhancing meteorological conditions;</p> <p>b) occur every calendar month in a reporting period; and</p> <p>c) occur during one night-time period as defined in the Noise Policy Industry 2017 for a minimum of 30 minutes at each location from a) during the night.</p>	Non-compliant	Monthly noise monitoring reports Noise Management Plan Pollution Reduction Program Environmental Noise Assessment	Monthly noise monitoring reports by SLR show monitoring was undertaken at a minimum of six locations on a monthly basis. However a review of the reports often showed measurements undertaken during the evening period as defined by the Noise Policy for Industry 2017 and no reference to any agreement with the EPA allowing this. Condition L3.3 also outlines the relevant												

Number	Condition	Compliance	Evidence	Comments
				<p>assessment time periods which have not been adhered to.</p> <p>It is acknowledged that the Environmental Noise Assessment as part of the Pollution Production Program and the NMP addresses that meteorological conditions are generally consistent between the evening and night time border, and as per INP guidelines temperature inversion assessments should be carried out for a winter night, being 18:00 – 07:00. However the PRP and NMP does not provide justification around why monitoring is not undertaken in accordance with the night time definition of the NPI and as per Condition L3.3 and M9.1 of the EPL.</p> <p><b>Corrective Action 4: Update the Noise Management Plan night-time monitoring period to comply with Condition L3.3 and M9.1.</b></p>
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	Official Caution 3 dB(A) Noise exceedance dated 14/06/2018	Bloomfield received a letter from the EPA dated 4/12/2018 where they officially cautioned Rix's Creek about a 4 dB(A) noise exceedance. In this letter they advise Rix's Creek to undertake noise monitoring at all times to determine if modification factors apply. Rix's Creek now utilise an application which instantaneously calculates modifying penalties during noise monitoring to allow prompt action in response to elevated noise.

Number	Condition	Compliance	Evidence	Comments
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> <ul style="list-style-type: none"> <li>• a Statement of Compliance,</li> <li>• a Monitoring and Complaints Summary,</li> <li>• a Statement of Compliance - Licence Conditions,</li> <li>• a Statement of Compliance - Load based Fee,</li> <li>• a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,</li> <li>• a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and</li> <li>• a Statement of Compliance - Environmental Management Systems and Practices.</li> </ul> <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	EPL 3391 Annual Return 2020	Bloomfield prepare and submit annual returns as required by Condition R1.1. Sighted 2020 annual return export which includes all of the requirements including physical sign off by Director and Managing Director.
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	EPL 3391 Annual Return 2020 POEO Public Register entry for EPL 3391	Bloomfield have prepared annual returns for each reporting period of this audit period. Sighted entries for annual returns for 2018, 2019 and 2020 on POEO Public Register showing date submitted and whether there were any non-compliances reported.
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• 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.</li> </ul>	Not triggered	Audit interview	EPL 3391 has not been transferred.

Number	Condition	Compliance	Evidence	Comments
	Note: An application to transfer a licence must be made in the approved form for this purpose.			
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> <ul style="list-style-type: none"> <li>• in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</li> <li>• in relation to the revocation of the licence - the date from which notice revoking the licence operates.</li> </ul>	Not triggered	Audit interview	EPL 3391 has not been surrendered.
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	<p>POEO Public Register entry for EPL 3391</p> <p>Automatic email from eConnect dated 26/05/2020</p> <p>Email from Bloomfield to EPA dated 7/06/2019</p>	<p>Bloomfield's reporting period ends on 3 April each year and annual returns are due 1 June.</p> <p>The POEO register reports that Bloomfield did not submit the 2019 annual return by 1/06/2019. Bloomfield advised that they submitted it on 31/05/2019. Sighted email from Bloomfield to EPA dated 7/06/2019 regarding apparent late submission of Annual Return but confirming that Annual Return was submitted on time.</p> <p>All other annual returns in the audit period were submitted by 1 June. Sighted automatic email from eConnect following submission of 2020 annual return submitted on 26/05/2020.</p>
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	Electronic folders for previous annual returns	Bloomfield retain copies of annual returns supplied to the EPA as required by Condition R1.6. Sighted folders with copies of annual returns for last four years.

Number	Condition	Compliance	Evidence	Comments
R1.7	<p>Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <ul style="list-style-type: none"> <li>the licence holder; or</li> <li>by a person approved in writing by the EPA to sign on behalf of the licence holder.</li> </ul>	Compliant	EPL 3391 Annual Return 2020	Refer to Condition R1.1.
R2	Notification of Environmental Harm			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Compliant	Letter to EPA dated 17/07/2018	Refer to MP 08_0102 Schedule 5, Condition 8.
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>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.</p>	Administrative non-compliance	Letter to EPA dated 17/07/2018	<p>Refer to MP 08_0102 Schedule 5, Condition 9.</p> <p>Bloomfield provided written details to the EPA within seven days of becoming aware of an incident, but not within seven days from which the incident occurred as there was a delay between the date of the low frequency noise exceedance and the consultant notifying Bloomfield. Bloomfield advised that they have changed their noise monitoring consultant since the incident. No further corrective action is required to address this non-compliance.</p>
R3	Written Report			
R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <ul style="list-style-type: none"> <li>where this licence applies to premises, an event has occurred at the premises; or</li> <li>where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities</li> </ul>	Compliant	Notice to provide information dated 19/08/2020	Bloomfield were issued with a notice to provide information by the EPA dated 19/08/2020 based on noise complaint on received on 21/06/2020. Bloomfield were required to respond by 9/09/2020. Sighted report to EPA on 9/09/2020

Number	Condition	Compliance	Evidence	Comments
	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.		Report to EPA on 9/09/2020	including night time noise monitoring, sound power levels for equipment operating, location of heavy plant on the night and RLs, predictive noise model for the night works, GPS tracing for equipment operating that night and weather data for the day. At the time of audit, Bloomfield had not received a response from the EPA.
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		Refer to Condition R3.1.
R3.3	The request may require a report which includes any or all of the following information: <ul style="list-style-type: none"> <li>the cause, time and duration of the event;</li> <li>the type, volume and concentration of every pollutant discharged as a result of the event;</li> <li>the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;</li> <li>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;</li> <li>action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</li> <li>details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and</li> <li>any other relevant matters.</li> </ul>	Compliant		Refer to Condition R3.1.
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		Bloomfield are yet to receive a response from the EPA to their report.

Number	Condition	Compliance	Evidence	Comments
R4	Other reporting conditions Notification of pollution of waters			
R4.1	The Licensee must notify the EPA by telephoning the Environment Line service on 131 555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.	Not triggered		Bloomfield have not had any offsite discharges during audit period to trigger notification under Condition R4.1.
R4.2	The Licensee must provide written details of the notification to the EPA Director Hunter at hunter.region@epa.nsw.gov.au within 7 days of the date of the notification.	Not triggered		Refer to Condition R4.1.
R5	Other reporting conditions Blast Exceedance Reporting			
R5.1	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		Bloomfield have not exceeded blasting limits specified in EPL 3391. Refer to Condition L4.
R5.2	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		Refer to Condition R5.1.
	Blast Monitoring Report			
R5.3	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	Blast monitoring reports 2018-2020	Bloomfield append results from blast monitoring to each Annual Return.
	Sewage Treatment System Report			

Number	Condition	Compliance	Evidence	Comments
R5.4	The sewage treatment system maintenance program required by Condition O2.6 must be submitted annually to the EPA with the Annual Return.	Compliant	EPL 3391 Annual Return STP Analysis Hydrocon Services Field Service Report – RCS and RCN	Refer to Condition O2. The reports from the monthly Hydrocon inspection, sampling and maintenance are appended to each Annual Return.
R5.5	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	Hydrocon Services Field Service Report – RCS and RCN	Bloomfield advised that they maintain copies of the sewage treatment system reports in accordance with Condition R5.5. Reports were sighted for the most recent EPL reporting period.
	Noise Exceedance Reporting			
R5.6	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		Refer to condition R2.1. Bloomfield notified the EPA and DPIE immediately after being made aware of an exceedance of noise criteria in this licence. Bloomfield then provided a written report to the EPA six days after the initial report.
	Noise Compliance Assessment Report			
R5.7	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	Monthly noise monitoring reports	Bloomfield append the monthly noise monitoring reports to the annual return.
	Water Quality Monitoring Report			



Number	Condition	Compliance	Evidence	Comments
R5.8	<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>	Administrative non-compliance	EPL 3391 Annual Return Water Quality Sampling spreadsheet	<p>Bloomfield provide a summary of the water quality monitoring program for the reporting period April to March in a tabular form which includes:</p> <ul style="list-style-type: none"> <li>• Monthly concentrations of conductivity, pH, total dissolved solids and total suspended solids</li> <li>• Basic statistics including number of samples, minimum concentration, maximum concentration and average concentration.</li> </ul> <p>The water quality monitoring report however does not address all requirements of Condition R5.8 as it does not include:</p> <ul style="list-style-type: none"> <li>• Graphs of water quality monitoring results for the current and previous reporting period or total daily continuous rainfall</li> <li>• A plan showing the location of monitoring points.</li> </ul> <p><b>Corrective Action 5: Ensure the 2020/21 Annual Water Quality Monitoring Report includes graphical presentation of results, rainfall data and a plan of the monitoring locations.</b></p>
7	General Conditions			




Number	Condition	Compliance	Evidence	Comments
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	Rix's Creek website	Bloomfield maintain an electronic copy of EPL 3391 on the Rix's Creek website. Bloomfield advised that the environment team maintain a regulation folder which contains all environmental licences and approvals.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered		Bloomfield have not have a request to see a copy of EPL 3391.
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Not triggered		Bloomfield have not had a request from an employee or agent of the licensee to see the EPL.
G2	Other general conditions			
G2.1	Complete Programs	Not triggered		The condition is not applicable to the audit period as all of the completion dates are prior to the current audit period.

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Number	Condition	Compliance	Evidence	Comments
U1.1	<p>The Licensee must install and commission a chlorine disinfection system to the south sewage treatment plant by 30 June 2020. The:</p> <p>a) system must be installed by an appropriately qualified and experienced person;</p> <p>b) Licensee must provide a commissioning report to the EPA by 16 August 2020 that demonstrates weekly faecal coliform results and pH results from the STP discharge meet the sewage treatment plant specifications and guidelines for the intended use of the effluent (considering human health exposure) over four weeks of monitoring.</p> <p>c) Guidelines in b) above refer to Management of Private Recycled Water Schemes, (Department of Water and Energy May 2008), Environmental Guidelines Use of Effluent by Irrigation, (Department of Environment and Climate Change 2004), and National Water Quality Management Strategy Guidelines for Sewerage Systems Use of Reclaimed Water (Agriculture and Resource Management Council of Australia and New Zealand, Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council, 2000).</p>	Compliant	<p>Letter from Bloomfield to EPA dated 24/01/2020</p> <p>Commissioning report on the in-line chlorine dosage system installed at Rix's Creek South by All Septic Services dated 25/05/2020</p> <p>Letter from Bloomfield to EPA dated 14/08/2020</p>	<p>Bloomfield have completed the pollution reduction study specified in Condition U1.1.</p> <p>The EPA raised concerns regarding coliform levels at the RCS STP and were concerned about the potential for effluent transport offsite. The EPA requested that Bloomfield conduct a risk assessment. Sighted letter from Bloomfield to EPA 24/01/2020 in response to EPA concerns at both RCN and RCS including risk assessment and changes to equipment and operation including installation of a chlorine dosing system at the RCS STP.</p> <p>Sighted commissioning report on the in-line chlorine dosage system installed at Rix's Creek South by All Septic Services on 25/05/2020 provided to NSW EPA 14/08/2020.</p>

# Appendix E – Photo Log

# HSE

Site		
Site: Rixs Creek North Mine		
Date: 04/11/2020	Start: 14:47	End: 16:58
Observations		
Obs ID: 7	Location Mine site	
Observation:		
Photographs:		
Open Cut Operations, extracting 1Mt / annum to a depth of 120m.		
		
		

# HSE



<b>Obs ID:</b> 6	<b>Location</b> Water management system
<b>Observation:</b>	
<b>Photographs:</b>	
Separation of dirty water drain and pipeline (centre of frame) from clean water drain (right of frame) by vegetated bund.	
Operating dewatering pump in sediment dam ahead of West Pit highwall	

# HSE

<b>Obs ID:</b> 5	<b>Location</b> Rehabilitation area
<b>Observation:</b>	
<b>Photographs:</b>	
<p>Recent rehabilitation area. Bloomfield advised large rocks are to be removed given the final landuse of pasture. Windrows have been established and the area ripped on the contour to slow water flow down the slope and minimise erosion.</p>	 <p>The top photograph shows a wide view of a rehabilitation area. In the foreground, there is a large, flat expanse of brown, rippled soil. In the middle ground, there is a small pond surrounded by green grass and trees. In the background, there are rolling hills and a small town or industrial area under a clear blue sky.</p> <p>The bottom photograph shows a closer view of the rehabilitation area. The foreground is dominated by a large pile of brown soil and rocks, with a distinct windrow visible. The background shows a landscape with a pond, trees, and distant hills under a blue sky with some clouds.</p>



# HSE

<b>Obs ID:</b> 4	<b>Location</b> Biodiversity offset area
<b>Observation:</b>	
<b>Photographs:</b>	
<p>This area is approximately 0.5ha and has been direct seeded with locally endemic species. Bloomfield advised that weed control is planned to be undertaken once the natives are established.</p>	 A photograph showing a field with tall, dry grasses in the foreground and several young, green plants growing in the middle ground. The background features a line of trees under a blue sky with light clouds.
<p>This area is a natural regeneration area.</p>	 A photograph of a natural regeneration area. The foreground is dominated by tall, dry grasses. In the middle ground, there are several small, young trees scattered across the field. The background shows a dense line of trees under a blue sky with light clouds.

# HSE

<b>Obs ID:</b> 3	<b>Location</b>
	Workshop

**Observation:**

**Photographs:**

Oily rag bin



Air filter bin



# HSE

Bulk lubricant storage with built in bunding, undercover and clear signage.



Bulk diesel storage bunded and separated from other chemical storage areas.



# HSE

Apron outside workshop reporting to oily water separator.



Waste oil vacuum inside workshop.



# HSE

Lubricant delivery system from bulk lubricant storage to inside of workshop.



Fire protection was provided throughout the workshop.



# HSE

Hydrant and fire box as evidence of fire protection provided throughout workshop.



Spill kits were available in the workshop, well placarded and stocked.



# HSE

Cylinders throughout the workshop were secured to prevent damage.



An unbanded IBC with approximately 50L of oil in it had the lid open and was sitting on bare ground.



# HSE

Across the mine site we observed labelled waste storage bins being contaminated with other waste streams. Here a paper and cardboard bin had scrap metal in it.



A mobile oil servicing unit was parked on bare ground outside the workshop. The trailer showed substantial rust with large holes evident in the base.





# HSE

Bloomfield maintain a vehicle wash bay at the workshop for both heavy and light vehicles.



An oily water separator is provided alongside the wash bay to manage dirty water generated.



# HSE



Bunded IBC cabinets.



# HSE

Used batteries stored for recycling undercover and on a hardstand that reports to dirty water containment.



# HSE

<b>Obs ID: 2</b>	<b>Location</b>
	Store

**Observation:**

**Photographs:**

Flammable storage inc sanitisers, disinfectant and cleaners.



Flammable gas storage cabinet.



# HSE

<b>Obs ID: 1</b>	<b>Location</b>
	CHPP

**Observation:**

**Photographs:**

Flammable storage in container with built in bunding.



Sump within CHPP for dirty water capture and recycling.



# HSE

Scrap metal skip bin at CHPP contained only scrap metal.



Material storage outside CHPP.



# HSE

Timber waste bin  
contaminated with soft  
plastics and plastic strapping.



GHD

270 Summer Street  
ORANGE NSW 2800

T: 61 2 6393 6400 F: 61 2 9475 0725 E: oagmail@ghd.com



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123/[https://projectsportal.ghd.com/sites/pp01\\_01/rixscreekmineindependen/ProjectDocs/12537545-REP\\_Rix's Creek North Mine IEA 2020.docx](https://projectsportal.ghd.com/sites/pp01_01/rixscreekmineindependen/ProjectDocs/12537545-REP_Rix's%20Creek%20North%20Mine%20IEA%202020.docx)

Document Status

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	D Scott G Rogers E Potoczny T Tinkler	M Kiejda		M Kiejda		10/12/2020



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