



Bloomfield Collieries Pty Ltd

Rix's Creek South Mine Independent Audit Report 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 South Mine at Singleton, NSW. Rix's Creek South Mine operates under Development Consents (DA 49/94 and SSD 6300) and Environment Protection Licence (EPL) 3391.

Bloomfield's Rix's Creek South Mine is located in the Upper Hunter Valley, within the Singleton local government area of NSW, about six kilometers north of the township of Singleton. The site has been in operation since 1990, extracting coal by truck and excavator methods of removing topsoil and blasting overburden. The site is approved for extraction of 3.6 million tonnes per annum (Mtpa) of run of mine (ROM) coal.

Condition E10 of the new Development Consent SSD 6300 requires an independent environmental audit be undertaken within one year of commencing development under this consent, and every three years thereafter. Operations commenced under the new consent in February 2020. This audit constitutes the first audit under the new consent. The audit also sought to close out findings from the 2019 audit against DA 49/94 to assist with surrendering the consent. 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 Development Consents and EPL. A range of positive measures were observed during the audit that demonstrated compliance with many of the requirements of the Development Consents 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 min-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, water, Aboriginal cultural heritage and bushfire 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 material and waste management, chemical storage, 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 South Mine (Rix's Creek South). Rix's Creek South is located in the Upper Hunter Valley, within the Singleton local government area of NSW, about six kilometres north of the township of Singleton. Rix's Creek South has been in operation since 1990, extracting coal by truck and excavator methods of removing topsoil and blasting overburden. The site is approved for extraction of 3.6 million tonnes per annum (Mtpa) of run of mine (ROM) coal.

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

- DA 49/94
- SSD 6300
- 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 SSD 6300 Condition E10 and closed out findings from the 2019 audit against DA 49/94 as part of surrendering the consent:

Within one year of commencing development under this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:

- be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;*
- be conducted by a suitably qualified, experienced and independent team of experts (including any experts in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;*
- be carried out in consultation with relevant agencies and the CCC;*
- assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licenses, and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);*
- review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;*
- recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and*
- be conducted and reported to the satisfaction of the Planning Secretary.*

The methodology for the audit to address the above scope is provided in Section 2. The audit period is:

- DA 49/94 - 2 November 2019 to 4 November 2020
- SSD 6300 – 24 February 2020 to 4 November 2020, and
- EPL 3391 – 28 October 2017 to 4 November 2020.

Note: EPL 3391 incorporates both Rix's Creek South Mine and Rix's Creek North Mine. The audits for both sites were done concurrently. To simplify reporting, the longer of the two audit periods has been applied to EPL 3391 which is the audit period for Rix's Creek North Mine. The compliance table for EPL 3391 is the same for both the Rix's Creek South Mine and Rix's Creek North Mine independent environmental audit reports.

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 South 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 Development Consent and other instruments
- Monitoring records
- Correspondence with relevant stakeholders including authorities
- Site procedures
- Training materials
- Reports prepared as required in the Development Consent 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 DA 49/94 and SSD 6300 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, Transport for NSW (TfNSW), Community Consultative Committee (CCC), Heritage Council NSW, Environment Protection Authority (EPA) and DPIE-Crown Lands 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.
TfNSW	27 October 2020	<p>No concerns re: blasting and management of New England Highway:</p> <ol style="list-style-type: none"> 1. Damage to highway as a result of mining occurred in 2012 when mining was occurring on the north side of highway. There was a crack through the highway which Bloomfield and their insurance company addressed. 2. Voids have opened up on the highway caused by the mine tunnel. Bloomfield are rectifying. 3. Initial discussions were undertaken for the proposed cut and cover tunnel as part of SSD 6300 although this hasn't progressed. 4. Plans to realign highway at Deadmans Hill. Bloomfield have made an informal approach to TfNSW. <p>TfNSW advised that works moved to other side of highway from where historical damage occurred to highway. No blasting has occurred in vicinity of highway that has required closure in the audit period.</p>	<ol style="list-style-type: none"> 1. No further action required. 2. Sighted Bridge condition report to TfNSW, dated March 2018. 3. Bloomfield confirmed that work on the cut and cover tunnel has not progressed. 4. Bloomfield advised that the current exploration program is looking at potential resources along the highway. Initial discussions with TfNSW have commenced re: realigning the highway. Bloomfield have started looking at biodiversity studies for the realignment.
CCC	28 October 2020	<ol style="list-style-type: none"> 1. Height of the overburden dumps to the consent conditions. 2. Water management - especially related to no discharge from site. 	<ol style="list-style-type: none"> 1. Bloomfield requested surveyor to survey height of the overburden dumps. Requirements for overburden dumps are provided for in section 2.3.4 of the Mining Operations Plan. Survey results show no heights exceed these heights. Maximum

Agency	Response Date	Response	Comment
		<ol style="list-style-type: none"> 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. 	<p>heights as approved under SSD 6300 (RCS) are:</p> <ul style="list-style-type: none"> – South Pit Dump 145m RL – Arties Pit Dump 160m RL – West Pit Dump 165m RL <ol style="list-style-type: none"> 2. Refer to Sections 3.1.2 and 3.2.2 3. Refer to Appendix D, Conditions B43-B51 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 5. Refer to Appendix D Conditions B69-B75.
Heritage Council NSW	28 October 2020	<ol style="list-style-type: none"> 1. Our files do not include any contact with the proponent related to the obligation arising from Condition 16G of DA 49/94 (Heritage Management Plan). 2. Our systems record correspondence with the Department of Planning Industry and Environment in the period 2013 to 2019 related to Mod 5 of DA 49/94 and the subsequent application for the Rix's Creek Continuation of Mining Project (SSD 6300). That correspondence notes <i>inter alia</i> that the Historic Management Plans required under Condition B59 included a greater number of matters to be addressed and in particular, requires a number of specific 	<ol style="list-style-type: none"> 1. Bloomfield advised that this condition was never triggered as it was associated with the rail spur and loop under DA 49/94 Modification 5. 2. Noted. Refer to Appendix D, Conditions B59 and B60 3. Refer to Appendix D, Conditions B59 and B60.

Agency	Response Date	Response	Comment
		<p>measures to be addressed and/or implemented for the Significant Coke Ovens adjacent to the project.</p> <p>3. In recent correspondence with the Bloomfield Group, we advised that the recently submitted Draft Historic Management Plan dated July 2020 was 'not considered fit for purpose as in its current form it has not met the requirements of the relevant consent conditions.' A copy of that correspondence is attached for your information.</p>	
EPA	16 October 2020	<p>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.</p>	Noted.
DPIE – Crown Lands	4 November 2020	<p>My only comment in relation to Crown land and Crown Road matters, relates to the requirement under s265 of the Mining Act 1992 that requires a Compensation Agreement to be agreed to between the mining lease holder and the landholder prior to any mining activity taking place. Whilst negotiations have commenced with Bloomfield, and draft agreements are essentially finalised, the execution of s265 Compensation Agreements remains outstanding. The department would like to finalise the agreement for Rix's Creek Mine as soon as possible.</p>	Refer to Appendix D, Condition A33.

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 across the two days of audits were Chris Knight, Chris Quinn, David Holmes and Lewis Payne. 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 was storms and rain with the Bureau of Meteorology recording 26.2 mm to 9 am Friday 6 November.

Photographs and observations 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 South Mine 2020 Independent Environmental Audit required by SSD 6300 Condition E10. 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 South Mine development consent 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 South Mine compliance with DA49/94, SSD 6300 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 consents 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 Mine was undertaken 4 November 2020. Water at Rix's Creek Mine is managed under a combined Water Management Plan across both the North and South Mines and these two mines are managed as the one site. 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 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, there were some issues with regards to waste minimisation and management, including:

- Bins in workshop not labelled or contain mixed waste when labelled as a specific waste type.
- Skip bins for cardboard or scrap metal were contaminated with other waste streams.
- Haphazard storage of materials including spare parts and general items in store.

These issues could result in recyclable materials being disposed of to landfill and damage to or loss of materials in storage resulting in new materials needing to be purchased to replace them.

Refer to Appendix E for photo log from site inspections, and Corrective Action 3.

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 exemptions. 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. Bloomfield advised that 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 and access to current Safety Data Sheets (SDSs). It is available for all staff to access on the Bloomfield intranet. 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 prior to purchase and use onsite.

Bloomfield maintain a Hazardous Chemicals Register at site. A copy is kept with the Emergency Manifest at the front entrance to the site.

The Annual Review 2019 reports that notifications of hazardous substances are made to WorkCover in accordance with Schedule 11 of the WHS Regulations. Sighted Acknowledgement of Notification of Hazardous Chemicals on Premises from WorkCover to Bloomfield regarding Rix's Creek South dated 14/04/2019.

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 generally 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.
- A purpose-built flocculant storage tank and dosing system has been established at the CHPP. This system is contained in a permanent bund. A backup storage of flocculant in IBCs is maintained at the CHPP in case of failure of the main flocculant dosing system. These IBCs are stored on a bund under the cover of the CHPP structure. These are moved over to the dosing system on forklift if required.

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:

- 44 gallon oil drums in the store were sitting on stacked pallets which elevated them above the height of the bund and made the bund ineffective. Evidence of greasy residue on the bund wall and floor suggested spills outside the bund.
- Lubricant IBC in the store was sitting on a frame at the height of the bund which also meant that it was effectively not banded.

Bloomfield should consider alternative oil and lubricant storage in the stores area which allows forklifts to deliver drums and IBCs but also provides bunding, this could include a rollover bund.

Bloomfield should also provide designated areas for storage of oils and lubricants and for decanting of oils and lubricants, this should not occur in the same area as was evidenced by the spills on the bund wall and floor outside the bund. Refer to Appendix E for photo log from site inspections and Appendix D 1 Condition B65.

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

Recommendation 1: Provide a dedicated bunded area for decanting that is separate to the oil and lubricant storage area.

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 South 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	2019 ¹	2020
Blast	0	4
Noise	0	9
Dust	1	3
Water	0	0
Lights	0	1
Odour	0	0
Other	0	0
TOTAL	1	17 ²

Incidents

There have not been any reportable incidents during the audit period, refer to Appendix D 1 Condition E7 and Appendix D 2 Condition R2.

¹ Includes complaints received in November and December 2019 only.

² 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 Adequacy of strategies/plans/programs

The audit assessed the adequacy of strategies and management plans prepared for Rix's Creek South 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. The following plans were reviewed for adequacy and are discussed below based on DPIE requesting a noise and water specialist on the audit team, and the only two finalised management plans at the time of audit:

1. RCM Noise Management Plan, version 1.7, July 2019
2. RCM Water Management Plan, version 1.4, May 2019 and Draft RCM Water Management Plan, version 2.5, August 2020
3. RCS Aboriginal Cultural Heritage Management Plan, Hansen Bailey / OzArk, July 2020
4. RCM Bushfire Management Plan, version 1.1, January 2020.

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 nighttime 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 2, EPL Condition M9.1.

3.2.2 Water

The audit reviewed both the current approved (v1.4) Water Management Plan (WMP) and new draft WMP (v2.5). Bloomfield operate in accordance with the current approved WMP. The current 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.

The purpose of reviewing the new draft WMP was to determine if recommendations made in the 2019 Independent Environmental Audit had been incorporated. The review identified that some of the recommendations had not yet been addressed in the new draft WMP as follows:

- Detailed baseline data on surface water flows and quality in creeks. The residual risk of surface water impacts for a mature open mining operation with inpit dumping is low. The new draft WMP does not include a summary of, or refer to, previous assessments of baseline surface water flow and quality.
- Describe the location, function and capacity of erosion and sediment control structures. Figure 5 of the new draft WMP includes 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 operation, with a large disturbed catchment area, existing in pit water storages and currently relatively low coal production rates, is inherently high, the new draft 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.

These findings are still relevant to the water management conditions of SSD 6300.

In addition to the outstanding 2019 recommendations, it was identified that the draft WMP did not include a reporting procedure for annual salt balance as required by Condition B41 in SSD 6300. Bloomfield personnel reported an intention to report this in parallel with the annual water balance in the 2020 Annual Review (being the first annual review for Rix's Creek South where there will be a requirement to report the annual salt balance). This intended reporting procedure should be reflected in the relevant section of the WMP. **Corrective Action 2: Update RCM Water Management Plan to address all requirements of Condition B41.**

3.2.3 Aboriginal Cultural Heritage

Bloomfield have an Aboriginal Cultural Heritage Management Plan (ACHMP) as required by SSD 6300. The ACHMP was prepared by OzArk and Hansen Bailey in consultation with BCD and Registered Aboriginal Parties. The ACHMP was approved by DPIE in September 2020.

Bloomfield have demonstrated implementation of the ACHMP through:

- Employee Induction powerpoint slide pack for all new starters includes awareness of Aboriginal objects and places, permit to disturb procedures and unexpected finds protocols
- Provision of fencing and signage of known Aboriginal heritage sites that are not to be disturbed
- Commissioned a salvage report for objects that were to be removed or destroy
- Identified a keeping place at RCN for objects to be removed
- Obtained AHIMS permits to ensure adequate records are maintained of all known Aboriginal objects and places, and
- Communication to RCS personnel regarding the approved project disturbance boundary and are installing orange sediment fence and signage along this boundary.

Bloomfield reported that no suspected human remains or previously unknown Aboriginal objects or places have been discovered on site during the audit period.

3.2.4 Bushfire Management

Bloomfield have a Bushfire Management Plan that was prepared in consultation with the Rural Fire Service for both Rix's Creek South Mine and Rix's Creek North Mine. The Bushfire Management Plan generally includes the requirements of SSD 6300.

Bloomfield demonstrated implementation of the BFMP through:

- Planning of fire breaks around the perimeter of the site
- Active grazing to reduce fuel loads across the site
- Meetings with RFS re: fire issues
- Hot Works Procedure

- Maintenance of fire protection equipment including water carts, fire hydrants and fire extinguishers, and
- Provision of training to site personnel in fire response and use of firefighting foam.

The only observation from review of the Bushfire Management Plan is that one of the key management measures is the establishment and maintenance of fire breaks, however the plan doesn't include a program for monitoring fire breaks to identify when they require maintenance and if they are effective in protecting the site. Fuel load and maintenance of fire breaks is reported in the Annual Review. The Bushfire Management Plan would benefit from inclusion of a program to monitor fire breaks and fuel loads to determine when maintenance is required.

Refer to Appendix D 1, Condition E4 and Recommendation 5.

3.3 Implementation of 2019 IEA Recommendations

The recommendations made in the 2019 Independent Environmental Audit of Rix's Creek South Mine (GHD, 2020) against DA 49/94 and the status of recommendations as at 5 November 2020 are provided in Table 3-2 below.

Table 3-2 Follow up on 2019 Audit Findings

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
Schedule 2, Condition 6	Ensure a review and update of the Landscape Management Plan is completed within 3 months of completion of this audit, and includes a formal building maintenance plan.	No longer applicable. Response to IEA 2019 recommendations was that it was redundant as there is no requirement for a landscape management plan in SSD 6300.
Schedule 2, Condition 11	A review of the NMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.	Bloomfield sought an extension of time for review and update of management plans associated with Rix's Creek South Mine because of the impending commencement of SSD 6300.
Schedule 2, Condition 12D	A review of the BMP, should be completed within 3 months of completion of this audit, and updated to ensure integration of all RCS and RCN operations, including identification of relevant conditions of consent and where they have been addressed/considered.	Bloomfield sought an extension of time for review and update of management plans associated with Rix's Creek South Mine because of the impending commencement of SSD 6300.
Schedule 2, Condition 15	The WMP to be updated to include: <ul style="list-style-type: none"> A clear explanation of how the water licences and works approvals held by Bloomfield relate to each other and relate to different uses across the Rix's Creek Mine. A detailed description of the security of water supply, considering the water inventory across the entire Rix's Creek Mine, considering issues such as the recent commissioning of solid bowl centrifuges. 	A new draft Water Management Plan has been prepared and is awaiting approval from the Department. The new draft Water Management Plan includes additional information on licensing however the 2020 audit found that the WMP still did not include a detailed description of the security of water supply or a layout plan showing all drains and water storages. Refer to 3.2.2.

Schedule/Condition Reference	Recommendation	2020 Audit Follow Up
	<ul style="list-style-type: none"> A layout plan showing all drains and water storages that form part of the water management system, including indication of topography such as contours. 	
Schedule 2, Condition 16B	Consistent with the approach for Rix's Creek North, consultation should be undertaken with DPIE to confirm acceptance of relevant RMP requirements being adopted into the current MOP.	This finding is no longer applicable as SSD 6300 allows the rehabilitation management plan to be incorporated as part of the MOP.
Schedule 2, Condition 16D	Mine Closure Plan to be updated to include objectives and criteria for mine closure for ML 1432 and completion criteria for each domain.	This finding is no longer applicable as SSD 6300 does not require a Mine Closure Plan.
Schedule 2, Condition 28	The Landscape Management Plan, Mine Closure Plan and Rehabilitation Management Plan should be reviewed within 3 months of this audit and revised to address the recommendations of the 2016 IEA.	Bloomfield sought an extension of time for review and update of management plans associated with Rix's Creek South Mine because of the impending commencement of SSD 6300.
EPL3391, Condition M8.1	Ensure a procedure for inspecting the functionality and operation of PM10 monitoring points weekly is developed.	<p>Bloomfield advised that they changed provider for maintenance and oversight of the dust monitoring equipment, purchased Teledata system which provides alarms for elevated dust levels based on the Air Quality TARP, when monitors are down, filters are loaded, or the filter in the TEOM is bypassed.</p> <p>Refer to Appendix D, EPL Condition M8.1.</p>

3.1 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 3-3.

Table 3-3 Summary of compliance

Compliance	Details	Compliance status
Compliant	Full compliance with the requirements of the condition	113
Non-compliant	Does not meet the main requirements of the condition	6
Administrative non-compliance	Technical non-compliance with a regulatory approval that does not impact on performance and is considered minor in nature	2
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	13
Not triggered	Condition was not applicable at the time of audit	87
Total number of conditions assessed	-	221

Table 3-4 Summary of non-compliance

Non-compliance	Details	Risk rating
Development consent, Part B, Condition B62	<p>Inspection of the site identified that, while waste is generally segregated and well managed there were some issues with regards to waste minimisation and management, including:</p> <ul style="list-style-type: none"> • Bins in workshop not labelled or contain mixed waste when labelled as a specific waste type • Skip bins for cardboard or scrap metal were contaminated with other waste streams • Haphazard storage of materials including spare parts and general items in store has potential to result in damage to materials or loss of materials. 	Low
Development consent, Part B, Condition B65	<p>While the majority of chemicals were stored appropriately, a couple of items identified during the site inspection did not comply with standards for dangerous goods storage including:</p> <ul style="list-style-type: none"> • Oil drums in store were sitting on stacked pallets within bund. This meant that they weren't protected by the bund • An IBC of lubricant in the store was sitting on a bracket at the same level as the bund so hence wasn't protected by the bund. 	Low
EPL, Condition M2.1	<p>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. Refer to conditions M2.2 and M2.3 below. Sighted non-compliances reported in EPL 3391 Annual Return 2020.</p>	Low
EPL, Condition M2.2	<p>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.</p>	Low
EPL, Condition M2.3	<p>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.</p>	Low

Non-compliance	Details	Risk rating
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 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"> • Graphs of water quality monitoring results for the current and previous reporting period or total daily continuous rainfall • A plan showing the location of monitoring points. 	Administrative

3.1.1 Compliance with Mining and Coal Leases

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

- Coal lease 352
- Mining lease 1432

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 Conditions A5 and D4.
Environmental harm	Refer to Appendix D 1 and Appendix D 2 Condition R2.
Mining operations plan	Refer to Appendix D 1 Conditions B69-B75.
Annual environmental management report	Refer to Appendix D 1 Condition E9.
Environmental incident report	Refer to Appendix D 2 Condition R2.
Additional environmental reports	Refer to Appendix D 2 Condition R3.
Rehabilitation	Refer to Appendix D 1 Conditions B69-B75.
Subsidence management	Not triggered. There are no underground operations at Rix's Creek South Mine.
Working requirement	Outside the scope of this audit
Blasting	Refer to Appendix D 1 Conditions B7-B20.
Safety	Outside the scope of this audit
Prevention of soil erosion and pollution	Refer to Appendix D 1 Condition B41 and Appendix D 2 Condition R4.
Transmission lines, communication lines and pipelines	Refer to Appendix D 1 Condition A26.
Roads and tracks	Refer to Appendix D 1 Condition A26 and Conditions C3-C6.
Trees and vegetation	Refer to Appendix D 1.
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 RCS are ongoing.
Cooperation agreement	Refer to Appendix D 1 Conditions D4-D7.
Barriers	Not triggered. There are not underground mining operations at RCS during the audit period.

4. Recommendations

Detailed audit findings are presented in Appendix D. Section 4.1 and 4.2 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 SSD 6300 and EPL 3391 identified seven non-compliances. Corrective actions to address these non-compliances are summarised in Table 4-1.

Table 4-1 Summary of corrective actions

Reference number	Condition	Corrective action
CA1	Environmental performance	Store chemicals and fuels in accordance with the WHS Regulations.
CA2	Environmental performance	Update RCM Water Management Plan to address all requirements of Condition B41.
CA3	Development consent, Condition B62	Ensure labelled receptacles are available and staff are adequately trained to allow for segregation of wastes from workshop and stores.
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

Reference number	Condition	Recommendations
R1	Environmental performance	Provide a dedicated bunded area for decanting that is separate to the oil and lubricant storage area.
R2	Development consent, Condition B4	Acoustic consultant to recommend mitigation measures for equipment exceeding sound power limits.
R3	Development consent, Condition B24	Provide a better website address in future letters to tenants to assist with locating the particulate matter monitoring data.
R4	Development consent, Condition B62	Organise and maintain stored materials to prevent loss or damage.
R5	Development consent, Condition E4	Include in the Bushfire Management Plan a program to monitor fire breaks and fuel loads to determine when maintenance is required.
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

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

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

Heritage Council of NSW
Level 6
10 Valentine Avenue
Parramatta NSW 2150

Our ref: 12537545-24374-58

Email: heritagemailbox@environment.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 South Mine in accordance with its Development Consents granted by the Department of Planning, Industry and Environment (DA 49/94) and Independent Planning Commission (SSD 6300). 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 Heritage Council of NSW under the Development Consents (attached) and Environment Protection Licence 3391. I am writing to you to invite comment from the Heritage Council of NSW 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 .

Kind regards



Demelza Scott

Lead Environmental Auditor
Senior Environmental Scientist
+61 2 63936410

Attachment: Development Consent conditions relevant to Heritage Council of NSW

Attachment – Development Consent conditions relevant to Heritage Council of NSW

SSD 6300	
Part B	
B59	<p>Historic Heritage Management Plan</p> <p>The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non-Aboriginal cultural heritage items, to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the Heritage Branch, Council and relevant landowners and in accordance with the relevant Heritage Branch guidelines; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) describe how historic heritage values of the site! would be recorded and preserved; (e) identify all heritage items in the vicinity of the site and include a statement of significance for each item; (f) for the Coke Ovens, describe the measures to: <ul style="list-style-type: none"> (i) minimise impacts of the development and to improve the integrity of the Ovens; (ii) identify if there is any association with the nearby Mound with Historic Material and the Linear Embankment; (iii) ensure full recording of the Ovens; (iv) provide public access; and (v) manage the Ovens over the life of the development and post-mining; (g) describe the measures to be implemented on the site or within any offset areas to: <ul style="list-style-type: none"> (i) ensure all workers receive suitable heritage inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions; (ii) undertake photographic/archival recording of any items of heritage significance predicted to be impacted by the development, prior to disturbance, including the Mound with Historic Material and the Linear Embankment; (iii) protect heritage items located outside the approved disturbance area from unpredicted impacts of the development, disrepair or vandalism (where practicable), including the Coke Ovens and Granbalang Trig Station; and (iv) manage any new heritage items discovered during the life of the development; and (h) include a strategy for the care, control and storage of relics salvaged from the site.

DA 49/94

Schedule 2

Ref.

Condition

16G

Heritage

The Applicant must prepare a Heritage Management Plan for the rail loop and rail spur as generally described in the documents listed in condition 1 (vii) of schedule 2, to the satisfaction of the Secretary. This plan must:

(i) be prepared in consultation with OEH, registered Aboriginal parties and the Heritage Council NSW, and be submitted to the Secretary for approval prior to construction of the rail loop and rail spur.

(ii) include the following for the management of Aboriginal heritage on site:

- a plan of management for the disturbance of land associated with the rail loop, rail spur and visual bund; and
- a program/procedures for:
 - salvage, test excavation and/or management of Aboriginal sites and potential archaeological deposits within the project disturbance area;
 - protection and monitoring of Aboriginal sites outside the project disturbance area;
 - managing the discovery of any new Aboriginal objects or skeletal remains during the project; and
 - ongoing consultation and involvement with all registered Aboriginal parties in the conservation and management of Aboriginal cultural heritage on the site, including prior to any salvage works.

(iii) include the following for the management of historic heritage on site:

- a plan of management for the disturbance of land associated with the rail loop and rail spur; and
- a program/procedures for:
 - avoiding and preserving culturally significant sites where possible;
 - monitoring, salvage and/or management of historic heritage sites within the project disturbance area;
 - taking full archival records of historic heritage sites that would be disturbed by the project;
 - protection and monitoring of heritage items outside the project disturbance area; and
 - managing the discovery of any new heritage items identified during the project.

The Applicant must implement the management plan as approved from time to time by the Secretary.

Appendix C – Independent Audit Submission Form

Independent Audit Declaration Form	
Project name	Rix's Creek South Mine
Consent Number	DA 49/94, SSD 6300 and EPL 3391
Description of project	Refer to Section 1.1
Project address	Rix's Creek Lane, Singleton NSW 2330
Proponent	Bloomfield Collieries Pty Limited
Title of audit	Rix's Creek South – Independent Environmental Compliance 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:

- 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.
- 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: 

Qualification	Demelza Scott – Environmental Management Systems
Email address	Demelza.Scott@ghd.com
Company and address	GHD Pty Ltd (GHD) 270 Summer St Orange NSW 2800 Australia
Date	11/12/2020

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](#)

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
PO Box 3145 | Singleton NSW 2330

Please direct all email correspondence to compliance@planning.nsw.gov.au

-

www.dpie.nsw.gov.au



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 if you have queries regarding this request.

Many thanks.

Kind regards,

Kisani Nicholson
Team Administrator

GHD

Proudly employee owned

T: +61 2 6393 6400 | E: kisani.nicholson@ghd.com

270 Summer Street Orange NSW 2800 Australia | www.ghd.com

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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: [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](#)

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



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On Thu, Oct 15, 2020 at 1:29 PM Kisani Nicholson <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 if you have queries regarding this request.

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](#)

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:

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- Monitoring and Environmental Performance (including, noise, blasting and air quality)
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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



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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 if you have queries regarding this request.

Kind regards,

Kisani Nicholson
Team Administrator

GHD

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From: [Mark Grace](#)
To: [David Baber](#)
Cc: [Demelza Scott](#); [Emily Kate Marsh](#)
Subject: RE: Request for comment - Rix's Creek Mine Audits
Date: Friday, 6 November 2020 8:50:29 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Hi Dave,

Thanks for sending this through. Note that the referral letter from GHD was not attached. Regardless, I do not have any additional comments on the proposed environmental audit of the Rix's Creek South mine operation.

Regards

Mark

Mark Grace

Natural Resource Management Project Officer

Crown Lands | Department of Planning, Industry and Environment

T 02 4937 9331 | E mark.grace@crowland.nsw.gov.au

516 High Street Maitland NSW 2320 | PO Box 2215 Dangar NSW 2309

www.dpie.nsw.gov.au



**Planning,
Industry &
Environment**

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: David Baber <david.baber@crowland.nsw.gov.au>
Sent: Wednesday, 4 November 2020 12:22 PM
To: Emily Kate Marsh <EmilyKate.Marsh@ghd.com>
Cc: Demelza Scott <Demelza.Scott@ghd.com>; Mark Grace <mark.grace@crowland.nsw.gov.au>
Subject: Re: Request for comment - Rix's Creek Mine Audits

Hi Emily, Demelza

I apologise for not looking at this matter sooner.

My only comment in relation to Crown land and Crown Road matters, relates to the requirement under s265 of the Mining Act 1992 that requires a Compensation Agreement

to be agreed to between the mining lease holder and the landholder prior to any mining activity taking place.

Whilst negotiations have commenced with Bloomfield, and draft agreements essential finalised, the execution of s265 Compensation Agreements remains outstanding. The department would like to finalise the agreement for Rix's Creek Mine as soon as possible.

I cannot comment on environmental performance of the project as I have not been on site, nor am I up to date with their environmental reporting.

Mark, sorry for the late notice, do you have any further comment to make regarding environmental performance, see letter attached from GHD.

Regards

David Baber
Projects Manager Regional Projects
Greater Sydney & Commercial

Crown Lands | Department of Planning, Industry and Environment
T 02 6883 3326 M 0427 629 288 | E david.baber@crowmland.nsw.gov.au
Mailing: PO Box 2185 Dangar NSW 2309
www.dpie.nsw.gov.au

From: Emily Kate Marsh <EmilyKate.Marsh@ghd.com>
Sent: Tuesday, 3 November 2020 2:13 PM
To: David Baber <david.baber@crowmland.nsw.gov.au>
Cc: Demelza Scott <Demelza.Scott@ghd.com>
Subject: RE: Request for comment - Rix's Creek Mine Audits

Hi David,

I am writing to follow up on the Rix's Creek Mine Audit. We are seeking input from DPIE Crown Lands for preparation of the audit in relation to the development consent conditions relating to the Rix's Creek south mine.

I have attached the letter outlining these conditions. If you could please get back to Demelza Scott as soon as possible to assist with the audit that would be very appreciated.

Demelza can be contacted on 02 6393 6410 or demelza.scott@ghd.com.

Kind regards,

Emily Kate Marsh
Environmental Consultant

GHD

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T: +61 2 9239 7926 | V: 217926 | E: emilykate.marsh@ghd.com
Level 15 133 Castlereagh Street Sydney NSW 2000 Australia | www.ghd.com

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From: Kisani Nicholson <Kisani.Nicholson@ghd.com>
Sent: Thursday, 15 October 2020 2:01 PM
To: david.baber@crowland.nsw.gov.au
Cc: Demelza Scott <Demelza.Scott@ghd.com>
Subject: Request for comment - Rix's Creek Mine Audits

Dear David

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 the DPIE Crown Lands 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 if you have queries regarding this request.

Many thanks.

Kind regards,

Kisani Nicholson
Team Administrator

GHD

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Our ref: DOC20/852986
Your ref: 12537545-24374-58

Ms Demelza Scott
Lead Environmental Auditor/Senior Environmental Scientist
GHD Pty Ltd
PO Box 950
ORANGE NSW 2800

By email: demelza.scott@ghd.com

Dear Ms Scott

Rix's Creek Mine Independent Environmental Audit 2020 (SSD 6300)

I refer to your letter dated 14 October 2020 inviting comments from the Heritage Council of NSW on the above matter. Your letter noted that Bloomfield Group have several auditable obligations to the Heritage Council of NSW under the Development Consents SSD 6300 and DA 49/94.

I can advise that our files do not include any contact with the proponent related to the obligations arising from Condition 16G of DA 49/94 (Heritage Management Plan). Our systems record correspondence with the Department of Environment, Planning & Infrastructure in the period 2013 to 2019 related to Mod 5 of DA49/94 and the subsequent application for the Rix's Creek Continuation of Mining Project (SSD 6300). That correspondence notes *inter alia* that that the Historic Heritage Management Plan required under Condition B59 included a greater number of matters to be addressed and in particular, requires a number of specific measures to be addressed and/or implemented for the significant Coke Ovens adjacent to the project.

In recent correspondence with the Bloomfield Group, we advised that the recently submitted Draft Historic Heritage Management Plan dated July 2020 was 'not considered fit for purpose as in its current form it has not met the requirements of the relevant consent conditions.' A copy of that correspondence is attached for your information.

If you have any questions regarding the above advice, please contact me at Heritage NSW, on 02 9873 8546 or siobhan.lavelle@environment.nsw.gov.au.

Yours sincerely

28 October 2020

Dr Siobhan Lavelle OAM
Senior Team Leader Specialist Services
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW

Encl: DOC20/558634-2 Letter to Bloomfield Group 7 August 2020

Appendix D – Audit Compliance Tables

Appendix D 1 SSD 6300

Condition Number	Condition	Compliance	Evidence	Comments
	Schedule 2			
	Part A – Administrative Conditions			
A1	<p>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</p> <p>In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.</p>	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 CONSENT			
A2	<p>The development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally in accordance with the EIS; and</p> <p>(d) generally in accordance with the Development Layout.</p>	Compliant	Refer below	Bloomfield are generally carrying out the project in accordance with the requirements of Condition A2.
A3	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(a) the content of any strategy, study, system, plan,, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and</p> <p>(b) the implementation of any actions or measures contained in any such document referred to in paragraph (a).</p>	Not triggered		Bloomfield have not received any written directions from the Planning Secretary.

Condition Number	Condition	Compliance	Evidence	Comments
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Note		
	NOTIFICATION OF COMMENCEMENT			
A5	The Applicant must notify the Department in writing at least two weeks prior to: (a) commencing development under this consent; (b) commencing mining operations under this consent; (c) undertaking Stage 2, Stage 3 and Stage 4 surface disturbance (refer to the staged biodiversity credit requirements in condition 845); (d) ceasing mining operations (i.e. leading to mine closure); and (e) suspending mining operations (i.e. temporary care and maintenance).	Compliant	Correspondence from Bloomfield to DPIE dated 10/02/2020	Bloomfield have provided evidence of notifying DPIE for commencement of development and commencement of mining operations. Sighted letters from Bloomfield to DPIE dated 10/02/2020. The remaining parts of the condition have not been triggered as Bloomfield have not entered Stage 2, 3 and 4 areas, and mining operations have not ceased or been suspended.
A6	If the development is to be further staged, the Department must be notified in writing at least two weeks prior to the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Not triggered		Bloomfield are not staging the development.
	LIMITS OF CONSENT			
A7	Mining operations Mining operations may be carried out on the site, within the approved disturbance area, for a period of 21 years from the date of this consent.	Compliant		Refer to Conditions A14 and B52.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>Notes:</p> <ul style="list-style-type: none"> Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard. Mining operations and rehabilitation are also regulated under the Mining Act 1992. 			
	Coal Extraction, Processing and Transportation			
A8	A maximum of 3.6 million tonnes of ROM coal may be extracted from the site in any calendar year.	Not triggered		SSD 6300 has not been in place for a calendar year to assess compliance with this condition.
A9	ROM coal from the site may be transferred to Rix's Creek North for processing, stockpiling and transportation.	Not triggered		Bloomfield have not transferred any ROM coal to RCN for processing.
A10	ROM coal from Rix's Creek North may be transferred to the site for processing, stockpiling and transportation.	Not triggered		ROM coal from RCN has been transferred to RCS for processing, stockpiling and transportation.
A11	A maximum of 4.5 million tonnes of ROM coal may be processed on the site in any calendar year.	Not triggered		SSD 6300 has not been in place for a calendar year to assess compliance with this condition.
A12	Product coal may only be transported from the site by rail.	Compliant	Audit interviews Site inspection	Bloomfield advised that rail is the only form of transport for moving product coal from site. Rail

Condition Number	Condition	Compliance	Evidence	Comments
				infrastructure including unloading facilities and railway lines were sighted during the site inspection. No truck loading facilities or trucks were observed during the site inspection.
	Hours of Operation			
A13	<p>The Applicant may undertake the development 24 hours a day, 7 days a week.</p> <p>Notes:</p> <ul style="list-style-type: none"> For limitations on blasting operations see condition 89. For limitations on construction hours see condition C1. 	Note		
	Identification of Approved Disturbance Area			
A14	<p>Within three months of commencing development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must provide to the Department a survey plan of the boundaries of the approved disturbance areas.</p>	Compliant	Correspondence from Bloomfield to DPIE dated 15/05/2020	Bloomfield have provided DPIE with a survey plan of the boundaries of the approved disturbance areas within three months of commencing development under the consent. Sighted Letter from Bloomfield to DPIE dated 15/05/2020.
	SURRENDER OF EXISTING CONSENT			
A15	<p>Within 12 months of commencing development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must</p>	Not triggered	Spreadsheet of landholders that own land that forms part of the DA and mining lease	Bloomfield have commenced the process of

Condition Number	Condition	Compliance	Evidence	Comments
	<p>surrender the existing development consent for Rix's Creek Coal Mine (DA 49/94) in accordance with the EP&A Regulation.</p> <p>Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 September 2018. The surrender should not be necessarily be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</p>		Example letter to John Heuston dated 3/11/2020	surrendering DA 49/94. Bloomfield have sent letters to landholders of properties that comprise the DA and mining lease seeking their approval to surrender the DA. Sighted spreadsheet of landholders and letter to John Heuston dated 3/11/2020.
A16	<p>Upon the commencing development under this consent, and before the surrender of the existing development consent required under condition A 15, the conditions of this consent prevail to the extent of any inconsistency with the conditions of DA 49/94.</p>	Note		
	PLANNING AGREEMENT			
A17	<p>Within six months of commencing development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a PA with the Council in accordance with:</p> <p>(a) Division 7.1 of Part 7 of the EP&A Act; and</p> <p>(b) the terms of the offer in Appendix 8.</p>	Compliant	<p>Correspondence from DPIE to Bloomfield dated 10/02/2020.</p> <p>Correspondence from Bloomfield to DPIE dated 9/03/2020.</p> <p>Correspondence from DPIE to Bloomfield dated 10/03/2020.</p> <p>Correspondence from Bloomfield to DPIE dated 9/07/2020.</p> <p>Correspondence from DPIE to Bloomfield dated 18/08/2020.</p> <p>Correspondence from Bloomfield to DPIE dated 31/08/2020.</p>	Bloomfield have sought to enter into a VPA with Singleton Council however Council have postponed negotiations because of Covid pandemic. Bloomfield have sought an extension of time from DPIE, sighted various letters from Bloomfield to DPIE requesting an extension. Sighted various letters from DPIE to Bloomfield

Condition Number	Condition	Compliance	Evidence	Comments
				with the most recent granting an extension to 31/12/2020. Bloomfield advised that the VPA provides a donation of \$432,000 into a fund for Singleton Council for community grants.
	COMMUNITY CONSULTATIVE COMMITTEE			
A18	<p>The Applicant must continue operation of the Rix's Creek Community Consultative Committee (CCC) established under DA 49/94 for the development. The CCC must be operated in accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2019) during the life of the development, or other timeframe agreed by the Planning Secretary.</p> <p>Notes:</p> <ul style="list-style-type: none"> The CCC is an advisory committee only. In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community. 	Compliant	RCM CCC Minutes, 2019 and 2020	Bloomfield have continued operation of the CCC established under the existing DA.
A19	With the approval of the Planning Secretary, the Applicant may combine the CCC required by this consent with any similar CCC required by a consent or approval for any adjoining mine subject to common, shared or related ownership or management.	Compliant	Correspondence from Bloomfield to DPIE dated 10/02/2020 Correspondence from DPIE to Bloomfield dated 18/02/2020	Bloomfield applied to DPIE to combine the CCC required by SSD 6300 with the existing CCC established for DA 49/94 and RCN development consent MP 08_0102 on the 10 February 2020. Secretary agreed to combine the CCC on

Condition Number	Condition	Compliance	Evidence	Comments
				18 February 2020. Sighted letters confirming the above.
	EVIDENCE OF CONSULTATION			
A20	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 for approval; and (b) provide details of the consultation undertaken to the Planning Secretary, 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	RCS Aboriginal Cultural Heritage Management Plan, Hansen Bailey / OzArk, July 2020	Bloomfield demonstrated compliance with Condition A20 where other conditions in this consent required consultation with identified parties in preparation of management plans. The Aboriginal Cultural Heritage Management Plan is approved and demonstrates consultation during its development.
	STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS			
A21	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or	Compliant	Correspondence from Bloomfield to DPIE dated 10/02/2020. Correspondence from DPIE to Bloomfield dated 18/02/2020. Automatic reply email from DPIE to Bloomfield confirming receipt of Aboriginal Cultural Heritage Management Plan dated 6/07/2020. Correspondence from DPIE to Bloomfield dated 2/09/2020.	Bloomfield have not sought to stage the development. Bloomfield sought permission from DPIE to combine seven management plans across RCN and RCS. Sighted letter from Bloomfield to DPIE dated 10/02/2020. Secretary agreed to

Condition Number	Condition	Compliance	Evidence	Comments
	<p>amendments to improve the environmental performance of the development); and</p> <p>(d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by a consent or approval for any adjoining mine subject to common, shared or related ownership or management.</p>			<p>request, sighted letter dated 18/02/2020.</p> <p>Bloomfield have updated management plans associated with RCS since commencement of development under SSD 6300 and submitted them for approval of DPIE.</p> <p>Sighted automatic reply email from DPIE to Bloomfield confirming receipt of Aboriginal Cultural Heritage Management Plan dated 6/07/2020, and letter from DPIE to Bloomfield dated 2/09/2020 approving ACHMP.</p>
A22	If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.	Not triggered		Bloomfield have not sought to stage the development.
A23	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Not triggered		Bloomfield have not sought to update any strategies, plans or programs without consultation with all identified parties.
	APPLICATION OF EXISTING STRATEGIES, PLANS OR PROGRAMS			

Condition Number	Condition	Compliance	Evidence	Comments
A24	The Applicant must continue to apply existing management strategies, plans or monitoring programs approved under DA 49/94, until the approval of a similar plan, strategy or program under this consent.	Compliant	Correspondence from DPIE to Bloomfield dated 307/2020	Bloomfield are continuing to operate under the current approved management plans developed under DA 49/94 until the updated management plans are approved by DPIE. One updated management plan has been approved by DPIE, sighted correspondence from DPIE to Bloomfield approving ACHMP dated 3/07/2020.
	SUPPLY OF OVERBURDEN			
A25	With the approval of the Planning Secretary, the Applicant may supply overburden material to regional infrastructure developments in the vicinity of the site if the use of such material in those developments is the subject of development consent granted under Part 4 of the EP&A Act, an environmental assessment carried out under Division 5.1 of Part 5 of the EP&A Act, or an approval granted under Division 5.2 of Part 5 of the EP&A Act.	Not triggered		Bloomfield have not supplied any overburden material to regional infrastructure developments.
	PUBLIC INFRASTRUCTURE			
	Protection of public infrastructure			
A26	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with locating, any public infrastructure that needs to be relocated as a result of the development.	Not triggered		Bloomfield advised that no public infrastructure has been damaged or relocated in the audit period to trigger this condition.

Condition Number	Condition	Compliance	Evidence	Comments
	8 This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition A 17 or to damage, subject to compensation under the Mining Act 1992.			Consultation with Transport for NSW (TfNSW) as part of the audit confirmed that no road infrastructure had been damaged during the audit period, refer to Table 2-1.
	DEMOLITION			
A27	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Not triggered		Bloomfield advised that no demolition was carried out in the audit period to trigger this condition.
	STRUCTURAL ADEQUACY			
A28	All new buildings and structures, and any alterations, additions to existing buildings and structures, that are part of the development must be constructed in accordance with: <ul style="list-style-type: none"> (a) the relevant requirements of the BCA; and (b) any additional requirements of SA NSW where, the building or structure is located on land within a declared Mine Subsidence District. Notes: <ul style="list-style-type: none"> • Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. • The development is located within the Patrick Plains Mine Subsidence District. Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of SA NSWs approval before carrying out certain development in this district. 	Not triggered		Bloomfield advised that no new buildings and structures, or alterations to buildings and structures, was carried out during the audit period to trigger this condition.
	OPERATION OF PLANT AND EQUIPMENT			

Condition Number	Condition	Compliance	Evidence	Comments
A29	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	Bloomfield Group Mechanical Service Sheet CAT 16G Grader dated 20/10/2020 Bloomfield Group 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	Bloomfield maintain and operate plant and equipment on site in a proper and efficient condition. Sighted 250hr service of CAT 16G Grader and 12 month mechanical service of ALT-5 Alternator to demonstrate maintenance of plant and 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 pre start inspection on heavy mining equipment prior to use each day. Sign book, done in triplicate.
	COMPLIANCE			
A30	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply	Compliant	Induction powerpoint	Evidence provided of induction packages (day shift and night

Condition Number	Condition	Compliance	Evidence	Comments
	with, the conditions of this consent relevant to activities they carry out in respect of the development.			shift), sign on sheets, employee induction PowerPoints. The induction powerpoints included information about compliance with approvals, obligations of employees and environmental issues related to mining operations.
	APPLICABILITY OF GUIDELINES			
A31	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 inclusion (or later update) of the condition.	Note		
A32	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Not triggered		Bloomfield advised that the Planning Secretary has not advised them to comply with an updated or revised version of a guideline, protocol, policy or standard.
	CROWN LAND			
A33	The Applicant must consult with DPIE - Crown Lands prior to undertaking any development on Crown Land or Crown Roads. Notes: <ul style="list-style-type: none"> Under section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with DPIE - Crown Lands 	Compliant	Enclosure permit dated 11/11/2019 Signed Negotiation Protocol dated 6/11/2019 Draft Compensation Agreement Email from DPIE-Crown Lands to Bloomfield dated 12/02/2020	Bloomfield have consulted with DPIE-Crown Lands prior to undertaking works on Crown Land or Crown Roads. Sighted enclosure permit over crown roads allowing

Condition Number	Condition	Compliance	Evidence	Comments
	<p>prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease.</p> <ul style="list-style-type: none"> Under section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with DPIE <ul style="list-style-type: none"> - Crown Lands prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence. 		<p>Email from Bloomfield to DPIE-Crown Lands dated 11/11/2020.</p>	<p>for any works to be undertaken dated 11 November 2019. Bloomfield advised that no further operations are to take place within these areas.</p> <p>Bloomfield have commenced consultation with DPIE-Crown Lands re: purchasing of roads within the approved disturbance area/mining lease. Sighted Signed Negotiation Protocol between Bloomfield Collieries and DPI-Lands to commence negotiating a compensation agreement dated 6/11/2019. Sighted draft Compensation Agreement. Sighted correspondence between DPIE-Crown Lands and Bloomfield dated 12/02/2020 with comments on the draft agreement. Sighted correspondence from Bloomfield to DPIE-Crown Lands dated</p>

Condition Number	Condition	Compliance	Evidence	Comments																			
				11/11/2020 following up on the status of the closure of unformed sections of Crown Land at RCS.																			
	PART B – SPECIFIC ENVIRONMENTAL CONDITIONS																						
	NOISE																						
	Operational Noise Criteria																						
B1	<p>The Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on privately-owned land, excluding the noise-affected land referred to in Table 7.</p> <p>Table 1: Operational noise criteria dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">NAG</th> <th colspan="2">Day/Evening/Night</th> <th>Night</th> </tr> <tr> <th colspan="2">L_{Aeq} (15 min)</th> <th>L_{A1} (1 min)</th> </tr> </thead> <tbody> <tr> <td>A – C</td> <td colspan="2">42</td> <td>47</td> </tr> <tr> <td>D – O</td> <td colspan="2">40</td> <td>47</td> </tr> <tr> <td>All other privately-owned residences</td> <td colspan="2">35</td> <td>45</td> </tr> </tbody> </table> <p>* The NAGs referred to in Table 1 are shown in Appendix 3.</p>	NAG	Day/Evening/Night		Night	L _{Aeq} (15 min)		L _{A1} (1 min)	A – C	42		47	D – O	40		47	All other privately-owned residences	35		45	Compliant	Monthly noise monitoring reports (January-August 2020)	According to monthly compliance noise monitoring reports (monitoring and reporting conducted by SLR) noise criteria was not exceeded at any location during the 2020 monthly monitoring program. Monthly monitoring program is carried out as per the noise management plan as it consolidates all monitoring requirements applicable to Rix's Creek mine.
NAG	Day/Evening/Night		Night																				
	L _{Aeq} (15 min)		L _{A1} (1 min)																				
A – C	42		47																				
D – O	40		47																				
All other privately-owned residences	35		45																				
B2	Noise generated by the development must be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy (EPA, 2000). EPA, 2000 sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.	Compliant	Monthly noise monitoring reports (January-August 2020) RCM Noise Management Plan, Version 1.7, July 2019	The monthly compliance noise monitoring reports (conducted by SLR) indicate that monitoring has been conducted in accordance with the																			

Condition Number	Condition	Compliance	Evidence	Comments
				Rix's Creek noise management plan, the NSW Industrial Noise Policy (EPA, 2000) and requirements as noted in the 'Implementation and transitional arrangement for the noise Policy for Industry'.
B3	The noise criteria in Table 1 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Compliant	Monthly noise monitoring reports (January-August 2020)	According to monthly compliance noise monitoring reports (monitoring and reporting conducted by SLR) noise criteria was not exceeded at any location during the 2020 monthly monitoring program.
	Noise Operating Conditions			
B4	The Applicant must: (a) take all reasonable steps to minimise all noise from construction and operational activities, including low frequency noise and other audible characteristics, as well as road noise associated with the development; (b) implement reasonable and feasible noise attenuation measures on all plant and equipment that will operate in noise sensitive areas; (c) monitor and record all major equipment use and make this data readily available at the request of the Department or the EPA; (d) operate a comprehensive noise management system that uses a combination of meteorological forecasts, predictive noise modelling and real-time monitoring to guide the day to day planning of mining operations and the implementation of adaptive management both	Compliant	Mobile Plant Sound Power Screening 2018 and 2019 Morning toolbox meeting minutes dated 19/10/2020 Rix's Creek 2020 complaints register RCM Noise Management Plan, Version 1.7, July 2019 Monthly noise monitoring reports (January-August 2020)	Bloomfield manage site operations in accordance with Condition B4. 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

Condition Number	Condition	Compliance	Evidence	Comments
	<p>proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;</p> <p>(e) record the daily adaptive management measures implemented on the site, including how operations were modified or stopped to comply with the noise criteria in Table 1, and make these records readily available at the request of the Department or the EPA;</p> <p>(f) take all reasonable steps to minimise noise impacts of the development during noise-enhancing meteorological conditions, particularly when the noise criteria in this consent do not apply; and</p> <p>(g) carry out regular attended noise monitoring (at least once a month, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent.</p>			<p>sighted dated 16/10/2020 and 18/10/2020).</p> <p>The EnvMet model is also 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. Sound power level testing is undertaken annually. Rix's Creek has supplied Mobile Plant Sound Power Screening 2018 and</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>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.</p> <p>Morning toolbox meetings Morning toolbox meetings (minutes provided for 19/10/2020) show daily equipment use and locations of equipment use. Any changes to use or location of equipment due to a complaint is logged in the complaints register.</p> <p>The RCM 2020 Complaints register also shows how operations were modified upon receipt of a complaint.</p> <p>Monthly compliance monitoring is undertaken by SLR. Monthly noise compliance reports are</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>available to view on Bloomfield's website. 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> <p>Minutes of inter mine meeting provided for 28/09/2020 which show discussion of environmental aspects with potential for cumulative impacts, dust, noise, blasting, as well as general issues.</p> <p><i>Recommendation 2: Acoustic consultant to recommend mitigation measures for equipment exceeding sound power limits.</i></p>

Condition Number	Condition	Compliance	Evidence	Comments
	Noise Management Plan			
B5	<p>The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the EPA; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> (i) compliance with the noise criteria and operating conditions of this consent; (ii) best practice management is being employed; and (iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions, particularly when the noise criteria in this consent do not apply; (e) seek to minimise road traffic noise generated by employee commuter vehicles on public roads; (f) describe the noise management system in detail; (g) describe the fleet attenuation program; and (h) include a monitoring program that: <ul style="list-style-type: none"> (i) uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development; (ii) includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time; (iii) adequately supports the noise management system; (iv) includes a protocol for distinguishing noise emissions of the development and Rix's Creek North; and (v) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event. 	Not verified	<p>Rix's Creek Noise Management Plan, Draft, June 2020</p> <p>Post Approval Form submitted on the 02/06/2020 from Bloomfield to DPIE. Response from DPIE to Bloomfield on 02/06/2020.</p> <p>EPA response to Bloomfield dated 01/06/2020.</p>	<p>Noise management plan has been prepared by Global Acoustics. Evidence of consultation with DPIE and EPA sighted.</p> <p>Bloomfield is awaiting approval of the draft management plan.</p>
B6	The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.	Not triggered		The Noise Management Plan required by condition

Condition Number	Condition	Compliance	Evidence	Comments																											
				B5 is awaiting approval of the Planning Secretary.																											
	BLASTING																														
	Blasting Criteria																														
B7	<p>The Applicant must ensure that blasting on the site does not cause exceedances of the criteria at the locations a in Table 2</p> <p><i>Table 2: Blasting criteria</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Residence on privately-owned land</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a calendar year</td> </tr> <tr> <td>Coke Ovens</td> <td></td> <td>10 <i>(unless surveys under condition B19(i)(ii) identify a more appropriate criterion)</i></td> <td>0%</td> </tr> <tr> <td>Main Northern Railway Line</td> <td></td> <td>25</td> <td>0%</td> </tr> <tr> <td>Public Roads</td> <td></td> <td>100</td> <td>0%</td> </tr> <tr> <td>All other public infrastructure</td> <td></td> <td>50 <i>(or a limit determined by the structural design methodology in AS 2187.2 - 2006, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)</i></td> <td>0%</td> </tr> </tbody> </table> <p><small>* The locations referred to in Table 2 are shown in Appendix 3 and Appendix 6.</small></p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land	120	10	0%	115	5	5% of the total number of blasts over a calendar year	Coke Ovens		10 <i>(unless surveys under condition B19(i)(ii) identify a more appropriate criterion)</i>	0%	Main Northern Railway Line		25	0%	Public Roads		100	0%	All other public infrastructure		50 <i>(or a limit determined by the structural design methodology in AS 2187.2 - 2006, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)</i>	0%	Compliant	Blast records for 2019, 2020.	Blast records show no exceedances of any airblast overpressure or ground vibration criteria.
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																												
Residence on privately-owned land	120	10	0%																												
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Main Northern Railway Line		25	0%																												
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All other public infrastructure		50 <i>(or a limit determined by the structural design methodology in AS 2187.2 - 2006, or other alternative limit for public infrastructure, to the satisfaction of the Planning Secretary)</i>	0%																												
B8	The blasting criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or infrastructure to exceed the blasting criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Not triggered		Bloomfield advised that they have not entered in to agreements with any landowners as per Condition B8.																											
B9	The Applicant must only carry out blasting on the site between 9 am and 5 pm (Monday to Saturday inclusive). No blasting is allowed on Sundays, public holidays or any other time without the prior written approval of the Planning Secretary.	Compliant	Blast records for 2019, 2020.	Blast records indicate that all blasting during the audit period was conducted within the																											

Condition Number	Condition	Compliance	Evidence	Comments
				approved hours specified in Condition B9.
	Blasting Frequency			
B10	The Applicant may carry out a maximum of: (a) 3 single blast events3 a day; and (b) 10 single blast events3 a week, averaged over a calendar year.	Compliant	Blast records for 2019, 2020.	Blast records show that there were no more than three single blasts per day or 10 blasts in one week.
B11	Condition B10 does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blast misfires or blasts required to ensure the safety of the mine, its workers or the general public. "Within conditions B10 and B11, a 'single blast event' means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event	Compliant	Blast records for 2019, 2020.	Blast records show that there were no more than three single blasts per day or 10 blasts in one week
	Property Inspections			
B12	If the Applicant receives a written request from the owner of any privately-owned land within 3 kilometres of any approved open cut mining pit on the site for a property inspection to establish the baseline condition of any buildings and structures on their land, or to have a previous property inspection updated, then within two months of receiving this request the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to: (i) establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and (ii) identify measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and structures; and	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

Condition Number	Condition	Compliance	Evidence	Comments
	(b) give the landowner a copy of the new or updated property inspection report.			inspection was undertaken on 12/11/20.
B13	If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Planning Secretary for resolution.	Not triggered		There were no disputes with M Wright regarding selection of the independent person.
	Property Investigations			
B14	If the owner of any privately-owned land within 3 kilometres of any approved open cut mining pit on the site or any other landowner where the Planning Secretary is satisfied an investigation is warranted, claims in writing that buildings or structures on their land have been damaged as a result of blasting on the site, then within two months of receiving this written claim the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and (b) give the landowner a copy of the property investigation report.	Not triggered		Bloomfield advised that they have not had any requests that to trigger this condition.
B15	If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Planning Secretary.	Not triggered		Refer to Condition B14.
B16	If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Planning Secretary for resolution.	Not triggered		Refer to Condition B14.
	Blast Operating Conditions			
B17	The Applicant must: (a) take all reasonable steps to: (i) ensure the safety of people and livestock from blasting impacts of the development;	Compliant	RCM Blast Management Plan, version 1.6, July 2019 Bloomfield website – Blasting information Email distribution list	Bloomfield are managing blasting activities on site in accordance with Condition B17.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(ii) protect public and private infrastructure and property in the vicinity of the site from blasting damage associated with the development; and</p> <p>(iii) minimise the dust and fume emissions of any blasting;</p> <p>(b) ensure that blasting on the site does not damage heritage items 3, except in accordance with the predictions in the documents listed in condition A2(c), and develop specific measures to protect heritage items outside the approved disturbance areas from any blasting damage associated with the development;</p> <p>(c) operate a comprehensive blast management system that uses a combination of meteorological forecasts and predictive blast modelling to guide the planning of blasts to minimise blasting impacts;</p> <p>(d) minimise the frequency and duration of any public road closures for blasting, and use all reasonable efforts to avoid road closures during peak traffic periods;</p> <p>(e) operate a suitable system to enable interested members of the public to get up-to-date information on the proposed blasting schedule on the site and any associated public road closures, including notification via SMS message of the blasting schedule and associated road closures for that day and any variations to that schedule and closures;</p> <p>(f) use all reasonable efforts to co-ordinate the timing of blasting at the site with nearby mines to minimise cumulative blasting impacts; and</p> <p>(g) carry out regular blast monitoring to determine whether the development is complying with the relevant conditions of this consent.</p> <ul style="list-style-type: none"> The locations of the heritage items referred to in paragraph (b) are shown in Appendix 6. 		<p>EnvMet system demonstration</p> <p>Email dated 4/11/2020 from Bloomfield to neighbouring mines</p> <p>SMS alert system demonstration</p>	<p>The RCM Blast Management Plan outlines best blasting management practices, including but not limited to:</p> <p>Making use of information systems</p> <p>Ensuring blasts are designed by a suitably qualified blasting engineer</p> <p>Limit blasts to between 9 am to 5 pm Monday to Saturday</p> <p>Utilise the EnvMet system to predict noise enhancing conditions</p> <p>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</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>underground representative is on the email distribution list for notifications on blasting. Sighted email dated 4/11/2020 from Bloomfield to neighbouring mines re: blast that day and time.</p> <p>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.</p>
B18	<p>The Applicant must not undertake blasting on the site within 500 metres of any public road or any land outside the site not owned by the Applicant, unless the blast generates ground vibration of 0.5 mm/s or less, or the Applicant has:</p> <p>(a) a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the public road or land, and the Applicant has advised the Department in writing of the terms of this agreement; or</p> <p>(b) demonstrated, to the satisfaction of the Planning Secretary, that the blasting can be carried out closer to the public road or land without compromising the safety of people or livestock or damaging the road or</p>	Compliant	RCM Blast Management Plan, version 1.6, July 2019	<p>One off approval from regulators for blasting within 500 m of public infrastructure.</p> <p>Documents sited include:</p> <p>Sighted letter (5/11/20) from DPIE (dated 8/02/20) giving approval for blasting within 500 m of public</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>other buildings and structures, and updated the Blast Management Plan to include specific mitigation measures to be implemented while blasting is being carried out within 500 metres of the road or land.</p>			<p>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.</p> <p>Sited document showing approval from RMS to conduct blasting within 500 m of New England Highway was sited (5/11/20), i.e. road occupancy licence. Highway is closed prior to each blast being undertaken.</p> <p>Blasting deed (dated 25/10/19) between Rix's Creek and ARTC for blasting within 500 m of Main Northern Railway was sited (5/11/20). Deed includes requirements for risk assessment which Bloomfield advised were completed. ARTC allocates a time for blasting and for Bloomfield to take</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>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.</p> <p>Sighted letter to DPIE that Bloomfield believed they could satisfy the conditions of B18.</p>
B19	<p>Blast Management Plan</p> <p>The Applicant must prepare a Blast Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the EPA; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) describe the blast management system and the measures that will be implemented to ensure compliance with the blasting criteria and conditions of this consent; (e) include a Blast Fume Management Strategy for: <ul style="list-style-type: none"> (i) minimising blast fume emissions; (ii) rating and recording blast fume events in accordance with Visual NOx Fume Rating Scale (AEISG, 2011), or equivalent monitoring technique; and (iii) reporting significant blast fume events to the Department and the EPA; 	Not verified	<p>Email from John Hindmarsh to DPIE on 22/03/2020 requesting consultation and comments on the management plan.</p> <p>Correspondence dated 26/06/2020 from DPIE to Bloomfield</p> <p>Automatic email dated 29/06/2020 from DPIE to Bloomfield.</p> <p>Correspondence from EPA to Bloomfield dated 26/06/2020.</p>	<p>Bloomfield have prepared a draft revised Blast Management Plan for Rix's Creek Mine. The original plan was prepared by Terrock Consulting Engineers, subsequent revisions have been conducted by Bloomfield and the latest revision was done by Hansen Bailey.</p> <p>Bloomfield reached out to the EPA to seek their input in the plan's development. Sighted letter from EPA to</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(f) include a Road Closure Management Plan for any blasting within 500 metres of a public road, that has been prepared in consultation with relevant roads authorities and includes provisions for:</p> <p>(i) minimising the duration of closures, both on a per event basis and weekly basis;</p> <p>(ii) avoiding peak traffic periods as far as reasonable; and</p> <p>(iii) co-ordinating closures with nearby mines to minimise the cumulative effect of road closures;</p> <p>(g) identify any agreed alternative ground vibration limits for public or private infrastructure in the vicinity of the site (if relevant);</p> <p>(h) include a strategy to manage potential blast interactions with nearby mines;</p> <p>(i) include a strategy to monitor, mitigate and manage the effects of blasting on the Coke Ovens, including:</p> <p>(i) undertaking annual dilapidation surveys (or as otherwise agreed with the Planning Secretary) by a suitably qualified structural engineer, the first of which must be undertaken prior to any blasting in the North Pit and the last of which must be undertaken within one year after blasting is completed in the North Pit;</p> <p>(ii) reviewing and establishing final ground vibration criteria and tailoring blast design to comply with these criteria; and</p> <p>(iii) remediating any blasting-related damage to the satisfaction of Council and the Heritage Division; and</p> <p>(j) include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this consent.</p>			Bloomfield dated 26/06/2020 declining to provide input. The draft Blast Management Plan was submitted to DPIE on 29/06/2020, sighted automatic email from DPIE acknowledging receipt of the BMP.
B20	The Applicant must implement the Blast Management Plan as approved by the Planning Secretary.	Not triggered		The Blast Management Plan required by condition B19 is awaiting approval of the Planning Secretary.
	AIR QUALITY AND GREENHOUSE GAS			

Condition Number	Condition	Compliance	Evidence	Comments
	Odour			
B21	The Applicant must ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	Compliant	Rix's Creek Mine Complaints Register 2019 and 2020 RCM Annual Review Report 2019	Bloomfield manage odour from the operations. A review of the Rix's Creek complaints registers for the audit period (2019-2020) shows that there were 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.
	Air Quality Criteria			
B22	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any residence on privately-owned land, excluding the air quality-affected land referred to in Table 7.	Compliant	RCM Air Quality & Greenhouse Gas Management Plan, version 1.5, February 2016 Annual Review 2019 Email from DPE to Bloomfield dated 7/11/2016 Letter from Bloomfield to DPE dated 12/08/2019	Bloomfield operate in accordance with the RCM AQGGMP which includes the following mitigation measures: Actively wet down dig faces Run extra water cart at each site

Condition Number	Condition	Compliance	Evidence	Comments																
	<p>Table 3: Air quality criteria</p> <table border="1" data-bbox="315 336 1135 564"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^{a, c} 25 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 50 µg/m³</td> </tr> <tr> <td rowspan="2">Particulate matter < 2.5 µm (PM_{2.5})</td> <td>Annual</td> <td>^{a, c} 8 µg/m³</td> </tr> <tr> <td>24 hour</td> <td>^b 25 µg/m³</td> </tr> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^{a, c} 90 µg/m³</td> </tr> </tbody> </table> <p>Notes:</p> <p>^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).</p> <p>^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.</p>	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³	24 hour	^b 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³	24 hour	^b 25 µg/m ³	Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³			<p>Not using access tracks when not needed</p> <p>Air quality predictive modelling</p> <p>Park up gear if too windy</p> <p>TARP for responding to elevated dust.</p> <p>Air quality monitoring program including TEOM, dust deposition 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 Review 2019.</p> <p>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</p>
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				<p>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</p>

Condition Number	Condition	Compliance	Evidence	Comments
				generated. It concluded that based on the upstream concentration being 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.
B23	The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.	Not triggered		Bloomfield do not have any agreements with residents to exceed air quality criteria.
	Mine-owned Land			
B24	Particulate matter emissions generated by the development must not exceed the criteria listed in Table 3 at any occupied residence on mine-owned land (including land owned by another mining company) unless: <ul style="list-style-type: none"> (a) the tenant and landowner (if the residence is owned by another mining company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under PART C of this consent; (b) the tenant of any land owned by the Applicant, can terminate their tenancy agreement without penalty at any time, subject to giving 14 days notice; (c) air quality monitoring is regularly undertaken to inform the tenant and landowner (if the residence is owned by another mining company) of the likely particulate matter emissions at the residence; and 	Compliant	<p>Copy of tenancy agreement provided by Williams Real Estate Notification of 14_Days dated 7/11/2019 delivered to Bridgeman Road, Dights Crossing Road, Maison Dieu Road, Middle Falbrook Road, New England Highway, Rixs Creek Lane, and Thomas Lane.</p> <p>Register of residences including date of delivery and signed acknowledgement of receipt by tenant.</p> <p>Mine Dust and You Fact Sheet.</p>	Bloomfield advise new tenants or landowners in accordance with Condition B24. 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

Condition Number	Condition	Compliance	Evidence	Comments
	(d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.			<p>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>Recommendation 3: Provide a better website address in future letters to tenants to assist with locating the particulate matter monitoring data.</p>
	Air Quality Operating Conditions			
B25	<p>The Applicant must:</p> <p>(a) take all reasonable steps to:</p> <p>(i) minimise odour, fume and particulate matter (including PM10 and PM2s) emissions of the development, paying particular attention to minimising wheel-generated haul road emissions;</p> <p>(ii) eliminate or minimise the risk of spontaneous combustion;</p>	Compliant	<p>Rix's Creek Mine Air Quality & Greenhouse Gas Management Plan, version 1.5, February 2016</p> <p>Audit interviews</p> <p>Site inspection</p> <p>Demonstration of software</p>	<p>Bloomfield implement a range of best practice air quality management on site. RCM have received a small number of dust</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(iii) improve energy efficiency and reduce greenhouse gas emissions of the development;</p> <p>(iv) minimise any visible off-site air pollution generated by the development; and</p> <p>(v) minimise the extent of potential dust generating surfaces exposed on the site at any given point in time;</p> <p>(b) ensure that all 'non-road' mobile diesel equipment used in undertaking the development includes reasonable and feasible diesel emissions reduction technology;</p> <p>(c) operate a comprehensive air quality management system that uses a combination of meteorological forecasts, predictive air quality modelling and real-time monitoring to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent;</p> <p>(d) minimise air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note c to Table 3 above);</p> <p>(e) minimise air quality impacts of the development on air quality-affected land referred to in Table 7 and Table 8 for as long as the land remains privately-owned (i.e. until it is acquired);</p> <p>(f) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(g) regularly assess meteorological and air quality monitoring data, and modify operations on the site to ensure compliance with the relevant conditions of this consent.</p>		<p>RCM Complaints registers (2019 and 2020)</p> <p>Bloomfield Group Permit to Disturb</p>	<p>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</p>

Condition Number	Condition	Compliance	Evidence	Comments
				discuss issues each site is experiencing.
	Air Quality and Greenhouse Gas Management Plan			
B26	<p>The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the EPA; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) describe the measures to be implemented to ensure: <ul style="list-style-type: none"> (i) compliance with the air quality criteria and operating conditions of this consent; (ii) best practice management is being employed (including in respect of minimisation of greenhouse gas emissions from the site and energy efficiency); and (iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events; (e) describe the air quality management system in detail; and (f) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that: <ul style="list-style-type: none"> (i) uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of mining operations; (ii) adequately supports the air quality management system; and (iii) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events. 	Not verified	<p>Post approval form submitted by Bloomfield to DPIE dated 26/07/2020. Acknowledgement email from DPIE dated 26/07/2020.</p> <p>Correspondence from EPA to Bloomfield dated 24/07/2020.</p>	<p>Bloomfield have prepared a revised Air Quality and Greenhouse Gas Management Plan based on the original prepared by Todoroski Air Sciences. The EPA were contacted for consultation, sighted correspondence from EPA to Bloomfield on 24/07/2020. The revised AQGGMP was submitted to DPIE for approval within six months, sighted post approval form submitted by Bloomfield to DPIE and acknowledgement of receipt from DPIE dated 26/07/2020. Bloomfield are yet to receive approval of the new management plan.</p>
B27	The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.	Not triggered		The Air Quality and Greenhouse Gas Management Plan required by Condition

Condition Number	Condition	Compliance	Evidence	Comments
				B26 is awaiting approval of DPIE.
	METEOROLOGICAL MONITORING			
B28	<p>Prior to commencing mining operations under this consent and for the remaining life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that:</p> <p>(a) complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007);</p> <p>(b) is capable of continuous real-time measurement of wind speed, wind direction sigma theta and temperature; and</p> <p>(c) is capable of measuring meteorological conditions in accordance with the NSW Industrial Noise Policy (EPA, 2000), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.</p>	Compliant	<p>Letter from DPIE to Bloomfield dated 18/02/20</p> <p>Statement of compliance from CBased</p>	<p>Bloomfield have installed a new weather station. The weather station has been assessed by CBased, sighted statement of compliance from CBased that it complies with this condition. Sighted letter from DPIE dated 18 February 2020 confirming that weather station is operating in accordance with development consent.</p>
	WATER			
	Water Supply			
B29	<p>The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.</p>	Compliant	RCM Water Management Plan, version 1.4, May 2019	<p>The current approved RCM Water Management Plan shows that groundwater licence entitlements for RCM exceed the forecast groundwater take at year 2025. The Water Management Plan also shows that the site experienced a site</p>

Condition Number	Condition	Compliance	Evidence	Comments
				water excess in 2016 and 2017, but does not present forecast water balance or make any inferences on water security. Refer to Condition B41.
B30	The Applicant must report on water extracted from the site each year (direct and indirect) in the Annual Review, including water taken under each water licence. Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development, including during rehabilitation and post mine closure.	Compliant	Annual Review 2019	Bloomfield report on licensable water take in the Annual Review. Sighted Annual Review 2019.
	Compensatory Water Supply			
B31	Prior to commencing mining operations under this consent, the Applicant must notify owners of licensed privately owned groundwater bores that are predicted to have a drawdown of greater than 2 metres as a result of the development.	Not triggered	Letter to DPIE from Bloomfield dated 19/02/2020	Bloomfield advised DPIE that no boreholes are predicated to have a drawdown of greater than two (2) metres as a result of the Development. Sighted letter from Bloomfield to DPIE dated 19/02/2020.
B32	The Applicant must provide a compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than an impact that is minor or negligible) as a result of the development, in consultation with OPIE Water, and to the satisfaction of the Planning Secretary.	Not triggered		Refer to Condition B31.
B33	The compensatory water supply measures must provide an alternative long term supply of water that is equivalent, in quality and volume, to the loss attributable to the development. Equivalent water supply should	Not triggered		Refer to Condition B31.

Condition Number	Condition	Compliance	Evidence	Comments
	be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner.			
B34	If the Applicant and the landowner cannot agree on whether the loss of water is attributed to the development or 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 Planning Secretary for resolution.	Not triggered		Refer to Condition B31.
B35	If the Applicant is unable to provide an alternative long term supply of water, then the Applicant must provide compensation, to the satisfaction of the Planning Secretary. Note. • The Water Management Plan (see condition 8 41) is required to include trigger levels for investigating potentially adverse impacts on water supplies.	Not triggered		Refer to Condition B31.
	Water Discharges			
B36	The Applicant must ensure that all surface discharges from the site comply with: (a) discharge limits (both volume and quality) set for the development in any EPL; or (b) relevant provisions of the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.	Not triggered	Annual Review 2019.	Bloomfield advised that there were no off-site discharges during the audit period. This was confirmed through review of the Annual Reviews during the audit period.
	Water Management			
B37	The Applicant may receive water from, and transfer water to, neighbouring mines including Rix's Creek North, Integra Underground and/or the Greater Ravensworth Water Access Sharing Scheme.	Note		Bloomfield advised that this has not occurred during the audit period.
B38	The Applicant may integrate the site water management system with water management for Rix's Creek North.	Note		Bloomfield operate the site water management system across both Rix's Creek South and Rix's Creek North as

Condition Number	Condition	Compliance	Evidence	Comments																		
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B39	<p>The Applicant must ensure that the development complies with the performance measures in Table 4.</p> <p><i>Table 4: Water management performance measures</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Performance Measure</th> </tr> </thead> <tbody> <tr> <td>Water management – General</td> <td> <ul style="list-style-type: none"> Maintain separation between clean, dirty (i.e. sediment-laden) and mine water Minimise the use of clean and potable water Maximise water recycling, reuse and sharing opportunities Minimise the use of make-up water from external sources Design, install, operate and maintain water management infrastructure in a proper and efficient manner Minimise risks to the receiving environment and downstream water users </td> </tr> <tr> <td>Alluvial aquifers</td> <td> <ul style="list-style-type: none"> Negligible impacts to alluvial aquifers beyond those predicted in the document/s listed in condition A2(c), including: <ul style="list-style-type: none"> negligible change in groundwater levels; and negligible impact to other groundwater users; Maintain appropriate setbacks in accordance with the <i>Aquifer Interference Policy</i> (DPI, 2012) </td> </tr> <tr> <td>Erosion and sediment control works</td> <td> <ul style="list-style-type: none"> Design, install and maintain erosion and sediment controls in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 (Landcom, 2004) and 2E Mines and Quarries (DECC, 2008)</i> Design, install and maintain any new infrastructure within 40 metres of watercourses in accordance with the guidance series for <i>Controlled Activities on Waterfront Land</i> (DPI Water, 2012) Maintain a 20 metre setback for Pits 2 and 3 from the bank of Rix's Creek Design, install and maintain any creek crossings in accordance with the <i>Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013) and <i>Why Do Fish Need To Cross The Road? 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Aquatic and riparian ecosystems	<ul style="list-style-type: none"> Negligible environmental consequences beyond those predicted in the document/s listed in condition A2(c) Maintain or improve baseline channel stability Develop site-specific in-stream water quality objectives in accordance with the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> (ANZECC & ARMCANZ, 2000) and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> (DEC, 2008) 															
B40	The performance measures in Table 4 do not apply to water management structures constructed under previous consents.	Note		Refer to B39.												
	Water Management Plan															
B41	<p>The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) be prepared in consultation with DPIE Water and the EPA;</p> <p>(c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent;</p> <p>(d) describe the measures to be implemented to ensure that the Applicant complies with the water management performance measures (see Table 4);</p> <p>(e) utilise existing data from nearby mines and build on existing monitoring programs, where practicable;</p> <p>(f) include a:</p> <p>(i) Site Water Balance that includes details of:</p>	Not verified	RCM Water Management Plan, version 1.4, May 2019 RCM Water Management Plan, draft, version 2.5, August 2020 RCM Annual Review 2019	The new draft RCM Water Management Plan was prepared by Australasian Groundwater and Environmental Consultants and Hansen Bailey as approved by DPIE, sighted endorsement of experts – Water Management Plan from DPIE to Bloomfield dated 18/02/2020. Bloomfield have reached out to DPIE-Water and the												

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> • predicted annual inflows to and outflows from the site; • sources and security of water supply for the life of the development (including authorised entitlements and licences); • water storage capacity; • water use and management on the site, including any water transfers or sharing with neighbouring mines; • licensed discharge points and limits; and • reporting procedures, including the annual preparation of an updated site water balance; <p>(ii) Salt Balance that includes details of:</p> <ul style="list-style-type: none"> • sources of saline material on the site, • saline material and saline water management on the site; • measures to minimise discharge of saline water from the site; and • reporting procedures, including the annual preparation of an updated salt balance; <p>(iii) Erosion and Sediment Control Plan that:</p> <ul style="list-style-type: none"> • is consistent with the requirements of Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) and Volume 2E: Mines and Quarries (DECC, 2008); • identifies activities that could cause soil erosion, generate sediment or affect flooding; includes a program to review the adequacy of existing flood protection works, and ensure they comply with the relevant performance measures listed in Table 4 ; • describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk; 			<p>EPA during preparation of the WMP however no direct input had been provided at the time of submission of the WMP to DPIE. The WMP was submitted to DPIE within six months of commencement under the SSD, sighted email acknowledgement of receipt of WMP by DPIE dated 18/08/2020. The WMP is yet to be approved by DPIE.</p> <p>Refer to Section 3.2.2 and Corrective Action 2 for identified improvements to the draft WMP.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> • describes the location, function, and capacity of erosion and sediment control structures and flood management structures; and • describes what measures would be implemented to maintain (and if necessary decommission) the structures over time; • (iv) Surface Water Management Plan that includes: <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development, including: <ul style="list-style-type: none"> - stream and riparian vegetation health; - channel stability (geomorphology); and - water supply for other surface water users; • a detailed description of the surface water management system; • detailed plans, design objectives and performance criteria for water management infrastructure, including: <ul style="list-style-type: none"> - any approved creek diversions or restoration works associated with the development; - water run-off diversions and catch drains; - water storages and sediment dams; - emplacement areas; - backfilled pits and any final voids; for the development (see also Table 6); and - reinstated drainage networks on rehabilitated areas of the site; • detailed performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development, for: <ul style="list-style-type: none"> - downstream surface water flows and quality; - channel stability; 			

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> - downstream flooding impacts; - stream and riparian vegetation health; - water supply for other water users; and <p>post-mining water pollution from rehabilitated areas of the site;</p> <ul style="list-style-type: none"> • a program to monitor and evaluate: <ul style="list-style-type: none"> - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan; - controlled and uncontrolled discharges and seepage/leachate from the site; - impacts on water supply for other water users; - surface water inflows, outflows and storage volumes, to inform the Site Water Balance; and - the effectiveness of the surface water management system and the measures in the Erosion and Sediment Control Plan; • reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; and • a trigger action response plan to respond to any exceedances of the performance measures or <p>performance criteria, and repair, mitigate and/or offset any adverse surface water impacts of the development;</p> <p>(v) Groundwater Management Plan that includes:</p> <ul style="list-style-type: none"> • detailed baseline data of groundwater levels, yield and quality for groundwater resources potentially impacted by the development, including groundwater supply for other water users; • a detailed description of the groundwater management system; 			

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> • groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts associated with the development, on: <ul style="list-style-type: none"> - regional and local aquifers (alluvial and hardrock); - impacts on groundwater supply for other water users; and - groundwater supply for other water users such as licensed privately-owned groundwater bores; • a program to monitor and evaluate: <ul style="list-style-type: none"> - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan; - water loss/seepage from water storages into the groundwater system, including from any final void; - groundwater inflows, outflows and storage volumes, to inform the Site Water Balance; - the hydrogeological setting of any nearby alluvial aquifers and the likelihood of any indirect impacts from the development; - the effectiveness of the groundwater management system; • reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; • a trigger action response plan to respond to any exceedances of the groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development; and • a program to periodically validate the groundwater model for the development, including an independent review of the model every 3 years, and a comparison of monitoring results with modelled predictions; and <p>(vi) a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition E9.</p>			

Condition Number	Condition	Compliance	Evidence	Comments																																																						
B42	The Applicant must implement the Water Management Plan as approved by the Planning Secretary.	Not triggered		The Water Management Plan required by Condition B41 is awaiting DPIE approval.																																																						
	BIODIVERSITY																																																									
	Biodiversity Credits Required																																																									
B43	<p>The Applicant must retire the biodiversity credits specified in Table 5 below to offset the biodiversity impacts of the development. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.</p> <p>Table 5: Biodiversity credit requirements</p> <table border="1"> <thead> <tr> <th>Credit Type</th> <th>Stage 1 Credits Required</th> <th>Stage 2 Credits Required</th> <th>Stage 3 Credits Required</th> <th>Stage 4 Credits Required</th> <th>Total Credits Required</th> </tr> </thead> <tbody> <tr> <td>Ecosystem Credits</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>HU906 - Zone 2: Bull Oak grassy woodland of the central Hunter Valley (PCT 1692)</td> <td>-</td> <td>4</td> <td>-</td> <td>-</td> <td>4</td> </tr> <tr> <td>HU819 - Zone 4: Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter (PCT 1605)</td> <td>145</td> <td>302</td> <td>217</td> <td>86</td> <td>750</td> </tr> <tr> <td>HU962 - Zone 5: Grey Box grassy open forest of the central and lower Hunter Valley (PCT 1748)</td> <td>13</td> <td>-</td> <td>-</td> <td>15</td> <td>28</td> </tr> <tr> <td>HU819 - Zone 7: Derived native grassland Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter (PCT 1605)</td> <td>1,112</td> <td>566</td> <td>871</td> <td>330</td> <td>2,879</td> </tr> <tr> <td>HU819 - Zone 8: Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter (PCT 1605)</td> <td>173</td> <td>138</td> <td>153</td> <td>183</td> <td>647</td> </tr> <tr> <td>HU818 - Zone 10: Narrow-leaved Ironbark - Grey Box - Spotted Gum shrub - grass woodland of the central and lower Hunter (PCT 2150)</td> <td>120</td> <td>-</td> <td>-</td> <td>-</td> <td>120</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td></td> <td></td> <td>4,428</td> </tr> </tbody> </table> <p>Notes:</p>	Credit Type	Stage 1 Credits Required	Stage 2 Credits Required	Stage 3 Credits Required	Stage 4 Credits Required	Total Credits Required	Ecosystem Credits						HU906 - Zone 2: Bull Oak grassy woodland of the central Hunter Valley (PCT 1692)	-	4	-	-	4	HU819 - Zone 4: Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter (PCT 1605)	145	302	217	86	750	HU962 - Zone 5: Grey Box grassy open forest of the central and lower Hunter Valley (PCT 1748)	13	-	-	15	28	HU819 - Zone 7: Derived native grassland Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter (PCT 1605)	1,112	566	871	330	2,879	HU819 - Zone 8: Narrow-leaved Ironbark - Native Olive shrubby open forest of the central and upper Hunter (PCT 1605)	173	138	153	183	647	HU818 - Zone 10: Narrow-leaved Ironbark - Grey Box - Spotted Gum shrub - grass woodland of the central and lower Hunter (PCT 2150)	120	-	-	-	120	Total					4,428	Compliant	<p>Application for stewardship agreement dated 27 November 2018</p> <p>Letter from Bloomfield to DPIE dated 15 September 2020</p>	<p>Bloomfield are in the process of entering into a stewardship agreement with BCT. Sighted application dated 27/11/2018. Sighted letter from Bloomfield to DPIE dated 15/09/2020 requesting an extension of time to retire credits as per this condition. Bloomfield advised that they purchased a property for the offsets approved under this SSD which was assessed for the offsets it provided. And a recalculation assessment under BAM 2000 was subsequently undertaken. GHD did not sight any evidence of the purchase or the</p>
Credit Type	Stage 1 Credits Required	Stage 2 Credits Required	Stage 3 Credits Required	Stage 4 Credits Required	Total Credits Required																																																					
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Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> To identify the surface disturbance areas associated with Stages 1, 2, 3 and 4 in Table 5 refer to the applicable figure in Appendix 5, or as updated in the approved Biodiversity Management Plan The credits in Table 5 were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEH, 2014) and may need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the BC Act, if the credits are to be retired in accordance with the Biodiversity Offsets Scheme of the BC Act. 			assessment reports as part of the audit. Bloomfield advised that they may need to purchase additional offsets for Ecosystem Credit HU818. Bloomfield advised that they are permitted to disturb areas containing stage 1 credits prior to securing offsets however none of the stages have been disturbed at the time of audit.
	Staged Retirement			
B44	Within 12 months of commencing mining operations under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must retire the Stage 1 credits as specified in Table 5.	Not triggered		Refer to condition B43.
B45	Prior to the commencement of surface disturbance associated with Stage 2, Stage 3 or Stage 4, or other timeframe agreed by the Planning Secretary, the Applicant must retire the relevant credits for these stages as specified in Table 5.	Not triggered		Bloomfield have not disturbed the areas specified in condition B45.
B46	With the agreement of the Planning Secretary, the Applicant may adjust the staging of surface disturbance and the associated credit retirements in Table 5. Except in accordance with condition B47, the relevant credits must be retired, prior to the commencement of the associated surface disturbance.	Not triggered		Bloomfield have not sought to adjust the staging of surface disturbance and retirement of credits as per condition B46.
B47	With the agreement of the Planning Secretary, the Applicant may carry over surplus retired credits to satisfy the credit requirements of a later stage. This may occur, for example, where approved clearing for an	Not triggered		Bloomfield have not sought to carry over surplus retired credits.

Condition Number	Condition	Compliance	Evidence	Comments
	earlier stage was not undertaken, but the impact has already been offset.			
B48	With the agreement of the Planning Secretary, the biodiversity credits associated with any undisturbed areas agreed under condition B47 as not to be subject to any surface disturbance may be removed from the total credit obligations in Table 5.	Not triggered		Refer to condition B47.
B49	Prior to commencing construction of the cut and cover tunnel, the Applicant must ensure that any biodiversity impacts relating to disturbance during construction of the tunnel and the temporary side track road have been offset to the satisfaction of BCD.	Not triggered		Bloomfield have not commenced construction of the cut and cover tunnel.
	Biodiversity Management Plan			
B50	<p>The Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with BCD; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) describe the short, medium, and long-term measures to be undertaken to manage vegetation and fauna habitat on the site; (e) describe how biodiversity management would be integrated with similar measures within other management plans, including the Rehabilitation Management Plan referred to in condition 874; (f) include a Biodiversity Offset Strategy that: <ul style="list-style-type: none"> (i) describes how the biodiversity credits in Table 5 (and any required under condition B49) will be identified, secured and retired; and (ii) if adjustments are made to the staging of credit retirements in Table 5 (see condition 846), detail the adjusted stages and associated surface disturbance areas; and (g) describe the measures to be implemented within the approved disturbance areas to: <ul style="list-style-type: none"> (i) minimise the amount of clearing; 	Not verified	<p>RCS Biodiversity Management Plan, Hansen Bailey, August 2020</p> <p>Post approval form submitted by Bloomfield to DPIE dated 17/08/2020.</p> <p>Email of acknowledgement received dated 17/08/2020.</p> <p>Correspondence from Bloomfield to BCD dated 3/08/2020</p> <p>Correspondence from BCD to Bloomfield dated 5/08/2020</p>	<p>The new draft RCS Biodiversity Management Plan was prepared by Hansen Bailey. Bloomfield attempted to consult with BCD as required by Condition B50. Sighted correspondence from Bloomfield to BCD dated 3/08/2020 following up on the Biodiversity Management Plan which was submitted on 9/07/2020 for consultation and response from BCD to Bloomfield dated 5/08/2020 notifying of system fails leading to the management plan not being received for</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> (ii) minimise impacts on fauna, including undertaking pre-clearance surveys; (iii) provide for the salvage, transplanting and/or propagation of any threatened flora found during pre-clearance surveys, in accordance with the Guidelines for the Translocation of Threatened Plants in Australia (Vallee et al., 2004); and (iv) maximise the salvage of resources, including tree hollows, vegetation and soil resources, for beneficial reuse, including fauna habitat enhancement; (h) describe the measures to be implemented on the site to: <ul style="list-style-type: none"> (i) minimise impacts to threatened ecological communities listed under the BC Act and EPBC Act, and contribute to conservation strategies for these communities; (ii) minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees, fallen timber and hollow-bearing trees; (iii) enhance the quality of vegetation, vegetation connectivity and wildlife corridors including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata; (iv) introduce naturally scarce fauna habitat: features such as nest boxes and salvaged tree hollows and promote the use of these introduced habitat features by threatened fauna species, including Squirrel Glider; (v) manage any potential conflicts with Aboriginal heritage values; (vi) protect vegetation and fauna habitat outside of the approved disturbance areas; (vii) manage the collection and propagation of seed from the local area; (viii) control weeds, including measures to avoid and mitigate the spread of noxious weeds; (ix) control feral pests with consideration of actions identified in relevant threat abatement plans; (x) control erosion; 			<p>review and comment, and notifying that the proposed due date of 10/08/2020 will not be met. At the time of submission of the draft Biodiversity Management Plan to DPIE for approval, BCD had not provided input. The draft Biodiversity Management Plan was submitted to DPIE within six months of commencement under SSD 6300, sighted Post Approval form submitted by Bloomfield to DPIE dated 17/08/2020 and email of acknowledgement dated 17/08/2020.</p> <p>At the time of audit the Biodiversity Management Plan was awaiting approval from DPIE.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	(xi) manage any grazing and agriculture; (xii) control access to vegetated or revegetated areas; and (xiii) manage bushfire hazards; (i) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance indicators and completion criteria, and improvements that could be implemented to improve biodiversity outcomes; (j) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures to be implemented to mitigate against these risks; and (k) include details of who would be responsible for monitoring, reviewing, and implementing the plan.			
B51	The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.	Not triggered		The RCS Biodiversity Management Plan required by condition B50 is awaiting DPIE approval.
	HERITAGE			
	Protection of Aboriginal Heritage			
B52	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage items located outside the approved disturbance area, beyond those predicted in the documents listed in condition A2(c). Note: Identified heritage items are shown in the figure in Appendix 6.	Compliant	Project Disturbance Boundary RCS dated 15 October 2020 Example signage for boundary fencing	Bloomfield advised that no works have occurred outside the approved disturbance area. Sighted Project Disturbance Boundary RCS advice to staff dated 15 October 2020 regarding orange sediment fence being installed around approved project boundary and no disturbance permitted

Condition Number	Condition	Compliance	Evidence	Comments
				outside of the sediment fence. Sighted signage to be installed on sediment fencing. Bloomfield advised that no identified heritage items are located within the approved disturbance boundary.
B53	If suspected human remains are discovered on the site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police Force and BCD, and work must not recommence in the area until authorised by NSW Police Force and BCD.	Not triggered		No suspected human remains have been discovered on site.
B54	If any previously unknown Aboriginal object or Aboriginal place is discovered on the site, or suspected to be on the site: (a) all work in the immediate vicinity of the object or place must cease immediately; (b) a 10-metre buffer area around the object or place must be cordoned off; and (c) BCD must be contacted immediately.	Not triggered		No previously unknown Aboriginal objects or places have been discovered on site.
B55	Work in the immediate vicinity may only recommence if: (a) the potential Aboriginal object or Aboriginal place is confirmed by BCD, in consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal Place; (b) the Aboriginal Cultural Heritage Management Plan is revised to include the Aboriginal object or Aboriginal place and appropriate measures in respect of it; or (c) the Planning Secretary is satisfied with the measures to be implemented in respect of the Aboriginal object or Aboriginal place and makes a written direction in that regard.	Not triggered		Refer to conditions B53 and B54.

Condition Number	Condition	Compliance	Evidence	Comments
B56	The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within any offset areas are properly recorded, and those records are kept up to date, in the Aboriginal Heritage Information Management System (AHIMS) Register.	Compliant	Signage Fencing plan Summary Report Aboriginal Heritage Salvage 2020 from OzArk dated 9 October 2020	Bloomfield have ensured that all known Aboriginal objects and places have been properly recorded in the AHIMS register. Sighted signage and fencing for known objects and places. Sighted reference in toolbox talks. Sighted Summary Report Aboriginal Heritage Salvage 2020 from OzArk dated 9 October 2020, reporting on partial and complete destruction of sites. Information and site cards sent to NPWS. AHIMS site cards to confirm destroyed. Biodiversity Management Plan includes known aboriginal heritage locations.
	Aboriginal Cultural Heritage Management Plan			
B57	The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must: (a) be prepared by suitably qualified and experienced persons; (b) be prepared in consultation with BCD and Registered Aboriginal Parties; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this	Compliant	RCS Aboriginal Cultural Heritage Management Plan, Hansen Bailey / OzArk, July 2020 Automatic email receipt from DPIE to Bloomfield dated 6/07/2020 Letter from DPIE to Bloomfield dated 2/09/2020	The RCS Aboriginal Cultural Heritage Management Plan generally fulfilled the requirements of Condition B57. The RCS ACHMP was

Condition Number	Condition	Compliance	Evidence	Comments
	<p>consent;</p> <p>(d) describe the measures to be implemented on the site to:</p> <p>(i) comply with the heritage-related operating conditions of this consent;</p> <p>(ii) ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;</p> <p>(iii) protect, monitor and/or manage identified Aboriginal objects and Aboriginal places (including archaeological investigations of potential subsurface objects and salvage of objects within the approved disturbance area (including disturbance associated with the cut and cover tunnel)) in accordance with the commitments made in the documents listed in condition A2(c);</p> <p>(iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;</p> <p>(v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;</p> <p>(vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and</p> <p>(vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site; and</p> <p>(e) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term.</p>		Employee induction powerpoint	<p>prepared by OzArk and Hansen Bailey in consultation with BCD and Registered Aboriginal Parties, evidence of the consultation and incorporation of feedback is demonstrated in the ACHMP.</p> <p>The ACHMP was submitted to DPIE within six months of commencing development, sighted automatic email receipt from DPIE dated 6/07/2020. The ACHMP was approved by DPIE, sighted letter dated 2/09/2020 approving the plan.</p> <p>The Bloomfield Employee Induction powerpoint slide pack includes awareness of Aboriginal objects and places, permit to disturb procedures and unexpected finds protocols.</p>
B58	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	Compliant	Signage Fencing plan	Bloomfield demonstrated implementation of the ACHMP through

Condition Number	Condition	Compliance	Evidence	Comments
			Summary Report Aboriginal Heritage Salvage 2020 from OzArk dated 9/10/2020 Employee induction powerpoint	provision of fencing and signage of sites that are not to be disturbed, salvage report, keeping place at RCN, AHIMS permits to destroy. Sighted OzArk Summary Report Aboriginal Heritage Salvage 2020 dated 9/10/2020 and Employee Induction Powerpoint.
	Historic Heritage Management Plan			
B59	The Applicant must prepare a Historic Heritage Management Plan for the development, in respect of all non-Aboriginal cultural heritage items, to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the Heritage Branch, Council and relevant landowners and in accordance with the relevant Heritage Branch guidelines; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) describe how historic heritage values of the site would be recorded and preserved; (e) identify all heritage items in the vicinity of the site and include a statement of significance for each item; (f) for the Coke Ovens, describe the measures to: (i) minimise impacts of the development and to improve the integrity of the Ovens; (ii) identify if there is any association with the nearby Mound with Historic Material and the Linear Embankment;	Not verified	RCS Historic Heritage Management Plan, Hansen Bailey, July 2020 Letter from Heritage NSW to Bloomfield dated 7/08/2020 Induction package Post approval form submitted by Bloomfield to DPIE on 21/08/2020. Email of acknowledgement received on 21/08/2020.	A draft RCS Historic Heritage Management Plan was prepared by Hansen Bailey as required by Condition B59. Heritage NSW provided feedback on the draft HHMP sighted letter from Heritage NSW to Bloomfield dated 7/08/2020. Bloomfield addressed the comments from Heritage Council in the final draft HHMP, this is highlighted via a table in Appendix B that addresses each concern raised by the

Condition Number	Condition	Compliance	Evidence	Comments
	<ul style="list-style-type: none"> (iii) ensure full recording of the Ovens; (iv) provide public access; and (v) manage the Ovens over the life of the development and post-mining; (g) describe the measures to be implemented on the site or within any offset areas to: <ul style="list-style-type: none"> (i) ensure all workers receive suitable heritage inductions prior to carrying out any activities which may cause impacts to historic heritage, and that suitable records are kept of these inductions; (ii) undertake photographic/archival recording of any items of heritage significance predicted to be impacted by the development, prior to disturbance, including the Mound with Historic Material and the Linear Embankment; (iii) protect heritage items located outside the approved disturbance area from unpredicted impacts of the development, disrepair or vandalism (where practicable), including the Coke Ovens and Granbalang Trig Station; and (iv) manage any new heritage items discovered during the life of the development; and (h) include a strategy for the care, control and storage of relics salvaged from the site. 			Heritage NSW and where it is addressed. The draft HHMP has been submitted to DPIE within six months of commencement under the new consent, sighted email acknowledgement from DPIE to Bloomfield dated 21/08/2020. The draft HHMP is yet to be approved.
B60	The Applicant must implement the Historic Heritage Management Plan as approved by the Planning Secretary	Not triggered		The RCS Historic Heritage Management Plan required by Condition B59 is awaiting DPIE approval.
	VISUAL			
	Visual Amenity and Lighting			
B61	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development and shield public views of the development; 	Compliant	Correspondence to Rix's Creek staff RCM Mining Operations Plan, December 2019	Bloomfield have communicated the requirements of AS 4282 to site personnel, sighted email

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(b) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;</p> <p>(c) ensure no in-pit mobile lighting rigs shine directly above the pit wall and other mobile lighting rigs do not shine directly above the horizontal (except where required for emergency safety purposes);</p> <p>(d) ensure that all external lighting associated with the development complies with relevant Australian Standards including the latest version of Australian Standard AS4282 (INT) 1997 - Control of Obtrusive Effects of Outdoor Lighting;</p> <p>(e) implement a landscaping strategy to shield public views of the development that includes a road-side tree planting and maintenance schedule;</p> <p>(f) procedures to notify, consult and implement site-specific mitigation measures at affected privately-owned residences south of Pit 3 near Maison Dieu Road and Dights Crossing Road; and</p> <p>(g) ensure that the visual appearance of all new buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape.</p>		Complaints Register 2020	<p>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 issue is identified, the Environmental Officer notifies the OCE (open cut examiner – shift supervisor).</p> <p>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>

Condition Number	Condition	Compliance	Evidence	Comments
B62	<p>WASTE</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (a) take all reasonable steps to minimise the waste (including coal rejects) generated by the development; (b) dispose of all waste at appropriately licensed waste facilities; (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (d) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition E9. 	Non-compliant	<p>Bloomfield Employee Induction Site inspection RCM Annual Review 2019 Waste management system</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. 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>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>Inspection of the site identified that, while waste is generally segregated and well managed there were some issues with regards to waste minimisation and management:</p> <ul style="list-style-type: none"> • Bins in workshop not labelled or contain mixed waste when labelled as a specific waste type • Skip bins for cardboard or scrap metal were contaminated with other waste streams • Haphazard storage of materials in store has potential to result in damage to materials or loss of materials. <p>Refer to Appendix E for photo log from site inspections. Bloomfield staff advised that attempts have been made to</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>provide signage for bins in workshop areas however they are collected by the waste contractor and not returned to the same location and therefore the placarded bins are misplaced.</p> <p>Refer to EPL Condition O2.2 for information on the management of the on site sewage treatment.</p> <p>Corrective Action 3: Ensure labelled receptacles are available and staff are adequately trained to allow for segregation of wastes from workshop and stores.</p> <p>Recommendation 2: Organise and maintain stored materials to prevent loss or damage.</p>
B63	Except as expressly permitted in an applicable EPL, specific resource recovery order or exemption under the Protection of the Environment Operations (Waste) Regulation 2014, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.	Compliant		Refer to EPL condition L2.1.

Condition Number	Condition	Compliance	Evidence	Comments
B64	The Applicant must ensure that biosolids used on the site are managed in accordance with the Environmental Guidelines: Use and Disposal of Biosolids Products (E:PA, 1997) (or its latest version).	Compliant		Refer to EPL condition L2.1.
	DANGEROUS GOODS			
B65	The Applicant must ensure that the storage, handling, and transport of: (a) dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code; and (b) explosives are managed in accordance with the requirements of the Resources Regulator.	Non-compliant	Site inspection SDS on ChemAlert Annual Review 2019 Interview with Lewis Payne, Drill and Blast Engineer	Bloomfield have access to ChemAlert for maintenance of SDSs. It is available for all staff to access on the Bloomfield intranet. The ChemAlert database is not specific to Bloomfield operations and chemicals maintained on site. Where contractors bring new chemicals to site they need to be approved, Bloomfield personnel are able to check SDS on ChemAlert and assess for suitability to accept. Sighted SDS for Caltex diesel. During the site inspection we sighted covered bunding or containment for liquid chemicals and waste batteries, cabinets for flammable liquids and gases, spill kits, fire

Condition Number	Condition	Compliance	Evidence	Comments
				<p>protection, secure storage of LPG and other cylinders. While the majority of chemicals were stored appropriately, a couple of items identified during the site inspection did not comply with standards for dangerous goods storage including:</p> <ul style="list-style-type: none"> • Oil drums in store were sitting on stacked pallets within bund. This meant that they weren't protected by the bund. • An IBC of lubricant in the store was sitting on a bracket at the same level as the bund so hence wasn't protected by the bund. • Flocculant stored in IBCs at the CHPP were only covered by a tarp

Condition Number	Condition	Compliance	Evidence	Comments
				<p>which had blown off in the storm.</p> <p>Refer to Appendix E for photo log from site inspections.</p> <p>The Annual Review 2019 reports that notifications of hazardous substances are made to WorkCover in accordance with Schedule 11 of the WHS Regulations. Bloomfield maintain a licence to store and use explosives. The licence stipulates quantities of both initiation and bulk explosives. Magazine records are maintained when explosives are used. Weekly and monthly stocktakes of explosives are undertaken. Bloomfield rotate stock to ensure that explosives are not stored for long periods of time. Initiation explosives are transported in shot utes conforming to AS 2187 providing</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>segregation etc. Bloomfield maintain an Explosives Control Plan. Bulk explosives precursors are transported separately, the precursors only become explosive when mixed. Orica is Bloomfield's provider for explosives, purchase and vehicles. Certain Bloomfield staff are licensed shot firers, these staff are involved in the planning and design of each blast considering meteorological conditions and impacts on neighbouring landusers. Bloomfield store explosives in accordance with standards including segregation, separation distances and volume requirements. This was not sighted as part of the site inspection. The Annual Review 2019 reports on the WorkCover licence for storage and handling of explosives and the</p>

Condition Number	Condition	Compliance	Evidence	Comments
				explosives stored on site. Refer to Corrective Action 1 and Recommendation 1.
	BUSHFIRE MANAGEMENT			
B66	<p>The Applicant must:</p> <p>(a) ensure that the development:</p> <p>(i) provides for asset protection in accordance with the relevant requirements in the Planning for Bushfire Protection (RFS, 2006) guideline; and</p> <p>(ii) ensure that there is suitable equipment to respond to any fires on the site; and</p> <p>(b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.</p>	Compliant	<p>Correspondence with DPIE dated 10 February 2020</p> <p>Correspondence with RFS dated 24 January 2020</p>	<p>Fire protection that Bloomfield maintain includes water storages, gates and entry points, high risk areas, slashing for fire breaks. Equipment maintained for fire protection includes water carts with monitors, fire hydrant system, fire extinguishers.</p> <p>Bloomfield provide training for site personnel including fire response and use of firefighting foam. Sighted competency in onsite training competency register.</p>
B67	<p>Prior to commencing mining operations under this consent, the Applicant must prepare a Bushfire Management Plan for the development in consultation with RFS. This plan must include a:</p> <p>(a) contact person and 24 hour contact phone number;</p> <p>(b) schedule and description of proposed bushfire mitigation works, including:</p> <p>(i) location of managed and unmanaged vegetation within the site;</p>	Compliant	<p>RCM Bushfire Management Plan, version 1.1, January 2020</p> <p>Correspondence dated 30/10/2019 from Bloomfield to RFS.</p> <p>Correspondence from Bloomfield to Hunter Valley RFS dated 13/01/2020.</p>	<p>Bloomfield prepared a RCM Bushfire Management Plan in consultation with RFS brigade. Evidence of consultation with the RFS, feedback provided and</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(ii) location of water supply; and</p> <p>(iii) internal access roads;</p> <p>(c) plan identifying the location and storage of bulk flammable liquids and materials;</p> <p>(d) 'hot works' management plan, including:</p> <p>(i) circumstances when 'hot works' are limited or prohibited; and</p> <p>(ii) safety measures to be implemented when 'hot works' are being conducted; and</p> <p>(e) emergency/evacuation plan in accordance with the Guidelines for the Preparation of Emergency/Evacuation Plans (RFS) and Australian Standard AS3745 Planning for Emergencies in Facilities.</p>		<p>Correspondence from RFS to Bloomfield dated 13/01/2020.</p> <p>Correspondence from Bloomfield to RFS dated 24/01/2020.</p> <p>Correspondence from Bloomfield to DPIE dated 10/02/2020.</p>	<p>incorporated into the plan is provided</p> <p>Correspondence dated 30/10/2019 from Bloomfield to RFS seeking review and comment on the bushfire management plan.</p> <p>Correspondence from Bloomfield to Hunter Valley RFS on 13/01/2020 requesting review of the Bushfire Management Plan.</p> <p>Correspondence from RFS to Bloomfield dated 13/01/2020 supplying details for inclusion in plan.</p> <p>Correspondence from Bloomfield to RFS dated 24/01/2020 with updates to the Bushfire Management Plan.</p> <p>Correspondence with DPIE from Bloomfield on 10/02/2020 advising of bushfire management plan being developed in accordance with the RFS and that it has been approved.</p>

Condition Number	Condition	Compliance	Evidence	Comments				
				The Bushfire Management Plan generally includes the requirements of Condition B67.				
B68	The Applicant must implement the Bushfire Management Plan in consultation with RFS.	Compliant	Site inspection Audit interviews	Bloomfield demonstrated implementation of the BFMP through planning of fire breaks around the perimeter of the site, active grazing to reduce fuel load, meetings with RFS re: fire issues, Hot Works Procedure and maintenance of water carts.				
	REHABILITATION							
	Rehabilitation Objectives							
B69	<p>The Applicant must rehabilitate the site to the satisfaction of the Resources Regulator. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the documents listed in condition A2(c) (and shown conceptually in the figure in Appendix 7), and must comply with the objectives in Table 6.</p> <p><i>Table 6: Rehabilitation objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>All areas of the site affected by the development</td> <td> <ul style="list-style-type: none"> Safe, stable and non-polluting Fit for the intended post-mining land use/s </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> Safe, stable and non-polluting Fit for the intended post-mining land use/s 	Compliant	RCM Mining Operations Plan, December 2019	Rehabilitation is ongoing at RCS. Rehabilitation activities and schedule are incorporated into the Mining Operations Plan (MOP). A revised MOP is currently in draft awaiting approval of the DPIE and Resources Regulator. The rehabilitation objectives are addressed in the
Feature	Objective							
All areas of the site affected by the development	<ul style="list-style-type: none"> Safe, stable and non-polluting Fit for the intended post-mining land use/s 							

Feature	Objective
	<ul style="list-style-type: none"> Establish the final landform and post-mining land use/s as soon as practicable after cessation of mining operations Minimise post-mining environmental impacts
Areas proposed for native ecosystem re-establishment	<ul style="list-style-type: none"> Establish/restore self-sustaining native open woodland ecosystems Establish local plant community types Establish: <ul style="list-style-type: none"> riparian vegetation, within any diverted and/or re-established creek lines and retained water features; habitat, feed and foraging resources for threatened fauna species; and vegetation connectivity and wildlife corridors, as far as is reasonable and feasible
Areas proposed for agricultural land	<ul style="list-style-type: none"> Establish/restore grassland areas to support sustainable agricultural activities Use species found in the local area that are suitable for pasture production Achieve land and soil capabilities that are equivalent or better than pre-mining Locate adjacent to surrounding agricultural land, where practicable
Final Landform	<ul style="list-style-type: none"> Stable and sustainable for the intended post-mining land use/s Integrated with surrounding natural landforms and other mine rehabilitated landforms including Rix's Creek North, to the greatest extent practicable Incorporate micro-relief and drainage features that mimic natural topography and mitigate erosion, to the greatest extent practicable Maximise surface water drainage to the natural environment, excluding final void catchment (i.e. free draining) Reduce highwall slopes to a maximum of 18 degrees (excluding slopes below the post-mining standing water level in any final void) Minimise visual impacts, where practicable, particularly from public views and the Granbalang Trig Station
Final void	<ul style="list-style-type: none"> Designed as longterm groundwater sink to prevent the release of saline water into the surrounding environment, unless further mine planning and final landform design processes identify a more suitable outcome for the final void (see condition B72) Minimise to the greatest extent practicable: <ul style="list-style-type: none"> the size and depth of final voids; the drainage catchment of final voids; any high wall instability risk; and the risk of flood interaction Maximise potential for beneficial reuse, where practicable
Highwall access to future underground coal resources	<ul style="list-style-type: none"> Rehabilitate as soon as practicable, unless the Applicant proceeds with an underground mining proposal (subject to separate approval), and this is subject to a development application at least 5 years prior to cessation of mining operations
Surface infrastructure of the development, including infrastructure constructed under DA 49/94	<ul style="list-style-type: none"> To be decommissioned and removed, unless the Resources Regulator agrees otherwise Cut and cover tunnels under the New England Highway to be demolished and removed, or filled, unless RMS agrees otherwise
Rehabilitation materials	<ul style="list-style-type: none"> Materials from areas disturbed under this consent (including topsoils, substrates and seeds) are to be recovered, managed and reused as rehabilitation resources, to the greatest extent practicable Maximise use of biosolids (or similar organic recycled material) to enhance soil quality for revegetation
Water quality	<ul style="list-style-type: none"> Water retained on the site is fit for the intended post-mining land use/s Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation
Community	<ul style="list-style-type: none"> Ensure public safety Minimise adverse socio-economic effects associated with mine closure Provide public access to the Coke Ovens (see condition B59(f)(iv))

current approved MOP.
The rehabilitation areas at RCS were unable to be inspected due to wet weather on the day of the site inspection.

Condition Number	Condition	Compliance	Evidence	Comments
B70	The rehabilitation objectives in Table 6 apply to the entire site, including all landforms constructed under either this consent or previous consents. However, the Applicant is not required to undertake any additional earthmoving works on landforms that have been approved and constructed under previous consents.	Not triggered		Bloomfield advised that this condition has not been triggered as no works have been done on landforms that have been approved and constructed under previous consents.
	Progressive Rehabilitation			
B71	The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated. Note: This condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated	Compliant	RCM Mining Operations Plan, December 2019	Bloomfield advised that the rehabilitation works for RCS is currently focused on the West Pit South Batter. We were unable to inspect this due to wet weather on the day of the site inspection.
	Rehabilitation Strategy			
B72	The Applicant must prepare a Rehabilitation Strategy for the development to the satisfaction of the Planning Secretary. This strategy must: (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with the Resources Regulator and Council; (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (d) building on the Rehabilitation Objectives in Table 6, describe the overall rehabilitation outcomes for the site, and address all aspects of rehabilitation including mine closure, final landform (including final voids), postmining land use/s and water management;	Not verified	Correspondence from Bloomfield to DPIE dated 13/02/2020. Correspondence from DPIE to Bloomfield dated 17/02/2020. Automatic email from DPIE to Bloomfield dated 7/08/2020. Correspondence from the Resources Regulator to Bloomfield dated 07/08/2020. 20191201_RCM_MOP_FINAL.pdf	The Rehabilitation Strategy presented in the new draft MOP generally fulfilled the requirements of condition B72. The MOP was prepared by MineSoils and Hansen Bailey as approved by DPIE, sighted request from Bloomfield to DPIE for approval of the qualified person to prepare the rehabilitation strategy

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(e) align with strategic rehabilitation and mine closure objectives and address the principles of the Strategic Framework for Mine Closure (ANZMEC and MCA, 2000);</p> <p>(f) describe how the rehabilitation measures would be integrated with the measures in the Biodiversity Management Plan referred to in condition B50;</p> <p>(g) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature mine closure;</p> <p>(h) identify and describe all rehabilitation domains and define completion criteria for each;</p> <p>(i) include indicative mine plans and scheduling for life-of-mine rehabilitation showing each rehabilitation domain;</p> <p>(j) include details of target vegetation communities and species to be established within the proposed revegetation areas;</p> <p>(k) investigate opportunities to refine and improve the final landform and final void outcomes over time;</p> <p>(l) include a risks and opportunities assessment and risk register that includes risks associated with unplanned closure or care and maintenance;</p> <p>(m) include a post-mining land use strategy to investigate and facilitate post-mining beneficial land uses for the site (including the final void), that:</p> <p>(i) align with regional and local strategic land use planning objectives and outcomes;</p> <p>(ii) support a sustainable future for the local community;</p> <p>(iii) utilise existing mining infrastructure, where practicable; and</p> <p>(iv) avoid disturbing self-sustaining native ecosystems, where practicable;</p> <p>(n) include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes;</p> <p>(o) investigate ways to minimise adverse socio-economic effects associated with rehabilitation and mine closure;</p>			<p>dated 13/02/2020, and letter from DPIE to Bloomfield dated 17/02/2020 approving appointment. Resources Regulator and Singleton Council were consulted during preparation of the strategy sighted letter from Resources Regulator to Bloomfield dated 7/08/2020 and letter from Singleton Council to Bloomfield dated 13/08/2020, incorporation of their responses into the final draft strategy has not been reviewed as part of the audit. The draft Rehabilitation Strategy was submitted to DPIE on 7/08/2020 (sighted automatic email reply from DPIE to Bloomfield). At the time of audit, DPIE were yet to approve the Rehabilitation Strategy.</p>

Condition Number	Condition	Compliance	Evidence	Comments
	and (p) include a program to review and refine the final landform and final void outcomes to meet the relevant Rehabilitation Objectives in Table 6, in consultation with the Resources Regulator and the Council every three years.			
B73	The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary	Not triggered		The draft Rehabilitation Strategy is awaiting approval from DPIE.
	Rehabilitation Management Plan			
B74	The Applicant must prepare a Rehabilitation Management Plan for all land disturbed by the development to the satisfaction of the Resources Regulator. This plan must: (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the Department, DRG, DPIE Water, BCD and Council; (c) be submitted to the Resources Regulator for approval within nine months of commencing development under this consent; (d) be prepared in accordance with any relevant DRG Guideline; (e) include detailed performance indicators and completion criteria for each rehabilitation domain, and triggers for remedial actions; (f) describe the measures to be implemented on the site to achieve the Rehabilitation Objectives in Table 6, the requirements of the Rehabilitation Strategy referred to in condition 872 and the criteria in paragraph (e); (g) 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 the Resources Regulator; (h) include procedures for the reasonable use of interim stabilisation and temporary vegetation strategies to minimise the area exposed for dust generation (see condition 871);	Not verified	Audit interviews	The RCS Rehabilitation Management Plan is now incorporated into the MOP. A draft of the new MOP is currently with Council, BCD, EPA, DPIE-Water and DPIE for consultation. Feedback on the draft MOP has been requested by 13/11/2020. The MOP is to be submitted to Resources Regulator within nine months of commencement of operations under the new consent (23/11/2020).

Condition Number	Condition	Compliance	Evidence	Comments
	(i) include a program to monitor, independently audit and report on progress against the criteria in paragraph (e) and the effectiveness of the measures in paragraph (f); and (j) describe any further studies, work, research or consultation that will be undertaken to expand the site-specific rehabilitation knowledge base, reduce uncertainty and improve rehabilitation outcomes.			
B75	The Applicant must implement the Rehabilitation Management Plan as approved by the Resources Regulator. Note: <ul style="list-style-type: none"> The Resources Regulator may permit the Rehabilitation Management Plan to be combined with a Mining Operations Plan, or similar plan, required under any mining lease granted for the development. 	Not triggered		At the time of audit, the MOP was out for consultation and was yet to be approved by the Resources Regulator for implementation.
	SOCIAL			
	Social Impact Management Plan			
B76	The Applicant must prepare a Social Impact Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: <ol style="list-style-type: none"> be prepared by a suitably qualified and experienced person/s; be prepared in consultation with Council, the CCC, local affected communities and other interested stakeholders; be submitted to the Planning Secretary for approval within six months of commencing development under this consent; identify both positive and negative social impacts resulting from the development and following mine closure, both locally and regionally; specify adaptive management and mitigation measures to avoid, minimise, and/or mitigate negative social impacts; identify opportunities to secure and enhance positive social impacts from the development, including opportunities to assist in maintaining community services and facilities; 	Not verified	RCS Social Impact Management Plan, Draft, July 2020 Email from Bloomfield to CCC Chair dated 13/07/2020 Emails between Bloomfield and Singleton Council dated 13/07/2020 Rix's Creek Mine Community Newsletter Number 8, July 2020 Post approval form submitted by Bloomfield to DPIE dated 18/08/2020, Automatic acknowledgement email from DPIE dated 18/08/2020.	A draft RCS Social Impact Management Plan has been prepared by Hanson Bailey. Bloomfield consulted with the CCC and the community through the RCM Community Newsletter. While Bloomfield liaised with Singleton Council to coordinate distribution of the newsletters, it is unclear whether Council itself was consulted regarding

Condition Number	Condition	Compliance	Evidence	Comments
	(g) include a stakeholder engagement plan to guide the evaluation and implementation of social impact management and mitigation measures, and (h) include a program to monitor, review and report on the effectiveness of these measures, including updating the plan 3 years prior to mine closure.			preparation of the SIMP. The draft RCS SIMP is currently sitting with DPIE for approval.
B77	The Applicant must implement the Social Impact Management Plan as approved by the Planning Secretary	Not triggered		The draft SIMP is awaiting approval from DPIE.
	Part C –CONSTRUCTION SPECIFIC ENVIRONMENTAL CONDITIONS			
	CONSTRUCTION			
	Construction Hours			
C1	Approved construction works must be undertaken during standard construction hours (7 am to 6 pm, Monday to Friday and 8 am to 1 pm on Saturdays), unless the Planning Secretary agrees otherwise.	Not triggered		No construction works have occurred during the audit period.
	Construction Noise			
C2	The Applicant must ensure that construction noise does not exceed the operational noise criteria in Table 1, except where an alternative temporary limit has been approved by the Planning Secretary for specific works or where the Applicant has an agreement with the owner/s of the relevant residence/land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.	Not triggered		No construction works have occurred during the audit period.
	Cut and Cover Tunnel			
C3	The proposed cut and cover tunnel under the New England Highway and temporary side track road must both be designed and constructed in accordance with the relevant Austroads guidelines, Australian Standards and RMS specifications, in consultation with and to the satisfaction of RMS. Note: Additional approval may be required under the Roads Act 1993.	Not triggered		Design and construction for the cut and cover tunnel has not commenced.
C4	The Applicant must enter into a Works Authorisation Deed (WAD) prior to undertaking the road works.	Not triggered		Refer to Condition C3.

Condition Number	Condition	Compliance	Evidence	Comments
	Note: RMS can exercise its powers and functions of the roads authority, to undertake road works in accordance with sections 64 and 71 of the Roads Act 1993, as applicable, for all works under the WAD.			
C5	All road works must be undertaken at full cost to the Applicant and at no cost to RMS or Council.	Not triggered		Refer to Condition C3.
C6	The Applicant must enter into any other necessary access agreements with RMS or Council for the ongoing use and maintenance of the tunnel and related infrastructure within the road corridor.	Not triggered		Refer to Condition C3.
	Construction Traffic Management Plan			
C7	The Applicant must prepare a Construction Traffic Management Plan for construction of the cut and cover tunnel under the New England Highway to the satisfaction of RMS. This plan must: (a) describe the measures to be implemented to minimise traffic and road safety issues and disruption to other road users; (b) include a risk assessment to identify hazards to traffic control, the level of risk posed and control measures to be implemented; (c) include a vehicle movement plan for: (i) managing light, heavy and over-dimensional vehicles during construction works; (ii) transporting construction waste materials; and (iii) restricting construction or transportation hours to avoid road user conflicts; and (d) include a traffic control plan prepared in accordance with Traffic Control at Work Sites (RMS, 2018)	Not triggered		Refer to Condition C3.
C8	The Applicant must not commence construction works associated with the cut and cover tunnel until the Construction Traffic Management Plan is approved by RMS.	Not triggered		Refer to Condition C3.
	PART D- ADDITIONAL PROCEDURES			
	ACQUISITION UPON REQUEST			
D1	Upon receiving a written request for acquisition from the owner of the privately-owned land listed in Table 7, the Applicant must acquire the land in accordance with the procedures in conditions D11 to D18, inclusive.	Not triggered		Bloomfield have not received any requests for acquisition during the audit period.

Condition Number	Condition	Compliance	Evidence	Comments						
	<p>Table 7: Land subject to acquisition upon request</p> <table border="1"> <thead> <tr> <th>Acquisition Basis</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>Noise, Air Quality</td> <td>R1 (Lot 1 DP 1137660) Lot 1 DP 121623^c Lot 1 DP 1244196 (formerly Lot 1 DP 1136411)^c Lot 54 DP 252692</td> </tr> <tr> <td>Air Quality</td> <td>R170 (Lot 2 DP 1111313) ^c R171 (Lot 75 DP 1124347) ^c Lot 3 DP 1111313 ^c Lot 2 DP 804005 Lot 52 DP 252692 Lot 53 DP 252692 N88 (Lot 103 DP 852484)^d Lot 104 DP 852484 ^d N91 (Lot 102 DP 852484) ^d Lot 106 DP 855187 ^d N161 (Lot 105 DP 855187) ^c N172 (Lot 1 and 2 Section 8 DP 758214) ^b N103 (Lot 4 DP 758214) ^c Lot 1 DP 248748 ^c Lot 5 DP 758214 ^c Lot 6 DP 758214 ^c Lot 7 DP 758214 ^c Lot 3 DP 758214 ^c Lot 8 DP 758164 ^c Lot 2 Section 9 DP 758214 ^c Lot 9 DP 758214 ^c Lot 44 DP 1166047 ^b Lot 5 DP 1166047 ^b N105 (Lot 3 DP 1088108) ^e</td> </tr> </tbody> </table> <p>^a The locations of the land referred to in Table 7 is shown in Appendix 3.</p> <p>^b The Applicant is only required to acquire these properties if acquisition is not reasonably achievable under the approval for Rix's Creek North Mine.</p> <p>^c The Applicant is only required to acquire these properties if acquisition is not reasonably achievable under the approval for Rix's Creek North Mine or Ashton SEOC.</p> <p>^d The Applicant is only required to acquire these properties if acquisition is not reasonably achievable under the approval for Rix's Creek North Mine, Ashton SEOC or Glendell Mine.</p> <p>^e The Applicant is only required to acquire these properties if acquisition is not reasonably achievable under the approval for Rix's Creek North Mine or Glendell Mine.</p>	Acquisition Basis	Land	Noise, Air Quality	R1 (Lot 1 DP 1137660) Lot 1 DP 121623 ^c Lot 1 DP 1244196 (formerly Lot 1 DP 1136411) ^c Lot 54 DP 252692	Air Quality	R170 (Lot 2 DP 1111313) ^c R171 (Lot 75 DP 1124347) ^c Lot 3 DP 1111313 ^c Lot 2 DP 804005 Lot 52 DP 252692 Lot 53 DP 252692 N88 (Lot 103 DP 852484) ^d Lot 104 DP 852484 ^d N91 (Lot 102 DP 852484) ^d Lot 106 DP 855187 ^d N161 (Lot 105 DP 855187) ^c N172 (Lot 1 and 2 Section 8 DP 758214) ^b N103 (Lot 4 DP 758214) ^c Lot 1 DP 248748 ^c Lot 5 DP 758214 ^c Lot 6 DP 758214 ^c Lot 7 DP 758214 ^c Lot 3 DP 758214 ^c Lot 8 DP 758164 ^c Lot 2 Section 9 DP 758214 ^c Lot 9 DP 758214 ^c Lot 44 DP 1166047 ^b Lot 5 DP 1166047 ^b N105 (Lot 3 DP 1088108) ^e			
Acquisition Basis	Land									
Noise, Air Quality	R1 (Lot 1 DP 1137660) Lot 1 DP 121623 ^c Lot 1 DP 1244196 (formerly Lot 1 DP 1136411) ^c Lot 54 DP 252692									
Air Quality	R170 (Lot 2 DP 1111313) ^c R171 (Lot 75 DP 1124347) ^c Lot 3 DP 1111313 ^c Lot 2 DP 804005 Lot 52 DP 252692 Lot 53 DP 252692 N88 (Lot 103 DP 852484) ^d Lot 104 DP 852484 ^d N91 (Lot 102 DP 852484) ^d Lot 106 DP 855187 ^d N161 (Lot 105 DP 855187) ^c N172 (Lot 1 and 2 Section 8 DP 758214) ^b N103 (Lot 4 DP 758214) ^c Lot 1 DP 248748 ^c Lot 5 DP 758214 ^c Lot 6 DP 758214 ^c Lot 7 DP 758214 ^c Lot 3 DP 758214 ^c Lot 8 DP 758164 ^c Lot 2 Section 9 DP 758214 ^c Lot 9 DP 758214 ^c Lot 44 DP 1166047 ^b Lot 5 DP 1166047 ^b N105 (Lot 3 DP 1088108) ^e									
	ADDITIONAL MITIGATION UPON REQUEST									
D2	Upon receiving a written request from the owner of any residence on the privately-owned land ³ listed in Table 7 or Table 8, the Applicant must implement additional mitigation measures at or in the vicinity of the residence in consultation with the landowner. These measures must be consistent with the measures outlined in the Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and	Compliant	Sighted letter of offer to Olofsson. Sighted remittance advice for payment for air conditioner. Quote from Spanline 14/09/20.	Bloomfield received a request for air quality mitigation measures from Olofsson residence for replacement air						

Condition Number	Condition	Compliance	Evidence	Comments								
	<p>Extractive Industry Developments (NSW Government, 2018). They must also be reasonable and feasible, proportionate to the level of predicted impact and directed towards reducing the relevant noise and/or air quality impacts of the development. The Applicant must also be responsible for the reasonable costs of ongoing maintenance of these additional mitigation measures until the cessation of mining operations.</p> <p><i>Table 8: Land subject to additional mitigation upon request</i></p> <table border="1"> <thead> <tr> <th>Mitigation Basis</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>Air Quality</td> <td>R173 (Lot 30 DP 1018512) R175 (Lot 1 DP 745211) R176 (Lot 11 DP 1169092)</td> </tr> <tr> <th>Mitigation Basis</th> <th>Land</th> </tr> <tr> <td></td> <td>R177 (Lot 8 DP 246434)</td> </tr> </tbody> </table> <p><small>* The locations of the land referred to in Table 8 is shown in Appendix 3.</small></p>	Mitigation Basis	Land	Air Quality	R173 (Lot 30 DP 1018512) R175 (Lot 1 DP 745211) R176 (Lot 11 DP 1169092)	Mitigation Basis	Land		R177 (Lot 8 DP 246434)			<p>conditioner and enclosure of patio under Condition D2. Bloomfield provided evidence of actioning the request through the following:</p> <ul style="list-style-type: none"> • Letter of offer to Olofsson • Remittance advice for payment for air conditioner • Quote from Spanline dated 14/09/20 for patio works • Bloomfield capital expenditure approval form.
Mitigation Basis	Land											
Air Quality	R173 (Lot 30 DP 1018512) R175 (Lot 1 DP 745211) R176 (Lot 11 DP 1169092)											
Mitigation Basis	Land											
	R177 (Lot 8 DP 246434)											
D3	<p>If within three months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.</p>	Not triggered		<p>Refer to Condition D2. Bloomfield advised that they had not had any disputes with owners with regards to requests for air quality mitigation measures.</p>								
	NOTIFICATION OF LANDOWNERS/TENANTS											
D4	<p>Within one month of the date of this consent, the Applicant must:</p> <p>(a) notify in writing the owner of:</p> <p>(i) the land listed in Table 7 that they have, the right to require the Applicant to acquire their land at any stage during the development;</p>	Compliant	<p>Letter from Bloomfield dated 20/10/2019 to Alistair Bowman. Dilapidation survey inspection register.</p>	<p>Bloomfield provided notifications as required by Condition D4. Bloomfield identified properties based on</p>								

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(ii) the residences on the land listed in Table 7 and Table 8 that they are entitled to ask the Applicant to install additional mitigation measures at the residence; and</p> <p>(iii) any privately-owned land within 3 kilometres of the approved open cut mining pit/s that they are entitled to ask the Applicant for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated;</p> <p>(b) notify the tenants of any mine-owned land of their rights under this consent; and</p> <p>(c) send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (NSW Health, 2017) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the document/s listed in condition A2(c) identify that dust emissions generated by the development are likely to be greater than the relevant air quality criterion in PART B of this consent at any time during the life of the development.</p>		<p>Register of delivery of newsletters to residents within 3km radius of RCS.</p> <p>Letter to tenant – e.g. Letter to Mitchell and Louise Barnes dated 07/11/2019.</p> <p>Register of letters sent to tenants including acknowledgement receipt by tenants and date (November 2019).</p>	<p>cumulative impact from mines in area. Sighted Australia Post registered post records. Sighted example letter from Bloomfield to Alistair Bowman dated 20/10/2019 regarding right to request acquisition.</p> <p>Three properties that were identified for additional mitigation measures have submitted requests during the audit period; Burgess, De Jong and McInerney.</p> <p>Bloomfield received 17 requests for dilapidation surveys under the condition. Inspections were done by AECOM. Sighted inspection register which confirmed that all properties were inspected and reports received.</p> <p>Newsletters were sent to all residents within a 3km radius of the Rix's Creek South Mine. These newsletters were hand delivered.</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<p>Records of delivery include street, street number and date with all deliveries completed by the end of 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. Sighted register to show that letters are delivered, signed by tenants as acknowledgement of</p>

Condition Number	Condition	Compliance	Evidence	Comments
				receipt, dated November 2019. Refer to Recommendation 1.
D5	Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must: (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled "Mine Dust and You" (NSW Health, 2017); and (b) advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Planning Secretary.	Compliant		Refer to Condition D4.
	NOTIFICATION OF EXCEEDANCES			
D6	As soon as practicable and no longer than 7 days after obtaining monitoring results showing an exceedance of any noise, blasting or air quality criterion in PART B of this consent, the Applicant must provide the details of the exceedance to any affected landowners, tenants and the CCC.	Not triggered		RCS have not had an exceedance of noise, blasting or air quality criteria during the audit period.
D7	For any exceedance of any air quality criterion in PART B, the Applicant must also provide to any affected land owners and/or tenants a copy of the NSW Health fact sheet entitled "Mine Dust and You" (NSW Health, 2017).	Not triggered		Refer to Condition D7.
	INDEPENDENT REVIEW			
D8	If a landowner considers the development to be exceeding any relevant air quality, noise or blasting criterion in PART B of this consent, they may ask the Planning Secretary in writing for an independent review of the impacts of the development on their residence or land.	Not triggered		Bloomfield advised that they have not received any requests for an independent review during the audit period.
D9	If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of	Not triggered		Refer to Condition D8.

Condition Number	Condition	Compliance	Evidence	Comments
	that decision, and the reasons for that decision, within 21 days of the request for a review.			
D10	<p>If the Planning Secretary is satisfied that an independent review is warranted, within three months, or other timeframe agreed by the Planning Secretary and the landowner, of the Planning Secretary's decision, the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:</p> <p>(i) consult with the landowner to determine their concerns;</p> <p>(ii) conduct monitoring to determine whether the development is complying with the relevant criterion in PART B of this consent; and</p> <p>(iii) if the development is not complying with the relevant criterion, identify measures that could be implemented to ensure compliance with the relevant criterion;</p> <p>(b) give the Planning Secretary and landowner a copy of the independent review; and</p> <p>(c) comply with any written requests made by the Planning Secretary to implement any findings of the review.</p>	Not triggered		Refer to Condition D8.
	LAND ACQUISITION			
D11	<p>Within three months of receiving a written request for acquisition from a landowner with acquisition rights, the Applicant 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 development, having regard to the:</p> <p>(i) existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and</p> <p>(ii) presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed</p>	Not triggered		Bloomfield advised that they have not received any requests for acquisition during the audit period.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise and/or air quality mitigation measures in condition D2;</p> <p>(b) the reasonable costs associated with:</p> <p>(i) relocating within the Singleton local government area, or to any other local government area determined by the Planning Secretary; and</p> <p>(ii) obtaining independent legal advice and ,expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and</p> <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p>			
D12	If, within two months of the binding written offer being made under condition D11, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Planning Secretary for resolution.	Not triggered		Refer to Condition D11.
D13	<p>Upon receiving a request under condition D12, the Planning Secretary will request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <p>(a) consider submissions from both parties;</p> <p>(b) 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 condition D11 ;</p> <p>(c) prepare a detailed report setting out the reasons for any determination; and</p> <p>(d) provide a copy of the report to both parties.</p>	Not triggered		Refer to Condition D11.
D14	Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.	Not triggered		Refer to Condition D11.

Condition Number	Condition	Compliance	Evidence	Comments
D15	However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, either party may refer the matter to the Planning 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 Planning Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in condition D11, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.	Not triggered		Refer to Condition D11.
D16	Within 14 days of this determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the Planning Secretary's determination.	Not triggered		Refer to Condition D11.
D17	If the landowner refuses to accept the Applicant's binding written offer under this condition within six months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Planning Secretary determines otherwise.	Not triggered		Refer to Condition D11.
D18	The Applicant must pay all reasonable costs associated with the land acquisition process described in conditions D11 to D17 inclusive, 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.	Not triggered		Refer to Condition D11.
	PART E ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
	ENVIRONMENTAL MANAGEMENT			
	Environmental Management Strategy			
E1	The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must: (a) be submitted to the Planning Secretary for approval within six months of commencing development under this consent; (b) provide the strategic framework for environmental management of the development;	Not verified	Post approval form submitted by Bloomfield to DPIE dated 14/05/2020. Automatic email receipt dated 14/05/2020.	Bloomfield have prepared a draft Environmental Management Strategy which was submitted to DPIE within six months of

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(c) identify the statutory approvals that apply to the development;</p> <p>(d) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(e) set out the procedures to be implemented to:</p> <p>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;</p> <p>(ii) receive, record, handle and respond to complaints;</p> <p>(iii) resolve any disputes that may arise during the course of the development;</p> <p>(iv) respond to any non-compliance and any incident; and</p> <p>(v) respond to emergencies; and</p> <p>(f) include:</p> <p>(i) references to any strategies, plans and programs approved under the conditions of this consent; and</p> <p>(ii) a clear plan depicting all the sites where monitoring is to be carried out under the conditions of this consent.</p>			commencement of development under this consent. Sighted letter from Bloomfield to DPIE dated 14/05/2020. At the time of audit the draft EMS was awaiting approval from DPIE.
E2	The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.	Not triggered		The Environmental Management Strategy is yet to be approved by DPIE.
	Adaptive Management			
E3	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and performance measures in this consent. Any exceedance of these criteria or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</p>	Compliant	Site inspection Audit interviews	<p>Bloomfield have implemented a number of measures to manage risks associated with RCS including:</p> <p>Induction of new staff and contractors</p> <p>Role specific training</p> <p>Development and implementation of</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and</p> <p>(c) implement reasonable remediation measures as directed by the Planning Secretary.</p>			<p>environmental management plans to satisfy the consent as well as internal management plans with specific controls</p> <p>Predictive modelling and forecasting for air, noise and blasting</p> <p>Night-time monitoring of noise and light emissions.</p> <p>Bloomfield did not report any exceedances of criteria or performance measures during the audit period.</p>
	Management Plan Requirements			
E4	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include where relevant:</p> <p>(a) summary of relevant background or baseline data;</p> <p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p> <p>(c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c);</p> <p>(d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p>	Compliant	<p>RCS Aboriginal Cultural Heritage Management Plan, Hansen Bailey / OzArk, July 2020</p> <p>RCM Bushfire Management Plan, version 1.1, January 2020</p> <p>Annual Review 2019</p>	<p>Two management plans have been approved under SSD 6300:</p> <ul style="list-style-type: none"> • RCS ACHMP • RCM Bushfire Management Plan. <p>The ACHMP and Bushfire Management Plan generally meets the requirements of this condition. One of the key management measures in the</p>

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(e) a program to monitor and report on the:</p> <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (d); <p>(f) a contingency plan to manage any unpredicted! impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(g) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(h) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> (i) incident, non-compliance or exceedance of any impact assessment criterion or performance measure; (ii) complaint; or (iii) failure to comply with other statutory requirements; <p>(i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and</p> <p>(j) a protocol for periodic review of the plan.</p> <p>Note: The Planning Secretary may waive some of these requirements ff they are unnecessary or unwarranted for particular management plans.</p>			<p>Bushfire Management Plan is establishment and maintenance of fire breaks however the plan doesn't include a program for monitoring fire breaks to identify when they require maintenance and if they are effective in protecting the site. Fuel load and maintenance of fire breaks is reported in the Annual Review. Sighted Annual Review 2019 which discussed works on fire breaks and fuel loads. The Bushfire Management Plan would benefit from inclusion of a program to monitor fire breaks and fuel loads to determine when maintenance is required.</p> <p>Recommendation 5: Include in the Bushfire Management Plan a program to monitor fire breaks and fuel loads to determine</p>

Condition Number	Condition	Compliance	Evidence	Comments
				<i>when maintenance is required.</i>
	REVISION OF STRATEGIES, PLANS AND PROGRAMS			
E5	<p>Within three months of:</p> <p>(a) the submission of an incident report under condition E7;</p> <p>(b) the submission of an Annual Review under condition E9;</p> <p>(c) the submission of an Independent Environmental Audit under condition E10; or</p> <p>{d) the modification of the conditions of this consent (unless the conditions require otherwise),</p> <p>the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.</p>	Not triggered		Since commencement of development under this consent in February 2020, there have not been any incidents, Annual Reviews, audits or modifications of the consent to trigger this condition.
E6	<p>If necessary, to either improve the environmental performance of the development or cater for a modification, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review</p> <p>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</p>	Not triggered		Refer to Condition E5.
	REPORTING AND AUDITING			
	Incident Notification			
E7	The Applicant must immediately notify the Department and any other relevant agencies after it becomes aware of an incident. The notification must be in writing 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.	Not triggered		Bloomfield advised that there had not been any incidents which triggered Condition E7 during the audit period.
	Non-Compliance Notification			
E8	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 connpliance@planning.nsw.gov.au and	Not triggered		Refer to Condition E7.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p> <p>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>			
	Annual Review			
E9	<p>By the end of March each year, after the commencement of development, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) report on the progress of biodiversity credits retirements and the associated actual versus proposed surface disturbance for each stage;</p> <p>(c) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the:</p> <p>(i) relevant statutory requirements, limits or performance measures/criteria;</p> <p>(ii) requirements of any plan or program required under this consent;</p> <p>(iii) monitoring results of previous years; and</p> <p>(iv) relevant predictions in the document/s listed in condition A2(c);</p> <p>(d) identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;</p> <p>(e) evaluate and report on:</p> <p>(i) the effectiveness of the noise and air quality management systems; and</p>	Not triggered		Development under this consent commenced in February 2020, an Annual Review is required in March 2021 to satisfy Condition E9.

Condition Number	Condition	Compliance	Evidence	Comments
	<p>(ii) compliance with the performance measures, criteria and operating conditions of this consent;</p> <p>(f) identify any trends in the monitoring data over the life of the development;</p> <p>(g) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies.; and</p> <p>(h) describe what measures will be implemented over the next calendar year to improve the environmental performance of the development.</p>			
	Independent Environmental Audit			
E10	<p>Within one year of commencing development under this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;</p> <p>(c) be carried out in consultation with the relevant agencies and the CCC;</p> <p>(d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licence\$ and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);</p> <p>(e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;</p> <p>(f) recommend appropriate measures or actions t<> improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and</p> <p>(g) be conducted and reported to the satisfaction of the Planning Secretary.</p>	Compliant	<p>RCS Independent Environmental Audit, GHD Pty Ltd, January 2020</p> <p>RCS Independent Environmental Audit 2019, 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 South Mine under the previous DA 49/94. The 2019 independent environmental audit and response to auditors recommendations is available on the Rix's Creek website.</p> <p>This audit constitutes the first audit since development commenced under this consent. The current audit team were approved by DPIE in a letter dated 11/09/2020.</p>

Condition Number	Condition	Compliance	Evidence	Comments
E11	<p>Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.</p>	Not triggered		To be assessed as part of the second IEA.
	Monitoring and Environmental Audits			
E12	<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&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.</p> <p>For the purposes of this condition, as set out in the EP&A Act, "monitoring" means monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" means 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		
E13	Noise, blast and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Part B, providing that these representative monitoring locations are set out in the respective management plan/s.	Note	<p>RCM Noise Management Plan, Version 1.7, July 2019</p> <p>RCM Air Quality and Greenhouse Gas Management Plan, Todoroski Air Sciences, July 2019</p> <p>RCM Blast Management Plan, version 1.6, July 2019</p>	Noise, blast and air quality monitoring is undertaken in compliance with the respective conditions of EPL 3391 and as specified in the current approved RCS/RCM Noise Management Plan, Blast Management Plan and

Condition Number	Condition	Compliance	Evidence	Comments
				Air Quality and Greenhouse Management Plan.
	ACCESS TO INFORMATION			
E14	<p>Within three months of commencing development under this consent, until the completion of all rehabilitation required under this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website:</p> <p>(i) the document/s listed in condition A2(c);</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) minutes of CCC meetings;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vii) a summary of the current progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p> <p>(x) the Annual Reviews of the development;</p> <p>(xi) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(xii) any other matter required by the Planning Secretary; and</p> <p>(xiii) hyperlinks to government air quality and noise information and contact details for NSW government</p>	Compliant	July 2020 newsletter. New ACHMP approved by DPIE 09/02/2020.	Bloomfield maintain information and documents on its website as required by Condition E14. Sighted documentation required by E14a including environmental assessment, continuation assessment, response to submissions, newsletters and fact sheets, approved management plans, and links to the EPA environment hotline and the Upper Hunter Air Quality Monitoring Network. The hyperlinks were checked and all were found to be working. The information was found to be up to date. The audit did not confirm if this information was uploaded within three months of commencing

Condition Number	Condition	Compliance	Evidence	Comments
	<p>complaint avenues (including the Upper Hunter Air Quality Network and Government Environment Complaint Line); and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>			<p>development under SSD 6300.</p> <p>Bloomfield advised that DPIE had not requested additional matters to be made available on the website.</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>> 2000000 - 5000000 T annual handing capacity</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>> 3500000 - 5000000 T annual production capacity</td> </tr> </tbody> </table> <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>Premises Details</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>PREMISED DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016</td> </tr> </table>	Premises Details	RIX'S CREEK MINE	RIX'S CREEK LANE	SINGLETON	NSW 2330		PREMISED DEFINED BY PLAN TITLED "RIXS CREEK PTY LTD PLAN OF EPL3391 PREMISES BOUNDARY" DATED 10/2/2017 EPA REF DOC17/119016			
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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"> 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 the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence. 	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.
Air																																
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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.																												

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

Number	Condition	Compliance	Evidence	Comments																																																									
	<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 & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 320685 6405605 (Easting Northing) labelled as Camberwell on Figure 5.</td> </tr> <tr> <td>5</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 327665 6400815 (Easting Northing) labelled as Retreat on Figure 5.</td> </tr> <tr> <td>6</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 326900 6397690 (Easting Northing) labelled as Mines Rescue Singleton Heights on Figure 5.</td> </tr> <tr> <td>7</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 322575 6397475 (Easting Northing) labelled as Wright's Maison Dieu on Figure 5.</td> </tr> <tr> <td>11</td> <td>Meteorological Station</td> <td>Meteorological station at coordinates 322160 6399325 (Easting Northing) labelled as Weather Station on Figure 2.</td> </tr> <tr> <td>24</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 321630 6405025 (Easting Northing) labelled as Watling on Figure 5.</td> </tr> <tr> <td>25</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 325890 6407975 (Easting Northing) labelled as Cherry on Figure 5.</td> </tr> <tr> <td>26</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Blast monitor at coordinates 327985 6404125 (Easting Northing) labelled as Bridgeman Rd on Figure 5.</td> </tr> <tr> <td>29</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 319720 6403667 (Easting Northing) shown as NM1 on Figure 1.</td> </tr> <tr> <td>30</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 325528 6408420 (Easting Northing) shown as NM3 on Figure 1.</td> </tr> <tr> <td>31</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 328418 6406145 (Easting Northing) shown as NM4 on Figure 1.</td> </tr> <tr> <td>32</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 327907 6404030 (Easting Northing) shown as NM5 on Figure 1.</td> </tr> <tr> <td>34</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 327114 6398857 (Easting Northing) shown as NM7 on Figure 1.</td> </tr> <tr> <td>35</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 324970 6397138 (Easting Northing) shown as NM8 on Figure 1.</td> </tr> <tr> <td>36</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 322635 6395438 (Easting Northing) shown as NM10 on Figure 1.</td> </tr> <tr> <td>37</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 323600 6397220 (Easting Northing) shown as NM11 on Figure 1.</td> </tr> <tr> <td>38</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 318050 6399643 (Easting Northing) shown as NM12 on Figure 1.</td> </tr> <tr> <td>39</td> <td>Noise monitoring</td> <td>Monitoring at coordinates 327636, 6400559 (Easting Northing) shown as NM6 on Figure 1.</td> </tr> </tbody> </table>	EPA Identification no.	Type of monitoring point	Location description	4	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 320685 6405605 (Easting Northing) labelled as Camberwell on Figure 5.	5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 327665 6400815 (Easting Northing) labelled as Retreat on Figure 5.	6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 326900 6397690 (Easting Northing) labelled as Mines Rescue Singleton Heights on Figure 5.	7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 322575 6397475 (Easting Northing) labelled as Wright's Maison Dieu on Figure 5.	11	Meteorological Station	Meteorological station at coordinates 322160 6399325 (Easting Northing) labelled as Weather Station on Figure 2.	24	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 321630 6405025 (Easting Northing) labelled as Watling on Figure 5.	25	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 325890 6407975 (Easting Northing) labelled as Cherry on Figure 5.	26	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor at coordinates 327985 6404125 (Easting Northing) labelled as Bridgeman Rd on Figure 5.	29	Noise monitoring	Monitoring at coordinates 319720 6403667 (Easting Northing) shown as NM1 on Figure 1.	30	Noise monitoring	Monitoring at coordinates 325528 6408420 (Easting Northing) shown as NM3 on Figure 1.	31	Noise monitoring	Monitoring at coordinates 328418 6406145 (Easting Northing) shown as NM4 on Figure 1.	32	Noise monitoring	Monitoring at coordinates 327907 6404030 (Easting Northing) shown as NM5 on Figure 1.	34	Noise monitoring	Monitoring at coordinates 327114 6398857 (Easting Northing) shown as NM7 on Figure 1.	35	Noise monitoring	Monitoring at coordinates 324970 6397138 (Easting Northing) shown as NM8 on Figure 1.	36	Noise monitoring	Monitoring at coordinates 322635 6395438 (Easting Northing) shown as NM10 on Figure 1.	37	Noise monitoring	Monitoring at coordinates 323600 6397220 (Easting Northing) shown as NM11 on Figure 1.	38	Noise monitoring	Monitoring at coordinates 318050 6399643 (Easting Northing) shown as NM12 on Figure 1.	39	Noise monitoring	Monitoring at coordinates 327636, 6400559 (Easting Northing) shown as NM6 on Figure 1.		Plan, Version 1.6, July 2019	
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P1.5	Figure 1 in Condition P1.4 refers to the document titled "EPL 3391 Noise Monitoring Sites" dated 12/2/2019 EPA Reference DOC19/44904-03.	Note																																																											

Number	Condition	Compliance	Evidence	Comments
P1.6	Figure 2 in Conditions P1.1 and P1.4 refers to the document titled "Rixs Creek P/L Air Quality and Green House Gas Management Plan Air Quality Monitoring Sites" dated 10/2/2017 EPA Reference DOC17/119016.	Note		
P1.7	Figure 3 in Condition P1.3 refers to the document titled "Rixs Creek P/L EPL 3391 Surface Water Monitoring Sites" dated February 2017 EPA Reference DOC17/119016-01.	Note		
P1.8	Figure 4 in Condition P1.3 refers to the document titled "Rixs Creek P/L EPL 3391 Sewage Treatment Infrastructure and Major Plant and Facilities" dated 15/2/2017 EPA Reference DOC17/119016-02.	Note		
P1.9	Figure 5 in Condition P1.4 refers to the document titled "Rixs Creek P/L- EPL 3391 Blast Monitoring Sites" dated 10/2/2017 EPA Reference DOC17/119016.	Note		
P1.10	The datum for grid references in this Licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.	Note		
3	Limit Conditions			
L1	Pollution of waters			
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant		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"> • Camberwell Pit Rail Corridor • Old North Pit Void • West Pit South Batter.

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"> • Has biosolids been applied previously? • Results of soil testing pre and post application • Are there any sensitive areas near the application site? • Are there potential impacts on surface water or groundwater? • What is the classification of the biosolids based on chemical analysis? • What are the recommended application rates? <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)																																			
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L3.2	<p>For the purpose of condition L3.1:</p> <p>EPA (number) refers to EPA identification point numbers as referenced in condition P1.4; and</p> <p>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"> Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays; Evening is defined as the period from 6pm to 10pm; and Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays. 	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"> Wind speeds greater than 3 metres/second at 10 metres above the ground level; Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or Stability category G temperature inversion conditions. 	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"> at any privately owned residential receiver within the Noise Monitoring Groups defined in Condition L3.1. 	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
	Definitions: <ul style="list-style-type: none"> Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L3.7. 			Industry (2017) which is referenced in Condition L3.7. 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.
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	All blast events occurred within the approved hours, 9 am-5 pm Monday-Saturday. No blasting occurred on Sundays or public holidays.
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	Blast results 2018, 2019, 2020 Rix's Creek Mine Complaints Register 2018, 2019 and 2020 (January to September only)	Blasting records show no exceedance of ground vibration or airblast overpressure limits during blasting events Complaints received in relation to blasting: <ul style="list-style-type: none"> 2018 – 6 2019 – 3 2020 – 3 (up to end Sept 2020) 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.

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"> • 120 dB (Lin Peak) at any time; • 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>	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"> • 5 mm/second for more than 5% of the total number of blasts during each reporting period; • at either monitoring point 4, 5, 6 or 7 in Condition P1.4. 	Compliant	<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"> • 10 mm/second at any time; • 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>	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> <ol style="list-style-type: none"> 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. 	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.</p> <p>This includes:</p> <ol style="list-style-type: none"> a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity. 	Compliant	<p>Onsite training register</p> <p>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"> • Certification from the system provider that the sewage treatment system is operating within its capacity; • Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and • Provide written records of each quarterly inspection. 	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"> in a legible form, or in a form that can readily be reduced to a legible form; kept for at least 4 years after the monitoring or event to which they relate took place; and produced in a legible form to any authorised officer of the EPA who asks to see them. 	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"> the date(s) on which the sample was taken; the time(s) at which the sample was collected; the point at which the sample was taken; and the name of the person who collected the sample. 	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>POINT</th> <th>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>POINT</th> <th>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	EPL 3391 Annual Return 2020 POEO Public Register entry for EPL 3391	<p>Bloomfield did not collect air quality samples at the frequency specified by Condition M2.2:</p> <ul style="list-style-type: none"> Monitoring point 12, 360 samples of required 365 Monitoring point 13, 355 samples of required 365 Monitoring point 14, 361 samples of required 365 Monitoring point 15, 360 samples of required 365. <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>
POINT	12,13,14																							
Pollutant	Units of measure	Frequency	Sampling Method																					
PM10	micrograms per cubic metre	Continuous	AM-22																					
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Pollutant	Units of measure	Frequency	Sampling Method																					
PM10	micrograms per cubic metre	Continuous	Special Method 1																					

Number	Condition	Compliance	Evidence	Comments																																
				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	<p>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.</p>
Pollutant	Units of measure	Frequency	Sampling Method																																	
Electrical conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample																																	
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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"> any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or 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 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. 	Compliant	Teledata – online environmental monitoring platform	<p>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.</p>																																

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 & AM-4</td> <td>Degrees</td> <td>10 minutes</td> <td>Continuous</td> </tr> <tr> <td>Wind Speed</td> <td>AM-2 & AM-4</td> <td>metres per second</td> <td>10 minutes</td> <td>Continuous</td> </tr> <tr> <td>Sigma Theta</td> <td>Special Method 2</td> <td>Degrees</td> <td>10 minutes</td> <td>Continuous</td> </tr> <tr> <td>Rainfall</td> <td>AM-4</td> <td>millimetres</td> <td>10 minutes</td> <td>Continuous</td> </tr> <tr> <td>Relative humidity</td> <td>AM-4</td> <td>percent</td> <td>10 minutes</td> <td>Continuous</td> </tr> </tbody> </table> 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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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"> the date and time of the complaint; the method by which the complaint was made; any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; the nature of the complaint; the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the licensee, the reasons why no action was taken. 	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>Corrective Action 4: Update the Noise Management Plan night-time monitoring period to comply with Condition L3.3 and M9.1.</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"> • a Statement of Compliance, • a Monitoring and Complaints Summary, • a Statement of Compliance - Licence Conditions, • a Statement of Compliance - Load based Fee, • a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, • a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and • a Statement of Compliance - Environmental Management Systems and Practices. <p>At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.</p>	Compliant	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"> • the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and • the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. 	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"> • in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or • in relation to the revocation of the licence - the date from which notice revoking the licence operates. 	Not triggered	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"> the licence holder; or by a person approved in writing by the EPA to sign on behalf of the licence holder. 	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"> where this licence applies to premises, an event has occurred at the premises; or where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities 	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"> • the cause, time and duration of the event; • the type, volume and concentration of every pollutant discharged as a result of the event; • 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; • 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; • action taken by the licensee in relation to the event, including any follow-up contact with any complainants; • details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and • any other relevant matters. 	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"> • Monthly concentrations of conductivity, pH, total dissolved solids and total suspended solids • Basic statistics including number of samples, minimum concentration, maximum concentration and average concentration. <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"> • Graphs of water quality monitoring results for the current and previous reporting period or total daily continuous rainfall • A plan showing the location of monitoring points. <p>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.</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.

Number	Condition	Compliance	Evidence	Comments																																				
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(#)</td> <td>31-March-2011</td> </tr> <tr> <td>Coal Mine Particulate Matter Control Best Practice</td> <td>Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td> <td>29-June-2012</td> </tr> <tr> <td>Coal Mine Particulate Matter Control Best Management Practice</td> <td>Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td> <td>29-June-2012</td> </tr> <tr> <td>Premises noise limits</td> <td>The licensee is to determine noise limits for the premises in accordance with the INP or otherwise as consistent with the project approval and develop a compliance monitoring program to assess compliance with those limits</td> <td>30-June-2017</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation – Wheel Generated Dust</td> <td>Implementation of particulate matter best management practices to address wheel-generated dust.</td> <td>15-August-2014</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions</td> <td>Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.</td> <td>15-August-2014</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation - Wheel Generated Dust</td> <td>Implementation of particulate matter best management practices to address wheel-generated dust.</td> <td>15-August-2014</td> </tr> <tr> <td>Particulate Matter Control Best Practice – Disturbing and Handling Overburden under Adverse Weather Conditions</td> <td>Implementation of particulate matter best management practices to address the handling of overburden during adverse weather</td> <td>15-August-2014</td> </tr> <tr> <td>Particulate Matter Control Best Practice - Trial of Best Practice Measures for Disturbing and Handling Overburden</td> <td>Investigation to establish best practice measures for the handling of overburden</td> <td>30-July-2014</td> </tr> <tr> <td>Coal Mine Wind Erosion of Exposed Land Assessment</td> <td>Assessment of predicted vs actual exposed lands.</td> <td>30-March-2015</td> </tr> <tr> <td>Particulate Matter Control Best Practice Implementation - Rix's Creek North</td> <td>Implementation of particulate matter best management practices to address wheel-generated dust in Rix's Creek North area.</td> <td>20-June-2016</td> </tr> </tbody> </table>	Program	Description	Completed Date	Bunding Improvement Program	Bunding Improvement Program - prepare assessment report and timeframes for completion of any improvement works. 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8	Pollution Studies and Reduction Programs																																							
U1	South Sewage Treatment Plant Upgrade	Compliant																																						

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 South Mine		
Date: 05/11/20	Start: 15:47	End: 17:02
Observations		
Obs ID: 1	Location	
	CHPP	
Observation:		
Photographs:		
Gas cylinder storage at CHPP.		
Cylinders at tooling area were observed to be secured.		

HSE

Scrap steel skip bin contaminated with a small volume of rubbish.



Banded flocculant with tarp cover blown off.



HSE

Sound wall on CHPP.



Flocculant dosing at CHPP within bund.



HSE



Solid bowl centrifuge at CHPP that produces dry tailings.



Thickener at CHPP.



HSE

Obs ID: 2	Location Workshop
Observation:	
Photographs:	
Clean rag bins throughout workshop.	
Cylinders were observed to be secured throughout workshop.	

HSE

Haul truck undergoing an oil test in workshop.



Fire protection was observed throughout workshop.



HSE

Bin labelled as cardboard only containing mixed rubbish.



HSE

Oily rag bin.



Messy storage of materials risks damage to or loss of materials resulting in waste.



HSE

Obs ID: 3	Location
	Store

Observation:

Photographs:

The store maintains spill kits appropriate to the chemicals being stored. These were found to be placarded and well stocked.



HSE

Dry sorb stored on a pallet under cover on hardstand within store.



Minor storage of liquid chemicals on a pallet bund. Chemicals included cleaners and gear oil.



HSE

Flammable liquid storage cabinet with appropriate placarding.



Flammable gas storage cabinet with appropriate placarding.



HSE

New fire extinguishers in store.



Waste filter bin outside store. Found to contain waste air filters.



HSE

Waste batteries stored on pallet bund in store, awaiting disposal.



Storage of oil drums in bund however stacked on pallets to increase height and very close to edge of bund.



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Document Status

Revision	Author	Reviewer		Approved for Issue		
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