

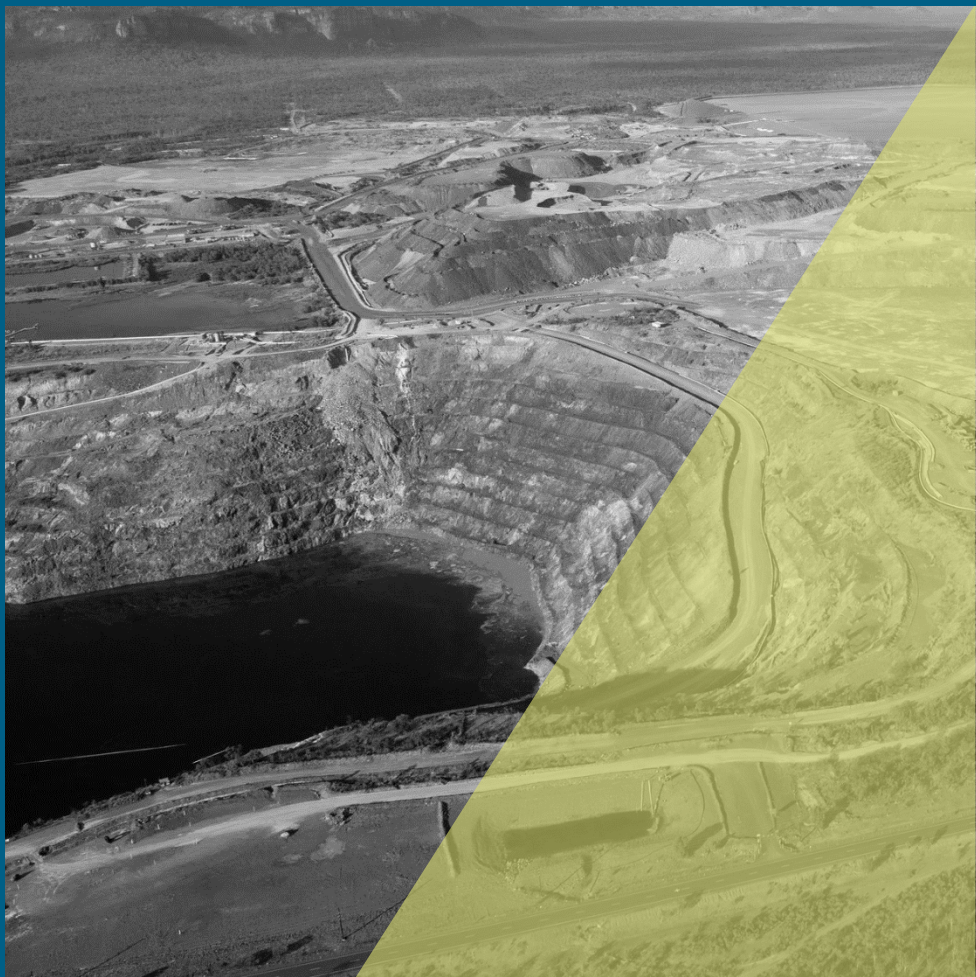
PA05_0136 Independent Environmental Audit 2025

Abel Coal Project

Donaldson Coal

Revision 0

18 June 2025



Document version history

Version	Date	Revision description	Author
A	28 May 2025	Draft 2025 Independent Environmental Audit Report	Elliot Holland – Lead Auditor Kurt Speirs – Auditor Gemma van Hemert – Assistant Auditor
0	18 June 2025	Final 2025 Independent Environmental Audit Report	Elliot Holland – Lead Auditor Kurt Speirs – Auditor Gemma van Hemert – Assistant Auditor

Abbreviations

Abbreviation	Definition
AHMP	Aboriginal Heritage Management Plan
AQGHGMP	Air Quality and Greenhouse Gas Management Plan
CA	corrective action
CCC	Community Consultative Committee
CC Council	Cessnock City Council
CHPP	Coal Handling Preparation Plant
CoN	City of Newcastle
CPHR	Conservation Programs, Heritage & Regulation
DCCEEW	NSW Department of Climate Change Energy the Environment and Water
Donaldson Coal	Donaldson Coal Pty Ltd
DPE	the former Department of Planning and the Environment
DPIE	the former Department of Planning, Industry and the Environment
DPIRD	NSW Department of Primary Industries and Regional Development
DPHI	NSW Department of Planning, Housing and Industry
EC	electrical conductivity
EMS	Environmental Management Strategy
EPA	Environment Protection Authority
EPL	environment protection licence
FFMP	Flora and Fauna Management Plan
IEA	independent environmental audit
LDP	licensed discharge point
m/s	metres per second
MCC	Maitland City Council
Mine	Abel Underground Coal Mine
ML	mining lease
Mtpa	million tonnes per annum
NC	non-compliance
NMP	Noise Management Plan
OFI	opportunity for improvement
PA	Project Approval
RMP	Rehabilitation Management Plan
ROM	run-of-mine
TARP	trigger action response plan
TDS	total dissolved solids
TSS	total suspended solids
WAL	Water Access Licence
WMP	Water Management Plan

Executive summary

Onward Consulting Pty Ltd (Onward) was engaged by Donaldson Coal Pty Ltd (Donaldson Coal), a wholly-owned subsidiary of Yancoal Australia Limited to conduct an Independent Environmental Audit (IEA) of the Abel Coal Project (Abel Underground Coal Mine [i.e. the 'Mine']) is an underground coal mine located predominately in Cessnock local government area, approximately 25 km from Newcastle.

The IEA was undertaken in accordance with the requirements of:

- AS/NZS ISO 19011:2019 Guidelines for quality and / or environmental management systems auditing
- Schedule 6, Condition 9 of SSD-5465
- the Independent Audit Post Approval Requirements (DPIE, 2020)

The audit period to which this audit applies is inclusive of the period from 1 January 2022 to 31 December 2024. This report presents the findings of this audit.

The audit team consisted of:

- Lead Auditor – Elliot Holland of Onward
- Auditor – Kurt Speirs
- Assistant Auditor – Gemma van Hemert

The audit was inclusive of the following:

- a single day site inspection at the Mine on 12 May 2025, which included interviews with key site personnel, of all key aspects of the development (Section 1 and Appendix G of this IEA report)
- consultation with regulatory agencies and the chair of the Community Consultative Committee (CCC) to obtain feedback and identification of any key issues to focus on during the audit (Section 2.3 and Appendix C of this IEA report)
- the status of implementation of the previous IEA findings, recommendations and actions (Section 3.1 of this IEA report)
- an assessment of compliance against all conditions:
 - PA05_0136 (Section 3.3.1 and Appendix D of this IEA report)
 - Environmental Protection Licence (EPL) 12856 (Section 3.3.2 and Appendix E of this IEA report)
 - Mining Leases (ML) 1653 and ML1618 (Section 3.3.3 of this IEA report)
 - Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Section 3.3.3 and Appendix F of this IEA report)
- a review of the adequacy of the environmental management strategies, plans and programs required under the consent (Section 3.4 of this IEA report)
- identification and discussion of complaints and incidents that occurred during the audit period (Section 3.5 of this IEA report)
- an assessment of the environmental performance of the development through review of the implementation of key environmental management strategies, plans and programs (Section 4 of this IEA)
- identification of the Corrective Actions (CAs) and / or Opportunities for Improvement (OFIs) (Section 5 of this IEA)

Audit findings summary

The IEA noted that compliance with the conditions of the relevant approvals, licences and leases (listed in Section 1.3.2 of this IEA report) was high, as follows:

- **PA05_0136:** Compliance with approximately 96% of conditions (i.e. 66 of 69 conditions) (Appendix D of this IEA report)
- **EPL 12856:** Compliance with approximately 95% of conditions (i.e. 63 of 66 conditions) (Appendix E of this IEA report)
- Relevant leases:
 - ML1653 (up to 30 June 2022): Compliance with 100% of conditions
 - ML1618 (up to 30 June 2022): Compliance with 100% of conditions
 - Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016: Compliance with 100% of conditions (Appendix F of this IEA report).

However, the IEA assessed a total of six non-compliances, as follows:

- **PA05_0136**, with more detail provided in Section 3.3.1 of this IEA report, non-compliances include:
 - **NC01** (Schedule 2, Condition 2)
 - **NC02** (Schedule 4, Condition 22)
 - **NC03** (Schedule 6, Condition 1)
- **EPL 12856**, with more detail provided in Section 3.3.2 of this IEA report, non-compliances include:
 - **NC04** (Condition M2.1)
 - **NC05** (Condition M2.2)
 - **NC06** (Condition M2.3)

Associated CAs and OFIs are included in Section 5 of this IEA report, as relevant.

Executive Summary Table Non-compliance summary

Finding ID	Non-compliance	Source	Condition	Risk rating
NC01	This is a non-compliance in relation to the other non-compliances against relevant conditions of the consent.	PA05_0136	Schedule 2, Condition 2.	ANC
NC02	Non-compliance has been identified for Schedule 4, Condition 22 relating to implementation of the AHMP.		Schedule 4, Condition 22	ANC
NC03	The Integrated Environmental Monitoring Program in Appendix D of the EMS is dated 2007 and does not align with the relevant monitoring requirements at Abel. This is identified as an administrative non-compliance.		Schedule 6, Condition 1	ANC
NC04	Reviews of documentation indicates a low-risk non-compliance with this condition, noting: <ul style="list-style-type: none"> • non-compliance against Condition M2.2, related to lack of PM₁₀ monitoring during the audit period. • non-compliance against Condition M2.3, related to lack of surface water and groundwater sampling during the audit period. 	EPL 12856	Condition M2.1	Low
NC05	Refer to discussion at Condition M2.1.		Condition M2.2	Low
NC06	Refer to discussion at Condition M2.1.		Condition M2.3	Low

All non-compliances were identified against relevant approvals are discussed in Section 3.3, Appendix D (i.e. PA05_0136), Appendix E (i.e. EPL 12856) and Appendix F (i.e. Standard Conditions [Schedule 8A, Part 2] of the Mining Regulation 2016).

A summary of Donaldson Coal's overall environmental performance is summarised in Section 4 of this IEA report, and CAs or OFI are summarised in Section 5 of this IEA report.

Audit conclusion

Regarding environmental management of the Mine, this site is led by competent and knowledgeable environmental professionals who provided all evidence requested during the audit and diligently facilitated the site inspection component of the audit.

The environment and community team has implemented appropriate management processes for Donaldson Coal to ensure compliance is achieved and has demonstrated active adaptive management. This approach is complemented by the established systems which include corporate management systems and internal site-specific measures.

Donaldson Coal staff were transparent with the provision of information and open to receiving feedback and discussing contemporary with the audit team.

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1. Introduction

1.1. Background of the project

The Abel Coal Project (Abel Underground Coal Mine [i.e. the 'Mine']) is an underground coal mine located predominately in Cessnock local government area, approximately 25 km from Newcastle. The Mine is owned and operated by Donaldson Coal Pty Ltd (Donaldson Coal), a wholly-owned subsidiary of Yancoal Australia Limited.

Donaldson Coal also owns and operates the Donaldson Open Cut Mine, located adjacent to the surface infrastructure of the Mine and to the north of the underground mining area.

The Project Approval (i.e. PA05_0136) for the Mine was granted in June 2007, and subsequently the Donaldson Coal undertook construction and mining activities until the Mine was placed in care and maintenance from 2 May 2016. In 2021, Donaldson Coal consolidated EPL 11080 for Donaldson Open Cut Mine with EPL 12856 for the Mine.

As required by Schedule 6, Condition 9 of PA05_0136 is required to complete an independent environmental audit (IEA) every three years.

1.1.1. Department of Planning, Housing and Infrastructure endorsement

Donaldson Coal engaged Onward Consulting Pty Ltd (Onward) to conduct the IEA with the following Audit Team:

- Lead Auditor and rehabilitation –Elliot Holland of Onward
- Auditor – Kurtis Speirs of Onward
- Assistant Auditor – Gemma van Hemert of Onward

The Department of Planning, Housing and Infrastructure (DPHI) endorsed the appointment of the Audit Team on 25 March 2025. The letter of endorsement is included in Appendix A.

1.1.2. Period covered by the audit

The audit period is from 1 January 2022 (the first day after the audit period considered in of the previous IEA completed by GHD) to 31 December 2024.

1.2. Site description

Donaldson Coal was granted PA05_0136 in June 2007, with the Mine being in a care and maintenance phase since 2016. PA05_0136 has been modified three times during the operation of the Mine:

- Modification 1: Downcast Ventilation Shaft: Modification (MOD)1 enabled the construction of a downcast ventilation shaft at the Abel Coal Mine Coal Mine which was constructed in 2010.
- Modification 2: MOD2 was granted on 3 May 2011 to facilitate the installation of an upcast ventilation shaft which was constructed in 2011.
- Modification 3: Mine Plan and Coal Production: Granted to extend underground mining to 2030. MOD3 also includes disposal of fine and coarse reject material from the Bloomfield Coal Handling Preparation Plant (CHPP) at the Bloomfield Colliery, owned and operated by Bloomfield Collieries.

1.3. Audit objective and scope

1.3.1. Objective

Onward was commissioned to undertake an IEA of the Mine on behalf of Donaldson Coal. The primary purpose of this audit IEA was to satisfy the Schedule 6, Conditions 8 and 9 of PA05_0136, which requires completion of an IEA every three years (Table 1-1).

Table 1-1 Audit requirements

Condition	Requirement	Reference to report section
Schedule 6, Condition 9	By the end of March 2015 (or other such timing as agreed by the Director-General), and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must	
(a)	be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;	Section 2.1 Appendix A Appendix B
(b)	include consultation with the relevant agencies;	Section 2.3 Appendix C
(c)	assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);	Sections 3 and 4 Appendix D Appendix E Appendix F
(d)	review the adequacy of strategies, plans or programs required under the abovementioned approvals; and	Section 3.4
(e)	recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.	Section 5
Schedule 6, Condition 10	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.	Outside the audit process

1.3.2. Scope

The audit considered compliance with conditions of relevant approvals, licences and leases listed in Table 1-2, and was conducted in accordance with:

- AS/NZS ISO 19011:2019 Guidelines for quality and / or environmental management systems auditing
- Schedule 6, Condition 9 of Project Approval PA05_0136
- the Independent Audit Post Approval Requirements (DPIE, 2020)

Table 1-2 Approvals audited

Approval document	Relevant section reference
PA05_0136	Section 3.3.1 and Appendix D
EPL 12856	Section 3.3.2 and Appendix E
Mining leases (i.e. ML1618 and ML1653)	Section 3.3.3
Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 ²	Section 3.3.3 and Appendix F

1) Up to 1 July 2022 (excluding ML 1846, which was granted on 28 February 2023).

2) Conditions applicable from 2 July 2022.

Relevant evidence to determine the compliance ratings against the conditions is presented in Appendix D, and Appendix E, Appendix F. This included relevant management plans required by conditions of PA05_0136 as listed in Table 1-3.

Table 1-3 Management plans evaluated

Management plan	Version and date	Section reference
Environmental Management Strategy (EMS)	Version 1, August 2018	Section 3.4.1, Appendix D, and Appendix F
Abel Rehabilitation Management Plan (RMP)	Version 2, 6 October 2023	Section 3.4.2, Appendix D, and Appendix F
Water Management Plan (WMP)	Version 4, 3 June 2019	Section 3.4.3, Appendix D, and Appendix F
Air Quality and Greenhouse Gas Management Plan (AQGHGMP)	Version 3, 3 June 2019	Section 3.4.4, Appendix D, and Appendix F
Noise Management Plan (NMP)	Version 5, 3 June 2019	Section 3.4.5, Appendix D, and Appendix F
Aboriginal Heritage Management Plan (AHMP)	Version 2.2, June 2019	Section 3.4.6, Appendix D, and Appendix F
Flora and Fauna Management Plan (FFMP)	Version 4, 3 June 2019	Section 3.4.7, Appendix D, and Appendix F

1.4. Audit commencement

The inception meeting held between Onward and Donaldson Coal on 31 March 2025 to:

- confirm the audit methodology
- identify relevant personnel involved in the audit
- discuss key activities and systems occurring on site
- identify key documentation for review
- schedule a date for the site inspection

1.5. Limitations

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

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

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

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

2. Audit methodology

A desktop review of all approval documents including management plans, as well as monitoring data and community complaints was conducted to determine the contents of the audit protocol to be used during the site inspection and interviews. Evidence was collected and reviewed as part of the audit, including monitoring records, reports and correspondence.

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

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

2.1. Audit participants

The IEA was led by Elliot Holland, Lead Auditor – Environmental Management Systems (C-115351) with the IEA participants listed in Table 2-1, which includes the audit team as approved by the DPHI (Appendix A), and relevant personnel of Donaldson Coal.

Table 2-1 Audit participants

Audit participants	Organisation	Role	Qualifications
Elliot Holland	Onward	Lead Auditor.	Lead Auditor – Environmental Management Systems Bachelor of Environmental Science and Management
Kurt Speirs	Onward	Auditor	Lead Auditor – Environmental Management Systems (number C- 491853) Bachelor of Environmental Science and Management
Gemma van Hemert	Onward	Assistant Auditor	Bachelor of Environmental Science
Philip Brown	Yancoal	Environment and Community Relations Superintendent	N/A
James Benson	Yancoal	Environment and Community Coordinator	N/A

2.2. Audit site inspection

2.2.1. Opening and closing meetings

The opening and closing meetings were held at the Abel Coal Mine Administration buildings during the site inspection completed on 12 May 2025.

The opening meeting discussed the audit objectives, scope, resources required and methodology to be applied, while the objectives of the closing meeting were to discuss any outstanding matters, present preliminary findings and outline the process for finalising the audit report.

2.2.2. Audit interviews

During the on-site component of the audit, interviews were conducted with the list of auditees included in Table 2-1.

2.2.3. Site inspection

A detailed site inspection was conducted on 12 May 2025.

During the inspection, site documentation and the physical aspects of environmental management and implementation of management plans and programs were reviewed.

Conditions during the site inspection were noted to be:

- up to 20 degrees Celsius
- winds up to 5.6 metres per second (m/s), predominantly from the south east
- mostly overcast, with no rain during the site inspection, noting 12.8 mm of rain was recorded the night prior to the site inspection

The locations inspected during the site audit included:

- the Mine, including:
 - administration buildings
 - workshop, including hazardous and dangerous good storage areas
 - oil/water separators
 - silt traps / sumps
 - EPL 12856 Licensed Discharge Point (LDP19)
 - water flow meter between Big Kahuna Dam and Bloomfield
 - meteorological station
 - Big Kahuna Dam
- Bloomfield Areas, including:
 - CHPP
 - rail loadout facility
 - coal delivery infrastructure (e.g. loaders, storage stockpiles, etc)
 - water storage (Overland Dam)

2.3. Agency / stakeholder consultation

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

- DPHI Compliance
- NSW Department of Climate Change, Energy, the Environment and Water (DCCEE), including the following agencies/divisions:
 - Water Group
 - Conservation Programs, Heritage & Regulation (CPHR) Group, including the NSW Environment Protection Authority (EPA)
- relevant divisions/agencies of the NSW Department of Primary Industries and Regional Development (DPIRD) (i.e. NSW Resources Regulator and Fisheries and Forestry)
- Subsidence Advisory NSW (SA NSW)
- CC Council
- Maitland City Council (MCC)
- City of Newcastle (CoN)
- Community Consultative Committee (CCC) Chairperson

Responses were not received from DPIRD – Fisheries and Forestry, SA NSW, MCC, or CoN.

Agency and administrative organisation responses to the IEA request for input are provided in Table 2-2 and Appendix C.

Table 2-2 Agency and administrative organisation IEA requirements

Auditor to consider	Responses and / or relevant section reference
CC Council	
No specific comments or requested.	Noted
CCC Chairperson	
No issues or concerns that warrant attention.	Noted
NSW EPA	
Typically do not provide input due to role as regulatory agency.	Noted
DPHI	
Review information and records provided by Abel to demonstrate rehabilitation is being completed in accordance with the approved Rehabilitation Management Plan and Forward Plan	Section 4.2, Appendix D, Appendix E & Appendix F Sections 3.4.2, 4.2, and Appendix D and Appendix F
In your review of Previous IEA Actions, please look for reasonable justification and/or actions taken to close out all outstanding actions.	Section 3.1
NSW DCCEEW – Water Group	
Requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope (i.e. requirements detailed in Section 1.3.2	
<ul style="list-style-type: none"> The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include: <ul style="list-style-type: none"> Water Management Plans and related sub-plans e.g., Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan. Extraction Plans and related sub-plans e.g., Water Management Plan, Subsidence Management Plan. 	Section 3.4 and Appendix D
<ul style="list-style-type: none"> The requirement to prepare and implement trigger action response plans (TARPs) for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting. 	Sections 3.3, 3.4, and 4.3, and Appendix D
<ul style="list-style-type: none"> Water supply availability is clearly defined for the project. 	Section 4.3
<ul style="list-style-type: none"> Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence (WAL) or exemption under the Water Management (General) Regulation 2018. 	Section 4.3
<ul style="list-style-type: none"> Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant. 	N/A
<ul style="list-style-type: none"> Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from. 	Section 4.3
<ul style="list-style-type: none"> Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated. 	Section 4.3
NSW DCCEEW – CPHR Group (Heritage NSW)	
Conditions 28 and 29 of the Conditions of Consent	Appendix D
ACHMP section 4.9 Policy regarding regular subsidence monitoring and reporting of seven datum points and a sample of identified Aboriginal heritage sites within project area.	Sections 3.3.1 and 4.6, and Appendix D
Recommendation that DCCEEW and DPHI contacted to determine if there is any non-compliance with Conditions of Consent for project.	Appendix C

Auditor to consider	Responses and / or relevant section reference
DPIRD – NSW Resources Regulator	
The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.	Sections 3.3, 3.3.3, 3.4.2, and 4.2, and Appendix F
From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016.	
The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.	

2.4. Audit definitions

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

Compliant

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

Non-compliant

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

In addition, while not required by the Independent Audit Post Approval Requirements (DPIE, 2020), risk ratings have also been assigned for non-compliances as identified in Table 2-3.

Table 2-3 Risk ratings for non-compliances

Risk level	Colour code	Description
High		Non-compliance, with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium		Non-compliance, with: <ul style="list-style-type: none"> potential for serious environmental consequences, but is unlikely to occur; or potential for moderate environmental consequences but is likely to occur.
Low		Non-compliance, with: <ul style="list-style-type: none"> potential for moderate environmental consequences, but is unlikely to occur; or potential for low environmental consequences but is likely to occur.
Administrative (ANC)		Only applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

Not triggered

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

Note

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

Corrective action (CA)

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

Opportunity for improvement (OFI)

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

3. Audit findings

3.1. Previous independent audit and status

Table 3-1 Status of 2022 IEA findings / recommendations

Condition	ID	2022 IEA finding / recommendation	2025 IEA finding	Status
PA05_0136				
Schedule 6, Condition 1	CA1	Ensure the Integrated Environmental Management Program, which has not been revised since 2007, is updated to reflect the current status of mining operations and associated monitoring on site.	Review of documentation indicates CA1 has not been addressed. Therefore, CA1 has been included in the 2025 IEA as CA02 .	Open
Schedule 6, Condition 11	CA2	Whilst the mining lease has been uploaded following the audit, noise monitoring results for 2021 should be uploaded to the website as soon as practicable.	Conduct of the audit identified noise monitoring results are available on the Project website.	Closed
Schedule 3, Condition 1	R4	If mining is to recommence, ensure monitoring frequency of surface water and groundwater is determined in consultation with NRAR and DPE.	Conduct of the audit has determined Donaldson Coal has committed to update the monitoring schedule in consultation with relevant stakeholders prior to the recommencement of mining. Therefore, R4 is considered closed.	Closed
Schedule 4, Condition 5	R5	Ensure the NMP is updated to identify times where relevant noise limits do not apply, as identified in Condition L4.4 of EPL 12856.	Review of documentation indicates R5 and R6 have not been addressed. Therefore, they have been included in the 2025 IEA as part of OFI01 .	Open
Schedule 4, Condition 5	R6	Discuss additional measures of noise mitigation during times where noise limits do not apply due to meteorological conditions.		Open
Schedule 4, Condition 6	R7	A process should be documented in relevant plans (i.e. AQGHGMP and NMP) for both Bloomfield Colliery and Abel Coal Mine to ensure that Abel personnel are formally notified as soon as possible by Bloomfield in relation to any potential exceedances due to operations at the CHPP, rail loadout facility, rail loop and rail spur.	Review of documentation indicates R7 has not been completed; however, the modification application currently being pursued by Bloomfield will result in the CHPP being operated under the consent for Bloomfield Colliery. Therefore, this recommendation is considered closed.	Closed
Schedule 4, Condition 27	R8	The previous audit recommended that at next review of MOP (now known as an RMP and Annual Rehabilitation Report and Forward Program) to remove any requirements that are not required for care and maintenance status. This should be considered during the updates currently being completed. In addition, this update should consider the need for a rehabilitation care and maintenance program in consultation with the NSW Resources Regulator.	Conduct of the audit determined the RMP was prepared in accordance with the requirements of relevant Standard Conditions (Schedule 8A, Part 2) of the NSW Mining Regulation 2016 and NSW Resources Regulator Form and Way and Guideline documents and reflect the care and maintenance requirements. Therefore, R8 and R9 are considered closed.	Closed
Schedule 4, Condition 27	R9	Ensure the RMP required by DA 05_0136 is updated to consider the requirements of the RMP and Annual Rehabilitation Report and Forward Program currently being prepared (as now required by the NSW Resources Regulator instead of a MOP) and documents where topsoil will be stored and the estimated volumes required for rehabilitation.		Closed

Condition	ID	2022 IEA finding / recommendation	2025 IEA finding	Status
Schedule 4, Condition 29	R10	Ensure consultation is undertaken with all prescribed parties during the next revision of the RMP.	Review of documentation indicates R10 was completed, with consultation letters submitted on 2 June 2022 to CC Council, MCC, CoN, and the Biodiversity Conservation Division (now the CPHR Group within NSW DCCEEW) were sighted in relation to preparation of the first revision of the RMP, with no responses received.	Closed
Schedule 6, Condition 1	R11	The previous audit recommended adding links to EMS attached documents or including as appendix to EMS. This has not been addressed during this audit period, and this recommendation still remain open.	Conduct of the audit determined that Donaldson Coal has prepared revised versions of management plans addressing this requirement, they have not been submitted for approval and R11 and R12 have not been addressed. This is due to being interrelated to revised plans for Bloomfield Colliery, which are awaiting approval with the DPHI. However, it is understood the Bloomfield Colliery plans will become redundant because of a modification currently been sought to the consent for Bloomfield Colliery. Therefore, OFI04 has been identified.	Open
Schedule 6, Condition 2	R12	It is recommended that other plans prepared under this consent implement the tabular condition list as per the 2019 IEA Recommendation.		Open
EPL 12856				
P1.1 and P1.3	R1	As management plans prepared for the project were prepared prior to approval of the EPL variation on 1 October 2021, a review of the relevant management plans should be undertaken to ensure monitoring location names are updated to either be consistent with the EPL or ensure location names identified in the EPL are identified in relevant plans. As an example, reduction of noise monitoring from quarterly to biannually should be captured in the NMP.	Conduct of the audit determined that Donaldson Coal has prepared revised versions of management plans addressing this requirement, they have not been submitted for approval and R1 has not been addressed. This is due to being interrelated to revised plans for Bloomfield Colliery, which are awaiting approval with the DPHI. However, it is understood the Bloomfield Colliery plans will become redundant because of a modification currently been sought to the consent for Bloomfield Colliery. Therefore, OFI04 has been identified.	Open
P1.3	R2	Ensure the licensed discharge point is provided appropriate signage to identify it as an EPL discharge point.	Conduct of the site inspection confirmed this recommendation has been addressed.	Closed
P1.4	R3	Provide an update to the NMP and AQGHGMP to provide relevant location of meteorological station relied upon for monitoring purposes	Conduct of the audit indicates this recommendation has not been approved. Therefore, R3 has been identified in the 2025 IEA as OFI01 and OFI02 .	Open

3.2. Summary of agency notices, orders, and penalties

3.3. Summary of non-compliances

The IEA noted that compliance with the conditions of the relevant approvals, licences and leases listed in Section 1.3.2 was high, as follows:

- **PA05_0136:** Compliance with approximately 96% of conditions (i.e. 66 of 69 conditions) (Appendix D)
- **EPL 12856:** Compliance with approximately 95% of conditions (i.e. 63 of 66 conditions) (Appendix E)
- **Relevant leases:**
 - ML1653 (up to 30 June 2022): Compliance with 100% of conditions
 - ML1618 (up to 30 June 2022): Compliance with 100% of conditions
 - Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016: Compliance with 100% of conditions (Appendix F)

However, the IEA assessed a total of six non-compliances, as follows:

- **PA05_0136**, with more detail provided in Section 3.3.1, non-compliances include:
 - **NC01** (Schedule 2, Condition 2)
 - **NC02** (Schedule 4, Condition 22)
 - **NC03** (Schedule 6, Condition 1)
- **EPL 12856**, with more detail provided in Section 3.3.2, non-compliances include:
 - **NC04** (Condition M2.1)
 - **NC05** (Condition M2.2)
 - **NC06** (Condition M2.3)

Associated CAs and OFIs are included in Section 5, as relevant.

3.3.1. PA05_0136

Table 3-2 PA05_0136 non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC01	Schedule 2, Condition 2	The Proponent shall carry out the project generally in accordance with the:... (f) conditions of this approval.	Project was generally undertaken in accordance with this condition. However, non-compliances were identified with Schedule 4, Condition 22, and Schedule 3, Conditions 1 and 11. Discussion on these non-compliances is provided below.	ANC	N/A
NC02	Schedule 4, Condition 22	The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project	<p>Section 4.9 of the AHMP commits to the establishment of a regional monitoring network for Aboriginal heritage across the Abel, Tasman, Donaldson, and Bloomfield leases will be formed for the duration of the mining leases. This includes the commitment for monitoring of seven existing datum points within the Donaldson Conservation Area identified in Table 2 of the AHMP to continue every five years, involving inspection by a qualified archaeologist and a representative of the Mindaribba Local Aboriginal Land Council. This monitoring is to include:</p> <ul style="list-style-type: none"> A sample of Aboriginal heritage sites within the underground area, comprising site types for which it is not anticipated that subsidence related impacts will occur, will be monitored before and after undermining in their vicinity to confirm the accuracy of these predictions. All Aboriginal heritage sites for which it is inferred that undermining may result in impacts (i.e. rock shelter and grinding groove sites) will be monitored before and after undermining in their vicinity to ensure the adequacy of conservation measures (i.e. mining exclusion zones) around those sites. <p>Review of Annual Review documentation indicates this monitoring has not been undertaken during the period the Mine has been under care and maintenance; however, the commitment in the AHMP is unrelated to the Mine being in care and maintenance. Instead, the commitment in the AHMP is for five-yearly monitoring after undermining, with review of documentation indicating relevant sites occur above the current limit of underground workings shown in Annual Reviews.</p> <p>Therefore, an administrative non-compliance has been identified for Schedule 4, Condition 22 relating to implementation of the AHMP and CA01 identified.</p>	ANC	CA01
NC03	Schedule 6, Condition 1	The Proponent shall prepare and implement an EMS for the project to the satisfaction of the Director-General. This strategy must:... (f) include:... (ii) a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.	<p>Review of relevant documents compliance with the requirement, noting the approval of the EMS occurred prior to this audit period.</p> <p>The Integrated Environmental Monitoring Program in Appendix D of the EMS is dated 2007 and does not align with the relevant monitoring requirements at Abel. This is identified as an administrative non-compliance and CA02 identified.</p>	ANC	CA02

3.3.2. EPL 12856

Table 3-3 EPL 12856 non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC04	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:	<p>Reviews of documentation indicates a low-risk non-compliance with this condition with Annual Returns identifying:</p> <ul style="list-style-type: none"> Non-compliance against Condition M2.2, noting that at various points throughout the audit period, PM₁₀ monitoring could not be undertaken due to, intermittent power issues resulting in a non-compliance. However, as data capture is greater than 95%, no CA or OFI has been deemed relevant. This has also been identified as a non-compliance against Condition M2.2. Non-compliance against Condition M2.3, noting: <ul style="list-style-type: none"> 2022: Surface water samples not collected due as sample point was dry during months January, February and December 2022 2023: <ul style="list-style-type: none"> surface water samples not collected due as sample point was dry during January, May, June, July, August, September, October, November, and December 2023 total suspended solids (TSS) was not analysed for one monitoring point in June 2023, on one occasion due to administration error at the lab in June 2023 groundwater could not be sampled in May 2023 due to an obstruction within the groundwater bore 2024: <ul style="list-style-type: none"> surface water samples not collected due as sample point was dry during January, February, and March 2024 groundwater samples could not be collected as the monitoring points were inaccessible at time of monitoring (i.e. due to road upgrades) in April and June 2024 <p>As the non-compliances generally related to lack of water to sample, no CA or OFI has been deemed relevant.</p>	Low	N/A
NC05	M2.2	Air Monitoring Requirements	Refer to discussion at Condition M2.1.	Low	N/A
NC06	M2.3	Water and/or Land Monitoring Requirements	Refer to discussion at Condition M2.1.	Low	N/A

3.3.3. Leases

A review of compliance any non-compliances with:

- relevant environmental management conditions of the MLs, up to 1 July 2022
- the requirements of Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016, from 2 July 2022

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

3.4.1. Environmental Management Strategy

The EMS (Version 1, August 2018) was implemented during the audit period, the preparation of the EMS in accordance with requirements of PA05_0136 was considered in the 2022 IEA. However, it is noted the EMS includes the Integrated Environmental Monitoring Plan as an appendix, which has not been updated since the variation of EPL 12856 on 8 April 2018, with subsequent variations of EPL 12856 issued on 3 April 2023 and 19 January 2024. Therefore, the Integrated Environmental Monitoring Plan does not reflect the current monitoring requirements, resulting in a non-compliance (**NC03**) with Schedule 6, Condition 1 of PA05_0136 and identification of **CA02**.

The most recent EMS was found to be publicly available on the Project website at the time of the audit.

3.4.2. Rehabilitation Management Plan

The RMP (Version 2, October 2023) has been written in accordance with

- Relevant Standard Conditions (Schedule 8A, Part 2) of the NSW Mining Regulation 2016 and NSW Resources Regulator Form and Way and Guideline documents
- PA05_0136, specifically:
 - Schedule 4, Conditions 29 (RMP)
 - Schedule 6, Conditions 2 (Management Plan Requirements).
 - Schedule 6, Condition 5 (Revision of Strategies, Plans and Programs)

The RMP is now in its second revision dated 6 October 2023, with both revisions prepared during the audit period, and prepared in consultation with the NSW Resources Regulator. The first revision of the RMP was prepared on 1 August 2022 to comply with the amendments made to Schedule 8A of the Mining Regulation 2016. In addition, consultation letters submitted on 2 June 2022 to CC Council, MCC, CoN, and the Biodiversity Conservation Division (now the CPHR Group within NSW DCCEEW) were sighted in relation to preparation of the first revision of the RMP, with no responses received. The second revision of the RMP was prepared following approval of Rehabilitation Objective Statement by the NSW Resource Regulator on 25 August 2023.

There were no significant issues identified during the audit (i.e. documentary review, site inspection, and interviews), with the following related documents sighted during the audit:

- RMP (Version 1, 1 August 2022 and Version 2, 6 October 2023).
- Approved Rehabilitation Objectives Statement Friday 25 August 2023
- Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023)
- Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024)
- Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025)
- Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024)
- Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025)

The most recent RMP and Forward Program were found to be publicly available on the Project website at the time of the audit.

3.4.3. Water Management Plan

The WMP (Version 4, 3 June 2019) was implemented during the audit period, the preparation of the WMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.

The most recent WMP was found to be publicly available on the Project website at the time of the audit.

There were no issues identified during the audit (i.e. documentation review, site inspection, and interviews) necessitating revision to the WMP.

3.4.4. Air Quality and Greenhouse Gas Management Plan

The AQGHGMP (Version 3, 3 June 2019) was implemented during the audit period, the preparation of the AQGHGMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.

The most recent AQGHGMP was found to be publicly available on the Project website at the time of the audit.

There were no significant issues identified during the audit (i.e. documentation review, site inspection, and interviews); however, a minor update to the AQGHGMP is recommended (**OFI02**).

3.4.5. Noise Management Plan

The NMP (Version 5, 3 June 2019) was implemented during the audit period, the preparation of the NMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.

The most recent NMP was found to be publicly available on the Project website at the time of the audit.

There were no significant issues identified during the audit (i.e. documentation review, site inspection, and interviews); however, minor updates to the NMP are recommended (**OFI01**).

3.4.6. Aboriginal Cultural Heritage Management Plan

The preparation of the AHMP (Version 2.2, 3 June 2019) in accordance with requirements of PA05_0136 was considered in the 2022 IEA. This has not been considered as part of the 2025 IEA.

The most recent AHMP was found to be publicly available on the Project website at the time of the audit.

There were no issues identified during the audit (i.e. documentation review, site inspection, and interviews) necessitating revision to the AHMP.

3.4.7. Flora and Fauna Management Plan

The FFMP (Version 4, 3 June 2019) was implemented during the audit period, the preparation of the FFMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.

The most recent FFMP was found to be publicly available on the Project website at the time of the audit.

There were no issues identified during the audit (i.e. documentation review, site inspection, and interviews) necessitating revision to the FFMP.

3.5. Complaints and reportable incidents

3.5.1. Complaints

Review of complaints data indicate no complaints were received during the audit period.

The last complaints received by Donaldson Coal was in 2021. All complaints dating back to 2009 are published on the company website and updated monthly.

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

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

4. Environmental performance

The Mine demonstrated a high level of environmental performance during the audit period and site inspection. This was demonstrated in the general lack of exceedances of relevant criteria in PA05_0136 (Appendix D), EPL 12856 (Appendix E), the MLs, and Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Appendix F) and through observations made during the site inspection (Appendix G).

4.1. General environmental management

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

- the workshop is organised and in good order
- recycling areas using coloured bin system to communicate processes
- engagement from employees with environmental systems
- dust reduction minimised by sealed roads and dust management systems
- no contamination visible on inspection

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

4.2. Rehabilitation

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

- RMP (Version 2, 6 October 2023)
- Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023)
- Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024)
- Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025)
- Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024)
- Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025)

4.2.1. Progressive rehabilitation

Conduct of the audit confirmed that, due to the nature of the surface infrastructure being fixed and required for mining operations if the Mine comes out of care and maintenance. This is due to the nature of the Mine being an underground mine, with disturbed areas relating to surface infrastructure not available for rehabilitation. As such, no land is currently being prepared for, or is under, active rehabilitation.

This is consistent with the Forward Program and RMP.

4.2.2. Rehabilitation design

Three-year forecasting in the current Forward Program indicates that opportunities are limited during the care and maintenance phase of the Mine. It is anticipated that Donaldson coal will decide on the timeline of final mine closure or recommencement of underground operations within Abel mine prior to 31 December 2030. In conjunction, no rehabilitation studies, or community consultation are planned regarding rehabilitation in the next three years of the forward plan.

4.2.3. Rehabilitation management monitoring

As no active rehabilitation has been undertaken at Donaldson Coal, no monitoring of rehabilitation has been undertaken during the audit period. A risk assessment for mine rehabilitation was developed in 2022 in conjunction with the RMP, which was originally submitted on 1 August 2022, and did not identify obstacles to rehabilitating the Mine at the end of the life.

4.3. Water management

4.3.1. Water supply and water balance

Section 3.4 of the WMP (Version 4, 3 June 2019) outlines Donaldson Coal's Site water balance and discharge. During the current care and maintenance phase, the Mine uses minimal water, with the WMP indicating:

'All stormwater runoff within the Abel Underground Mine operational areas is contained and directed to the Big Kahuna dam. The Big Kahuna dam is the main water source for all mine water.'

Review of the Annual Reviews for 2022, 2023, and 2024 confirms there was sufficient water to supply the Mine during the audit period.

Applicable licencing provides for up to 500ML of water take annually through Water Supply Works and use Approval 20WA218986 and WAL 41525. The only water take occurrences during the audit period are passive inflows into the mine workings totalling the below periods:

- 2022: 255 ML
- 2023: 280 ML
- 2024: 214 ML

No take of water from underlying alluvial aquifers has occurred during the audit period.

Water is routinely transferred to the Big Kahuna Dam and then to Bloomfield CHPP. With the total volume including Square Pit, West Pit and surface infrastructure areas recorded in brackets, the following volumes were moved during the audit period:

- 2022: 250.8ML (491.5 ML Total Flow)
- 2023: 260.6ML (611.5 ML total flow)
- 2024: 231ML (475.9 ML Total flow)

4.3.2. Compensatory water supply

Reviews of Annual Reviews for 2022, 2023, and 2024 indicate no compensatory water supply was required.

4.3.3. Water discharge and monitoring

Water discharged from the Mine is managed through the WMP (Version 4, 3 June 2019). Donaldson Coal has a single LDP under EPL 12856 (i.e. LDP19). EPL monitoring data from the audit period indicates no discharges have occurred.

4.3.4. Performance Indicators

Donaldson Coal aligns environmental performance indicators with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ, 2000). This methodology establishes triggers (i.e. three consecutive monthly exceedances) to prompt further investigation analysis, where conditions are suitable for analysis.

4.3.4.1. Surface water Performance Indicators

Donaldson Coal were not required to report any exceedances of TSS, pH, or electrical conductivity (EC) values during the audit period. Rainfall is considered a key factor regarding exceedance of surface water performance indicators due to the nature of the tests. Through the auditing period, particularly the summer months, the lack of flow rate regularly indicated a non-representative sample result.

pH

Values recorded for pH are generally consistent with the long-term mean; however, recorded values exceeded the lower and upper trigger ranges at all sites on several occasions during the audit period. However, as EC values correlate with rainfall, the samples were regularly deemed to be non-representative results and the requirements for additional investigation was not activated.

EC

EC values are generally consistent with the long-term mean; however, recorded values exceeded the lower and upper trigger ranges at all sites on several occasions during the audit period. However, as EC values correlate with rainfall, the samples were regularly deemed to be non-representative results and the requirements for additional investigation was not activated.

TSS

TSS values are generally consistent with the long term mean. Consistent with pH and EC values, the consistent lack of flow at the monitoring sites the samples were regularly deemed to be non-representative results.

Monitoring Site 11

Monitoring site 11 demonstrates the most consistent exceedances of trigger values. The 2023 Annual Review notes:

'...significant development and earthmoving activities not related to the Abel Mine commenced in 2022 and continued throughout the reporting period immediately west and south of Site 11 and are considered likely to have influenced monitoring results during the reporting period and are likely to continue to influence results during the next reporting period.'

4.3.4.2. Groundwater performance indicators

Groundwater levels

Results throughout the audit period indicate groundwater pressure reduction within the Lower Donaldson Seam resulting from mining has occurred, as anticipated, and is insulated from shallow and surficial

groundwater systems in this area. This is consistent with the predictions within the Environmental Assessment for PA05_0136.

Groundwater quality

Groundwater quality assessments are undertaken considering pH, EC, and total dissolved solids (TDS). Generally, values for both samples sites (DPZ-6 and JRD2) were within previously recorded ranges. A general downward trend in EC continued through the audit period, excluding outliers identified in 2022 and 2024 which correlate with low rainfall promoting the ingress of rainwater, temporarily lowering the salinity.

All values are comparable with baseline monitoring results reported in previous years.

4.3.4.3. Review of EPL non-compliances

Review of relevant documents, indicates several non-compliance with EPL 12856 occurred during the audit period. These non-compliances did not require any additional action on behalf of Donaldson Coal. The following non-compliances with the licence in this audit period were identified and included with in the EPL annual returns:

- 2022: Surface water samples not collected due as sample point was dry during months January, February and December 2022
- 2023:
 - surface water samples not collected due as sample point was dry during January, May, June, July, August, September, October, November, and December 2023
 - TSS was not analysed for one monitoring point in June 2023, on one occasion due to administration error at the lab in June 2023
 - groundwater could not be sampled in May 2023 due to an obstruction within the groundwater bore
- 2024:
 - surface water samples not collected due as sample point was dry during January, February, and March 2024
 - groundwater samples could not be collected as the monitoring points were inaccessible at time of monitoring (i.e. due to road upgrades) in April and June 2024

4.4. Air quality

During the site inspection, mine representatives were forthcoming in producing requested evidence, and demonstrated the Mine was operating and implementing the approved AQGHGMP (Version 3, 3 June 2019).

Conduct of the audit (i.e. a review of documentation, the site inspection, and interviews) indicated that Donaldson Coal was generally compliant with conditions of PA05_0136 and EPL 12856, noting:

- no exceedances were identified through the monitoring program through the audit period
- at various points throughout the audit period, PM₁₀ monitoring could not be undertaken due to, intermittent power issues resulting in a non-compliance with conditions of EPL 12856 identified (**NC05** and **NC06**); however, as data capture is greater than 95%, no CA or OFI has been deemed relevant
- no odour issues identified during the site inspection or via the complaints process
- no dust was visible during the site inspection, noting most roads were sealed where practicable and minimal vehicle movements due to care and maintenance
- conduct of the audit, including the site inspection, confirmed Donaldson Coal is implementing the approved AQGHGMP adequately on-site

4.5. Noise management

During the site inspection, mine representatives were forthcoming in producing any evidence requested, and demonstrated that the mine has exhibited best practice noise management in accordance with the approved (Version 5, 3 June 2019) during the audit period.

Conduct of the audit (i.e. a review of documentation, the site inspection, and interviews) indicated that Donaldson Coal was compliant with conditions of PA05_0136 and EPL 12856 relating to noise, noting:

- noise monitoring was undertaken at six locations, on a six monthly basis
- Location K is no longer sampled; however, this is consistent with the NMP and identified in the Annual Reviews
- the Bloomfield CHPP (approved under PA05_0136) is the largest emitter of noise in the scope of this audit, with noise monitoring indicating it was audible nine times during the audit period; however, these readings did not exceed criteria in PA06_0136
- no complaints were received during the audit period
- mobile plant use low modulated frequency reversing alarms to mitigate noise on site, without compromising safety risks

4.6. Heritage

Review of the Induction indicates Aboriginal cultural heritage and historic heritage awareness are covered and presented to any new employee or contractor, with the AHMP (Version 2.2, June 2019) prepared in accordance with the required legislation and appropriate stakeholders.

Conduct of the audit (i.e. a review of documentation, the site inspection, and interviews) indicated that Donaldson Coal was generally compliant with conditions of PA05_0136 relating to heritage, noting

- 63 Aboriginal heritage sites are identified in the AHMP
- no complaints or incidents regarding heritage have been reported during the audit period

Section 4.9 of the AHMP commits to the establishment of a regional monitoring network for Aboriginal heritage across the Abel, Tasman, Donaldson, and Bloomfield leases will be formed for the duration of the mining leases. This includes the commitment for monitoring of seven existing datum points within the Donaldson Conservation Area identified in Table 2 of the AHMP to continue every five years, involving inspection by a qualified archaeologist and a representative of the Mindaribba Local Aboriginal Land Council. This monitoring is to include:

- A sample of Aboriginal heritage sites within the underground area, comprising site types for which it is not anticipated that subsidence related impacts will occur, will be monitored before and after undermining in their vicinity to confirm the accuracy of these predictions.
- All Aboriginal heritage sites for which it is inferred that undermining may result in impacts (i.e. rock shelter and grinding groove sites) will be monitored before and after undermining in their vicinity to ensure the adequacy of conservation measures (i.e. mining exclusion zones) around those sites.

Review of Annual Review documentation indicates this monitoring has not been undertaken during the period the Mine has been under care and maintenance; however, the commitment in the AHMP is unrelated to the Mine being in care and maintenance. Instead, the commitment in the AHMP is for five-yearly monitoring after undermining, with review of documentation indicating relevant sites occur above the current limit of underground workings shown in Annual Reviews.

Therefore, a low risk non-compliance has been identified for Schedule 4, Condition 22 of PA05_0136 relating to implementation of the AHMP and **CA01** identified.

4.7. Biodiversity

Biodiversity conditions are managed onsite under the FFMP (Version 4, 3 June 2019), as such reviews of relevant documents indicate general compliance with the management plan. Donaldson Coal representatives were knowledgeable and forthcoming regarding the current Biodiversity performance on site.

No specific flora or fauna management measures have been undertaken on the site, as no underground mining has occurred at Donaldson coal during the audit period. The actions included in the management plan that were not triggered include:

- biodiversity offset requirements
- Pambalong Nature Reserve monitoring, dam monitoring and surveying, and sub-tropical rainforest monitoring
- aquatic monitoring of macroinvertebrate assemblages in Blue Gum Creek was not undertaken during the reporting period following a review of the need for this monitoring, as recommended by Niche Environment and Heritage

The above monitoring programs will recommence in alignment with recommencement of mining operations.

4.8. Social impact

Donaldson Coal to engage the local community and relevant stakeholders in the following to ensure compliance with relative conditions during the care and maintenance phase, noting:

- the complaint number is posted on the Project website, with the answering service tested monthly
- complaints are published monthly on the Project website
- the CCC continues to meet annually, with four members of the community, and three from Donaldson Coal, and the CCC Annual Report for 2024 indicates no known outstanding or emergent issues

4.9. Bushfire management

Donaldson Coal representatives were forthcoming regarding the Bushfire management, and associated relationships, documentation and practices at the Mine. Of note, bushfire management is managed by two plans, the FFMP (Version 4, 3 June 2019) and the Abel Mine Emergency Plan (Version 16, 13 March 2024). These documents and site practices generally meet conditions associated with bushfire management, including:

- Donaldson Coal having an unofficial agreement in place with NSW Rural Fire Service and National Parks and Wildlife Service allowing water access for emergencies and access for hazard reduction burns
- fire intensity is managed to ensure seed dispersal of flora
- firefighting equipment was identified during the site inspection
- fire extinguishers were in the process of being tested and tagged during site inspection
- roles during a bushfire, and general emergency are outlined in the Abel Mine Emergency Plan

4.10. Waste management

Conduct of the audit confirmed waste management at the Mine was compliant with all conditions, with review of relevant documentation and conduct of interviews indicating the Mine undertakes appropriate waste management, noting:

- no construction or demolition works occurred during the audit period
- during the audit period, recycled effluent was reported for the first time, increasing the recycled component of their overall waste volume
- JR Richards manages waste streams on-site, providing waste receipts which identify the types and quantities of wastes generated and where they are disposed, waste generated on-site during the audit period included:
 - hazardous (recycled) – including lead acid batteries, empty drums, waste oil and oil filters, and oily water
 - hazardous (disposal) – including medical and sanitary waste, and oil rags
 - non-hazardous (recycled) – including paper and cardboard, confidential documents, scrap steel, timber, and effluent (off-site recycling)
 - non-hazardous (disposal) – mixed solid waste

The site inspection identified, that while the workshop is organised and in good order, a drain grate adjacent to the oil / water separator was identified as requiring cleaning. While overflow would flow to the oil / water separator and there is no potential for material to get off-site, **OFI03** has been identified.

4.11. Visual amenity and lighting impacts

Review of relevant documentation and conduct of site interviews indicates management of visual and lighting impacts has been generally undertaken satisfactorily. The review indicates that no complaints were received during the audit period. Where permitted and when required, mobile lighting plants are positioned to avoid light being directed towards Donaldson Coal's neighbours and other identified potential sensitive receptors.

As the Mine is currently in a care and maintenance phase, the potential for visual amenity and lighting impacts are minimal. Donaldson Coal have indicated a light impact assessment would be undertaken prior to the recommencement of mining operations.

5. Corrective actions and opportunities for improvement

5.1. Corrective actions

Table 5-1 summarises the CAs made based on the findings of the audit and observations during the site inspection.

Table 5-1 Corrective actions identified during the audit

Consent / licence / lease	Condition	CA ID	CA requirement
PA05_0136	Schedule 4, Condition 22	CA01	In consultation with Heritage NSW within the NSW DCCEEW – CPHR Group and registered Aboriginal parties, determine if five-yearly monitoring (as described in the approved AHMP) should be undertaken during the care and maintenance period. If it is determined this monitoring is not required, ensure the AHMP is updated to reflect the outcomes of consultation.
	Schedule 6, Condition 1	CA02	Ensure the Integrated Environmental Management Program is updated to reflect the current care and maintenance status and relevant monitoring requirements.

5.2. Opportunities for improvement

Table 5-2 summarises the OFIs made based on the findings of the audit and observations during the site inspection.

Table 5-2 Opportunities for improvement identified

Consent / licence / lease	Condition	OFI ID	OFI requirement
PA05_0136	Schedule 4, Conditions 1 & 5	OFI01	Update the NMP to: <ul style="list-style-type: none"> reflect changes to Location K, which is no longer owned by the Catholic Diocese and the removal of the associated dwelling for industrial development identify times where relevant noise limits do not apply, as identified in Condition L4.4 of EPL 12856 reflect the revised location of the meteorological station
EPL 12856	Conditions L4.1 and P1.4		
PA05_0136	Schedule 4, Condition 12	OFI02	Update the AQGHGMP to: <ul style="list-style-type: none"> reflect the revised location of the meteorological station ensure monitoring location names are consistent with the current version of EPL 12856
EPL12856	Condition P1.1		
PA05_0136	Schedule 4, Condition 25	OFI03	Clean the drain grate adjacent to the oil / water separator system.
	Schedule 6, Conditions 1 & 2	OFI04	Submit the revised plans for approval by the DPHI addressing R11, R12 from the 2022 IEA.
EPL12856	Conditions P1.1 and P1.3		
EPL12856	Condition M4.1	OFI05	Ensure weather monitoring data spreadsheets to include reporting of relative humidity results.

Appendix A

DPHI audit team endorsement

NSW Planning ref: MP05_0136-PA-11

Phillip Brown
Environment & Community Relations Superintendent
Donaldson Coal Pty Ltd
Eora Country
Darling Park - Tower 2 Level 18, 201 Sussex Street
Sydney New South Wales 2000
25/03/2025

Sent via the Major Projects Portal only

Subject: Abel Coal - IEA 2025 - Audit Team Proposal

Dear Mr Brown

I refer to your request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit of the Abel Coal Mine, submitted as required by Schedule 6, Condition 9 (a) of MP05_0136 as modified (the approval) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 28 February 2025.

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

In accordance with Schedule 6, Condition 9 (a) of the approval and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following independent audit team:

- Elliot Holland – Lead Auditor
- Kurt Speirs – Assistant Auditor
- Gemma van Hemert – Assistant Auditor

Please ensure this correspondence is appended to the Independent Audit Report.

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

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Please note, the Lead Auditor must attend the site inspection/s.

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

Yours sincerely

A handwritten signature in blue ink, appearing to be "L. Gothard".

Laura Gothard
A/Team Leader
Compliance

As nominee of the Planning Secretary

Appendix B

Independent audit declaration forms

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor	
Project Name	Abel Coal Project
Consent Number	DA05_0136
Description of Project	Abel Underground Coal Mine & Infrastructure, including CHPP
Project Address	1132 John Renshaw Drive, Black Hill
Proponent	Donaldson Coal Pty Ltd
Date	13 February 2025

I declare that:

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

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

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

Name of Proposed Auditor	Elliot Holland
Signature	
Qualification	Bachelor of Env. Sc. & Mgt., and Exemplar Global Certified Lead Auditor - EMS
Company	Onward Consulting Pty Ltd

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name	Abel Coal Project
Consent Number	DA05_0136
Description of Project	Abel Underground Coal Mine & Infrastructure, including CHPP
Project Address	1132 John Renshaw Drive, Black Hill
Proponent	Donaldson Coal Pty Ltd
Date	13 February 2025

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

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

Name of Proposed Auditor Kurtis Speirs

Signature 

Qualification B. Environmental Science & Management; Grad Cert. Work, Health & Safety;
Certified Lead Auditor through Exemplar Global

Company Onward Consulting Pty Ltd

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor

Project Name	Abel Coal Project
Consent Number	DA05_0136
Description of Project	Abel Underground Coal Mine & Infrastructure, including CHPP
Project Address	1132 John Renshaw Drive, Black Hill
Proponent	Donaldson Coal Pty Ltd
Date	13 February 2025

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- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
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-
- approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor Gemma van Hemert

Signature 

Qualification Bachelor of Environment Science majoring in Environmental Management

Company Onward Consulting Pty Ltd

Appendix C

Agency consultation

From: Elliot Holland
Sent: Monday, 7 April 2025 11:50 AM
To: Gemma van Hemert
Subject: Fw: DCM-001: DPHI Compliance - 2025 IEA Consultation: Abel Coal Mine

Get [Outlook for Android](#)

From: Joel Fleming <joel.fleming@planning.nsw.gov.au>
Sent: Monday, April 7, 2025 11:01:07 am
To: Elliot Holland <elliot.holland@onward.au>
Subject: Re: DCM-001: DPHI Compliance - 2025 IEA Consultation: Abel Coal Mine

Good morning Elliot,

Thank you for contacting NSW Planning for consultation on the upcoming independent environmental audit (IEA) of the Abel Coal Mine (DA05_0136). I appreciate your thorough approach to this process.

Recent reporting of the progressive rehabilitation has been unclear, please review information and records provided by Abel to demonstrate rehabilitation is being completed in accordance with the approved Rehabilitation Management Plan and Forward Plan.

In your review of *Previous IEA Actions*, please look for reasonable justification and/or actions taken to close out all outstanding actions.

Throughout the IEA 2025 auditing period, as far as reported, Abel have demonstrated adequate environmental performance and compliance.

If you have any questions, please feel free to contact me.

Thank you for your attention to the aforementioned matters.

Joel Fleming
A/ Team Leader Compliance - Northern Region

Development Assessment and Sustainability | Department of Planning, Housing and Infrastructure

T 02 6575 3416 | **M** 0467 715 429 | **E** joel.fleming@planning.nsw.gov.au

The Store, 6 Stewart Avenue, Newcastle West NSW 2302

www.dphi.nsw.gov.au



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

From: Elliot Holland
Sent: Tuesday, April 01, 2025 7:40 AM
To: DPE PSVC Compliance Mailbox
Cc: Joel Fleming
Subject: DCM-001: DPHI Compliance - 2025 IEA Consultation: Abel Coal Mine

Hi,

Donaldson Coal Pty Ltd (Donaldson Coal) has engaged Onward Consulting Pty Ltd (Onward) to undertake an independent environmental audit (IEA) of the Abel Coal Mine, located off John Renshaw Drive at Black Hill, NSW.

The IEA will be prepared in accordance with:

- AS/NZS ISO 19011:2019 Standard - *Guidelines for auditing management systems*
- the *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020)
- Schedule 6, Condition 9 of Project Approval 05_0136 (Mod 3) (MP05_0136)

The focus of the IEA will be:

- conditions of:
 - MP05_0136 (as modified)
 - Environment Protection Licence (EPL) 12856
 - Up to 1 July 2022: Leases issued under the *Mining Act 1992* (NSW) (i.e. ML1461 and ML1618)
 - From 2 July 2022: Schedule 8A of Mining Regulation 2016 (NSW)
 - Relevant surface and groundwater licences
- implementation of approved management plans
- actions and recommendations from the 2022 IEA
- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of MP05_0136 (as modified)
- assessment of environmental risks at the site during a site visit
- recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval

So that we may adequately address any concerns during the audit, I am writing to invite comment from your organisation regarding operations at Abel Coal Mine, as they relate to MP05_0136 (as modified). I also invite your organisation to comment on Abel Coal Mine's performance with other requirements, as you may deem appropriate.

It would be appreciated if your organisation could provide comments regarding the performance of Abel Coal Mine 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 approval / licence

The site visit for the audit is currently scheduled to be conducted on Wednesday 7 May 2025.

It would be appreciated if your organisation could submit written comments by close of business Tuesday 6 May 2025.

All correspondence in relation to the IEA should be directed to Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,
Elliot Holland
Principal – Auditing and Compliance

0427 863 567
elliott.holland@onward.au
Suite 2, 88 Tudor Street
Hamilton NSW 2303



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

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

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

Our ref: HMS ID 9931

Elliot Holland
Onward Consulting Pty Ltd
elliot.holland@onward.net.au

Independent Environmental Audit – State Significant Development

Proposal: Abel Coal Mine

Major Project reference: MP05_0136

Received: 1 April 2025

Dear Elliot,

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

In respect to the audit for Aboriginal cultural heritage, Heritage NSW notes Conditions 28 and 29 of the Conditions of Consent and the Abel Underground Mine Aboriginal Cultural Heritage Management Plan (ACHMP) prepared by Donaldson Coal in 2019. Of note, is the required compliance with the ACHMP Policy 4.9 regarding regular subsidence monitoring and reporting of seven datum points and a sample of identified Aboriginal heritage sites within the project area. It is recommended that the Department of Climate Change, Energy, the Environment and Water Compliance Team be contacted via info@environment.nsw.gov.au and the Department of Planning Housing and Infrastructure Compliance Team via compliance@planning.nsw.gov.au to determine if there is any non-compliance with Conditions of Consent for the project.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
A/Manager

Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
24 April 2025

Our ref: OUT25/4471

Name: Elliot Holland

Address: Onward PTY

Email: elliott.holland@onward.au

15/04/2025

Subject: Abel Coal Mine - Independent Environmental Audit – MP05_0136

Dear Elliot,

I refer to your request seeking advice from the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group on an upcoming audit for the above matter. It is understood this consultation is in accordance with conditions of approval for the project.

NSW DCCEEW Water Group understands that the scope of the audit as outlined under the development consent and the reference guideline, "Independent Audit Post Approval Requirements (2020)" extends to at least the following:

- Identification of compliance requirements and documentation of any non-compliances.
- Assessment of the adequacy and implementation of management plans and sub plans.
- Assessment of compliance against relevant regulatory requirements and legislation.
- Assessment of compliance between actual and predicted impacts in the environmental assessment.
- Reporting requirements for management plans.
- Identification of strengths of the project in environmental management and opportunities for improvement.

NSW DCCEEW Water Group requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:

- The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include:
 - Water Management Plans and related sub-plans e.g., Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.
 - Extraction Plans and related sub-plans e.g., Water Management Plan, Subsidence Management Plan.

- The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting.
- Water supply availability is clearly defined for the project.
- Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018.
- Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.
- Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from.
- Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated.

Should you have any further queries in relation to this submission please do not hesitate to contact Water Assessments at water.assessments@dpie.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read "Alistair Drew".

Alistair Drew
Project Officer
Water Assessments
NSW Department of Climate Change, Energy, the Environment and Water

9 April 2025

Mr Elliot Holland
Onward Consulting Pty Ltd
Suite 2, Level 1, 28 Donald Street
Hamilton NSW 2303
By Email: elliott.holland@onward.au

Re: Abel Coal Mine – Independent Environmental Audit

Dear Mr Holland,

Thank you for your email dated 1 April 2025 (our reference: AREQ0063170) requesting consultation on the independent audit to be undertaken of the Abel Coal Mine which is covered by mining leases ML1618 (1992) and ML1653 (1992). It was noted ML1461 (1992) mentioned in your request for consultation is associated with the Donaldson Open Cut Coal Mine.

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

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016.

The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice. It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.

Sincerely

Jenny Ehmsen
Principal Compliance Auditor
NSW Resources Regulator



Our ref: DOC25/275063

Onward Consulting Pty Ltd
Suite 2, 88 Tudor Street
Hamilton NSW 2303

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

Dear Elliot

Independent Environmental Audit – Abel Coal Mine – EPL 12856

Thank you for your email dated 1 April 2025 (DOC25/270711) requesting input by the NSW Environment Protection Authority (EPA) on the 2025 Independent Environmental Audit of the Abel Underground Coal Mine by Onward Consulting Pty Ltd (Onward). Activities at Abel Underground Coal Mine are licensed under Environment Protection Licence 12856 (the Licence) that is issued to Donaldson Coal Pty Ltd (the Licensee). The Licence also covers activities at the former Donaldson Open Cut mine that is in the final stages of closure and rehabilitation.

The EPA encourages Licensees to undertake independent environmental audits to ensure that they are meeting their statutory requirements and can identify opportunities to improve their environmental performance. However, we typically do not provide input as our role as a regulatory authority is to set environmental objectives for environmental management and to manage outcomes.

I refer you to the [EPA's public register](#) where you can search for regulatory activity undertaken by the EPA for Environment Protection Licence 12856 for Abel Underground Mine and Donaldson Open Cut Mine.

If you have any further questions about this matter, please contact Luke Goldsmith on 02 4908 6862 or at info@epa.nsw.gov.au.

Kind regards,

Digitally signed by
Anthony.vanderHor
st@epa.nsw.gov.au

ANTHONY VAN DER HORST
A/Unit Head - Operations
NSW Environment Protection Authority

2 April 2025

NSW Environment Protection Authority
As the environmental steward and regulator of our
State we are committed to a sustainable future.
Join us on our mission to protect tomorrow together.

Phone:
131 555
Email:
info@epa.nsw.gov.au
Website:
epa.nsw.gov.au

Visit:
6 Parramatta Square, 12
Darcy Street, Parramatta
NSW 2150
Mail:
Locked Bag 5022,
Parramatta NSW 2124



Elliot Holland

From: mmacdonald-hill@bigpond.com
Sent: Friday, May 2, 2025 8:51 AM
To: Elliot Holland
Cc: Phillip Brown
Subject: RE: DCM-001: CCC Chair: 2025 IEA Consultation: Abel Coal Mine

Hi Elliot,

Your request was sent out to the CCC members and as I expected, there are no issues or concerns that warrant your attention. Thank you for the opportunity to comment.

Margaret MacDonald-Hill
0448 414 888

From: Elliot Holland <elliot.holland@onward.au>
Sent: Tuesday, 1 April 2025 7:40 AM
To: mmacdonald-hill@bigpond.com
Subject: DCM-001: CCC Chair: 2025 IEA Consultation: Abel Coal Mine
Importance: High

Hi,

Donaldson Coal Pty Ltd (Donaldson Coal) has engaged Onward Consulting Pty Ltd (Onward) to undertake an independent environmental audit (IEA) of the Abel Coal Mine, located off John Renshaw Drive at Black Hill, NSW.

The IEA will be prepared in accordance with:

- AS/NZS ISO 19011:2019 Standard - *Guidelines for auditing management systems*
- the *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020)
- Schedule 6, Condition 9 of Project Approval 05_0136 (Mod 3) (MP05_0136)

The focus of the IEA will be:

- conditions of:
 - MP05_0136 (as modified)
 - Environment Protection Licence (EPL) 12856
 - Up to 1 July 2022: Leases issued under the *Mining Act 1992* (NSW) (i.e. ML1461 and ML1618)
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 - Relevant surface and groundwater licences
- implementation of approved management plans
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- evidence of implementation and effectiveness of the site's environmental management plans as part of the conditions of MP05_0136 (as modified)
- assessment of environmental risks at the site during a site visit
- recommending measures or actions to improve the environmental performance of the project and/or any assessment, plan or program required under the approval

So that we may adequately address any concerns during the audit, I am writing to invite comment from your organisation regarding operations at Abel Coal Mine, as they relate to MP05_0136 (as modified). I also invite your organisation to comment on Abel Coal Mine's performance with other requirements, as you may deem appropriate.

It would be appreciated if your organisation could provide comments regarding the performance of Abel Coal Mine 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 approval / licence

The site visit for the audit is currently scheduled to be conducted on Wednesday 7 May 2025.

It would be appreciated if your organisation could submit written comments by close of business Tuesday 6 May 2025.

All correspondence in relation to the IEA should be directed to Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,
Elliot Holland
Principal – Auditing and Compliance

0427 863 567
elliott.holland@onward.au
Suite 2, 88 Tudor Street
Hamilton NSW 2303



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

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

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

Elliot Holland

From: Sarah Hyatt <Sarah.Hyatt@cessnock.nsw.gov.au>
Sent: Monday, May 5, 2025 9:58 AM
To: Elliot Holland
Subject: RE: DCM-001: Cessnock City Council: 2025 IEA Consultation: Abel Coal Mine

Good morning Elliot,

I refer to your email below.

Council has reviewed the information and does not have any specific comments at this stage.

Council reserves the right to provide further comments if/when additional information is available.

Kind regards,



Sarah Hyatt Development Services Coordinator
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325
p 02 4993 4219
www.cessnock.nsw.gov.au



Integrity, Respect, Teamwork, Accountability and Excellence

I acknowledge Aboriginal people as the traditional custodians of the land on which Cessnock City Council offices and operations are located, and pay my respects to Elders past, present and future.

From: Elliot Holland <elliot.holland@onward.au>
Sent: Tuesday, 1 April 2025 7:40 AM
To: council <council@cessnock.nsw.gov.au>
Subject: DCM-001: Cessnock City Council: 2025 IEA Consultation: Abel Coal Mine
Importance: High

CAUTION: This email is an external email and may be malicious. Please take care before replying, clicking links, or opening attachments.

Hi,

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- MP05_0136 (as modified)
- Environment Protection Licence (EPL) 12856
- Up to 1 July 2022: Leases issued under the *Mining Act 1992* (NSW) (i.e. ML1461 and ML1618)
- From 2 July 2022: Schedule 8A of Mining Regulation 2016 (NSW)
- Relevant surface and groundwater licences
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The site visit for the audit is currently scheduled to be conducted on Wednesday 7 May 2025.

It would be appreciated if your organisation could submit written comments by close of business Tuesday 6 May 2025.

All correspondence in relation to the IEA should be directed to Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.net.au.

Regards,
Elliot Holland
 Principal – Auditing and Compliance
 0427 863 567
elliott.holland@onward.au
 Suite 2, 88 Tudor Street
 Hamilton NSW 2303



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

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

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

DISCLAIMER:

Appendix D

PA05_0136

Condition	Details	Compliance status	Relevant evidence	Commentary								
Schedule 2 – ADMINISTRATIVE CONDITIONS												
OBLIGATIONS TO MINIMISE HARM TO THE ENVIRONMENT												
1	In addition to meeting the specific performance criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	Compliant	<ul style="list-style-type: none">Site interviews dated 12 May 2025.Site inspection dated 12 May 2025.This audit.	DCL have implemented reasonable and feasible measures to reduce harm to the environment.								
TERMS OF APPROVAL												
2	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) EA (MOD 1); (c) EA (MOD 2); (d) EA (MOD 3); (e) statement of commitments; and (f) conditions of this approval. Notes: The general layout of the project is shown on the figures in Appendix 2. The statement of commitments is reproduced in Appendix 4.	Non-Compliant (Low)	This audit report.	Project was generally undertaken in accordance with this condition. However, non-compliances were identified with Schedule 6, Conditions 1 and 11.								
3.	If there is any inconsistency between the above documents, the more recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Not triggered	Noted.	N/A.								
4.	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department’s assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these documents.	Not triggered	Site interviews dated 12 May 2025.	DCL have received no directions during the reporting period.								
LIMITS ON APPROVAL												
Mining Operations												
5.	The Proponent may carry out mining operations on site until the end of December 2030. Note: Under this approval, the Proponent is required to rehabilitate the site and perform additional undertakings to the satisfaction of either the Director-General or the Executive Director, Mineral Resources. Consequently this approval will continue to apply in all other respects other than the right to conduct mining operations until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.	Compliant	Annual Reviews for 2022, 2023, and 2024.	Abel coal was placed into care and maintenance in May 2016, as such, no mining activities have been undertaken in the audit period.								
Coal Extraction												
6.	The Proponent shall not extract more than 6.1 million tonnes of ROM coal from the site per calendar year.	Compliant	Annual Reviews for 2022, 2023, and 2024.	Abel coal was placed into care and maintenance in May 2016, as such, no mining activities have been undertaken in the audit period.								
Coal Processing												
7.	The Proponent shall not process more than 8.5 million tonnes of ROM coal at the Bloomfield site per calendar year.	Compliant	Annual Reviews for 2022, 2023, and 2024.	No coal has been processed during the reporting period.								
Coal Transport												
8.	The Proponent shall transport all ROM coal from the Abel pit-top area to the Bloomfield site via the private haul road, or by coal conveyor, or by a combination of both methods.	Compliant	Annual Reviews for 2022, 2023, and 2024.	No processing of coal has occurred during the audit period.								
9.	The Proponent shall transport all product coal produced on the Bloomfield site via the Bloomfield Rail Loop, and Rail Spur and the Main Northern Railway, except in an emergency. In an emergency, product coal may be transported from the Bloomfield site by road, with the prior written approval of the Director-General, and subject to any restrictions that the Director-General may impose.	Compliant	Annual Reviews for 2022, 2023, and 2024.	Review of relevant documents indicate compliance to this condition, as annual reviews identify emergency capacity of the transport rails on site.								
Hours of Operation												
10.	The Proponent shall comply with the operating hours in Table 1. <div><div>Table 1: Operating hours</div><table><tr><th>Activity</th><th>Operating Hours</th></tr><tr><td>Mining Operations</td><td>24 hours a day, 7 days per week</td></tr><tr><td>Construction activities</td><td>7.00 am to 6.00 pm, Monday to Friday; and 8.00 am to 1.00 pm, Saturdays, unless noise from these activities does not exceed 35dB(A)_{L_{Aeq}15 min} at any privately-owned residence</td></tr><tr><td>Maintenance activities</td><td>24 hours a day, 7 days per week, providing maintenance activities are inaudible at any privately-owned residence</td></tr></table></div>	Activity	Operating Hours	Mining Operations	24 hours a day, 7 days per week	Construction activities	7.00 am to 6.00 pm, Monday to Friday; and 8.00 am to 1.00 pm, Saturdays, unless noise from these activities does not exceed 35dB(A) _{L_{Aeq}15 min} at any privately-owned residence	Maintenance activities	24 hours a day, 7 days per week, providing maintenance activities are inaudible at any privately-owned residence	Compliant	<ul style="list-style-type: none">Annual Reviews for 2022, 2023, and 2024.Site interviews dated 12 May 2025.	Work hours on site area restricted to 6am to 4pm during Monday to Friday, indicating compliance with the requirements of this condition.
Activity	Operating Hours											
Mining Operations	24 hours a day, 7 days per week											
Construction activities	7.00 am to 6.00 pm, Monday to Friday; and 8.00 am to 1.00 pm, Saturdays, unless noise from these activities does not exceed 35dB(A) _{L_{Aeq}15 min} at any privately-owned residence											
Maintenance activities	24 hours a day, 7 days per week, providing maintenance activities are inaudible at any privately-owned residence											

Condition	Details	Compliance status	Relevant evidence	Commentary
STRUCTURAL ADEQUACY				
11.	<p>11. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures that are part of the project are constructed in accordance with:</p> <p>(a) the relevant requirements of the BCA; and</p> <p>(b) any additional requirements of the MSB where the building or structure is located on land within declared Mine Subsidence Districts.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent 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 project. Under Section 15 of the Mine Subsidence Compensation Act 1961, the Proponent is required to obtain the MSB's approval before constructing any improvements within a Mine Subsidence District. 	Not triggered	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025. Site inspection dated 12 May 2025. 	Review of relevant data indicates that construction has not occurred during the audit period.
DEMOLITION				
12.	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Not triggered	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025. 	No demolition occurred during the audit period .
OPERATION OF PLANT AND EQUIPMENT				
13.	<p>The Proponent shall ensure that all plant and equipment used at the site is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	Compliant	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Site inspection dated 12 May 2025. Wastewater Treatment Plant Work Order (Dated: 15.17.2022). Diesel pump inspection dated 08.11.2022. 	Work order system demonstrates capabilities for routine and ad-hoc work orders with appropriate tracking and close out function.
STAGED SUBMISSION OF STRATEGIES, PLANS OR PROGRAMS				
14.	<p>With the approval of the Director-General, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis. Strategies, plans or programs approved before 31 October 2013 continue to apply to the project, until revised strategies, plans or programs required under the terms of this modified approval are approved by the Director-General.</p> <p>Notes:</p> <ul style="list-style-type: none"> While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program. 	Not triggered	Annual Reviews for 2022, 2023, and 2024.	Review of relevant data indicates this condition was not triggered during the audit period.
SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS – UNDERGROUND MINING SUBSIDENCE Performance Measures – Natural and Heritage Features etc.				
1.	<p>The Proponent shall ensure that the project does not cause any exceedances of the performance measures in Table 2, to the satisfaction of the Director-General.</p> <p>Table 2: Subsidence Impact Performance Measures</p>	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Flora and Fauna Management Plan (FFMP) (Version 4, 3 June 2019). Rehabilitation Management Plan (RMP) (Version 2, 3 June 2019). WMP (Version 4, 3 June 2019). Noise Management Plan (NMP) (Version 5, 3 June 2019). Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (Version 3, 3 June 2019). Aboriginal Heritage Management Plan (AHMP) (Revision 2.2, June 2019). 	<p>2022 IEA Findings:</p> <p>R4: <i>If mining is to recommence, ensure monitoring frequency of surface water and groundwater is determined in consultation with NRAR and DPE.</i></p> <p>2025 IEA Findings:</p> <p><u>Status of 2022 IEA R4:</u></p> <p>Conduct of the audit has determined Donaldson Coal has committed to update the monitoring schedule in consultation with relevant stakeholders prior to the commencement of mining. Therefore, R4 is considered closed.</p> <p><u>2025 IEA Findings:</u></p> <p>Review of relevant documents indicates no exceedance of performance measures.</p> <p>To note during the Annual Review 2024 period:</p> <p>Minor remediation works undertaken on a private property due to water runoff, during a high rainfall event. Nor further impacts to Blackhill Road, Hunter Water Corporation waterline, Ausgrid powerlines and trains grid towers.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary																														
	<div><div>Table 2: Subsidence Impact Performance Measures</div><table><tr><td colspan="2">Water Resources</td></tr><tr><td><ul style="list-style-type: none">Hexham Swamp;Blue Gum Creek and Alluvium; andLong Gully.</td><td><ul style="list-style-type: none">Negligible environmental consequences, including:<ul style="list-style-type: none">negligible reduction in the quantity of water entering the swamp or the creeks (ie baseflow or environmental flows);negligible reduction in the quality of water entering the swamp or the creeks; andnegligible reduction in creek bed or bank stability.No connective cracking between the surface and the mine.</td></tr><tr><td><ul style="list-style-type: none">All other watercourses in the mining area.</td><td><ul style="list-style-type: none">No greater environmental consequences than predicted in the EA and EA (MOD 3).</td></tr><tr><td colspan="2">Land</td></tr><tr><td><ul style="list-style-type: none">Cliffs.</td><td><ul style="list-style-type: none">Minor environmental consequences (that is, occasional rockfalls, displacement of or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 3% of the total face area of cliffs within the mining area).</td></tr><tr><td><ul style="list-style-type: none">Minor cliffsRock face features; andSteep slopes.</td><td><ul style="list-style-type: none">Minor environmental consequences (that is, occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 5% of the total face area of each such type of feature within the mining area).</td></tr><tr><td><ul style="list-style-type: none">Pambalong Nature Reserve.</td><td><ul style="list-style-type: none">Negligible environmental consequences.</td></tr><tr><td colspan="2">Biodiversity</td></tr><tr><td><ul style="list-style-type: none">Threatened species; andEndangered ecological communities (including unspecified Lowland Rainforest EEC).</td><td><ul style="list-style-type: none">Negligible environmental consequences.</td></tr><tr><td colspan="2">Heritage Sites</td></tr><tr><td><ul style="list-style-type: none">Aboriginal heritage sites.</td><td><ul style="list-style-type: none">No greater subsidence impacts or environmental consequences than predicted in the EA and EA (MOD 3).</td></tr><tr><td><ul style="list-style-type: none">Historic heritage.</td><td><ul style="list-style-type: none">No greater subsidence impacts or environmental consequences than predicted in the EA and EA (MOD 3).</td></tr><tr><td colspan="2">Mine workings</td></tr><tr><td><ul style="list-style-type: none">First workings under an approved Extraction Plan beneath any feature where performance measures in this table require negligible subsidence impacts, negligible environmental consequences.</td><td><ul style="list-style-type: none">To remain long-term stable and non-subsiding.</td></tr><tr><td><ul style="list-style-type: none">Second workings.</td><td><ul style="list-style-type: none">To be carried out only in accordance with an approved Extraction Plan.</td></tr></table><div>Notes:<ul style="list-style-type: none">The Proponent will be required to define more detailed performance indicators (including impact assessment criteria) for each of these performance measures in the various management plans that are required under this approval.Measurement and/or monitoring of compliance with performance measures and performance indicators is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans. In the event of a dispute over the appropriateness of proposed methods, the Director-General will be the final arbiter.The requirements of this condition only apply to the impacts and consequences of mining operations, construction or demolition undertaken following the date of approval of MOD 3.</div></div>	Water Resources		<ul style="list-style-type: none">Hexham Swamp;Blue Gum Creek and Alluvium; andLong Gully.	<ul style="list-style-type: none">Negligible environmental consequences, including:<ul style="list-style-type: none">negligible reduction in the quantity of water entering the swamp or the creeks (ie baseflow or environmental flows);negligible reduction in the quality of water entering the swamp or the creeks; andnegligible reduction in creek bed or bank stability.No connective cracking between the surface and the mine.	<ul style="list-style-type: none">All other watercourses in the mining area.	<ul style="list-style-type: none">No greater environmental consequences than predicted in the EA and EA (MOD 3).	Land		<ul style="list-style-type: none">Cliffs.	<ul style="list-style-type: none">Minor environmental consequences (that is, occasional rockfalls, displacement of or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 3% of the total face area of cliffs within the mining area).	<ul style="list-style-type: none">Minor cliffsRock face features; andSteep slopes.	<ul style="list-style-type: none">Minor environmental consequences (that is, occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 5% of the total face area of each such type of feature within the mining area).	<ul style="list-style-type: none">Pambalong Nature Reserve.	<ul style="list-style-type: none">Negligible environmental consequences.	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2.	<div>If the Proponent exceeds the performance measures in Table 2 and the Director-General determines that: (a) it is not reasonable or feasible to remediate the impact or environmental consequence; or (b) remediation measures implemented by the Proponent have failed to satisfactorily remediate the impact or environmental consequence; the Proponent shall provide a suitable offset to compensate for the impact or environmental consequence, to the satisfaction of the Director-General. Note: Any offset required under this condition must be proportionate with the significance of the impact or environmental consequence.</div>	Not triggered	Annual Reviews for 2022, 2023, and 2024.	No subsidence issues exceeding performance measures have occurred during the audit period.																														
Performance Measures – Built Features																																		
3.	<div>The Proponent shall ensure that the project does not cause any exceedances of the performance measures in Table 3, to the satisfaction of the Director-General. Any dispute between the Proponent and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 3 is to be settled by the Director-General, following consultation with the MSB and the Executive Director Mineral Resources. Any decision by the Director-General shall be final and not subject to further dispute resolution under this approval. Table 3: Subsidence Impact Performance Measures</div>	Not triggered	<ul style="list-style-type: none">Annual Reviews for 2022, 2023, and 2024.Site interviews dated 12 May 2025.	No subsidence issues exceeding performance measures have occurred during the audit period.																														

Condition	Details	Compliance status	Relevant evidence	Commentary														
	<div>Table 3: Subsidence Impact Performance Measures</div> <table><tr><td colspan="2">Built Features</td></tr><tr><td>Key Public Infrastructure:<ul style="list-style-type: none">F3 Freeway;Hunter Expressway;330kV transmission line and transmission towers; and132kV and 66kV powerlines.</td><td><ul style="list-style-type: none">Always safe and serviceable.Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired.</td></tr><tr><td>Other Public Infrastructure:<ul style="list-style-type: none">Timber power poles;Roads;Fibre-optic cables; andTelecommunication cables.</td><td><ul style="list-style-type: none">Always safe and serviceable.No greater subsidence impact or environmental consequences than predicted in the EA and EA (MOD 3).Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired.</td></tr><tr><td>Key Privately-Owned Built Features<ul style="list-style-type: none">Principal residences;All buildings and structures on, or built in the future on:<ul style="list-style-type: none">the Black Hill Public School;Catholic High School site (Lot 131 DP1057179);Black Hill Church and Cemetery;Coal & Allied Operations Pty Limited site (Lot 30 DP870411); andThe 4 largest dams at the commercial orchard on Lots 11 and 12 DP877937 and Lots 610 and 611 DP1035588, while this land is used for this purpose.</td><td><ul style="list-style-type: none">First workings only within a 26.5° angle of draw of the structure, except with the prior written agreement of the relevant landowner.Always safe.Serviceability should be maintained wherever practicable.Damage must be fully repairable, and must be fully repaired, or else replaced or fully compensated.</td></tr><tr><td>Other Privately-Owned Built Features<ul style="list-style-type: none">Rural buildings;Farm dams;Tracks and fences;Black Hill Quarry; andStockrington Quarry.</td><td><ul style="list-style-type: none">Always safe.Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated.Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated.</td></tr><tr><td colspan="2">Public Safety</td></tr><tr><td><ul style="list-style-type: none">Public safety.</td><td><ul style="list-style-type: none">Negligible additional risk.</td></tr></table> <div>Notes:<ul style="list-style-type: none">The Proponent will be required to define more detailed performance indicators for each of these performance measures in Built Features Management Plans or a Public Safety Management Plan (see condition 4 below).Measurement and/or monitoring of compliance with performance measures and performance indicators is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans. In the event of a dispute over the appropriateness of proposed methods, the Director-General will be the final arbiter.The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of this approval.Requirements under this condition may be met by measures undertaken in accordance with the Mine Subsidence Compensation Act 1961.Requirements regarding safety or serviceability do not prevent preventative or mitigatory actions being taken prior to or during mining in order to achieve or maintain these outcomes.</div>	Built Features		Key Public Infrastructure: <ul style="list-style-type: none">F3 Freeway;Hunter Expressway;330kV transmission line and transmission towers; and132kV and 66kV powerlines.	<ul style="list-style-type: none">Always safe and serviceable.Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired.	Other Public Infrastructure: <ul style="list-style-type: none">Timber power poles;Roads;Fibre-optic cables; andTelecommunication cables.	<ul style="list-style-type: none">Always safe and serviceable.No greater subsidence impact or environmental consequences than predicted in the EA and EA (MOD 3).Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired.	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<ul style="list-style-type: none">Public safety.	<ul style="list-style-type: none">Negligible additional risk.																	
Extraction Plan																		
4.	<p>The Proponent shall prepare and implement an Extraction Plan for all second workings on site to the satisfaction of the Director-General. Each extraction plan must:</p> <p>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;</p> <p>(b) be approved by the Director-General before the Proponent carries out any of the second workings covered by the plan;</p> <p>(c) include detailed plans of existing and proposed first and second workings and any associated surface development;</p> <p>(d) include detailed performance indicators for each of the performance measures in Tables 2 and 3;</p> <p>(e) give particular consideration to any proposed multi-seam mining;</p> <p>(f) include a detailed investigation of any overlying or adjacent West Borehole Seam workings, in consultation with DRE, which:</p> <ul style="list-style-type: none">assesses the stability of remnant coal pillars in the former West Borehole Seam workings;includes revised multi-seam subsidence predictions for the second workings areas; <p>• gives particular consideration to the risks of irregular subsidence and for pillar run leading to subsidence outside of the predicted angle of draw; and</p> <ul style="list-style-type: none">recommends final design of the second workings panels and any necessary adaptive management measures;	Not triggered	Annual Reviews for 2022, 2023, and 2024.	Reviews of relevant documentation indicate that mining has not recommenced during the audit period, as such, extraction plans are not renewed for the period.														

Condition	Details	Compliance status	Relevant evidence	Commentary
	<p>(g) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this approval;</p> <p>(h) describe the measures that would be implemented to ensure compliance with the performance measures in Tables 2 and 3, and manage or remediate any impacts and/or environmental consequences;</p> <p>(i) include a Built Features Management Plan, which has been prepared in consultation with DRE and the owners of affected built features, to manage the potential subsidence impacts and/or environmental consequences of the proposed second workings, and which:</p> <ul style="list-style-type: none"> addresses in appropriate detail all items of key public infrastructure (with particular consideration of angle towers on transmission lines and powerlines), other public infrastructure and all other built features; has been prepared following appropriate consultation with the owner/s of potentially affected feature/s; recommends appropriate remedial measures and includes commitments to mitigate, repair, replace or compensate all predicted impacts on potentially affected built features in a timely manner; and in the case of all key public infrastructure, and other public infrastructure except roads, trails and associated structures, reports external auditing for compliance with ISO 31000 (or alternative standard agreed with the infrastructure owner), and provides for annual auditing of compliance and effectiveness during extraction which may impact the infrastructure; <p>(j) include a Water Management Plan, which has been prepared in consultation with EPA and NOW, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on watercourses and aquifers, including:</p> <ul style="list-style-type: none"> surface and groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; a program to monitor and report stream flows, assess any changes resulting from subsidence impacts and remediate and improve stream stability; a program to monitor and report groundwater inflows to underground workings; a program to predict, manage and monitor impacts to groundwater bores on privately-owned land; and <p>(k) include a Biodiversity Management Plan, which has been prepared in consultation with OEH, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats; endangered ecological communities; and water dependent ecosystems;</p> <p>(l) include a Land Management Plan, which has been prepared in consultation with any affected public authorities, to manage the potential impacts and/or environmental consequences of the proposed second workings on land in general, with a specific focus on cliffs, rock face features and steep slopes;</p> <p>(m) include a Heritage Management Plan, which has been prepared in consultation with OEH and relevant stakeholders for both Aboriginal and historic heritage, to manage the potential environmental consequences of the proposed second workings on both Aboriginal and non-Aboriginal heritage items, and reflects the requirements of condition 21 of schedule 4;</p> <p>(n) include a Public Safety Management Plan, which has been prepared in consultation with DRE, to ensure public safety in the mining area;</p> <p>(o) include a Subsidence Monitoring Program, which has been prepared in consultation with DRE; to:</p> <ul style="list-style-type: none"> provide data to assist with the management of the risks associated with subsidence; validate the subsidence predictions; analyse the relationship between the predicted and resulting subsidence effects and predicted and resulting impacts under the plan and any ensuing environmental consequences; and inform the contingency plan and adaptive management process; <p>(p) include a contingency plan that expressly provides for adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Tables 1 and 2, or where any such exceedance appears likely;</p> <p>(q) proposes appropriate revisions to the Rehabilitation Management Plan required under condition 28 of Schedule 4; and</p> <p>(r) include a program to collect sufficient baseline data for future Extraction Plans.</p> <p>Notes:</p> <ul style="list-style-type: none"> To identify the second workings mining domains referred to in this condition, see Appendix 2. In accordance with Condition 14 of Schedule 2, the preparation and implementation of Extraction Plans may be staged, with each plan covering a defined area of underground workings. In addition, these plans are only required to contain management plans that are relevant to the specific underground workings that are being carried out. An SMP that is substantially consistent with this condition and which is approved by DRE prior to 31 October 2013 is taken to satisfy the requirements of this condition. 			
5.	<p>The Proponent shall ensure that the management plans required under conditions 4(h)-(m) above include:</p> <p>(a) an assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this approval; and</p>	Not triggered	Annual Reviews for 2022, 2023, and 2024.	<p>Review of annual reports and available relevant data indicates that mining has not recommenced.</p> <p>No Management plans are required.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
	(b) a detailed description of the measures that would be implemented to remediate predicted impacts.			
First Workings				
6.	The Proponent may carry out first workings on site, other than in accordance with an approved Extraction Plan, provided that DRE is satisfied that the first workings are designed to remain long-term stable and non-subsiding, except insofar as they may be impacted by approved second workings. Note: The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with zero resulting subsidence impacts.	Not triggered	Annual Reviews for 2022, 2023, and 2024.	Review of available relevant data indicates that mining has not recommenced; as such, this condition has not been triggered.
Alternative Mining Methods				
7.	The Proponent may carry out bord and pillar mining and pillar extraction in the longwall mining and shortwall mining areas shown in Figure 2 of Appendix 2, subject to any necessary Extraction Plan.	Not triggered	Annual Reviews for 2022, 2023, and 2024.	Review of available relevant data indicates that mining has not recommenced; as such, this condition has not been triggered.
Payment of Reasonable Costs				
8.	The Proponent shall pay all reasonable costs incurred by the Department to engage suitably qualified, experienced and independent experts to review the adequacy of any aspect of an Extraction Plan.	Not triggered	Annual Reviews for 2022, 2023, and 2024.	Review of available relevant data indicates that mining has not recommenced; as such, this condition has not been triggered.
SURFACE INFRASTRUCTURE MANAGEMENT				
Gas Drainage				
9.	The Proponent shall ensure that all gas drainage pipelines (other than connection points, monitoring points, dewatering facilities, regulation or isolation points) between gas drainage plants are buried, unless otherwise agreed with the relevant landowner or unless burial is inappropriate for safety or other reasons, to the satisfaction of the Director-General.	Not triggered	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Site inspection dated 12 May 2025. 	Review of available relevant data indicates that no new infrastructure relating to gas draining has been introduced as such, this condition has not been triggered.
10.	The Proponent shall prepare and implement a Gas Drainage Management Plan in respect of construction and use of future gas drainage infrastructure (i.e. for any gas drainage not subject to approval at the date of approval of MOD 3), to the satisfaction of the Director-General. This plan must be submitted to the Director-General for approval prior to the construction of any future gas drainage infrastructure and must include details of the Proponent's commitments regarding: (a) community consultation; (b) landholder agreements; (c) assessment of noise, air quality, traffic, biodiversity, heritage, public safety and other impacts in accordance with approved methods; (d) avoidance of significant impacts and minimisation of impacts generally; (e) beneficial re-use or flaring of drained hydrocarbon gases, wherever practicable; (f) achievement of applicable standards and goals; (g) mitigation and/or compensation for significant noise, air quality and visual impacts; and (h) rehabilitation of disturbed sites.	Not triggered	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Site inspection dated 12 May 2025. 	Review of available relevant data indicates that no new infrastructure relating to gas draining has been introduced as such, this condition has not been triggered.
Service Boreholes				
11.	The Proponent shall prepare and implement a Service Boreholes Management Plan in respect of construction and use of future service boreholes (ie any service boreholes not subject to approval at the date of approval of MOD 3) to the satisfaction of the Director-General. This plan must be submitted to the Director-General for approval prior to the construction of any future service +borehole and must include details of the Proponent's commitments regarding: (a) community consultation; (b) landholder agreements; (c) assessment of noise, air quality, traffic, biodiversity, heritage, public safety and other impacts in accordance with approved methods; (d) avoidance of significant impacts and minimisation of impacts generally; (e) achievement of applicable standards and goals; (f) mitigation and/or compensation for significant noise, air quality and visual impacts; and (g) rehabilitation of disturbed sites.	Not triggered	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Site inspection dated 12 May 2025. 	Review of available relevant data indicates mining has not recommenced. No new boreholes have been introduced throughout the audit period.

Condition	Details	Compliance status	Relevant evidence	Commentary																																		
Personal Emergency Device (PED) Communications																																						
12.	<p>The Proponent shall prepare and implement a PED Communications Management Plan in respect of construction and use of future PED communications infrastructure (ie for any PED communications infrastructure not subject to approval at the date of approval of MOD 3) to the satisfaction of the Director-General. This plan must be submitted to the Director-General for approval prior to the construction of any future PED communications infrastructure and must include details of the Proponent’s commitments regarding:</p> <p>(a) community consultation;</p> <p>(b) landholder agreements;</p> <p>(c) assessment of noise, air quality, traffic, biodiversity, heritage, public safety and other impacts in accordance with approved methods;</p> <p>(d) avoidance of significant impacts and minimisation of impacts generally;</p> <p>(e) achievement of applicable standards and goals;</p> <p>(f) mitigation and/or compensation for significant noise, air quality and visual impacts; and</p> <p>(g) rehabilitation of disturbed sites.</p>	Not triggered	Site interviews dated 12 May 2025.	Review of available data indicates no new PED communication infrastructure during the audit period.																																		
SCHEDULE 4 SPECIFIC ENVIRONMENTAL CONDITIONS – GENERAL NOISE																																						
Operational Noise Criteria																																						
1.	<p>The Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 4 at any residence on privately-owned land.</p> <p>Table 4: Operational noise criteria dB(A)</p> <table><tr><th rowspan="2">Location</th><th rowspan="2">Receiver Area</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr><tr><th>L_{Aeq} (15 min)</th><th>L_{Aeq} (15 min)</th><th>L_{Aeq} (15 min)</th><th>L_{A1} (1 min)</th></tr><tr><td>Location I</td><td>Lord Howe Drive, Ashtonfield</td><td>36</td><td>36</td><td>36</td><td>45</td></tr><tr><td>Location K</td><td>Catholic Diocese Land</td><td>37</td><td>37</td><td>37</td><td>45</td></tr><tr><td>Location L</td><td>Kilshanny Avenue, Ashtonfield</td><td>40</td><td>40</td><td>40</td><td>47</td></tr><tr><td>All other locations</td><td>All other privately-owned residences</td><td>35</td><td>35</td><td>35</td><td>45</td></tr></table> <p>Notes:</p> <ul style="list-style-type: none">To interpret the locations referred to Table 4, see the plan in Appendix 3.Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy. Appendix 4 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria. <p>However, these noise criteria do not apply if the Proponent has an agreement with the relevant landowner to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Receiver Area	Day	Evening	Night		L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	Location I	Lord Howe Drive, Ashtonfield	36	36	36	45	Location K	Catholic Diocese Land	37	37	37	45	Location L	Kilshanny Avenue, Ashtonfield	40	40	40	47	All other locations	All other privately-owned residences	35	35	35	45	Compliant	<ul style="list-style-type: none">Noise monitoring for 2022, 2023, 2024Annual Reviews for 2022, 2023, and 2024.NMP (Version 3, 3 June 2019).	<p>Review of relevant documents indicates compliance with this condition. However, Location K is no longer owned by the Catholic Diocese and the dwelling to be removed for industrial development. Therefore, OFI01 has been identified.</p> <p>There are no private agreements in place with any landholders.</p> <p>OFI01: Update the NMP to:</p> <ul style="list-style-type: none">reflect changes to Location K, which is no longer owned by the Catholic Diocese and the removal of the associated dwelling for industrial developmentreflect the revised location of the meteorological station, which was moved during the audit periodidentify times where relevant noise limits do not apply, as identified in Condition L4.4 of EPL 12856identify additional measures of noise mitigation during times where noise limits do not apply due to meteorological conditions
Location	Receiver Area			Day	Evening	Night																																
		L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (1 min)																																	
Location I	Lord Howe Drive, Ashtonfield	36	36	36	45																																	
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Location L	Kilshanny Avenue, Ashtonfield	40	40	40	47																																	
All other locations	All other privately-owned residences	35	35	35	45																																	
Construction Noise Criteria																																						
2.	<p>The Proponent shall ensure that the noise generated during the construction of the downcast ventilation shaft as described in EA (MOD 3) does not exceed the criteria in Table 5.</p> <p>Table 5: Construction noise criteria dB(A)</p> <table><tr><th rowspan="2">Location</th><th rowspan="2">Receiver</th><th>Day</th></tr><tr><th>L_{Aeq} (15 min)</th></tr><tr><td>Location R</td><td>281 Lings Road, Buttai</td><td>50</td></tr><tr><td>Location S</td><td>189 Lings Road Buttai</td><td>43</td></tr></table> <p>Notes:</p> <ul style="list-style-type: none">The criteria in Table 5 apply only whilst the downcast ventilation shaft is being constructed, and for a maximum of 12 weeks from the commencement of construction.To interpret the locations referred to Table 5, see the plan in Appendix 3.Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy. <p>However, these noise criteria do not apply if the Proponent has an agreement with the relevant landowner to generate higher construction noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Receiver	Day	L _{Aeq} (15 min)	Location R	281 Lings Road, Buttai	50	Location S	189 Lings Road Buttai	43	Not triggered	<ul style="list-style-type: none">Noise monitoring for 2022, 2023, 2024Annual Reviews for 2022, 2023, and 2024.NMP (Version 3, 3 June 2019).	Review of relevant data indicates this condition precedes the current audit period and is no longer applicable.																								
Location	Receiver			Day																																		
		L _{Aeq} (15 min)																																				
Location R	281 Lings Road, Buttai	50																																				
Location S	189 Lings Road Buttai	43																																				

Condition	Details	Compliance status	Relevant evidence	Commentary												
Rail Noise Criteria																
3.	<p>The Proponent shall ensure that the noise from rail movements on the Bloomfield Rail Spur does not exceed the limits in Table 6 at any residence on privately-owned land.</p> <div><p>Table 6: Rail Spur noise criteria dB(A)</p><table><tr><th>Location</th><th>Day</th><th>Evening</th><th>Night</th></tr><tr><td></td><td colspan="3">L_{Aeq} (period)</td></tr><tr><td>All privately-owned land</td><td>55</td><td>45</td><td>40</td></tr></table></div>	Location	Day	Evening	Night		L _{Aeq} (period)			All privately-owned land	55	45	40	Compliant	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, and 2024.Annual Reviews for 2022, 2023, and 2024.NMP (Version 5, 3 June 2019).Site Interviews 12 May 2025	Review of relevant documents indicates no mining or rail activity occurred during the audit period. As such, Bloomfield rail spur is in compliance. CHPP noise monitoring is noted to be reported by Bloomfield Colliery.
Location	Day	Evening	Night													
	L _{Aeq} (period)															
All privately-owned land	55	45	40													
Cumulative Noise Criteria																
4.	<p>The Proponent shall implement all reasonable and feasible measures to ensure that the noise generated by the project combined with the noise generated by other mines in the area does not exceed the criteria in Table 7 at any residence on privately-owned land.</p> <p>Note: Cumulative noise is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy. Appendix 4 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria.</p>	Compliant	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.	Review of relevant reports indicate that no cumulative effects were considered to have occurred.												
Operating Conditions																
5.	<p>The Proponent shall:</p> <p>(a) implement best management practice to minimise the construction, operational, road and rail noise of the project;</p> <p>(b) operate an on-site noise management system to ensure compliance with the relevant conditions of this approval;</p> <p>(c) minimise the noise impacts of the project during meteorological conditions under which the noise limits in this consent do not apply (see Appendix 4);</p> <p>(d) only receive and/or dispatch locomotives and rolling stock either on or from the site that are approved to operate on the NSW rail network in accordance with the noise limits in ARTC’s EPL (No. 3142);</p> <p>(e) carry out regular monitoring to determine whether the project is complying with the noise criteria and other relevant conditions of approval, to the satisfaction of the Director-General.</p>	Compliant	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, and 2024.Annual Reviews for 2022, 2023, and 2024.NMP (Version 5, 3 June 2019).	<p>2022 IEA Findings:</p> <p>R5: Ensure the NMP is updated to identify times where relevant noise limits do not apply, as identified in Condition L4.4 of EPL 12856.</p> <p>R6: Discuss additional measures of noise mitigation during times where noise limits do not apply due to meteorological conditions.</p> <p>2025 IEA Findings:</p> <p><u>Status of 2022 IEA R5 and R6:</u></p> <p>Review of documentation indicates R5 and R6 have not been addressed. Therefore, they have been included in the 2025 IEA as part of OFI01.</p> <p>2025 IEA Findings:</p> <p>Review of Noise monitoring reports, annual reviews and Noise management plan verifies compliance with condition.</p>												
Noise Management Plan																
6.	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared in consultation with EPA, and submitted to the Director-General for approval within 6 months of the date of approval of MOD 3;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions in this approval;</p> <p>(c) describe the proposed noise management system in detail; and</p> <p>(d) include a monitoring program that:</p> <ul style="list-style-type: none">uses attended monitoring to evaluate the compliance of the project against the noise criteria in this approval;evaluates and reports on: -the effectiveness of the on-site noise management system; and -compliance against the noise operating conditions; anddefines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents.	Compliant	<ul style="list-style-type: none">NMP (Version 5, 3 June 2019).Site inspection dated 12 May 2025.	<p>2022 IEA Findings:</p> <p>R7: A process should be documented in relevant plans (i.e. AQGGMP and NMP) for both Bloomfield Colliery and Abel Coal Mine to ensure that Abel personnel are formally notified as soon as possible by Bloomfield in relation to any potential exceedances due to operations at the CHPP, rail loadout facility, rail loop and rail spur.</p> <p>2025 IEA Findings:</p> <p><u>Status of 2022 IEA R7:</u></p> <p>Review of documentation indicates R7 has not been completed; however, the modification application currently being pursued by Bloomfield will result in the CHPP being operated under the consent for Bloomfield Colliery. Therefore, this recommendation is considered closed.</p> <p>2025 IEA Findings:</p> <p>The NMP (Version 5, 3 June 2019) was implemented during the audit period, the preparation of the NMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.</p> <p>The most recent NMP was found to be publicly available on the Project website at the time of the audit.</p> <p>There were no significant issues identified during the audit (i.e. documentation review, site inspection, and interviews); however, minor updates to the NMP are recommended due to:</p> <ul style="list-style-type: none">Location K no longer being owned by the Catholic Diocese and the dwelling to be removed for industrial developmentthe location of the meteorological station being revised during the audit period <p>Therefore, OFI01 has been identified.</p>												

Condition	Details	Compliance status	Relevant evidence	Commentary																							
AIR QUALITY & GREENHOUSE GAS																											
Odour																											
7.	The Proponent shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act.	Compliant	<ul style="list-style-type: none">Complaints register.Site interviews dated 12 May 2025.	Review of relevant data indicates compliance with the requirements of this condition.																							
Greenhouse Gas Emissions																											
8.	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Director-General.	Compliant	<ul style="list-style-type: none">Site interviews dated 12 May 2025.Site inspection dated 12 May 2025.	Due to the current care and maintenance status of the site, limited scope for reduction of Greenhouse gases.																							
Air Quality Criteria																											
9.	<p>The Proponent shall implement all reasonable and feasible mitigation measures to ensure that the particulate emissions generated by the project do not exceed the criteria listed in Tables 8, 9 and 10 at any residence on privately-owned land.</p> <p><i>Table 8: Long-term criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a 90 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>^a 30 µg/m³</td></tr></table> <p><i>Table 9: Short-term criterion for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td>^a 50 µg/m³</td></tr></table> <p><i>Table 10: Long-term criteria for deposited dust</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>^c Deposited dust</td><td>Annual</td><td>^b 2 g/m²/month</td><td>^a 4 g/m²/month</td></tr></table>	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	Compliant	<ul style="list-style-type: none">Annual Reviews for 2022, 2023, and 2024.Air quality monitoring data for 2022, 2023, and 2024.AQGHGMP (Version 3, 3 June 2019).	Review of relevant documentation verifies compliance with requirements of this condition. It is noted monthly deposited dust monitoring for the Abel Mine ceased in December 2021 together with monitoring for PM10 and TSP utilising the High Volume Air Sampler (HVAS). These monitors were decommissioned in accordance with the revised monitoring requirements in the approved 2019 Air Quality and Greenhouse Gas Management Plan and consolidated EPL 12856. Air quality monitoring during the reporting period consisted of continuous PM10 monitoring by the E-Sampler.
Pollutant	Averaging period	^d Criterion																									
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																									
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³																									
Pollutant	Averaging period	^d Criterion																									
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³																									
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																								
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																								
Operating Conditions																											
10.	<p>The Proponent shall:</p> <p>(a) implement best practice air quality management at the site, including all reasonable and feasible measures to minimise off-site odour and dust emissions generated by the project, including from any spontaneous combustion on site;</p> <p>(b) operate an air quality management system on site to ensure compliance with the relevant conditions of this approval;</p> <p>(c) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d to Tables 8-10 above); and</p> <p>(d) co-ordinate the air quality management on site with the air quality management of the Bloomfield Colliery, to minimise cumulative air quality impacts, to the satisfaction of the Director-General</p>	Compliant	AQGHGMP (Version 3, 3 June 2019).	Review of relevant data verified compliance with this condition.																							
Air Quality and Greenhouse Gas Management Plan																											
11.	<p>The Proponent shall prepare and implement a detailed Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared in consultation with EPA, and submitted to the Director-General for approval within 6 months of the date of approval of MOD 3;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this approval;</p> <p>(c) describe the measures that would be implemented to minimise the greenhouse gas emissions from the site;</p> <p>(d) describe the proposed on-site air quality management system; and</p> <p>(e) include an air quality monitoring program that:</p> <ul style="list-style-type: none">is capable of evaluating the operating conditions of this approval;evaluates and reports on:<ul style="list-style-type: none">the effectiveness of the air quality management system; andcompliance against the air quality operating conditions; anddefines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents.	Compliant	<ul style="list-style-type: none">AQGHGMP (Version 3, 3 June 2019).Site inspection dated 12 May 2025.	<p>The AQGHGMP (Version 3, 3 June 2019) was implemented during the audit period, the preparation of the AQGHGMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.</p> <p>The most recent AQGHGMP was found to be publicly available on the Project website at the time of the audit.</p> <p>There were no significant issues identified during the audit (i.e. documentation review, site inspection, and interviews); however, a minor update to the AQGHGMP is recommended (OFI02) to reflect the revised location of the meteorological station, which was moved during the audit period.</p> <p>OFI02: Update the AQGHGMP to:</p> <ul style="list-style-type: none">reflect the revised location of the meteorological stationensure monitoring location names are consistent with the current version of EPL 12856																							

Condition	Details	Compliance status	Relevant evidence	Commentary
METEOROLOGICAL MONITORING				
12.	During the life of the project, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the site that: (a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, unless a suitable alternative is approved by the Director-General following consultation with the EPA.	Compliant	<ul style="list-style-type: none"> AQGHGMP (Version 3, 3 June 2019). NMP (Version 5, 3 June 2019). EPL 12856. Site inspection dated 12 May 2025. 	Review of relevant documentation indicates compliance with this condition, noting. <ul style="list-style-type: none"> Donaldson Coal operate a meteorological station in compliance with the requirements of this condition during the audit period, the meteorological station was moved approximately 100 m to ensure it was not disturbed by the works undertaken by APA (area used for storage by APA under a separate to this consent)
SOIL & WATER				
	Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the project.	Note	N/A.	Noted
Water Supply				
13.	The Proponent shall ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of mining operations to match its available water supply, to the satisfaction of the Director-General.	Compliant	WMP (Version 4, 3 June 2019).	Review of relevant documents indicates this condition is satisfied.
Compensatory Water Supply				
14.	<p>The Proponent shall provide a compensatory water supply to any landowner of privately-owned land whose water entitlements are adversely impacted (other than an impact that is negligible) as a result of the project, in consultation with NOW, and to the satisfaction of the Director-General.</p> <p>The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must be provided (at least on an interim basis) within 24 hours of the loss being identified.</p> <p>If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director General for resolution.</p> <p>If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Director-General.</p>	Not triggered	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025. 	N/A
Surface Water Discharges				
15.	The Proponent shall not discharge any water from the site or cause any pollution of waters except as expressly provided for in an EPL.	Not triggered	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Annual Returns for 2022, 2023, and 2024. Site interviews dated 12 May 2025. 	Not triggered during this period
Surface Water Transfer				
16.	The Proponent may transfer water between the site, the Donaldson Open-Cut Coal Mine and the Bloomfield Colliery, in accordance with the Water Management Plans for these operations.	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025. 	Review of relevant data indicates compliance with the requirements of this condition. Annual reviews identify transfer of water between Abel mine, big Kahlua Dam and Bloomfield
Water Management Plan				
17.	<p>The Proponent shall prepare and implement a Water Management Plan for the project, for all areas that are not, or will not, be subject to condition 4 of schedule 3, to the satisfaction of the Director-General. This plan must be prepared in consultation with NOW and EPA, by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General, and submitted to the Director-General for approval within 6 months of the date of approval of MOD 3. This plan must include:</p> <p>(a) a comprehensive water balance for the project that includes details of:</p> <ul style="list-style-type: none"> sources and security of water supply; water make in the underground workings; water use; and any water discharges; and <p>(b) management plans for the Surface facilities sites, that include:</p> <ul style="list-style-type: none"> a detailed description of water management systems for each site, including: - clean water diversion systems; - erosion and sediment controls; and - any water storages; measures to minimise potable water use and to reuse and recycle water; and monitoring and reporting procedures. <p>Note: This plan can be integrated with the Water Management Plans prepared for the Donaldson Open-Cut Mine and the Bloomfield Colliery.</p>	Compliant	<ul style="list-style-type: none"> WMP (Version 4, 3 June 2019). Site inspection dated 12 May 2025. 	Review of relevant document indicated this condition is compliant. Preparation and approval of this management plan occurred prior to the audit period. As such, this condition is assessed on implementation of the WMP.

Condition	Details	Compliance status	Relevant evidence	Commentary								
BIODIVERSITY												
Biodiversity Offset Strategy												
18.	<p>The Proponent shall develop and implement a Biodiversity Offset Strategy as summarised in Table 11, prior to the commencement of construction of the coal conveyor or the vegetation clearing described in the EA, whichever is sooner, in consultation with OEH, and to the satisfaction of the Director-General.</p> <p><i>Table 11: Biodiversity Offset Strategy</i></p> <table><tr><th>Area</th><th>Offset Type</th><th>Minimum Size/Amount</th></tr><tr><td rowspan="2">Biodiversity Offset Area</td><td>Lower Hunter Spotted Gum-Ironbark Forest EEC</td><td>10 ha</td></tr><tr><td>Remnant native woodland vegetation</td><td>10 ha</td></tr></table>	Area	Offset Type	Minimum Size/Amount	Biodiversity Offset Area	Lower Hunter Spotted Gum-Ironbark Forest EEC	10 ha	Remnant native woodland vegetation	10 ha	Not triggered	<ul style="list-style-type: none">Annual Reviews for 2022, 2023, and 2024.Site interviews dated 12 May 2025.	The planned and approved overland conveyor was not constructed during the audit period and therefore biodiversity offsets were not required.
Area	Offset Type	Minimum Size/Amount										
Biodiversity Offset Area	Lower Hunter Spotted Gum-Ironbark Forest EEC	10 ha										
	Remnant native woodland vegetation	10 ha										
Long Term Security of Offset												
19.	<p>Within 12 months of the commencement of construction of the coal conveyor, or the vegetation clearing described in the EA, whichever is sooner, unless the Director-General agrees otherwise, the Proponent shall make suitable arrangements to provide appropriate long-term security for the biodiversity offset area identified in Table 11, to the satisfaction of the Director-General.</p> <p>Note: In order of preference, mechanisms to provide appropriate long term security to the land within the Biodiversity Offset Strategy include incorporation into the nearby State Conservation Areas, Biobanking Agreement, Voluntary Conservation Agreement, or restrictive covenant on land titles.</p>	Not triggered	<ul style="list-style-type: none">Annual Reviews for 2022, 2023, and 2024.Site interviews dated 12 May 2025.	The planned and approved overland conveyor was not constructed during the audit period and therefore biodiversity offsets were not required.								
Biodiversity Management Plan												
20.	<p>The Proponent shall prepare and implement a Biodiversity Management Plan for the project, for all areas that are not, or will not, be subject to condition 4 of schedule 3, to the satisfaction of the Director-General. This plan must:</p> <p>(a) be prepared in consultation with OEH, and be approved by the Director-General prior to the commencement of construction of the coal conveyor;</p> <p>(b) establish baseline data for the existing habitat in the biodiversity offset area and on the site;</p> <p>(c) describe the short, medium, and long term measures that would be implemented to:</p> <ul style="list-style-type: none">manage vegetation clearing;manage the remnant vegetation and habitat in the biodiversity offset area and on the site; andimplement the biodiversity offset strategy, including detailed performance and completion criteria; <p>(d) include a program to monitor and report on the effectiveness of these measures, and progress against detailed performance and completion criteria;</p> <p>(e) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and the contingency measures that would be implemented to mitigate these risks; and</p> <p>(f) include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p>	Compliant	<ul style="list-style-type: none">FFMP (Version 4, 3 June 2019).Site inspection and interviews dated 12 May 2025.	<p>The FFMP (Version 4, 3 June 2019) was implemented during the audit period, the preparation of the FFMP in accordance with requirements of PA05_0136 was considered in the 2022 IEA.</p> <p>The most recent FFMP was found to be publicly available on the Project website at the time of the audit.</p> <p>There were no issues identified during the audit (i.e. documentation review, site inspection, and interviews) necessitating revision to the FFMP.</p>								
Conservation Bond												
21.	<p>Within 6 months of the commencement of construction of the coal conveyor, or the vegetation clearing described in the EA, whichever is sooner, the Proponent shall lodge a conservation bond with the Department to ensure that the Biodiversity Offset Strategy is implemented in accordance with the performance and completion criteria described in the Biodiversity Management Plan. The sum of the bond shall be determined by:</p> <p>(a) calculating the full cost of implementing the offset strategy (other than land acquisition costs); and</p> <p>(b) employing a suitably qualified quantity surveyor to verify the calculated costs.</p> <p>If the offset strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Director-General, the Director-General will release the bond.</p> <p>If the offset strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Director-General will call in all or part of the conservation bond, and arrange for the satisfactory completion of the relevant works.</p>	Not triggered	<ul style="list-style-type: none">Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025.	The planned and approved overland conveyor was not constructed during the audit period and therefore biodiversity offsets were not required.								

Condition	Details	Compliance status	Relevant evidence	Commentary
HERITAGE				
Aboriginal Cultural Heritage Management Plan				
22.	<p>The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project, for all areas that are not, or will not, be subject to condition 4 of Schedule 3, to the satisfaction of the Director-General. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with OEH and the Aboriginal community; (b) be submitted to the Director-General for approval within 6 months of the date of approval of MOD 3; (c) identify any actions required to ensure that the performance measures in Table 1 are met; (d) include the following program/procedures for Aboriginal cultural heritage management: <ul style="list-style-type: none"> managing Aboriginal cultural heritage sites, and the discovery of any new Aboriginal cultural heritage sites, objects or skeletal remains; maintaining consultation with, and the involvement of, the Aboriginal community in the conservation and management of Aboriginal heritage sites, and managing access for the Aboriginal community to Aboriginal heritage sites and culturally significant areas; and a trigger action response plan to manage unexpected subsidence impacts. 	Non-compliant (Low)	<ul style="list-style-type: none"> Abel Underground Mine: AHMP (Revision 2.2, June 2019). Site inspection and interviews dated 12 May 2025. 	<p>The AHMP (Version 2.2, 3 June 2019) was generally implemented during the audit period; however, Section 4.9 of the AHMP commits to the establishment of a regional monitoring network for Aboriginal heritage across the Abel, Tasman, Donaldson, and Bloomfield leases will be formed for the duration of the mining leases. This includes the commitment for monitoring of seven existing datum points within the Donaldson Conservation Area identified in Table 2 of the AHMP to continue every five years, involving inspection by a qualified archaeologist and a representative of the Mindaribba Local Aboriginal Land Council. This monitoring is to include:</p> <ul style="list-style-type: none"> A sample of Aboriginal heritage sites within the underground area, comprising site types for which it is not anticipated that subsidence related impacts will occur, will be monitored before and after undermining in their vicinity to confirm the accuracy of these predictions. All Aboriginal heritage sites for which it is inferred that undermining may result in impacts (i.e. rock shelter and grinding groove sites) will be monitored before and after undermining in their vicinity to ensure the adequacy of conservation measures (i.e. mining exclusion zones) around those sites. <p>Review of Annual Review documentation indicates this monitoring has not been undertaken during the period the Mine has been under care and maintenance; however, the commitment in the AHMP is unrelated to the Mine being in care and maintenance. Instead, the commitment in the AHMP is for five-yearly monitoring after undermining, with review of documentation indicating relevant sites occur above the current limit of underground workings shown in Annual Reviews.</p> <p>Therefore, a low risk non-compliance has been identified for Schedule 4, Condition 22 relating to implementation of the AHMP and CA01 identified.</p> <p>CA01: <i>In consultation with Heritage NSW within the NSW DCCEEW – CPHR Group and registered Aboriginal parties, determine if five-yearly monitoring (as described in the approved AHMP) should be undertaken during the care and maintenance period. If it is determined this monitoring is not required, ensure the AHMP is updated to reflect the outcomes of consultation.</i></p>
TRANSPORT				
Monitoring of Coal Transport				
23.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) keep accurate records of the amount of coal transported from the site (on a monthly basis); and (b) make these records publicly available on its website at the end of each calendar year. 	Not triggered	Annual Reviews for 2022, 2023, and 2024.	Review of relevant data indicates coal transport has not occurred during the audit period. Therefore, this condition has not been triggered.
VISUAL				
Visual Amenity and Lighting				
24.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project; (b) ensure no unshielded outdoor lights shine above the horizontal; and (c) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting or its latest version, to the satisfaction of the Director-General. 	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2024, 2025 Site interviews dated 12 May 2025. Complaints register. 	Abel Underground operates between 6 am and 4 pm Monday to Friday. Lighting is not required during these hours. Review of relevant data indicates recommencement of mining (including use of the CHPP and Rail Loadout) has not occurred.
WASTE				
25.	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) minimise and monitor the waste generated by the project; (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council; and (d) report on waste management and minimisation in the Annual Review, to the satisfaction of the Director-General. 	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025. Waste management receipt samples. 	<p>Review of relevant data, nominally, section 6.9 of Annual reviews indicates DCM are currently meeting the requirements of this condition.</p> <p>The site inspection identified, that while the workshop is organised and in good order, a drain grate adjacent to the oil / water separator was identified as requiring cleaning. While overflow would flow to the oil / water separator and there is no potential for material to get off-site, OFI03 has been identified.</p> <p>OFI03: <i>Clean the drain grate adjacent to the oil / water separator system.</i></p>

Condition	Details	Compliance status	Relevant evidence	Commentary																		
BUSHFIRE																						
26.	<p>The Proponent shall:</p> <p>(a) ensure that the project is suitably equipped to respond to fires on site; and</p> <p>(b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.</p>	Compliant	<ul style="list-style-type: none">Site interviews dated 12 May 2025.FFMP (Version 4, 3 June 2019) andAbel Mine Emergency Plan (Version 16, 13 March 2024).Correspondence between National Parks and Wildlife Service and Donaldson Coal regarding the use of Big Kahuna Dam in an emergency during Hazard Reduction Burning (dated: 16 July 2023).	<p>Donaldson Coal representatives were forthcoming regarding the Bushfire management, and associated relationships, documentation and practices at the Mine. Of note, bushfire management is managed by two plans, the FFMP (Version 4, 3 June 2019) and the Abel Mine Emergency Plan (Version 16, 13 March 2024). These documents and site practices generally meet conditions associated with bushfire management, including:</p> <ul style="list-style-type: none">Donaldson Coal having an unofficial agreement in place with NSW Rural Fire Service and National Parks and Wildlife Service allowing water access for emergencies and access for hazard reduction burnsfire intensity is managed to ensure seed dispersal of florafirefighting equipment was identified during the site inspectionfire extinguishers were in the process of being tested and tagged during site inspectionroles during a bushfire, and general emergency are outlined in the Abel Mine Emergency Plan																		
REHABILITATION																						
Rehabilitation Objectives																						
27.	<p>The Proponent shall rehabilitate the site to the satisfaction of the Executive Director Mineral Resources. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA, and comply with the objectives in Table 12.</p> <p>Notes:</p> <ul style="list-style-type: none">These rehabilitation objectives apply to all subsidence impacts and environmental consequences caused by mining taking place after the date of this approval; and to all surface infrastructure sites and other disturbance which forms part of the project, whether constructed prior to or following the date of this approval.Rehabilitation of subsidence impacts and environmental consequences caused by mining which took place prior to the date of this approval may be subject to the requirements of other approvals (eg under a mining lease or a Subsidence Management Plan approval). <table><tr><th>Feature</th><th>Objective</th></tr><tr><td><ul style="list-style-type: none">Mine site (as a whole).</td><td><ul style="list-style-type: none">Safe, stable & non-polluting; andFinal land use compatible with surrounding land uses.</td></tr><tr><td><ul style="list-style-type: none">Surface infrastructure.</td><td><ul style="list-style-type: none">To be decommissioned and removed, unless the Executive Director Mineral Resources agrees otherwise.</td></tr><tr><td><ul style="list-style-type: none">Portals and ventilation shafts.</td><td><ul style="list-style-type: none">To be decommissioned and made safe and stable; andRetain habitat for threatened species (eg bats), where practicable.</td></tr><tr><td><ul style="list-style-type: none">Watercourses within project area.</td><td><ul style="list-style-type: none">Hydraulically and geomorphologically stable.</td></tr><tr><td><ul style="list-style-type: none">Cliffs.</td><td><ul style="list-style-type: none">No additional risk to public safety compared to prior to mining.</td></tr><tr><td><ul style="list-style-type: none">Other land affected by the project.</td><td><ul style="list-style-type: none">Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of:<ul style="list-style-type: none">local native plant species (unless the Executive Director Mineral Resources agrees otherwise); anda landform consistent with the surrounding environment.</td></tr><tr><td><ul style="list-style-type: none">Built features damaged by mining operations.</td><td><ul style="list-style-type: none">Repair to pre-mining condition or equivalent unless:<ul style="list-style-type: none">the owner agrees otherwise; orthe damage is fully restored, repaired or compensated under the Mine Subsidence Compensation Act 1961</td></tr><tr><td><ul style="list-style-type: none">Community.</td><td><ul style="list-style-type: none">Ensure public safety; andMinimise the adverse socio-economic effects associated with mine closure</td></tr></table> <p>Notes:</p> <ul style="list-style-type: none">These rehabilitation objectives apply to all subsidence impacts and environmental consequences caused by mining taking place after the date of this approval; and to all surface infrastructure sites and other disturbance which forms part of the project, whether constructed prior to or following the date of this approval.Rehabilitation of subsidence impacts and environmental consequences caused by mining which took place prior to the date of this approval may be subject to the requirements of other approvals (eg under a mining lease or a Subsidence Management Plan approval).	Feature	Objective	<ul style="list-style-type: none">Mine site (as a whole).	<ul style="list-style-type: none">Safe, stable & non-polluting; andFinal land use compatible with surrounding land uses.	<ul style="list-style-type: none">Surface infrastructure.	<ul style="list-style-type: none">To be decommissioned and removed, unless the Executive Director Mineral Resources agrees otherwise.	<ul style="list-style-type: none">Portals and ventilation shafts.	<ul style="list-style-type: none">To be decommissioned and made safe and stable; andRetain habitat for threatened species (eg bats), where practicable.	<ul style="list-style-type: none">Watercourses within project area.	<ul style="list-style-type: none">Hydraulically and geomorphologically stable.	<ul style="list-style-type: none">Cliffs.	<ul style="list-style-type: none">No additional risk to public safety compared to prior to mining.	<ul style="list-style-type: none">Other land affected by the project.	<ul style="list-style-type: none">Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of:<ul style="list-style-type: none">local native plant species (unless the Executive Director Mineral Resources agrees otherwise); anda landform consistent with the surrounding environment.	<ul style="list-style-type: none">Built features damaged by mining operations.	<ul style="list-style-type: none">Repair to pre-mining condition or equivalent unless:<ul style="list-style-type: none">the owner agrees otherwise; orthe damage is fully restored, repaired or compensated under the Mine Subsidence Compensation Act 1961	<ul style="list-style-type: none">Community.	<ul style="list-style-type: none">Ensure public safety; andMinimise the adverse socio-economic effects associated with mine closure	Not triggered	<ul style="list-style-type: none">RMP (Version 2, 3 June 2019).RMP (Version 1, 1 August 2022).RMP (Version 2, 6 October 2023).Site inspection dated 12 May 2025.Site interviews dated 12 May 2025.Annual Reviews for 2022, 2023, and 2024.Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022)Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023).Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023).Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023).Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024).Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025).Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024).Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025).	<p>2022 IEA Findings:</p> <p>R8: <i>The previous audit recommended that at next review of MOP (now known as an RMP and Annual Rehabilitation Report and Forward Program) to remove any requirements that are not required for care and maintenance status. This should be considered during the updates currently being completed. In addition, this update should consider the need for a rehabilitation care and maintenance program in consultation with the NSW Resources Regulator.</i></p> <p>R9: <i>Ensure the RMP required by DA 05_0136 is updated to consider the requirements of the RMP and Annual Rehabilitation Report and Forward Program currently being prepared (as now required by the NSW Resources Regulator instead of a MOP) and documents where topsoil will be stored and the estimated volumes required for rehabilitation.</i></p> <p>2025 IEA Findings:</p> <p><u>Status of 2022 IEA R8 and R9:</u></p> <p>Conduct of the audit determined the RMP was prepared in accordance with the requirements of relevant Standard Conditions (Schedule 8A, Part 2) of the NSW Mining Regulation 2016 and NSW Resources Regulator Form and Way and Guideline documents and reflect the care and maintenance requirements. Therefore, R8 and R9 are considered closed.</p> <p>2025 IEA Findings:</p> <p>There were no areas of the site under active rehabilitation over the reporting period. General maintenance such as subsidence crack repair, wild dog baiting and vegetation maintenance continued throughout audit period.</p>
Feature	Objective																					
<ul style="list-style-type: none">Mine site (as a whole).	<ul style="list-style-type: none">Safe, stable & non-polluting; andFinal land use compatible with surrounding land uses.																					
<ul style="list-style-type: none">Surface infrastructure.	<ul style="list-style-type: none">To be decommissioned and removed, unless the Executive Director Mineral Resources agrees otherwise.																					
<ul style="list-style-type: none">Portals and ventilation shafts.	<ul style="list-style-type: none">To be decommissioned and made safe and stable; andRetain habitat for threatened species (eg bats), where practicable.																					
<ul style="list-style-type: none">Watercourses within project area.	<ul style="list-style-type: none">Hydraulically and geomorphologically stable.																					
<ul style="list-style-type: none">Cliffs.	<ul style="list-style-type: none">No additional risk to public safety compared to prior to mining.																					
<ul style="list-style-type: none">Other land affected by the project.	<ul style="list-style-type: none">Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of:<ul style="list-style-type: none">local native plant species (unless the Executive Director Mineral Resources agrees otherwise); anda landform consistent with the surrounding environment.																					
<ul style="list-style-type: none">Built features damaged by mining operations.	<ul style="list-style-type: none">Repair to pre-mining condition or equivalent unless:<ul style="list-style-type: none">the owner agrees otherwise; orthe damage is fully restored, repaired or compensated under the Mine Subsidence Compensation Act 1961																					
<ul style="list-style-type: none">Community.	<ul style="list-style-type: none">Ensure public safety; andMinimise the adverse socio-economic effects associated with mine closure																					

Condition	Details	Compliance status	Relevant evidence	Commentary
Progressive Rehabilitation				
28.	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	Not triggered	<ul style="list-style-type: none"> RMP (Version 2, 3 June 2019). RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Site inspection dated 12 May 2025. Site interviews dated 12 May 2025. Annual Reviews for 2022, 2023, and 2024. Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	The Mine will be rehabilitated following completion of works. As the Mine is currently in care and maintenance mode, no rehabilitation has occurred.
Rehabilitation Management Plan				
29.	<p>The Proponent shall prepare and implement a Rehabilitation Management Plan for the project, in consultation with OEH, NOW, Cessnock City Council, Maitland City Council and Newcastle City Council, and the CCC, and to the satisfaction of the Director-General and the Executive Director Mineral Resources. This plan must:</p> <p>(a) be submitted to the Director-General and the Executive Director Mineral Resources for approval within 9 months of the date of approval of MOD 3;</p> <p>(b) be prepared in accordance with any relevant DRE guideline and be consistent with the rehabilitation objectives in the EA, EA (MOD 3) and in Table 11;</p> <p>(c) describe how the performance of the rehabilitation would be monitored and assessed against the objectives in Table 11;</p> <p>(d) describe the process whereby additional measures would be identified and implemented to ensure the rehabilitation objectives are achieved;</p> <p>(e) provide for detailed mine closure planning, including measures to minimise socio-economic effects due to mine closure, to be conducted prior to the site being placed on care and maintenance; and</p> <p>(f) be integrated with the other management plans required under this approval.</p> <p>Note: The Rehabilitation Management Plan should address all land impacted by the project, and should be suitably integrated with the approved Rehabilitation Management Plans for the Donaldson Open-Cut Mine and the Bloomfield Colliery.</p>	Compliant	<ul style="list-style-type: none"> RMP (Version 2, 3 June 2019). RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Letters to CC Council, Maitland City Council, Newcastle City Council, Office of Environment and Heritage, and NSW Resources Regulated (dated 02/06/2022), with no responses received. 	<p>2022 IEA Findings:</p> <p><i>R10: Ensure consultation is undertaken with all prescribed parties during the next revision of the RMP.</i></p> <p>2025 IEA Findings:</p> <p><u>Status of 2022 IEA R10:</u></p> <p>Review of documentation indicates R10 was completed, with letters sent to CC Council, Maitland City Council, Newcastle City Council, Office of Environment and Heritage, and NSW Resources Regulated (dated 02/06/2022), with no responses received.</p> <p><u>2025 IEA Findings:</u></p> <p>Revision of the Rehabilitation Management Plan conforms to the requirements of this condition.</p> <p>Note: Letter from Newcastle City Council is identified on p.46 of Management plan, closing recommendation 10 from 2022 IEA.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
SCHEDULE 5 ADDITIONAL PROCEDURES				
NOTIFICATION OF LANDOWNERS				
1.	<p>As soon as practicable after obtaining monitoring results which show:</p> <p>(a) an exceedance of any relevant criteria in Schedule 4, the Proponent shall notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the Proponent is again complying with the relevant criteria; and</p> <p>(b) an exceedance of any relevant air quality criteria in Schedule 4, the Proponent shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land).</p>	Not triggered	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Annual Reviews for 2022, 2023, and 2024. 	Review of relevant documentation indicates this condition has not been triggered during the audit period.
INDEPENDENT REVIEW				
2.	<p>If an owner of privately-owned land considers that the Proponent is exceeding the relevant criteria in Schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Director-General is satisfied that an independent review is warranted, then within 2 months of the Director-General's decision the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to:</p> <p>(i) consult with the landowner to determine his/her concerns;</p> <p>(ii) conduct monitoring to determine whether the Proponent is complying with the relevant criteria in Schedule 4; and</p> <p>(iii) if the Proponent is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and</p> <p>(b) give the Director-General and landowner a copy of the independent review.</p>	Not triggered	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Complaints Register. 	Review of relevant documentation indicates this condition has not been triggered during the audit period.
SCHEDULE 6 ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING				
ENVIRONMENTAL MANAGEMENT				
Environmental Management Strategy				
1.	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:</p> <p>(a) be submitted to the Director-General for approval within 6 months of the date of approval of MOD 3;</p> <p>(b) provide the strategic framework for environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</p> <p>(e) describe the procedures that would be implemented to:</p> <p>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the project;</p> <p>(ii) receive, handle, respond to, and record complaints;</p> <p>(iii) resolve any disputes that may arise during the course of the project;</p> <p>(iv) respond to any non-compliance;</p> <p>(v) respond to emergencies; and</p> <p>(f) include:</p> <p>(i) copies of any strategies, plans and programs approved under the conditions of this approval; and</p> <p>(ii) a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.</p>	Non-Compliant (Administrative)	<ul style="list-style-type: none"> Environmental Management Strategy (EMS) (August 2018). This Audit. 	<p>2022 IEA Findings:</p> <p>CA1: <i>Ensure the Integrated Environmental Management Program, which has not been revised since 2007, is updated to reflect the current status of mining operations and associated monitoring on site.</i></p> <p>R11: <i>The previous audit recommended adding links to EMS attached documents or including as appendix to EMS. This has not been addressed during this audit period, and this recommendation still remain open.</i></p> <p>2025 IEA Findings:</p> <p>Status of 2022 IEA CA1 and R11:</p> <p>Review of documentation indicates CA1 has not been addressed. Therefore, CA1 has been included in the 2025 IEA as CA02.</p> <p>Conduct of the audit determined that Donaldson Coal has prepared revised versions of management plans addressing this requirement, they have not been submitted for approval and R11 and R12 have not been addressed. This is due to being interrelated to revised plans for Bloomfield Colliery, which awaiting approval with the DPHI. However, it is understood the Bloomfield Colliery plans will become redundant because of a modification currently been sought to the consent for Bloomfield Colliery. Therefore, OF104 has been identified.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
				<p>2025 IEA Finding:</p> <p>Review of relevant documents compliance with the requirement, noting the approval of the EMS occurred prior to this audit period.</p> <p>The Integrated Environmental Monitoring Program in Appendix D of the EMS is dated 2007 and does not align with the relevant monitoring requirements at Abel. This is identified as an administrative non-compliance and CA02 identified.</p> <p>Note: EMS was uploaded to the website on 05/05/2025, prior to completing document review for this audit. This plan was approved prior to this audit period.</p> <p>CA02: Ensure the Integrated Environmental Management Program, which has not been revised since 2007, is updated to reflect the current status of mining operations and associated monitoring on site.</p> <p>OFI04: Submit the revised plans for approval by the DPHI addressing R11, R12 from the 2022 IEA.</p>
Management Plan Requirements				
2.	<p>The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures/criteria;</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;</p> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the project;</p> <p>(ii) effectiveness of any management measures (see c above);</p> <p>(e) 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>(f) a program to investigate and implement ways to improve the environmental performance of the project over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incidents;</p> <p>(ii) complaints;</p> <p>(iii) non-compliances with statutory requirements; and</p> <p>(iv) exceedances of the impact assessment criteria and/or performance criteria; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p>Note: The Director-General may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>	Compliant	<ul style="list-style-type: none"> FFMP (Version 4, 3 June 2019). RMP (Version 2, 6 October 2023). WMP (Version 4, 3 June 2019). NMP (Version 5, 3 June 2019). AQGHGMP (Version 3, 3 June 2019). AHMP (Revision 2.2, June 2019). 	<p>2022 IEA Findings:</p> <p>R12: It is recommended that other plans prepared under this consent implement the tabular condition list as per the 2019 IEA Recommendation.</p> <p>2025 IEA Findings:</p> <p><u>Status of 2022 IEA R12:</u></p> <p>Conduct of the audit determined that Donaldson Coal has prepared revised versions of management plans addressing this requirement, they have not been submitted for approval and R11 and R12 have not been addressed. This is due to being interrelated to revised plans for Bloomfield Colliery, which awaiting approval with the DPHI. However, it is understood the Bloomfield Colliery plans will become redundant because of a modification currently been sought to the consent for Bloomfield Colliery. Therefore, OFI04 has been identified.</p> <p>2025 IEA Finding:</p> <p>Review of Management plans indicates plans were generally compliant with this condition.</p> <p>Noted that RMP has updated revision table formatting, as per recommendation from previous audit.</p> <p>Noted during interviews that draft plans are currently with the department. These plans were pending the finalisation of Bloomfields management plans. Conduct of the audit confirmed that Bloomfield was likely to not proceed with management plan finalisation, as such, OFI was identified.</p>
Adaptive Management				
3.	<p>The Proponent must assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedules 3 and 4. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval 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 and/or performance measures has occurred, the Proponent 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> <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 remediation measures as directed by the Director-General, to the satisfaction of the Director-General.</p>	Compliant	<ul style="list-style-type: none"> Site interviews conducted 12 May 2025. Annual Reviews for 2022, 2023, and 2024. Annual Returns for 2022, 2023, and 2024. 	<p>Non-compliance against conditions of the DA_0136 and EPL12856 occurred during the audit period, however these non-conformances were considered administrative, or low risk and did not contribute to, or threaten to contribute to material harm.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary
Annual Review				
4.	<p>By the end of March each year, or other timing as may be agreed by the Director-General, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:</p> <ul style="list-style-type: none"> (a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year; (b) include a comprehensive review of the monitoring results and complaints records of the project over the past calendar year, which includes a comparison of these results against the: <ul style="list-style-type: none"> (i) relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this approval; (iii) monitoring results of previous years; and (iv) relevant predictions in the EA and EA (MOD 3); (c) identify any non-compliance over the past calendar year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the project; (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the project. 	Compliant	Annual Reviews for 2022, 2023, and 2024.	A review of the 2022, 2023 and 2024 Annual Review found that they are compliant with the requirements of this condition.
Revision of Strategies, Plans and Programs				
5.	<p>Within 3 months of:</p> <ul style="list-style-type: none"> (a) the submission of an annual review under Condition 4 above; (b) the submission of an incident report under Condition 7 below; (c) the submission of an audit report under Condition 9 below; or (d) any modification to the conditions of this approval, (unless the conditions require otherwise), the Proponent shall review the strategies, plans, and programs required under this approval, to the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Director-General. <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the project.</p>	Compliant	<ul style="list-style-type: none"> • Annual Reviews for 2022, 2023, and 2024. • FFMP (Version 4, 3 June 2019). • RMP (Version 2, 6 October 2023). • WMP (Version 4, 3 June 2019). • NMP (Version 5, 3 June 2019). • AQGHGMP (Version 3, 3 June 2019). • AHMP (Revision 2.2, June 2019). 	Review of the relevant documentation indicates compliance with this condition.
Community Consultative Committee				
6.	<p>The Proponent shall continue to operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General. This CCC must be operated in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version).</p> <p>Notes:</p> <ul style="list-style-type: none"> • The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval. • In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council/s, recognised environmental groups and the local community. • In operating the CCC, the Department will accept the continued representation from existing CCC members. 	Compliant	<p>CCC Chair consultation</p> <p>CCC Meeting minutes for the reporting period</p>	Review of relevant data indicates compliance with the requirements of this condition.
REPORTING				
Incident Reporting				
7.	<p>The Proponent shall notify, at the earliest opportunity, the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the project, the Proponent shall notify the Director-General and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	Compliant	<ul style="list-style-type: none"> • Site interviews conducted 12 May 2025. • Annual Reviews for 2022, 2023, and 2024. 	No incidents were reported during the audit period
Regular Reporting				
8.	<p>The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.</p>	Compliant	<p>Project website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/</p>	Review of relevant data indicates compliance with the requirements of this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
INDEPENDENT ENVIRONMENTAL AUDIT				
9.	<p>By the end of March 2015 (or other such timing as agreed by the Director-General), and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <ul style="list-style-type: none"> (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and (e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals. <p>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Director-General.</p>	Compliant	This audit.	This audit covers the period of 1 January 2022 to 31 December 2024, with the inception meeting held prior to the end of March 2025 (i.e. 31 March 2025).
10.	<p>Within 6 weeks of the completion of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.</p>	Compliant	2022 IEA.	Review of documentation verifies compliance with the requirements of this condition.
ACCESS TO INFORMATION				
11.	<p>From the end of December 2013, the Proponent shall:</p> <ul style="list-style-type: none"> (a) make copies of the following publicly available on its website: <ul style="list-style-type: none"> the EA, EA (MOD 1), EA (MOD 2) and EA (MOD 3); all current relevant statutory approvals for the project; approved strategies, plans and programs required under the conditions of this approval; a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; a complaints register (updated monthly); minutes of CCC meetings; the Annual Reviews of the project; any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; any other matter required by the Director-General; and (b) keep this information up-to-date, to the satisfaction of the Director-General. 	Compliant	Project website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/	<p>2022 IEA Findings: CA02: <i>It is recommended that other plans prepared under this consent implement the tabular condition list as per the 2019 IEA Recommendation.</i></p> <p>2025 IEA Findings: Status of 2022 IEA CA2: Review of documentation indicates R7 has not been completed; however, the modification application currently being pursued by Bloomfield will result in the CHPP being operated under the consent for Bloomfield Colliery. Therefore, this recommendation is considered closed.</p> <p>2025 IEA Findings: Review of documentation verifies compliance with the requirements of this condition.</p>

Appendix E

EPL 12856

Condition	Details	Compliance status	Relevant evidence	Commentary												
1 Administrative Conditions																
A1 What the licence authorises and regulates																
A1.1	<div>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</div> <div>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</div> <table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>0 - 2000000 T annual handing capacity</td></tr><tr><td>Mining for coal</td><td>Mining for coal</td><td>0 - 500000 T annual production capacity</td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	0 - 2000000 T annual handing capacity	Mining for coal	Mining for coal	0 - 500000 T annual production capacity	Compliant	<div><ul style="list-style-type: none">Site interviews conducted 12 May 2025.Site inspection conducted 12 May 2025.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.</div>	Conduct of the audit confirmed compliance with the requirements of this condition.			
Scheduled Activity	Fee Based Activity	Scale														
Coal works	Coal works	0 - 2000000 T annual handing capacity														
Mining for coal	Mining for coal	0 - 500000 T annual production capacity														
A2 Premises or plant to which this licence applies																
A2.1	<div>The licence applies to the following premises:</div> <table><tr><th>Premises Details</th></tr><tr><td>ABEL UNDERGROUND MINE AND DONALDSON OPEN CUT MINE</td></tr><tr><td>1132 JOHN RENSHAW DRIVE</td></tr><tr><td>BLACK HILL</td></tr><tr><td>NSW 2322</td></tr><tr><td></td></tr><tr><td>PREMISES BOUNDARY DEFINED AS: "ABEL EPL BOUNDARY (EPL12856)"; "ABEL MINE WORKINGS (UPPER AND LOWER DONALDSON COAL SEAMS)"; "D/C SHAFT"; AND "U/C SHAFT"; ON PLAN TITLED "EPL LICENCE VARIATION" DWG NO A1A0031.DWG SHEETS 1 TO 4 DATED 07/06/2024 (EPA REFERENCE DOC24/654543) AND CORRESPONDING SPATIAL FILES CONTAINED IN DOC24/178944. THIS LICENCE DOES NOT APPLY TO, OR INCLUDE THE AREA IDENTIFIED AS "KURRI KURRI LATERAL PIPELINE" SHOWN ON THE PLAN LISTED ABOVE OR ANY PUBLIC ROADS.</td></tr></table>	Premises Details	ABEL UNDERGROUND MINE AND DONALDSON OPEN CUT MINE	1132 JOHN RENSHAW DRIVE	BLACK HILL	NSW 2322		PREMISES BOUNDARY DEFINED AS: "ABEL EPL BOUNDARY (EPL12856)"; "ABEL MINE WORKINGS (UPPER AND LOWER DONALDSON COAL SEAMS)"; "D/C SHAFT"; AND "U/C SHAFT"; ON PLAN TITLED "EPL LICENCE VARIATION" DWG NO A1A0031.DWG SHEETS 1 TO 4 DATED 07/06/2024 (EPA REFERENCE DOC24/654543) AND CORRESPONDING SPATIAL FILES CONTAINED IN DOC24/178944. THIS LICENCE DOES NOT APPLY TO, OR INCLUDE THE AREA IDENTIFIED AS "KURRI KURRI LATERAL PIPELINE" SHOWN ON THE PLAN LISTED ABOVE OR ANY PUBLIC ROADS.	Compliant	SIX Maps/SEED Portal.	Review of maps and aerial imagery indicates activities are undertaken within project boundaries.					
Premises Details																
ABEL UNDERGROUND MINE AND DONALDSON OPEN CUT MINE																
1132 JOHN RENSHAW DRIVE																
BLACK HILL																
NSW 2322																
PREMISES BOUNDARY DEFINED AS: "ABEL EPL BOUNDARY (EPL12856)"; "ABEL MINE WORKINGS (UPPER AND LOWER DONALDSON COAL SEAMS)"; "D/C SHAFT"; AND "U/C SHAFT"; ON PLAN TITLED "EPL LICENCE VARIATION" DWG NO A1A0031.DWG SHEETS 1 TO 4 DATED 07/06/2024 (EPA REFERENCE DOC24/654543) AND CORRESPONDING SPATIAL FILES CONTAINED IN DOC24/178944. THIS LICENCE DOES NOT APPLY TO, OR INCLUDE THE AREA IDENTIFIED AS "KURRI KURRI LATERAL PIPELINE" SHOWN ON THE PLAN LISTED ABOVE OR ANY PUBLIC ROADS.																
A3 Information supplied to the EPA																
A3.1	<div>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to:</div> <div>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</div> <div>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</div>	Compliant	<div><ul style="list-style-type: none">Site interviews conducted 12 May 2025.Site inspection conducted 12 May 2025.</div>	Reviews of relevant documentation, as well as site inspection indicate that works and activities are carried out in accordance with boundary and project limitations established in A2.1.												
2 Discharges to Air and Water and Applications to Land																
P1 Location of monitoring/discharge points and areas																
P1.1	<div>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</div> <table><tr><th colspan="4">Air</th></tr><tr><th>EPA identi- fication no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>3</td><td>Air quality monitoring</td><td></td><td>Monitoring of air quality at Black Hill at coordinates 370613, 6365766 (Easting, Northing), identified as "Point 3" on PLAN TITLED "EPL LICENCE VARIATION" DATED 01/04/2021 (EPA REFERENCE DOC21/639208).</td></tr></table>	Air				EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description	3	Air quality monitoring		Monitoring of air quality at Black Hill at coordinates 370613, 6365766 (Easting, Northing), identified as "Point 3" on PLAN TITLED "EPL LICENCE VARIATION" DATED 01/04/2021 (EPA REFERENCE DOC21/639208).	Compliant	<div><ul style="list-style-type: none">Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (Version 3, 3 June 2019).Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.</div>	<div>2022 IEA Findings:</div> <div>R1: As management plans prepared for the project were prepared prior to approval of the EPL variation on 1 October 2021, a review of the relevant management plans should be undertaken to ensure monitoring location names are updated to either be consistent with the EPL or ensure location names identified in the EPL are identified in relevant plans. As an example, reduction of noise monitoring from quarterly to biannually should be captured in the NMP.</div> <div>2025 IEA Findings:</div> <div>Status of 2022 IEA R1:</div> <div>Conduct of the audit determined that Donaldson Coal has prepared revised versions of management plans addressing this requirement, they have not been submitted for approval and R1 has not been addressed. This is due to being interrelated to revised plans for Bloomfield Colliery, which are awaiting approval with the DPHI. However, it is understood the Bloomfield Colliery plans will become redundant because of a modification currently</div>
Air																
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description													
3	Air quality monitoring		Monitoring of air quality at Black Hill at coordinates 370613, 6365766 (Easting, Northing), identified as "Point 3" on PLAN TITLED "EPL LICENCE VARIATION" DATED 01/04/2021 (EPA REFERENCE DOC21/639208).													

Condition	Details	Compliance status	Relevant evidence	Commentary												
				been sought to the consent for Bloomfield Colliery. Therefore, OFI04 has been identified. 2025 IEA Finding: Review of relevant data indicates no non-compliances occurred during the audit period. Results from air quality monitoring data is compiled in the respective annual reviews. Monitoring points are documented in the AQGHGMP; however, the plan should be updated to ensure consistency with the current revision of EPL 12856 (see OFI02).												
P1.2	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Note	<ul style="list-style-type: none">Water Management Plan (WMP) (Version 4 – Dated 3 June 2019).Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	Note.												
P1.3	<div>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. Water and land<table><tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>4</td><td>Surface water monitoring</td><td></td><td>Monitoring of surface water quality at Buttai Creek at coordinates 365732, 6366569 (Eastings, Northings), identified as "Site 1" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>5</td><td>Surface water monitoring</td><td></td><td>Monitoring of surface water quality at Blue Gum Creek at coordinates 369268, 6363494 (Eastings, Northings), identified as "Site 10" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr></table></div>	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	4	Surface water monitoring		Monitoring of surface water quality at Buttai Creek at coordinates 365732, 6366569 (Eastings, Northings), identified as "Site 1" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	5	Surface water monitoring		Monitoring of surface water quality at Blue Gum Creek at coordinates 369268, 6363494 (Eastings, Northings), identified as "Site 10" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	Compliant	<ul style="list-style-type: none">WMP (Version 4, 3 June 2019).Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.Water monitoring data for 2023, 2024 and 2025.	2022 IEA Findings: R1: <i>As management plans prepared for the project were prepared prior to approval of the EPL variation on 1 October 2021, a review of the relevant management plans should be undertaken to ensure monitoring location names are updated to either be consistent with the EPL or ensure location names identified in the EPL are identified in relevant plans. As an example, reduction of noise monitoring from quarterly to biannually should be captured in the NMP.</i> R2: <i>Ensure the licensed discharge point is provided appropriate signage to identify it as an EPL discharge point.</i> 2025 IEA Findings: <u>Status of 2022 IEA R1 and R2:</u> Conduct of the audit determined that Donaldson Coal has prepared revised versions of management plans addressing this requirement, they have not been submitted for approval and R1 has not been addressed. This is due to being interrelated to revised plans for Bloomfield Colliery, which are awaiting approval with the DPHI. However, it is understood the Bloomfield Colliery plans will become redundant because of a modification currently been sought to the consent for Bloomfield Colliery. Therefore, OFI04 has been identified. Conduct of the site inspection confirmed R2 has been closed out. 2025 IEA Finding: Reviews of appropriate documentation indicate compliance to this condition. Variations to the EPL (01/04/2021) consolidate monitoring points for both Abel and Donaldson mine. As such, monitoring points excluded from 2021 IEA remain outside of the scope of this audit. Surface water monitoring data available on Donaldson Coal website. All data available throughout audit period. Most recent data is data 21/02/2025. No discharges occurred during the audit period.
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description													
4	Surface water monitoring		Monitoring of surface water quality at Buttai Creek at coordinates 365732, 6366569 (Eastings, Northings), identified as "Site 1" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).													
5	Surface water monitoring		Monitoring of surface water quality at Blue Gum Creek at coordinates 369268, 6363494 (Eastings, Northings), identified as "Site 10" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).													

Condition	Details	Compliance status	Relevant evidence	Commentary
	6 Surface water monitoring			
	Monitoring of surface water quality at Viney Creek at coordinates 371698, 6368339 (Eastings, Northings), identified as "Site 11" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	7 Surface water monitoring			
	Monitoring of water quality at Four Mile Creek, upstream of the Big Kahuna Dam, at coordinates 368413, 6367395 (Eastings, Northings), identified as "FMCU" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	8 Surface water monitoring			
	Monitoring of water quality at Four Mile Creek, downstream of Big Kahuna Dam, at coordinates 368257, 6369375 (Eastings, Northings), identified as "FMCD" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	9 Surface water monitoring			
	Monitoring of upstream water quality at Weakleys Flat Creek, at coordinates 370449, 6368133 (Eastings, Northings), identified as "WFCU" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	10 Surface water monitoring			
	Monitoring of downstream water quality at Weakleys Flat Creek, at coordinates 371256, 6369064 (Eastings, Northings), identified as "WFCD" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	11 Surface water monitoring			
	Monitoring of upstream water quality at Scotch Dairy Creek, at coordinates 369659, 6369739 (Eastings, Northings), identified as "SDCU" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	12 Surface water monitoring			
	Monitoring of downstream water quality at Scotch Dairy Creek, at coordinates 371389, 6370174 (Eastings, Northings), identified as "SDCD" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			

Condition	Details			Compliance status	Relevant evidence	Commentary
	13	Groundwater quality monitoring	Monitoring of groundwater at coordinates 368727, 6368626 (Eastings, Northings), identified as "DPZ3" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	14	Groundwater quality monitoring	Monitoring of groundwater at coordinates 369366, 6368067 (Eastings, Northings), identified as "DPZ8" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	15	Groundwater quality monitoring	Monitoring of groundwater at coordinates 371142, 6371198 (Eastings, Northings), identified as "REGDPZ1" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	16	Groundwater quality monitoring	Monitoring of groundwater at coordinates 368599, 6367322 (Eastings, Northings), identified as "DPZ6" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	17	Groundwater quality monitoring	Monitoring of groundwater at coordinates 370936, 6368362 (Eastings, Northings), identified as "DPZ10" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	18	Groundwater quality monitoring	Monitoring of groundwater at coordinates 368398, 6367109 (Eastings, Northings), identified as "JRD2" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	19	Discharge quality monitoring Volume monitoring	Discharge quality monitoring Volume monitoring Monitoring at the pipe outlet located adjacent to the bridge crossing at Four Mile Creek, at coordinates 368563, 6368698 (Eastings, Northings), identified as "Point 19" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
	20	Discharge to pipe	Discharge to pipe Discharge of mine water to Bloomfield Colliery via pipe at coordinates 367643, 6369331 (Eastings, Northings), identified as "Point 20" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).			
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	<ul style="list-style-type: none"> Noise Management Plan (NMP) (Version 5, 3 June 2019). Annual Reviews for 2022, 2023, and 2024. Annual Returns for 2022, 2023, and 2024. Water monitoring data for 2023, 2024 and 2025. 	<p>2022 IEA Findings: R3: Provide an update to the NMP and AQGHGMP to provide relevant location of meteorological station relied upon for monitoring purposes.</p> <p>2025 IEA Findings: <u>Status of 2022 IEA R3:</u> Conduct of the audit determined this recommendation has not been addressed. Therefore, OFI01 and OFI02 have been identified.</p> <p><u>2025 IEA Findings:</u> Conduct of the audit confirmed compliance with the requirements of this condition.</p>

Condition	Details	Compliance status	Relevant evidence	Commentary																								
	<div>Noise/Weather</div> <table><thead><tr><th>EPA identi- fication no.</th><th>Type of monitoring point</th><th>Location description</th></tr></thead><tbody><tr><td>22</td><td>Noise monitoring</td><td>Noise monitoring at Black Hill School, at coordinates 370600, 6365820 (Eastings, Northings) identified as "Location D" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>23</td><td>Noise monitoring</td><td>Noise monitoring at Lot 684 Black Hill Road, at coordinates 367280, 6367320 (Eastings, Northings) identified as "Location F" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>24</td><td>Noise monitoring</td><td>Noise monitoring at 156 Buchanan Road, Buchanan, at coordinates 363026, 6369156 (Eastings, Northings) identified as "Location G" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>25</td><td>Noise monitoring</td><td>Noise monitoring at 49 Magnetic Drive, Ashtonfield, at coordinates 369210, 6372560 (Eastings, Northings) identified as "Location I" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>26</td><td>Noise monitoring</td><td>Noise monitoring at 220 Parish Drive, Beresfield, at coordinates 370327, 6371536 (Eastings, Northings) identified as "Location J" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>27</td><td>Noise monitoring</td><td>Noise monitoring at 17 Kilshanny Avenue, Ashtonfield, at coordinates 367685, 6372790 (Eastings, Northings) identified as "Location L" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).</td></tr><tr><td>28</td><td>Meteorological Station</td><td>Monitoring of meteorological conditions at coordinates 368922, 6368117 (Eastings, Northings) identified as "Met Station" on plan titled "EPL Licence Variation Able Underground Coal (EPL 12856)" dated 19/04/2021 (EPA Reference DOC23/321678).</td></tr></tbody></table>	EPA identi- fication no.	Type of monitoring point	Location description	22	Noise monitoring	Noise monitoring at Black Hill School, at coordinates 370600, 6365820 (Eastings, Northings) identified as "Location D" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	23	Noise monitoring	Noise monitoring at Lot 684 Black Hill Road, at coordinates 367280, 6367320 (Eastings, Northings) identified as "Location F" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	24	Noise monitoring	Noise monitoring at 156 Buchanan Road, Buchanan, at coordinates 363026, 6369156 (Eastings, Northings) identified as "Location G" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	25	Noise monitoring	Noise monitoring at 49 Magnetic Drive, Ashtonfield, at coordinates 369210, 6372560 (Eastings, Northings) identified as "Location I" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	26	Noise monitoring	Noise monitoring at 220 Parish Drive, Beresfield, at coordinates 370327, 6371536 (Eastings, Northings) identified as "Location J" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	27	Noise monitoring	Noise monitoring at 17 Kilshanny Avenue, Ashtonfield, at coordinates 367685, 6372790 (Eastings, Northings) identified as "Location L" on plan titled "EPL Licence Variation" dated 01/04/2021 (EPA Reference DOC21/639208).	28	Meteorological Station	Monitoring of meteorological conditions at coordinates 368922, 6368117 (Eastings, Northings) identified as "Met Station" on plan titled "EPL Licence Variation Able Underground Coal (EPL 12856)" dated 19/04/2021 (EPA Reference DOC23/321678).			
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P1.5	Grid coordinates in this Licence are defined by the Map Grid of Australia 1994 (MGA94) Zone 56 projection, using the Geodetic Datum of Australia 1994 (GDA94)	Note		Noted																								
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	<ul style="list-style-type: none">Site interviews conducted 12 May 2025.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	Review of relevant information indicates no reportable Environmental incident occurred during the audit period.																								
L2 Concentration limits																												
L2.1	For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Not triggered	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	No discharges have occurred during the audit period.																								
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Not triggered	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	No discharges have been made during the audit period																								
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.	Note	N/A.	Noted																								
L2.4	Water and/or Land Concentration Limits Point 19	Not triggered	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.	No discharges have been made during the audit period																								

Condition	Details	Compliance status	Relevant evidence	Commentary																																																																	
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L3 Volume and mass limits																																																																					
L3.1	For each discharge point or utilisation area specified below (by a point number), the volume/mass of: a) liquids discharged to water; or; b) solids or liquids applied to the area; must not exceed the volume/mass limit specified for that discharge point or area	Not triggered	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	No discharges have been made during the audit period																																																																	
L3.2	The volume of wastewater referred to in condition L3.1 must only be discharged in accordance with the following: a) 40,000 kL each day for the 5 days following rainfall of at least 10 mm as measured at the Donaldson meteorological station in 24 hours (09:00 to 09:00)	Not triggered	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	No discharges have been made during the audit period																																																																	
L4 Noise limits																																																																					
L4.1	Noise generated at the premise must not exceed the noise limits presented in the table below. The noise limits in the table below represent the noise contribution from the premises. <table><tr><th>Locality</th><th>Day LAeq (15 minute)</th><th>Evening LAeq (15 minute)</th><th>Night LAeq (15 minute)</th><th>Night LA1 (1 minute)</th></tr><tr><td>Location A (Weakleys Drive, Beresfield)</td><td>50</td><td>48</td><td>41</td><td>51</td></tr><tr><td>Location B (Yarrum Road, Beresfield)</td><td>50</td><td>48</td><td>41</td><td>51</td></tr><tr><td>Location C (Phoenix Road, Black Hill)</td><td>43</td><td>44</td><td>38</td><td>50</td></tr><tr><td>Location D (Black Hill School)</td><td>41</td><td>40</td><td>37</td><td>46</td></tr><tr><td>Location E (Brown Road, Black Hill)</td><td>41</td><td>40</td><td>36</td><td>46</td></tr><tr><td>Location F (Black Hill Road, Black Hill)</td><td>41</td><td>40</td><td>36</td><td>46</td></tr><tr><td>Location G (Buchanan Road, Buchanan)</td><td>43</td><td>41</td><td>36</td><td>46</td></tr><tr><td>Location H (Mt Vincent Road, Louth Park)</td><td>43</td><td>41</td><td>36</td><td>46</td></tr><tr><td>Location I (Magnetic Drive, Ashtonfield)</td><td>44</td><td>46</td><td>38</td><td>48</td></tr><tr><td>Location J (Parish Drive, Beresfield)</td><td>49</td><td>47</td><td>40</td><td>50</td></tr><tr><td>Location K (Catholic Diocese off Black Hill Road)</td><td>41</td><td>40</td><td>37</td><td>46</td></tr><tr><td>Location L (Kilshanny Avenue, Ashtonfield)</td><td>46</td><td>46</td><td>40</td><td>53</td></tr></table>	Locality	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LA1 (1 minute)	Location A (Weakleys Drive, Beresfield)	50	48	41	51	Location B (Yarrum Road, Beresfield)	50	48	41	51	Location C (Phoenix Road, Black Hill)	43	44	38	50	Location D (Black Hill School)	41	40	37	46	Location E (Brown Road, Black Hill)	41	40	36	46	Location F (Black Hill Road, Black Hill)	41	40	36	46	Location G (Buchanan Road, Buchanan)	43	41	36	46	Location H (Mt Vincent Road, Louth Park)	43	41	36	46	Location I (Magnetic Drive, Ashtonfield)	44	46	38	48	Location J (Parish Drive, Beresfield)	49	47	40	50	Location K (Catholic Diocese off Black Hill Road)	41	40	37	46	Location L (Kilshanny Avenue, Ashtonfield)	46	46	40	53	Compliant	<ul style="list-style-type: none">Noise Monitoring data for 2022,2023, 2024.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	Review of relevant documents indicates compliance with this condition. However, Location K is no longer owned by the Catholic Diocese and the dwelling to be removed for industrial development. Therefore, OF101 has been identified.
Locality	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LA1 (1 minute)																																																																	
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L4.2	The noise limits in the table below do not apply if the licensee has a written agreement with the relevant landowner to exceed the noise limit, and the licensee has advised the EPA in writing. The noise limits also do not apply to mine-owned residences.	Not triggered	Site interviews dated 12 May 2025.	No identified agreements, not requires as care and maintenance. (Noted: during operation, no indication that such an agreement would be required)																																																																	
L4.3	For the purposes of Condition L4.1:	Compliant	<ul style="list-style-type: none">Site interviews dated 12 May 2025.	Operational hours at the site are 6:00 am to 4:00 pm. No complaints regarding noise have been received by the premises.																																																																	

Condition	Details	Compliance status	Relevant evidence	Commentary
	a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and public holidays, b) Evening is defined as the period from 6pm to 10pm, and c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and public holidays		<ul style="list-style-type: none"> Complaints register. 	
L4.4	The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 metres/second at 10 metres above the ground level; b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Stability category G temperature inversion conditions. Temperature inversion conditions (stability category) are to be determined by the methods referred to in Fact Sheet D of the Noise Policy for Industry (2017).	Note		Noted
4 Operating Conditions				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	<ul style="list-style-type: none"> Site inspection dated 12 May 2025. Generic induction. Servicing record samples. 	Observation of waste processes, storage, handling, sorting and disposal indicates compliance with this condition. Servicing records, invoices and storage of chemicals indicate compliance with this
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	<ul style="list-style-type: none"> Site inspection dated 12 May 2025. Servicing record samples. 	Preventative maintenance & servicing records were sited, indicating compliance with this condition.
O3 Dust				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Annual Returns for 2022, 2023, and 2024. Complaints register. Site inspection dated 12 May 2025. 	Review of relevant data and documentation indicates no emissions during the audit period. Site inspection confirmed implementation of management plans and dust management.
O3.2	All operations and activities occurring at the premises must be carried out in a manner that will minimise dust at the boundary of the premises	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Annual Returns for 2022, 2023, and 2024. Complaints register. Site inspection dated 12 May 2025. 	Review of relevant data identified dust suppression operations, relative the dust risk. Conduct of the audit confirmed that there was minimal dust generation on-site during the inspection. It was noted that this was attributable to areas previously requiring water cart use are now grassed and the haul road is sealed
O3.3	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 interviews dated 12 May 2025..	During interviews and site inspection, sealed roads and hardstand were noted around sites, with appropriate washdown bays, indicating compliance with this condition.
O4 Processes and management				
O4.1	All above-ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.	Compliant	Site interviews dated 12 May 2025..	Inspection of workshop and chemical storage indicates compliance with this condition.
5 Monitoring and Recording Conditions				
M1 Monitoring records				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant	<ul style="list-style-type: none"> Monitoring data for 2022, 2023, 2024. Samples date: Air Quality – 28/02/2025, Ground Water – 21/02/2025, Surface Water 18/02/2025. 	Data displayed on the website cover the audit period in full, extending to Q1 2025.
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	<ul style="list-style-type: none"> Monitoring data for 2022, 2023, 2024. 	At the time of audit, monitoring records from April 2009 up to February 2025 were available on the project website.
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken;	Complaint	<ul style="list-style-type: none"> Monitoring data for 2022, 2023, 2024. Fieldsheet (CBased) 24.1.2023. 	Field sheet for monitoring indicates compliance with this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary																																																
	b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample																																																			
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 (Low risk)	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Returns for 2022, 2023, and 2024.	Reviews of documentation indicates a low risk non-compliance with this condition with Annual Returns identifying: <ul style="list-style-type: none">Non-compliance against Condition M2.3, noting:<ul style="list-style-type: none">2022: Surface water samples not collected due as sample point was dry during months January, February and December 20222023:<ul style="list-style-type: none">surface water samples not collected due as sample point was dry during January, May, June, July, August, September, October, November, and December 2023TSS was not analysed for one monitoring point in June 2023, on one occasion due to administration error at the lab in June 2023groundwater could not be sampled in May 2023 due to an obstruction within the groundwater bore2024:<ul style="list-style-type: none">surface water samples not collected due as sample point was dry during January, February, and March 2024groundwater samples could not be collected as the monitoring points were inaccessible at time of monitoring (i.e. due to road upgrades) in April and June 2024 As the non-compliances generally related to lack of water to sample, no CA or OFI has been deemed relevant.																																																
M2.2	Air Monitoring Requirements POINT 3 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>PM10</td><td>micrograms per cubic metre</td><td>Continuous</td><td>AM-22</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	Non-Compliant (Low Risk)	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Returns for 2022, 2023, and 2024.	Refer to discussion at Condition M2.1.																																								
Pollutant	Units of measure	Frequency	Sampling Method																																																	
PM10	micrograms per cubic metre	Continuous	AM-22																																																	
M2.3	Water and/or Land Monitoring Requirements POINT 4,5,6,7,8,9,10,11,12 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>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 suspended solids</td><td>milligrams per litre</td><td>Once a month (min. of 4 weeks)</td><td>Grab sample</td></tr></table> POINT 13,14,15,16,17,18 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>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 suspended solids</td><td>milligrams per litre</td><td>Once a month (min. of 4 weeks)</td><td>Grab sample</td></tr></table> POINT 19 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Daily during any discharge</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Daily during any discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>micrograms per litre</td><td>Daily during any discharge</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	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 suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	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 suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Daily during any discharge	Grab sample	pH	pH	Daily during any discharge	Grab sample	Total suspended solids	micrograms per litre	Daily during any discharge	Grab sample	Non-Compliant (Low Risk)	<ul style="list-style-type: none">Monitoring data for 2022, 2023, 2024.Annual Reviews for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	Refer to discussion at Condition M2.1.
Pollutant	Units of measure	Frequency	Sampling Method																																																	
Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample																																																	
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M3 Testing methods – concentration limits																																																				
M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:	Compliant	<ul style="list-style-type: none">Monitoring data for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	The site’s air quality monitoring plan is captured within the Air Quality and Greenhouse Gas Management Plan, Care and Maintenance, in section 8.																																																

Condition	Details	Compliance status	Relevant evidence	Commentary																																			
	<p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The Protection of the Environment Operations (Clean Air) Regulation 2022 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>		<ul style="list-style-type: none"> AQGHGMP (Version 3, 3 June 2019). 	The associated monitoring during the audit period was compliant with methods in the management.																																			
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.	Not triggered	Monitoring data for 2022, 2023, 2024	Condition not triggered, as no discharges occurred during the audit period.																																			
M4 Weather monitoring																																							
M4.1	<p>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 28</p> <table border="1"> <thead> <tr> <th>Parameter</th><th>Sampling method</th><th>Units of measure</th><th>Averaging period</th><th>Frequency</th></tr> </thead> <tbody> <tr> <td>Wind Direction at 10 metres</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Wind Speed at 10 metres</td><td>AM-2 & AM-4</td><td>metres per second</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Sigma theta</td><td>AM-2 & AM-4</td><td>Degrees</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Rainfall</td><td>AM-4</td><td>millimetres</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Temperature at 10 metres</td><td>AM-4</td><td>degrees Celsius</td><td>15 minutes</td><td>Continuous</td></tr> <tr> <td>Relative humidity</td><td>AM-4</td><td>percent</td><td>15 minutes</td><td>Continuous</td></tr> </tbody> </table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency	Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous	Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous	Sigma theta	AM-2 & AM-4	Degrees	15 minutes	Continuous	Rainfall	AM-4	millimetres	15 minutes	Continuous	Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous	Relative humidity	AM-4	percent	15 minutes	Continuous	Compliant	<ul style="list-style-type: none"> Monitoring data for 2022, 2023, and 2024. Annual Returns for 2022, 2023, and 2024. Annual Reviews for 2022, 2023, and 2024. Site Interviews dated 12 May 2025. AQGHGMP (Version 3, 3 June 2019). 	<p>Donaldson mine weather station is currently installed adjacent to the helipad. This was installed a weather station to meet this criteria, (and Donaldsons similar criteria). The annual reviews note the weather station records wind speed and direction, temperature, rainfall and solar radiation.</p> <p>Review of data confirms relative humidity is collected, however, this is not identified in weather monitoring data spreadsheets. Therefore, OFI05 has been identified.</p> <p>OFI05: Ensure weather monitoring data spreadsheets to include reporting of relative humidity results.</p>
Parameter	Sampling method	Units of measure	Averaging period	Frequency																																			
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous																																			
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M5 Recording of pollution complaints																																							
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies	Compliant	Complaints register.	Review of associated documents identifies legible records of monitoring.																																			
M5.2	<p>The record must include details of the following:</p> <p>a) the date and time of the complaint;</p> <p>b) the method by which the complaint was made;</p> <p>c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;</p> <p>d) the nature of the complaint;</p> <p>e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) if no action was taken by the licensee, the reasons why no action was taken.</p>	Compliant	Complaints register.	Review of complaints registers (updated 07/04/2025) indicates no complaints have been made during the audit period. Records from prior to the audit period, satisfy the nature of this condition.																																			
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made	Compliant	Complaints register.	Review of complaints register identifies complaints from 2009 are still recorded, this satisfies this condition. .																																			
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them	Not triggered	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Complaints register. 	Review of relevant documentation indicates that this condition has not been triggered. It is noted, Abel Coal has the capacity to satisfy this request.																																			
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	<ul style="list-style-type: none"> Abel website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/. Site Interviews 12 May 2025. 	Review of relevant document indicates compliance with this condition.																																			
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	Abel website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/ .	Review of relevant document indicates compliance with this condition.																																			
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Compliant	Abel website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/ .	Compliant as per M6.1 & M6.2																																			
M7 Requirement to monitor volume or mass																																							

Condition	Details	Compliance status	Relevant evidence	Commentary												
M7.1	<p>For each discharge point or utilisation area specified below, the licensee must monitor:</p> <p>a) the volume of liquids discharged to water or applied to the area;</p> <p>b) the mass of solids applied to the area;</p> <p>c) the mass of pollutants emitted to the air;</p> <p>at the frequency and using the method and units of measure, specified below.</p> <p>POINT 19</p> <table><tr><th>Frequency</th><th>Unit of Measure</th><th>Sampling Method</th></tr><tr><td>Continuous during discharge</td><td>kilolitres per day</td><td>In line instrumentation</td></tr></table> <p>POINT 20</p> <table><tr><th>Frequency</th><th>Unit of Measure</th><th>Sampling Method</th></tr><tr><td>Continuous during discharge</td><td>kilolitres per day</td><td>In line instrumentation</td></tr></table>	Frequency	Unit of Measure	Sampling Method	Continuous during discharge	kilolitres per day	In line instrumentation	Frequency	Unit of Measure	Sampling Method	Continuous during discharge	kilolitres per day	In line instrumentation	Not triggered	<ul style="list-style-type: none">Monitoring data for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	No discharge occurred during the reporting period
Frequency	Unit of Measure	Sampling Method														
Continuous during discharge	kilolitres per day	In line instrumentation														
Frequency	Unit of Measure	Sampling Method														
Continuous during discharge	kilolitres per day	In line instrumentation														
M8 Noise monitoring																
M8.1	<p>To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below.</p> <p>POINT 22,23,24,25,26,27</p> <table><tr><th>Assessment period</th><th>Minimum frequency in a reporting period</th><th>Minimum duration within assessment period</th><th>Minimum number of assessment period</th></tr><tr><td>Night</td><td>Special Frequency 1</td><td>15 minutes</td><td>1 operation day</td></tr></table>	Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period	Night	Special Frequency 1	15 minutes	1 operation day	Not triggered	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	It is noted that the Mine is in care and maintenance, as Special Frequency 1 is attributed to operation mining noise, the condition is not triggered.				
Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period													
Night	Special Frequency 1	15 minutes	1 operation day													
M8.2	<p>For the purposes of Condition M8.1, Special Frequency 1 is defined as quarterly, when activities occurring at the premises generate audible noise at the nearest privately owned residence. Routine noise monitoring is not required when activities at the premises are inaudible at the nearest privately owned residence.</p>	Compliant	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	<p>Noise monitoring occurred bi-annually onsite during the reporting period.</p> <p>Operations were recorded as inaudible during the attended night monitoring except for the below:</p> <ul style="list-style-type: none">2022: H1 – Bloomfield CHPP was audible at June monitoring during the Day and evening at location 'I' and during the day at location 'L'; as well as During the night at location 'I' and through the day at location 'L'.2022: H2 – Bloomfield CHPP was audible at 'I' and 'L' at various times.2023 H2 monitoring The Bloomfield CHPP was audible in the evenings and night at monitoring points 'I' and 'L' <p>In each of the above instances, the attended noise monitoring was recorded below the Noise Criteria.</p>												
M8.3	<p>To assess compliance with the noise limits in this licence, operator-attended noise monitoring must occur:</p> <p>a) at the locations in Condition P1.4; and</p> <p>b) during one night time period as defined in the Noise Policy for Industry (2017) for a minimum of 15 minutes at each location.</p>	Compliant	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	Relevant documents identify this condition as being complaint.												
M8.4	<p>For the purposes of compliance monitoring and determining the noise generated at the premises, the modification factors in the EPA's Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by noise monitoring equipment.</p> <p>Note: The EPA may require the licensee, in writing, to increase the frequency of noise monitoring or number of noise monitoring locations should complaints be received.</p> <p>Noise affected locations may be determined by review of meteorological data collected by the onsite meteorological station at EPA Point 28.</p>	Compliant	<ul style="list-style-type: none">Noise Monitoring reports for 2022, 2023, and 2024.Annual Returns for 2022, 2023, and 2024.	Relevant documents identify this condition as being complaint.												
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> <p>1. a Statement of Compliance,</p> <p>2. a Monitoring and Complaints Summary,</p> <p>3. a Statement of Compliance - Licence Conditions,</p> <p>4. a Statement of Compliance - Load based Fee,</p> <p>5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,</p>	Compliant	<ul style="list-style-type: none">Annual Returns for 2022, 2023, and 2024.Monitoring data for 2022, 2023, and 2024.Pollution Incident Response Management Plan (PIRMP).	<p>Review of relevant documents indicate compliance with this condition.</p> <p>Annual returns were submitted covering the following periods:</p> <ul style="list-style-type: none">2021/20222022/20232023/2024												

Condition	Details	Compliance status	Relevant evidence	Commentary
	6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.			
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. 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.	Compliant	Annual Returns for 2022, 2023, and 2024.	Three annual returns were prepared over the reporting period.
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.	Not triggered	Not triggered.	The licence has not been transferred to a new licensee during the reporting period.
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not triggered	Not triggered.	The licence has not been transferred to a new licensee during the reporting period.
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date')	Compliant	Annual Returns for 2022, 2023, and 2024.	Annual reports prepared in the reporting period were submitted to the EPA within 60 days of the end of each reporting period.
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA	Compliant	Annual Returns for 2022, 2023, and 2024.	Review of relevant documentation indicates compliance with the requirements of this condition.
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	Annual Returns for 2022, 2023, and 2024.	Review of relevant documentation indicates compliance with the requirements of this condition.
R2 Notification of environmental harm				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered	Site interviews dated 12 May 2025.	Review of the relevant documentation identifies that no reportable incidents occurred during the period.
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	Not triggered	Site interviews dated 12 May 2025.	Review of the relevant documentation identifies that no reportable incidents occurred during the period.
R3 Written report – Reports requested				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event	Not triggered	Site interviews dated 12 May 2025.	No incidents occurred during the audit period that caused or threatened to cause material harm to the environment. Site interviews confirmed that no requests of this nature from the EPA were received during the audit period.
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request	Not triggered	Site interviews dated 12 May 2025.	No incidents occurred during the audit period that caused or threatened to cause material harm to the environment. Site interviews confirmed that no requests of this nature from the EPA were received during the audit period.
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;	Not triggered	Site interviews dated 12 May 2025.	No incidents occurred during the audit period that caused or threatened to cause material harm to the environment. Site interviews confirmed that no requests of this nature from the EPA were received during the audit period.

Condition	Details	Compliance status	Relevant evidence	Commentary
	f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.			
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not triggered	Site interviews dated 12 May 2025.	No incidents occurred during the audit period that caused, or threatened to cause material harm to the environment. Site interviews confirmed that no requests of this nature from the EPA were received during the audit period.
R4 Other notifications				
Water Quality Monitoring Report				
R4.1	The Licensee must provide the EPA, with its Annual Return, an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes the following: a) for the monitoring required by the licence during the Annual Return reporting period: i) a summary of results for all surface and groundwater quality monitoring required by the licence in table and graphical form; ii) total daily continuous rainfall records in graphical form from the meteorological monitoring required by the licence; and iii) a graphical presentation of the trends of monitoring results required by the licence for the Annual Return reporting period and the preceding data for the period.	Compliant	<ul style="list-style-type: none"> Site interviews dated 12 May 2025. Water Quality Monitoring Report 2021/22, 2022/2023, and 2023/2024. 	Review of relevant document identifies compliance with this condition.
Notification of Pollution of Waters				
R4.2	The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.	Not triggered	Site interviews dated 12 May 2025.	No incidents causing pollution of waters have occurred during the reporting period.
R4.3	The Licensee must provide written details of the notification to the EPA at hunter.region@epa.nsw.gov.au within 7 days of the date of the notification.	Not triggered	Site interviews dated 12 May 2025.	No incidents causing pollution of waters have occurred during the reporting period.
7 General Conditions				
G1	Copy of licence kept at the premises or plant	Compliant	Site inspection dated 12 May 2025.	EPL identified on public board in office space satisfies the requirements for this condition.
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Site inspection dated 12 May 2025.	See above (G1)
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Compliant	Site interviews dated 12 May 2025.	During site visits over the reporting period, the EPA representative did not request to view the licence and therefore this condition is not triggered.
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Site interviews dated 12 May 2025.	See above (G1)
8 Special Conditions				
E1 Surface Water Monitoring of Big Kahuna Dam				
E1.1	The licensee must undertake water quality monitoring within the waters of Big Kahuna Dam during the Annual Return reporting period in accordance with the table below.	Compliant	<ul style="list-style-type: none"> Water quality monitoring data. Annual Returns for 2022, 2023, and 2024. 	Review of relevant documents identifies compliance with this condition. Kahuna Dam water monitoring is attached to the Annual Return for Donaldson, each attribute for water quality is identified.

Condition	Details	Compliance status	Relevant evidence	Commentary																																																												
	<table><tr><th>Parameter</th><th>Units</th><th>Frequency</th><th>Method</th></tr><tr><td>Aluminium (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Arsenic (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Barium (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Bicarbonate alkalinity</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Chromium (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Copper (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Iron (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Lead (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Lithium (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Manganese (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Mercury (total and dissolved)</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Quarterly</td><td>Grab sample</td></tr></table>	Parameter	Units	Frequency	Method	Aluminium (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Arsenic (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Barium (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Bicarbonate alkalinity	milligrams per litre	Quarterly	Grab sample	Chromium (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Conductivity	microsiemens per centimetre	Quarterly	Grab sample	Copper (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Iron (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Lead (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Lithium (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Manganese (total and dissolved)	milligrams per litre	Quarterly	Grab sample	Mercury (total and dissolved)	milligrams per litre	Quarterly	Grab sample	pH	pH	Quarterly	Grab sample	Total suspended solids	milligrams per litre	Quarterly	Grab sample			
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E1.2	<p>The licensee must provide the EPA an annual water quality monitoring report, with its Annual Return, prepared by an appropriately qualified and experienced person. The report must include, for the monitoring required by Condition E1.1, the following:</p> <p>i) a summary of results for all water quality monitoring required by Condition E1.1 in table and graphical form;</p> <p>ii) a summary of the volume of groundwater transferred to the Big Kahuna Dam during the Annual Return reporting period;</p> <p>iii) total daily rainfall records from the closest meteorological station on the days that sampling was undertaken, in table form;</p> <p>iv) total daily continuous rainfall records from the closest meteorological station in graphical form; and</p> <p>v) a graphical and written analysis of the trends of monitoring results required by Condition E1.1 for the Annual Return reporting period and any data preceding this period.</p> <p>After 2 years' of data (8 quarterly periods), the licensee may request the EPA to review the inclusion of this condition on the licence.</p>	Compliant	<ul style="list-style-type: none">Water quality monitoring data.Site interviews dated 12 May 2025. Annual Returns for 2022, 2023, and 2024.	Review of relevant documents identifies compliance with this condition. Kahuna Dam water monitoring is attached to the Annual Return for Donaldson.																																																												
E2 Discontinuation of Mining																																																																
E2.1	The Licensee must notify the EPA, in writing to the EPA's Hunter Region, prior to the recommencement of mining or of any coal handling activities on the premises.	Not triggered	Not triggered	No mining activities have recommenced during the audit period.																																																												

Appendix F

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

Condition	Details	Compliance status	Relevant evidence	Commentary
Division 1 Protection of the environment and rehabilitation				
4 Must prevent or minimise harm to environment				
4(1)	The holder of a mining lease must take all reasonable measures to prevent, or if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease.	Compliant	This audit Annual Reviews 2022, 2023, 2024	Conduct of the audit has determined compliance with the requirements of this condition. This site is currently in care and maintenance.
4(2)	In this clause—harm to the environment has the same meaning as in the Protection of the Environment Operations Act 1997.	Note	N/A.	N/A.
5 Rehabilitation to occur as soon as reasonably practicable after disturbance				
	The holder of a mining lease must rehabilitate land and water in the mining area that is disturbed by activities under the mining lease as soon as reasonably practicable after the disturbance occurs.	Compliant	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. Site interviews dated 12 May 2025. RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). 	Review of the Annual Reviews indicates that no progressive rehab occurred during the audit period. Noting that the Mine is currently in care and maintenance, The total disturbance and footprint of the Mine is 13.81 ha. Annual reports note that while some areas have been temporarily rehabilitated, all areas within the Mining Lease are considered active.
6 Rehabilitation must achieve final land use				
6(1)	The holder of a mining lease must ensure that rehabilitation of the mining area achieves the final land use for the mining area.	Not triggered	<ul style="list-style-type: none"> Annual Reviews for 2022, 2023, and 2024. RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Annual Reviews for 2022, 2023, and 2024. Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Review of the Annual Reviews indicates that no progressive rehab occurred during the audit period. Noting that the Mine is currently in care and maintenance.
6(2)	The holder of the mining lease must ensure any planning approval has been obtained that is necessary to enable the holder to comply with subclause (1).	Not triggered	N/A.	Conduct of the audit indicates this condition has not been triggered during the audit period.
6(3)	The holder of the mining lease must identify and record any reasonably foreseeable hazard that presents a risk to the holder's ability to comply with subclause (1).	Compliant	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). 	Review of relevant documents verifies compliance with this requirement
	Note Clause 7 requires a rehabilitation risk assessment to be conducted whenever a hazard is identified under this subclause.	Note	N/A.	N/A.
6(4)	<p>In this clause—</p> <p>final land use for the mining area means the final landform and land uses to be achieved for the mining area—</p> <ul style="list-style-type: none"> a. as set out in the rehabilitation objectives statement and rehabilitation completion criteria statement, and a. for a large mine—as spatially depicted in the final landform and rehabilitation plan, and b. if the final land use for the mining area is required by a condition of development consent for activities under the mining lease—as stated in the condition. <p>planning approval means—</p> <ul style="list-style-type: none"> a. a development consent within the meaning of the Environmental Planning and Assessment Act 1979, or b. an approval under that Act, Division 5.1. 	Note	N/A.	N/A.
Division 2 Risk assessment				
7 Rehabilitation risk assessment				

Condition	Details	Compliance status	Relevant evidence	Commentary
7(1)	The holder of a mining lease must conduct a risk assessment (a rehabilitation risk assessment) that— <ol style="list-style-type: none"> identifies, assesses and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease— <ol style="list-style-type: none"> the rehabilitation objectives, the rehabilitation completion criteria, for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan, and identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks. 	Compliant	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). 	Review of relevant documents identifies compliances with this conditions via RMP section 3.
7(2)	The holder of the mining lease must implement the measures identified.	Not triggered	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Annual Reviews for 2022, 2023, and 2024. Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Review of the Annual Reviews indicates that no progressive rehab occurred during the audit period. Noting that the Mine is currently in care and maintenance.
7(3)	The holder of a mining lease must conduct a rehabilitation risk assessment— <ol style="list-style-type: none"> for a large mine—before preparing a rehabilitation management plan, and for a small mine—before preparing the rehabilitation outcome documents for the mine, and whenever a hazard is identified under clause 6(3)—as soon as reasonably practicable after it is identified, and whenever given a written direction to do so by the Secretary. 	Compliant	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). 	Review of relevant documents identifies compliances with this conditions via RMP section 3.
Division 3 Rehabilitation documents				
8 Application of Division				
	This Division does not apply to a mining lease unless— <ol style="list-style-type: none"> the security deposit required under the mining lease is greater than the minimum deposit prescribed under the Act, section 261BF in relation to that type of mining lease, or the Secretary gives a written direction to the holder of the mining lease that this Division, or a provision of this Division, applies to the mining lease. 	Note	N/A.	N/A.
9 General requirements for documents				
	A document required to be prepared under this Division must— <ol style="list-style-type: none"> be in a form approved by the Secretary, and Note— The approved forms are available on the Department's website. <ol style="list-style-type: none"> include any matter required to be included by the form, and if required to be given to the Secretary—be given in a way approved by the Secretary. 	Compliant	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Review of relevant documents indicates compliance to this condition

Condition	Details	Compliance status	Relevant evidence	Commentary
10 Rehabilitation management plans for large mines				
10(1)	The holder of a mining lease relating to a large mine must prepare a plan (a rehabilitation management plan) for the mining lease that includes the following— <ul style="list-style-type: none"> a. a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area, b. a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation, c. a summary of rehabilitation risk assessments conducted by the holder, d. the risk control measures identified in the rehabilitation risk assessments, e. the rehabilitation outcome documents for the mining lease, f. a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored. 	Compliant	<ul style="list-style-type: none"> • RMP (Version 1, 1 August 2022). • RMP (Version 2, 6 October 2023). 	Review of Rehabilitation Management and associated documents t plan confirms this condition
10(2)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must include a proposed version of the document.	Compliant	<ul style="list-style-type: none"> • RMP (Version 1, 1 August 2022). • RMP (Version 2, 6 October 2023). 	Review of relevant documents identifies compliance with this condition.
10(3)	A rehabilitation management plan is not required to be given to the Secretary for approval.	Note	N/A.	N/A.
10(4)	The holder of the mining lease— <ul style="list-style-type: none"> a. must implement the matters set out in the rehabilitation management plan, and b. if the forward program specifies timeframes for the implementation of the matters—must implement the matters within those timeframes. 	Compliance	<ul style="list-style-type: none"> • RMP (Version 1, 1 August 2022). • RMP (Version 2, 6 October 2023). • Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) • Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). • Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). • Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). • Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). • Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). • Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). • Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Review of relevant documents indicates compliance to this condition
11 Amendment of rehabilitation management plans				
	The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows— <ul style="list-style-type: none"> a. to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary—within 30 days after the document is approved, b. as a consequence of an amendment made under clause 14 to a rehabilitation outcome document—within 30 days after the amendment is made, c. to reflect any changes to the risk control measures in the prepared plan that are identified in a rehabilitation risk assessment—as soon as practicable after the rehabilitation risk assessment is conducted, d. whenever given a written direction to do so by the Secretary—in accordance with the direction. 	Compliant	<ul style="list-style-type: none"> • RMP (Version 1, 1 August 2022). • RMP (Version 2, 6 October 2023). • Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) • Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). • Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). 	Rehabilitation management plan was updated during the audit period in October 2023 to reflect updated ROBS and FLRP.
12 Rehabilitation outcome documents				
12(1)	The holder of a mining lease must prepare the following documents (the rehabilitation outcome documents) for the mining lease and give them to the Secretary for approval— <ul style="list-style-type: none"> a. the rehabilitation objectives statement, which sets out the rehabilitation objectives required to achieve the final land use for the mining area, 	Complaint	<ul style="list-style-type: none"> • RMP (Version 1, 1 August 2022). • RMP (Version 2, 6 October 2023). • Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) • Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). • Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). 	Review of documentation indicates compliance with these requirements.

Condition	Details	Compliance status	Relevant evidence	Commentary
	<ul style="list-style-type: none"> b. the rehabilitation completion criteria statement, which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives, c. for a large mine, the final landform and rehabilitation plan, showing a spatial depiction of the final land use. 			
12(2)	If the final land use for the mining area is required by a condition of development consent for activities under the mining lease, the holder of the mining lease must ensure the rehabilitation outcome documents are consistent with that condition.	Complaint	<ul style="list-style-type: none"> • RMP (Version 1, 1 August 2022). • RMP (Version 2, 6 October 2023). 	Review of documentation indicates compliance with these requirements.
13 Forward program and annual rehabilitation report				
13(1)	<p>The holder of a mining lease must prepare a program (a forward program) for the mining lease that includes the following—</p> <ul style="list-style-type: none"> a. a schedule of mining activities for the mining area for the next 3 years, b. a summary of the spatial progression of rehabilitation through its various phases for the next 3 years, c. a requirement that the rehabilitation of land and water disturbed by mining activities under the mining lease must occur as soon as reasonably practicable after the disturbance occurs. 	Compliant	<ul style="list-style-type: none"> • Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). • Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). • Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). • Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). • Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). • Correspondence: Abel Coal Mine Annual Rehabilitation Report and Forward Program Submission (REF:AREQ00389295) Dated 31/03/2023. • Correspondence: Abel Underground Coal Mine – Forward Program Submission 2023 (FWP0001162) (Dated 05/05/2023). • Correspondence: Abel Underground Coal Mine – Forward Program Submission (31/03/2023). 	Review of documentation indicates compliance with these requirements. Forward program and rehabilitation report are both provided.
13(2)	<p>The holder of a mining lease must prepare a report (an annual rehabilitation report) for the mining lease that includes—</p> <ul style="list-style-type: none"> a. a description of the rehabilitation undertaken over the annual Reporting Period, b. a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the Reporting Period, c. a report demonstrating progress made towards the achievement of the following— <ul style="list-style-type: none"> i. the objectives set out in the rehabilitation objectives statement, ii. the criteria set out in the rehabilitation completion criteria statement, iii. for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan. 	Complaint	<ul style="list-style-type: none"> • Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). • Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). • Correspondence: Abel Coal Mine Annual Rehabilitation Report and Forward Program Submission (REF:AREQ00389295) Dated 31/03/2023. 	Review of documentation indicates compliance with these requirements
13(3)	If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must rely on a proposed version of the document.	Note	N/A.	N/A.
13(4)	The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.	Compliant	<ul style="list-style-type: none"> • Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). • Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). • Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). • Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). • Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). • Correspondence: Abel Coal Mine Annual Rehabilitation Report and Forward Program Submission (REF:AREQ00389295) Dated 31/03/2023. • Correspondence: Abel Underground Coal Mine – Forward Program Submission 2023 (FWP0001162) (Dated 05/05/2023). • Correspondence: Abel Underground Coal Mine – Forward Program Submission (31/03/2023). 	Review of relevant documents indicates compliances with this condition.
13(5)	In this clause—	Note	N/A.	N/A.

Condition	Details	Compliance status	Relevant evidence	Commentary
	annual Reporting Period means each period of 12 months commencing on— a. the date on which the mining lease is granted, or b. if the Secretary approves another date in relation to the mining lease—the other date.			
14 Amendment of rehabilitation outcome documents and forward program				
14(1)	This clause applies to— a. a rehabilitation outcome document if it has been approved by the Secretary, and b. a forward program if it has been given to the Secretary.	Note	N/A.	N/A.
14(2)	The holder of a mining lease must not amend a document to which this clause applies that relates to the mining lease unless— a. the Secretary gives the holder a written direction to do so, or b. the Secretary, on written application by the holder, gives a written approval of the amendment.	Note	N/A.	N/A.
14(3)	The holder of the mining lease must amend the document in accordance with the Secretary's direction or approval.	Not triggered	N/A	No evidence from secretary to amend document.
14(4)	Nothing in this clause prevents the holder of a mining lease preparing a draft amendment for submission to the Secretary for approval.	Note	N/A.	N/A.
15 Times at which documents must be prepared and given				
15(1)	The holder of a mining lease must do the following before the end of the initial period— a. prepare a rehabilitation management plan, and b. prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and c. prepare a forward program and give it to the Secretary.	Compliant	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Rehabilitation Objective Statement Application (dated: Wednesday, December 28, 2022) Approval of Rehabilitation Objectives Statement (dated: Friday, 25 August 2023). Final Landform and Rehabilitation Plan Approved (dated: Tuesday, 22 August 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Review of relevant documentation indicate compliance to this condition.
15(2)	The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before— a. 60 days after the last day of each annual Reporting Period, commencing with the annual Reporting Period in which the forward program was given to Secretary under subclause (1)(c), or b. a later date approved by the Secretary.	Compliant	<ul style="list-style-type: none"> Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). Correspondence: Abel Coal Mine Annual Rehabilitation Report and Forward Program Submission (REF:AREQ00389295) Dated 31/03/2023. Correspondence: Abel Underground Coal Mine – Forward Program Submission 2023 (FWP0001162) (Dated 05/05/2023). Correspondence: Abel Underground Coal Mine – Forward Program Submission (31/03/2023). Correspondence: Abel Underground Coal Mine - Amend Reporting/Submission Dates Approval (ARD0001036) (dated 28/07/2022) and amendment application (dated 27/07/2022). 	Review of the relevant documentation and submission dates verifies compliance with the requirements of this condition with correspondence between Abel and the NSW Resources Regulator confirming the change of submission dates for the Forward Programs and Annual Rehabilitation Reports to 31 March annually was approved on 28 July 2022.
15(3)	A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary.	Compliant	<ul style="list-style-type: none"> Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). 	Review of relevant documentation identifies compliance with this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
			<ul style="list-style-type: none"> Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	
15(4)	The holder of the mining lease must prepare updated rehabilitation outcome documents for the mining lease and give them to the Secretary for approval before— <ol style="list-style-type: none"> 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or a later date approved by the Secretary. 	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
15(5)	A rehabilitation completion criteria statement is not required to be given to the Secretary under subclause (4) unless a rehabilitation completion criteria statement has already been given to the Secretary under subclause (3).	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
15(6)	The Secretary may, by written notice, direct the holder of a mining lease to prepare, or give to the Secretary, a document required to be prepared under this Division at a time other than that specified in this clause.	Not triggered	N/A	Conduct of this audit determined this requirement has not been triggered
15(7)	The holder of the mining lease must comply with the direction.	Not triggered	N/A	Conduct of this audit determined this requirement has not been triggered
15(8)	In this clause— initial period means the period commencing when the mining lease is granted and ending— <ol style="list-style-type: none"> 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or if this Division applies to the mining lease because of an increase in the required security deposit— <ol style="list-style-type: none"> when the surface of the mining area is disturbed by activities under the mining lease, or at a later date approved by the Secretary. 	Note	N/A.	N/A.
16 Certain documents to be publicly available				
16(1)	This clause applies to the following documents— <ol style="list-style-type: none"> a rehabilitation management plan, a forward program, an annual rehabilitation report. 	Note	N/A.	Noted.
16(2)	The holder of a mining lease must make a document to which this clause applies publicly available by— <ol style="list-style-type: none"> publishing it on its website in a prominent position, or if the holder does not have a website— providing a copy of it to a person— <ol style="list-style-type: none"> on the written request of a person, and without charge, and within 14 days after the request is received. 	Compliant	<ul style="list-style-type: none"> Yancoal Website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/. RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Conduct of this audit has determined compliance with the requirements of this condition.
16(3)	If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published— <ol style="list-style-type: none"> for a rehabilitation management plan—within 14 days after it is prepared or amended, or for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended. 	Compliant	<ul style="list-style-type: none"> Yancoal Website: https://www.yancoal.com.au/our-sites/donaldson/donaldson-documents-page/. Website submission extractions. RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). 	Review of relevant documentation verifies compliance with the requirements of this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
			<ul style="list-style-type: none"> Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	
16(4)	Personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a document made available to a person under this clause.	Note	N/A.	N/A.
Division 4 Records, reporting and notification				
17 Records demonstrating compliance				
	<p>The holder of a mining lease must create and maintain records of all actions taken that demonstrate compliance with each of the conditions set out in this Part.</p> <p>Note— The Act, sections 163D and 163E provide for the form in which records must be kept and the period for which they must be retained.</p>	Compliant	<ul style="list-style-type: none"> RMP (Version 1, 1 August 2022). RMP (Version 2, 6 October 2023). Abel Underground Coal Mine Forward Program Saturday 1 January 2022 to Tuesday 31 December 2024 (submitted 14 April 2023). Abel Underground Coal Mine Forward Program Monday 1 January 2024 to Thursday 31 December 2026 (submitted 25 March 2024). Abel Underground Coal Mine Forward Program Wednesday 1 January 2025 to Friday 31 December 2027 (submitted 28 March 2025). Abel Underground Coal Mine Annual Rehabilitation Report Sunday 1 January 2023 to Sunday 31 December 2023 (submitted 25 March 2024). Abel Underground Coal Mine Annual Rehabilitation Report Monday 1 January 2024 to Tuesday 31 December 2024 (submitted 28 March 2025). 	Conduct of the audit has determined compliance with the requirements of this requirement.
18 Report on non-compliance				
18(1)	<p>The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with—</p> <p>a. a condition of the mining lease, or</p> <p>Note—The Act, section 364A contains provisions relating to the use and disclosure of information provided under this condition.</p> <p>b. a requirement of the Act or this Regulation relating to activities under the mining lease.</p>	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
18(2)	The holder of the mining lease must provide the report within 7 days after becoming aware of the non-compliance.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
18(3)	<p>The holder of the mining lease must ensure the report—</p> <p>a. identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and</p> <p>b. describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and</p> <p>c. describes the causes or likely causes of the non-compliance, and</p> <p>d. describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance.</p>	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the audit period.
19 Nominated contact person				
19(1)	<p>The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary can communicate in relation to the mining lease for the purposes of the Act.</p> <p>Note— The Act, section 383 sets out the ways in which notices or other documents may be issued or given to, or served on, a person for the purposes of the Act.</p>	Compliant	Correspondence with email from NSW Resources Regulator dated 03/02/2023, confirming nominated contact person.	Identified Thomas Leo Holz as NCP. Conduct of this audit has determined compliance with regulation.
19(2)	<p>The holder of the mining lease must give written notice to the Secretary of—</p> <p>a. the full name and contact details of the nominated person—within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and</p> <p>b. any change in nomination or in the nominated person's contact details—within 28 days after the change occurs.</p>	Complaint	Correspondence with email from NSW Resources Regulator dated 03/02/2023, confirming nominated contact person.	Correspondence indicates full contact details were identified, and as such, this condition. Note: Issue with portal required resubmission, as noted in email correspondence with the department. Initially identified as administrative non-compliance, No actions are required.
19(3)	The holder of the mining lease must ensure that the contact details for the nominated person include the person's phone number and postal and email addresses.	Compliant	Correspondence with email from NSW Resources Regulator 03/02/2023, confirming nominated contact person.	Correspondence indicates compliance with this condition.
Division 5 Applications relating to development consent				
20 Additional requirements—application for or to modify development consent				

Condition	Details	Compliance status	Relevant evidence	Commentary
20(1)	<p>The holder of a mining lease must give written notice to the Secretary within 10 days after—</p> <ul style="list-style-type: none">a. making an application for development consent that relates to the mining area, orb. making an application for modification of a development consent—<ul style="list-style-type: none">i. under the Environmental Planning and Assessment Act 1979, section 4.55(2), andii. that proposes to modify a condition of the consent that relates to rehabilitation of the mining area in a way that may affect an obligation under the mining lease relating to rehabilitation of the mining area.	Not triggered	N/A.	Per Clause 20(2) this clause does not apply to SSD.
20(2)	This clause does not apply if the development is State significant development.	Note	N/A.	N/A.

Appendix G

Site inspection photos



Plate 1: Bloomfield Coal Stockpile



Plate 2: Bloomfield Coal Loader



Plate 3: Sediment Dam at Bloomfield



Plate 4: Discharge Point 19



Plate 5: Bunded Warehouse storage of IBCs



Plate 6: Bunded storage of underground firefighting equipment and IBCs



Plate 7: Donaldson & Abel Diesel Storage



Plate 8:Contaminated Waste Bin



Plate 9:Diesel Fuelling Hard Stand Area



Plate 10: Drain, Sump and Oil/Water Separator



Plate 11: Drain with clogged grate



Plate 12: Drainage points from bunding and sump under workshop and hardstand



Plate 13: Spill Kit at the Mine Workshop



Plate 14: Chemical storage bunding and controlled decanting



Plate 15: Firefighting equipment storage



Plate 16: Meteorological Monitoring Station

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Abel Coal Mine (PA 05_0136) Independent Environmental Audit Response to Recommendations

Abel Coal Mine hold Project Approval 05_0136. Conditions 9 and 10 of Schedule 6 outlines the requirement for an Independent Environmental Audit (IEA). The recommendations of the audit are provided in Tables 5-1 and 5-2 of the report. Abel Coal have reviewed these recommendations and provide the following responses.

Corrective Actions

Number	Condition of PA05_0136	Corrective Action	Donaldson Coal Response	Timeframe
CA01	Schedule 4 Condition 22	In consultation with Heritage NSW within the NSW DCCEEW – CPHR Group and registered Aboriginal parties, determine if five-yearly monitoring (as described in the approved AHMP) should be undertaken during the care and maintenance period. If it is determined this monitoring is not required, ensure the AHMP is updated to reflect the outcomes of consultation.	The AHMP will be reviewed in light of the continued mining operation in care and maintenance and required monitoring. The review will be undertaken in consultation with Heritage NSW and the registered Aboriginal parties.	30 th September 2025
CA02	Schedule 6 Condition 1	Ensure the Integrated Environmental Management Program is updated to reflect the current care and maintenance status and relevant monitoring requirements.	The Environmental Management Program will be updated to reflect the mine being in care and maintenance.	30 th September 2025

Opportunities for Improvement

Number	Consent / Licence	Condition	Recommendation	Donaldson Coal Response	Timeframe
OFI01	PA05_0136	Schedule 4, Conditions 1 & 5	Update the NMP to: <ul style="list-style-type: none"> • reflect changes to Location K, which is no longer owned by the Catholic Diocese and the removal of the associated dwelling for industrial development • identify times where relevant noise limits do not apply, as identified in Condition L4.4 of EPL 12856 • reflect the revised location of the meteorological station 	The Noise Management Plan will be reviewed and updated with respect to the mine being in care and maintenance and the change in land use adjoining the mine.	30 th September 2025
	EPL 12856	Conditions L4.1 and P1.4			
OFI02	PA05_0136	Schedule 4, Condition 12	Update the AQGHGMP to: <ul style="list-style-type: none"> • reflect the revised location of the meteorological station • ensure monitoring location names are consistent with the current version of EPL 12856 	The AQGHGMP will be updated with the revised location of the meteorological station and the monitoring location names.	30 th September 2025
	EPL 12856	Condition P1.1			
OFI03	PA05_0136	Schedule 4, Condition 25	Clean the drain grate adjacent to the oil / water separator system.	This grate is over a service pit that provides access to a gate valve. The service pit has been cleaned out.	Complete
OFI04	PA05_0136	Schedule 6, Conditions 1 & 2	Submit the revised plans for approval by the DPHI addressing R11, R12 from the 2022 IEA.	The revised Management Plans will be submitted to DPHI for approval.	30 th September 2025
	EPL12856	Conditions P1.1 and P1.3			
OFI05	EPL12856	Condition M4.1	Ensure weather monitoring data spreadsheets to include reporting of relative humidity results.	The monitoring weather station data spreadsheet will be updated to include the parameters identified in Point 28	1 July 2025