

DA 309-11-2001-i Independent Audit 2026

Ashton Coal Operations Pty Ltd

19 March 2026



Document version history

Version	Date	Revision description	Author	Approval to issue
0	19 March 2026	Final IA report	Kurt Speirs – Environment Project Manager Emma Spires – Environmental Consultant	Elliot Holland – Principal: Auditing & Compliance

Abbreviations

Abbreviation	Definition
ACCF	Aboriginal Community Consultative Forum
ACP	Ashton Coal Project
BCA	Bowmans Creek Alluvium
BMP	Biodiversity Management Plan (Revision K, dated April 2025)
CA	Corrective action
CCC	Community Consultative Committee
CGDP	Central Gas Drainage Plant
CHPP	coal handling and preparation plan
CMOB	coal measures overburden
DA	Development Application
dB(A)	A-weighted decibels
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
DG	dust gauge
DPE	Department of Planning and Environment
DPHI	Department of Planning, Housing and Infrastructure
DPIE	Department of Planning, Infrastructure and Environment
EPA	Environmental Protection Authority
EPL	Environment Protection Licence
GCA	Glennies Creek Alluvium
ha	Hectare
HRA	Hunter River Alluvium
IA	Independent Environmental Audit
LAeq	A-weighted Equivalent Continuous Sound Level
m/s	metres per second
NEOC	North-east Open Cut
NGRS	National Greenhouse Gas and Energy reporting
NMP	Noise Management Plan (vE, dated April 2023)
OFI	Opportunity for improvement
Onward	Onward Consulting Pty Ltd
PIRMP	Pollution Incident Response Management Plan
PM10	Particulate matter 10 micrometres or less
RUMex	Ravensworth Underground Mine
SWCA	Southern Woodland Conservation Area
TEOM	tapered element oscillating microbalance
ug/m ³	micrograms per cubic meter
VWP	Vibrating wire piezometer
WMP	Water Management Plan (Version 13, April 2025)

Executive summary

Onward Consulting Pty Ltd (Onward) was engaged by Ashton Coal Operations Pty Ltd (Ashton Coal) to conduct an IA of the Ashton Coal Project (ACP), otherwise known as Ashton Mine, is located approximately 14 km northwest of Singleton, NSW.

The IA considered compliance with conditions of relevant approvals, licences and leases, and was conducted in accordance with:

- AS/NZS ISO 19011:2019 Guidelines for quality and / or environmental management systems auditing
- Schedule 5, Condition 11 of DA 309-11-2001-i
- the Independent Audit – Post Approval Requirements (DPIE, 2020)

The IA period is from 18 January 2023 (the day of the site inspection for the previous IA) to 28 January 2026 (the day of the site inspection for this IA).

The IA team consisted of:

- Lead Auditor – Elliot Holland of Onward
- Lead Auditor– Kurtis Speirs of Onward
- Assistant Auditor – Emma Spires of Onward

The IA was inclusive of the following:

- a one-day site inspection at the ACP on 28 January 2026, which included interviews with key site personnel, of all key aspects of the development (section 1 and Appendix G of this IA 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 IA report)
- the status of implementation of the previous IEA findings, recommendations and actions (section 3.1 of this IA report)
- an assessment of compliance against all conditions:
 - DA 309-11-2001-i (as modified) (section 3.3.1 and Appendix D of this IA report)
 - Environment Protection Licence (EPL) 11879 (section 3.3.2 and Appendix E of this IA report)
 - Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (section 3.3.3 and Appendix F of this IA report)
- a review of the adequacy of the environmental management strategies, plans and programs required under the consent (section 3.4 of this IA report)
- identification and discussion of complaints and incidents that occurred during the audit period (section 3.5 of this IA 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 IA)
- identification of the Corrective Actions (CA) and / or Opportunities for Improvement (OFI) (section 5 of this IA)

Audit findings summary

The IA identified a total of seven non-compliances, however, overall compliance with conditions of relevant approvals, licenses and leases was noted as high, as follows:

- **DA 309-11-2001-i:** Compliance with approximately 93.8% of conditions (i.e. 76 of 81 conditions) (Appendix D), as follows:
 - **NC01** (Schedule 2, Condition 1)
 - **NC02** (Schedule 2, Condition 2)
 - **NC03** (Schedule 3, Condition 32)
 - **NC04** (Schedule 3, Condition 34)
 - **NC05** (Schedule 5, Condition 13)
- **EPL 11879:** Compliance with 100% of conditions (i.e. 83 of 83 conditions) (Appendix E).
- **Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016:** Compliance with approximately 96% of conditions (i.e. 48 of 50 conditions) (Appendix F), as follows:
 - **NC06** (Condition 15[2])
 - **NC07** (Condition 16[3])

A number of these non-compliances were interrelated, including:

- **NC01, NC03, and NC04:** All relate to a heritage incident occurring early in the audit period (i.e. 17 May 2023), which was previously identified and reported, with actions undertaken to prevent re-occurrence.
- **NC02:** Identified due to non-compliance with other conditions of DA 309-11-2001-I (i.e. **NC01, NC03, NC04, and NC05**), which automatically results in non-compliance with Schedule 2, Condition 2.
- **NC05 and NC07:** Both related to non-compliance due to the current version of the RMP (v3, November 2023) not being on the Project website.

Executive Summary Table Non-compliance summary

Finding ID	Non-compliance	Source	Condition	Risk rating
NC01	Conduct of the IA has determined general compliance with the requirements of this condition; however, one reportable heritage incident occurred during the IA period on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow. On 19 May 2023, at approximately 3:00pm, Phillip Brown, Environment & Community Relations Superintendent for Ashton Coal was notified of the incident, with a written report submitted to the former Department of Planning and Environment (DPE) (now the DPHI) on 26 May 2023. The (then) DPE acknowledged receipt of the report and provided no comments on the incident. While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed. To prevent reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process. This incident has resulted in non-compliance with the requirements of this condition due to the HMP not being successfully implemented. As this incident was a result of not following the requirements of the HMP, and relevant actions were undertaken to prevent re-occurrence, no CA or OFI has been deemed relevant.	DA 309-11-2001-i	Schedule 2, Condition 1	Low

Finding ID	Non-compliance	Source	Condition	Risk rating
NC02	Conduct of the audit, including review of documentation, site interviews and site inspection indicate that Ashton Coal is non-compliant with this condition with several conditions being identified as non-compliant. A risk rating of low is due to the highest rated non-compliance with DA 309-11-2001-i being rated low (i.e. NC01).		Schedule 2, Condition 2	Low
NC03	A non-compliance is noted relating to implementation of the HMP during the IA period, with relevant discussion provided at NC01 .		Schedule 3, Condition 32	Low
NC04	A non-compliance is noted relating to implementation of the HMP during the IA period, with relevant discussion provided at NC01 .		Schedule 3, Condition 34	Low
NC05	Conduct of the IA determined general compliance with the requirements of this condition; however, at the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023.		Schedule 5, Condition 13	ANC
NC06	In accordance with Condition 15(2)(b), NSW Resources approved the submission of forward programs and rehabilitation reports annually by 31 March prior to the current audit period (i.e. 22 July 2022). Conduct of the IA indicates the forward programs and rehabilitation reports for the 2023 period were submitted outside the amended date for submission.	Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016	15(2)	ANC
NC07	At the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023.		16(3)	ANC

Audit conclusion

With regard to environmental management of the ACP, this site is led by competent and knowledgeable environmental professionals who provided all evidence requested during the IA and diligently facilitated the site inspection component of the IA.

The environment team has implemented appropriate management processes for the ACP to ensure compliance is achieved and has demonstrated active adaptive management.

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

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1. Introduction

1.1. Background of the project

The Ashton Coal Project (ACP), otherwise known as Ashton Mine, is located approximately 14 km northwest of Singleton, NSW. The ACP is operated by Ashton Coal Operations Pty Ltd (Ashton Coal) and includes the decommissioned North-east Open Cut (NEOC), an underground coal mine, a Coal Handling and Preparation Plant (CHPP), and a rail siding.

The ACP was granted Development Consent (DA 309-11-2001-i) on 11 October 2002 by the (then) Minister for the former Department of Planning (now the Department of Planning, Housing, and Infrastructure [DPHI]). DA 309-11-2001-i has been modified a total of 11 times, with the most recent modification (MOD 11) being granted on 6 July 2022.

As required by Schedule 5, Condition 11 of DA 309-11-2001-i, Ashton Coal is required to complete an independent audit (IA) every three years, with the site inspection for the most recent IA completed on 18 January 2023.

1.1.1. Department of Planning, Housing and Infrastructure endorsement

Ashton Coal engaged Onward Consulting Pty Ltd (Onward) to conduct the IA, with the DPHI endorsing the appointment of the IA team on 13 November 2025 (Appendix A), including:

- Lead Auditor – Elliot Holland of Onward
- Back-up Lead Auditor– Kurtis Speirs of Onward
- Assistant Auditor – Emma Spires of Onward

1.1.2. Period covered by the IA

Due to poor weather predicted to occur in the area on the original date planned for the site inspection, the DPHI approved extension of the IA period on 14 January 2026, enabling the site inspection to be completed prior to 30 January 2026 (Appendix A). Therefore, the IA period is from 18 January 2023 (the day of the site inspection for the previous IA) to 28 January 2026 (the day of the site inspection for this IA).

1.2. Site description

Ashton Coal was granted DA 309-11-2001-i in October 2002, which has been modified 11 times during operation of Ashton Mine:

- Modification 1: Administrative change related to noise criteria.
- Modification 2: Increase to the height of the eastern emplacement area.
- Modification 3: Offsite emplacement of coal tailings, including associated pipelines.
- Modification 4: Development and mining of an additional longwall (LW) panel (LW/Miniwall Panel No. 9), increase production by 250,000 tonnes per annum (tpa) of Run of Mine (ROM) coal.
- Modification 5: Approval of the South East Open Cut (SEOC) Project, comprising an open cut coal mine, offices, workshop, access road, ROM coal facility, out of pit emplacement and integration with the existing ACP.

- Modification 6: To enable:
 - Underground mining that may result in a direct hydraulic connection between the Bowmans Creek alluvium and the underground workings through subsidence cracking.
 - The relocation of two sections of Bowmans Creek to prevent cracking and draining of water from the creek and to mitigate subsidence impacts as a result of the modification.
- Modification 7: To enable:
 - Construction and operation of approximately fifteen gas venting surface wells for the Ashton Mine.
 - Open cut recovery of about 100,000 tonnes of ROM coal from the Hebden Seam, about 13 m beneath the floor of the existing open cut mine.
- Modification 8: Modification to conditions of DA 309-11-2001-i to enable the installation of the gas wells and access tracks approved by Modification 7.
- Modification 9: Construction and operation of a 5.5 m diameter upcast ventilation shaft and fans, two (2) mine service drop holes (nominally up to 1 m in diameter), and associated ancillary services.
- Modification 10: Construction and operation of:
 - A central gas drainage plant and gas flaring facility compound, measuring approximately 25 x 75 m, located on the ground surface in the north eastern corner of the underground mine area.
 - Up to about 80 gas bores distributed across the underground mine area, (where the construction of the bores will be staged over the remaining 10-12 year life of the underground mine).
 - A pipeline network to convey gas from the gas bores to the central gas drainage plant and gas flares.
 - Minor associated works where required for access and electrical power.
- Modification 11: Involving:
 - Underground connection from the existing underground mine workings to the approved Ravensworth Underground Mine (RUM) Pikes Gully and Middle Liddell coal seams via first workings.
 - Receipt of ROM coal mined in the RUM Pikes Gully and Middle Liddell coal seams for handling, processing and transportation using the existing ACP infrastructure.
 - Management of RUM ROM coal coarse rejects and tailings by emplacement in the NEOC void and at the Ravensworth Void 4 Tailings Dam.
 - Receipt and management of water and gas from the Ashton Coal operated portion of the RUM.
 - Extension of mining operations until approximately December 2035.
 - Other administrative changes to facilitate management of the Ashton Coal operated portion of the RUM and integration with the ACP.

1.3. Audit objective and scope

1.3.1. Objective

Onward was commissioned to undertake an IA of the Ashton Mine on behalf of Ashton Coal. The primary purpose of this IA was to satisfy the Schedule 5, Condition 11 which requires completion of an IA every three years (Table 1.1).

Table 1.1 Audit requirements

Condition	Requirement	Reference to report section
Schedule 5 Condition 11	One year after the commencement of construction of the development, and every 3 years thereafter, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:	Section 1
(a)	be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary;	Section 1.1.1, Appendix A, and Appendix B
(b)	include consultation with the relevant agencies;	Section 2.3 and Appendix C
(c)	assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);	Section 4 and Appendix D, Appendix E, Appendix F
(d)	review the adequacy of any approved strategies, plans or programs required under these approvals; and, if appropriate	Section 3.4
(e)	recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals. <i>Notes:</i> <i>This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.</i>	Section 5
Schedule 5, Condition 12	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report.	Outside the scope of the IA

1.3.2. Scope

The IA 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 5, Condition 11 of DA 309-11-2001-i
- the Independent Audit – Post Approval Requirements (DPIE, 2020)

Table 1.2 Approvals audited

Approval document	Relevant section reference
DA 309-11-2001-i (as modified)	section 3.3.1 and Appendix D
Environment Protection Licence (EPL) 11879 (20 August 2025)	section 3.3.2 and Appendix E
Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016	section 3.3.3 and Appendix F

Relevant evidence to determine the compliance ratings against the conditions is presented in Appendix D, Appendix E, and Appendix F. This included relevant management plans required by DA 309-11-2001-i conditions, as listed in Table 1.3.

Table 1.3 Management plans evaluated

Management plan	Version and date	Section reference
Environmental Management Strategy (EMS)	vG, April 2023	section 3.4.1
RUM LWs 403 to 406 Extraction Plan (EP), including:	v1, April 2025	section 3.4.2
• Appendix C: Water Management Plan (WMP)	v13, April 2025	section 3.4.2.1
• Appendix D: Land Management Plan (LMP) Addendum	v2, April 2025	section 3.4.2.2
• Appendix E: Biodiversity Management Plan (BMP)	vK, April 2025	section 3.4.2.3

Management plan	Version and date	Section reference
• Appendix F: Heritage Management Plan Ashton Coal Project (HMP)	vF, April 2025	section 3.4.2.4
• Appendix G: Built Features Management Plan (BFMP), including:	v3, July 2025	section 3.4.2.5
◦ AGL Macquarie Asset Management Plan (AMP)	v3, April 2025	
◦ Narama Dam AMP	v2, July 2025	
◦ Glencore AMP	v3, July 2025	
◦ Transgrid AMP	v2, April 2025	
• Appendix H: Public Safety Management Plan (PSMP)	v2, April 2025	section 3.4.2.6
• Appendix I: Coal Resource Recovery Plan (CRRP)	v2, April 2025	section 3.4.2.7
• Appendix J: Subsidence Monitoring Program (SMP)	v3, September 2025	section 3.4.2.8
• Appendix K: Rehabilitation Management (RMP)	v2, November 2023	section 3.4.2.9
Noise Management Plan (NMP)	vE, April 2023	section 3.4.3
Air Quality and Greenhouse Gas Management Plan (AQGHGMP)	vH, April 2023	section 3.4.4
Pollution Incident Response Management Plan (PIRMP)	v1G, January 2024	section 3.4.5

1.4. Audit commencement

A Purchase Order commissioning the IA was issued on 7 November 2025, with an inception meeting held between Onward and Ashton Coal on 26 November 2025 to:

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

1.5. Limitations

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

Onward otherwise disclaims responsibility to any person other than Ashton 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 this IA report and are subject to the scope limitations set out section 1.3.

The opinions, conclusions and any recommendations in this IA 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 IA report to account for events or changes occurring after the date that the IA report was prepared.

2. IA 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 IA protocol to be used during the site inspection and interviews. Evidence was collected and reviewed as part of the IA, including monitoring records, reports and correspondence.

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

All information obtained during the IA process were verified by the IA 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 IA was led by Kurt Speirs, Lead Auditor – Environmental Management Systems (number: C- 491853).

The IA participants are listed in Table 2.1, which includes the IA team as approved by DPHI (Appendix A), and relevant personnel of Ashton Coal.

Table 2.1 Audit participants

Audit participants	Organisation	Role	Qualifications
Elliot Holland	Onward	Lead Auditor	Lead Auditor – Environmental Management Systems (C-115351) Bachelor of Environmental Science and Management
Kurt Speirs	Onward	Back-up Lead Auditor	Lead Auditor – Environmental Management Systems Bachelor of Environmental Science and Management
Emma Spires	Onward	Assistant Auditor	N/A
Phillip Brown	Yancoal	Environment and Community Relations Superintendent	N/A
Carl Norman	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 Ashton Coal Mine administration buildings during the site inspection completed on 28 January 2026.

The opening meeting on 28 January 2026 discussed the IA objectives, scope, resources required and methodology to be applied.

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

2.2.2. IA interviews

During the on-site component of the IA, 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 28 January 2026.

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 34 degrees Celsius
- winds up to 10 metres per second (m/s), predominantly from the south east
- mostly sunny, with light rain the evening preceding the site inspection

The locations inspected during the site inspection included:

- site workshop
- underground portal entry
- run off / settlement dams
- processed water dam (PWD)
- CHPP
- Rail Loadout
- NEOC emplacement, including rehabilitated areas, repeater station, and Dam 56 at the eastern toe of emplacement
- Air quality monitoring locations (i.e. TEOM station – Site 10 [EPL Point 11], and deposited dust gauge [DG6])
- Noise monitoring location (i.e. Camperwell village [North] real-time monitor SX40)
- M1 Weather Station (EPL Point 32)
- Aboriginal heritage sites (i.e. Waterhole site [ID 37-3-0500]), and Glennies Creek site [ID 37-3-0541 and ID 37-3-0549])
- Bowmans Creek Diversion:
 - Eastern Diversion and original alignment, including Block Bank
 - Sample of River Red Gums monitored at Bowmans Creek Riparian Zone
- Main Fan Shaft and Central Gas Drainage Plant (CGDP), including CGDP Flares (EPL Point 16)
- Southern Woodland Conservation Area, including:
 - Subsidence cracking managed during the IA period (e.g. at SCVA05 and SCVA06)
 - Underground Pasture Monitoring Site – SVCA03
 - Underground Woodland Monitoring Site – SVCA05
- Water monitoring site:
 - SM04 (EPL Point 3)
 - SM06 (EPL Point 5)
 - Stream health monitoring locations (i.e. GCUP, GCOCDown, BC01, and BCDown)
 - Groundwater monitoring bores – WML129 (EPL Point 25) and WML279 (EPL Point 22)
- Ravensworth Void 4 Tailings Dam

2.3. Agency / stakeholder consultation

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

- NSW DPHI, including:
 - Compliance
 - Energy and Assessment
- NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW), including the following agencies/divisions:
 - Water Group
 - Conservation Programs, Heritage and Regulation (CPHR) Group
 - National Resources Access Regulator (NRAR)
- NSW Environmental Protection Authority (EPA)
- NSW Resources (formerly NSW Resources Regulator)
- Singleton Council
- Ashton Coal Community Consultative Committee (CCC) Chairperson

Responses were not received from:

- Singleton Council

Agency and administrative organisation responses to the IA request for input are provided in Table 2.2 and Appendix C.

Table 2.2 Agency and administrative organisation IA requirements

Auditor to consider	Responses and / or relevant section reference
NSW DCCEEW – CPHR Group	
No specific comments or requests	Noted
NSW DCCEEW – NRAR	
No Specific comments or requests	Noted
NSW DCCEEW – Water Group	
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.	Section 3.4.2.1 and Appendix D
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.	Sections 3.4.2.1 and 4.3, and Appendix D
Water supply availability is clearly defined for the project.	Section 4.3 and Appendix D
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 2025 .	Section 4.3 and Appendix D
Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.	N/A
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 and Appendix D

Auditor to consider	Responses and / or relevant section reference
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 and Appendix D
NSW DPHI – Energy and Assessment	
Noted Ashton has been quiet recently regarding post approval tasks. Considerations with: • compliance with active Extraction Plan(s) • compliance with requirements to minimise greenhouse gas emissions (NSW DPHI notes the current AQGHGMP is subject to revision regarding GHG components due early next year) • compliance with biodiversity offset requirements	These considerations are addressed in: • Section 3.4.2 • Section 4.4 and Appendix D • Section 4.8 and Appendix D
NSW DPHI – Compliance	
In addition to the requirements of the consent, specific focus should be on the following: • update on progressive rehabilitation activities (North-east Open Cut) • progress update on the implementation of the Heritage Management Plan • waste management plan and how this has been implemented • proponent to provide comment on the completion of activities listed under Statement of Commitments, specifically item 7.1, noting this item has been reported as a non-compliance in previous AR's	These considerations are addressed in: • Section 4.2 • Section 4.7 • Section 4.11 (Waste is managed at the ACP via the RMP) • Section 4.3.3
Ashton Coal CCC Chairperson	
No specific comments or requests	Noted
NSW Resources	
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.	Sections 3.3.3 and Appendix F
The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.	Section 4.2

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 IA.

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 IA.

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: - 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: - 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 IA 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 IA and status

Table 3.1 Status of 2023 IA findings / recommendations

Condition	2023 IA finding / recommendation	2026 IA finding	Status
DA 309-11-2001-i			
Schedule 3, Condition 40	It is recommended that the Bushfire Management Plan (BFAR) is reviewed and updated.	Conduct of the IA has confirmed the BFAR was updated in March 2024. Therefore, this recommendation is considered closed.	Closed
Statement of Compliance Modification 6, Condition 7.1	Ensure that the geomorphological assessment is undertaken in 2023.	Conduct of the IA determined the 2023 survey of Bowmans Creek has been completed, with monitoring and associated reporting ongoing. The next survey is not required to be completed until 2028.	Closed
EPL 11879			
Condition O5.1	Ensure that the PIRMP is updated as per the outcomes of the PIRMP test. Publish the updated PIRMP to the project website and make available to site staff.	Conduct of the PIRMP was last updated in January 2024 and this latest version is available on the website.	Closed
Standard Conditions Mining Regulation 2016 Schedule 8A Part 2			
16 (2)	Publish the Forward Program on the website.	The Ashton Coal Mine Forward Program (Wednesday 1 January 2025 to Friday 31 December 2027) is available on the website.	Closed
16 (3)			

3.2. Summary of agency notices, orders, and penalties

No agencies notices, orders or penalties were received during the IA period.

3.3. Summary of non-compliances

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

- **DA 309-11-2001-i** : Compliance with approximately 93.8% of conditions (i.e. 76 of 81 conditions) (Appendix D).
- **EPL 11879**: Compliance with 100% of conditions (i.e. 83 of 83 conditions) (Appendix E).3
- **Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016**: Compliance with approximately 96% of conditions (i.e. 48 of 50 conditions) (Appendix F).

However, the IA assessed a total of seven non-compliances, as follows:

- DA 309-11-2001-i, with more detail provided in section 3.3.1, non-compliances include:
 - **NC01** (Schedule 2, Condition 1)
 - **NC02** (Schedule 2, Condition 2)
 - **NC03** (Schedule 3, Condition 32)
 - **NC04** (Schedule 3, Condition 34)
 - **NC05** (Schedule 5, Condition 13)
- Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016, with more detail provided in section 3.3.3, non-compliance include:
 - **NC06** (Condition 15[2])
 - **NC07** (Condition 16[3])

A number of these non-compliances were interrelated, including:

- **NC01, NC03, and NC04**: All relate to a heritage incident occurring early in the audit period (i.e. 17 May 2023), which was previously identified and reported, with actions undertaken to prevent re-occurrence.
- **NC02**: Identified due to non-compliance with other conditions of DA 309-11-2001-I (i.e. **NC01, NC03, NC04, and NC05**), which automatically results in non-compliance with Schedule 2, Condition 2.
- **NC05 and NC07**: Both related to non-compliance due to the current version of the RMP (v3, November 2023) not being on the Project website.

3.3.1. DA 309-11-2001-i

Table 3.2 DA 309-11-2001-i non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC01	Schedule 2, Condition 1	In addition to meeting the specific performance criteria established under this consent, Applicant must 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 development.	Conduct of the IA has determined general compliance with the requirements of this condition; however, one reportable heritage incident occurred during the IA period on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow. On 19 May 2023, at approximately 3:00pm, Phillip Brown, Environment & Community Relations Superintendent for Ashton Coal was notified of the incident, with a written report submitted to the former Department of Planning and Environment (DPE) (now the DPHI) on 26 May 2023. The (then) DPE acknowledged receipt of the report and provided no comments on the incident. While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed. To prevent reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process. This incident has resulted in non-compliance with the requirements of this condition due to the HMP not being successfully implemented. As this incident was a result of not following the requirements of the HMP, and relevant actions were undertaken to prevent re-occurrence, no CA or OFI has been deemed relevant.	Low	N/A
NC02	Schedule 2, Condition 2	The Applicant must:... (b) comply with the conditions of this consent and the Statement of Commitments.	Conduct of the audit, including review of documentation, site interviews and site inspection indicate that Ashton Coal is non-compliant with this condition with several conditions being identified as non-compliant.	Low	N/A
NC03	Schedule 3, Condition 32	The Applicant must prepare an Extraction Plan for all second workings on site... The Applicant must implement the approved management plans as approved from time to time by the Planning Secretary.	A non-compliance is noted relating to implementation of the HMP during the IA period, with relevant discussion provided at NC01 .	Low	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC04	Schedule 3, Condition 34	The Applicant must prepare a Heritage Management Plan for the Ashton Mine Complex to manage the potential impacts of the development... The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.	A non-compliance is noted relating to implementation of the HMP during the IA period, with relevant discussion provided at NC01 .	Low	N/A
NC05	Schedule 5, Condition 13	The Applicant must: (a) make copies of the following publicly available on its website:... approved strategies, plans and programs required under the conditions of this consent;... keep this information up to date by ensuring that all management plans, monitoring results and reports are available on the Applicant's website within 30 days of their completion	Conduct of the IA determined general compliance with the requirements of this condition; however, at the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, an administrative non-compliance has been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.	ANC	N/A

3.3.2. EPL 11879

No non-compliances identified.

3.3.3. Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016

Table 3.3 Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 non-compliances

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC06	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.	In accordance with Condition 15(2)(b), NSW Resources approved the submission of forward programs and rehabilitation reports annually by 31 March prior to the current audit period (i.e. 22 July 2022). Conduct of the IA indicates the following documents were submitted outside the amended date for submission: - Forward Program: Sunday 1 January 2023 to Thursday 31 December 2026, submitted 12 April 2024. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023, submitted 12 April 2024. Therefore, an administrative non-compliance has been determined with the requirements of this condition. However, as the forward program and annual rehabilitation reports for the 2024 period were submitted by 31 March 2025, no CA or OFI has been deemed relevant.	ANC	N/A

Finding ID	Condition	Requirement	Finding	Risk rating	CA or OFI
NC07	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— a. for a rehabilitation management plan—within 14 days after it is prepared or amended, or b. for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended.	At the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, an administrative non-compliance has been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.	ANC	N/A

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

3.4.1. Environmental Management Strategy

The EMS (vG, 20 April 2023) has been prepared and implemented in accordance with Schedule 5, Condition 1 of DA 309-11-2001-i.

The EMS has been revised once during IA period, primarily to account for the integration of RUM, with approval of the revised EMS (vG, 20 April 2023) by the former Department of Planning and Environment (DPE) (now the DPHI) dated 20 April 2023.

There were no significant issues identified during conduct of the IA (i.e. documentary review, site inspection, and interviews) necessitating revision to the EMS (vG, 20 April 2023), which was confirmed to be available on the Project website. However, some section references provided in Appendix A of the EMS (i.e. identifying where relevant requirements of Schedule 5, Condition 1 of DA 309-11-2001-i are addressed) were noted to be incorrect. Therefore, **OFI03** has been identified.

3.4.2. RUM LWs 403 to 406 Extraction Plan

The RUM LWs 403 to 406 EP (v1, April 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i.

The RUM LWs 403 to 406 EP was developed in 2025, as LWs 403 to 406 are proposed second workings on site. Approval of the RUM LWs 403 to 406 EP (v1, April 2025), including associated management plans, was provided by the DPHI on 18 July 2025. Associated management plans include:

- Appendix C: WMP (v13, April 2025) (section 3.4.2.1).
- Appendix D: LMP Addendum (v2, April 2025) (section 3.4.2.2).
- Appendix E: BMP (vK, April 2025) (section 3.4.2.3).
- Appendix F: HMP (vF, April 2025) (section 3.4.2.4).
- Appendix G: BFMP (v3, July 2025) (section 3.4.2.5), including:
 - AGL Macquarie AMP (v3, April 2025).
 - Narama Dam AMP (v2, July 2025).
 - Glencore AMP (v3, July 2025).
 - Transgrid AMP (v2, April 2025).
- Appendix H: PSMP (v2, April 2025) (section 3.4.2.6).
- Appendix I: CRRP (v2, April 2025) (section 3.4.2.7).
- Appendix J: SMP (v3, September 2025) (section 3.4.2.8).
- Appendix K: RMP (v3, November 2023) (section 3.4.2.9).

The RUM LWs 403 to 406 EP (v1, April 2025) is an overarching document, with eight (8) associated management plans and a Subsidence Monitoring Program.

A summary of the performance measures for each aspect is included in Table 11 of the RUM LWs 403 to 406 EP (v1, April 2025) . Overall, there should be:

- Either no great or negligible environmental consequences for Water, Biodiversity, Aboriginal Heritage, and Public Safety
- Built Features should always be safe, with serviceability maintained.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the RUM LWs 403 to 406 EP (v1, April 2025), which was confirmed to be available on the Project website.

3.4.2.1. Water Management Plan

The WMP (v13, April 2025) has been prepared and implemented in accordance with:

- Schedule 3, Condition 26 of DA 309-11-2001-i
- Schedule 3, Condition 32 of DA 309-11-2001-i

The WMP has been revised once during the IA period, primarily in relation to also being a sub-plan to the RUM LWs 403 to 406 EP (v1, April 2025) (section 3.4.2). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the WMP was provided 18 July 2025.

This revision involved updating data for predicted groundwater drawdown and updates to Figure 2 and Figure 3 of the WMP. Performance measures and monitoring in the latest version of the WMP remains consistent with the previous version.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection, and interviews) necessitating revision to the WMP (v13, April 2025), which was confirmed to be available on the Project website.

3.4.2.2. Land Management Plan Addendum

The LMP Addendum (v2, April 2025) is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025), which has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i.

DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the LMP Addendum (v2, April 2025), was provided 18 July 2025.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection, and interviews) necessitating revision to the LMP Addendum (v2, April 2025), which was confirmed to be available on the Project website.

3.4.2.3. Biodiversity Management Plan

The BMP (vK, April 2025), including the Biodiversity Offset Management Plan (BOMP) (vA10, 5 November 2020), has been prepared and implemented in accordance with:

- Schedule 3, Condition 28 of DA 309-11-2001-i
- Schedule 3, Condition 32 of DA 309-11-2001-i

The BMP has been revised once during the IA period, primarily in relation to also being a sub-plan to the RUM LWs 403 to 406 EP (v1, April 2025) (section 3.4.2). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the BMP, was provided 18 July 2025.

This revision included an additional performance measure regarding no decrease in extent of Central Hunter Grey Box—Ironbark Woodland and Central Hunter eucalypt forest and woodland.

Furthermore, an updated monitoring methodology for PCT1603 within the Ashton Coal operated RUM areas was also included (section 4.8), this involves:

- Establishing a bird monitoring site at Narama Dam to specifically monitor for ongoing waterbird usage and implement methodology in accordance with BMP.
- Establishing targeted survey sites over LW 403-406 for threatened woodland birds to monitor for continued habitat usage.
- Conducting baseline acoustic monitoring to determine if Southern Myotis (*Myotis aelleni*) is utilising Narama Dam. If Southern Myotis (*Myotis aelleni*) is recorded during baseline surveys, continue yearly monitoring between October-March to confirm species presence and habitat utilisation until two years post-mining of LW 403 to 406.

At the time of the site inspection and interviews, surveys and monitoring had been completed and preparation of the associated report was underway.

As the BOMP was not updated for the inclusion of the RUM LWs 403 to 406 EP (v1, April 2025), there is no updates to offset performance measures.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the BMP (vK, April 2025), which was confirmed to be available on the Project website.

3.4.2.4. Heritage Management Plan

The HMP (vF, April 2025) has been prepared in accordance with:

- Schedule 3, Condition 32 of DA 309-11-2001-i
- Schedule 3, Condition 34 of DA 309-11-2001-i

However, a non-compliance is noted relating to implementation of the HMP during the IA period resulting in non-compliance with Schedule 3, Conditions 32 and 34 of DA 309-11-2001-i (section 3.5.2).

The HMP has been revised once during the IA period, primarily in relation to also being a sub-plan to the RUM LWs 403 to 406 EP (v1, April 2025) (section 3.4.2). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the HMP, was provided 18 July 2025.

This revision included updates to the mitigation, management, monitoring and reporting requirements for heritage sites and values potentially impacted by mining of the ULD and ULLD seams at the ACP and PG Seam at LWs 403 to 406 at the Ashton Mine operated RUM. Key updates are evident in:

- Table 3 (Sites Recorded over the Ashton Coal operated RUM Subsidence Impact Zone) with the addition of new sites along with impacts and management recommendations.
- Item 1.06 in Table 4 (Archaeology and Cultural Heritage Management Actions and Responsibilities).

No updates to the performance measures are evident in the latest version of the HMP.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the HMP (vF, April 2025), which was confirmed to be available on the Project website.

3.4.2.5. Built Features Management Plan, including Assessment Management Plans

The BFMP (v3, July 2025), including associated sub-plans (i.e. AGL Macquarie AMP [v3, April 2025], Narama Dam AMP [v2, July 2025], Glencore AMP [v3, July 2025], and Transgrid AMP [v2, April 2025]) is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025).

The BFMP, including associated sub-plans, has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i.

DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the BFMP and associated AMPs, was provided 18 July 2025.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the BFMP (v3, July 2025), which was confirmed to be available on the Project website.

3.4.2.6. Public Safety Management Plan

The PSMP (v2, April 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i, and is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025).

DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the PSMP (v2, April 2025), was provided 18 July 2025.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the PSMP (v2, April 2025), which was confirmed to be available on the Project website.

3.4.2.7. Coal Resources Recovery Plan

The CRRP (v2, April 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i, and is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025).

DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the CRRP (v2, April 2025) was provided 18 July 2025.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the CRRP (v2, April 2025), which was confirmed to be available on the Project website.

3.4.2.8. Subsidence Monitoring Program

The SMP (v3, September 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i, and is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025).

The SMP has been updated three times during the IA period, DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the SMP (v2, July 2025) was provided 18 July 2025. The most recent revision of the SMP (v3, September 2025) was made following an audit by NSW Resources and was approved by the DPHI on 1 October 2025.

The SMP (v3, September 2025) uses a combination of:

- conventional survey lines
- conventional three-dimensional surveys
- continuous GNSS monitoring
- periodic LiDAR surveys to measure ground movement

Monitoring is targeted at sensitive land uses and infrastructure, including powerlines, dams, fly ash emplacement areas and rehabilitated land, with survey frequency linked to LW face progression. Regular surface inspections supplement survey data to identify visible subsidence impacts, with results recorded, managed and reported to NSW Resources.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the SMP (v3, September 2025), which was confirmed to be available on the Project website.

3.4.2.9. Rehabilitation Management Plan

The RMP (v3, November 2023) has been prepared and implemented 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
- Schedule 3, Condition 43 of DA 309-11-2001-i.

To reflect the revised Final Landform and Rehabilitation Plan (FLRP) submitted to the former NSW Resources Regulator (now NSW Resources), with Amendment 1 of the RMP completed in February 2023. Further comments were provided by the former NSW Resources Regulator (now NSW Resources) on 12 July 2023, with the revised FLRP submitted for approval on 23 August 2023. Approval of the FLRP and Rehabilitation Objectives Statement was approved by the former NSW Resources Regulator (now NSW Resources) on 3 October 2023. As a result, the current RMP (v3, November 2023) revision was completed.

There were no significant issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the RMP (v3, November 2023), with the following related documents sighted during the IA:

- Annual Rehabilitation Report and Forward Program (v1, August 2022)
- Forward Programs:
 - Friday 31 December 2021 to Monday 30 December 2024
 - Sunday 1 January 2023 to Thursday 31 December 2026
 - Wednesday 1 January 2025 to Friday 31 December 2027
- Annual Rehabilitation Reports:
 - 31 December 2022 to 30 December 2023
 - Monday 1 January 2024 to Tuesday 31 December 2024

The Annual Rehabilitation Reports, and Forward Program – Wednesday 1 January 2025 to Friday 31 December 2027 were confirmed to be available on the Project website. However, at the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, **NC05** and **NC07** have been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.

3.4.3. Noise Management Plan

The NMP (vE, April 2023) has been prepared and implemented in accordance with Schedule 3, Condition 9 of DA 309-11-2001-i.

The NMP has been revised once during the start of the IA period, primarily to account for the integration of RUM, with approval of the revised NMP (vE, April 2023) by the former DPE (now the DPHI) dated 20 April 2023.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the NMP (vE, April 2023), which was confirmed to be available on the Project website.

3.4.4. Air Quality and Greenhouse Gas Management Plan

The AQGHGMP (vH, April 2023) has been prepared and implemented in accordance with Schedule 3, Condition 17 of DA 309-11-2001-i.

The AQGHGMP has been revised once during the start of the IA period, primarily to account for the integration of RUM, with approval of the revised AQGHGMP (vH, April 2023) by the former DPE (now the DPHI) dated 20 April 2023.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) (i.e. documentary review, site inspection, and interviews) necessitating revision to the AQGHGMP (vH, April 2023), which was confirmed to be available on the Project website.

3.4.5. Pollution Incident Response Management Plan

The PIRMP (v1G, January 2024) has been prepared and implemented in accordance with Condition 05.1 of EPL 11879.

The PIRMP has been revised once during the IA period, related to updating contact details and plans to include Ashton Coal operated RUM ML's.

There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the PIRMP (v1G, January 2024), which was confirmed to be available on the Project website.

3.5. Complaints and reportable incidents

3.5.1. Complaints

Review of complaints data for the IA period indicates general consistency in the volume of complaints from the previous IA period, with a total of four (4) complaints received.

All complaints received were documented accordingly, with the response and associated actions proportionate. Review of documentation and conduct of the IA interviews indicate Ashton Coal is responsive to complaints, with investigations occurring to verify the complaint and ensure that Ashton Coal's standards and requirements are being implemented.

Table 3.4 summarises complaints data for the IA period.

Table 3.4 Total complaints by reporting period during the IA period

Reporting period		Type of complaint					
		Noise	Dust	Odour	Traffic	Other issues	Total
2023	Number	0	0	0	0	0	0
	Percentage	Nil	Nil	Nil	Nil	Nil	Nil
2024	Number	2	1	0	0	0	3
	Percentage	66.7%	33.3%	0%	0%	0%	100%
2025	Number	1	0	0	0	0	1
	Percentage	100%	0%	0%	0%	0%	100%

3.5.2. Reportable incidents

Conduct of the IA indicates there no incidents have occurred during the IA 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).

One reportable heritage incident occurred during the IA period on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow.

On 19 May 2023, at approximately 3:00pm, Phillip Brown, Environment & Community Relations Superintendent for Ashton Coal was notified of the incident, with a written report submitted to the former Department of Planning and Environment (DPE) (now the DPHI) on 26 May 2023. The (then) DPE acknowledged receipt of the report and provided no comments on the incident.

While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit (GDP) requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed.

To prevent reoccurrence, the grader operator was run through the GDP training module with a specific note that all grading expressly requires the use of the GDP process.

This incident resulted in a non-compliance for Schedule 3, Conditions 32 and 34 as it indicates that the HMP was not successfully implemented (**NC03** and **NC04**). As this incident was a result of not following the requirements of the HMP, and relevant actions were undertaken to prevent re-occurrence, no CA or OFI has been deemed relevant.

4. Environmental performance

Ashton Coal demonstrated a high level of environmental performance during the IA period and site inspection.

This was demonstrated in the general lack of exceedances of relevant criteria in DA301-11-2001-i (Appendix D), EPL 11879 (Appendix E), and the Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016 (NSW) (Appendix F) and through observations made during the site inspection (Appendix G).

Other observations during conduct of the IA, including the site inspection and interviews, is provided in sections 4.2 to 4.12.

4.1. General environmental management

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

- equipment lay down areas are tidy and free of contamination
- the workshop was free of spills and was tidy and well organised, with bunded containment areas were in good condition and tidy condition
- the auditor observed the use of dust suppression, with dust management systems in place and a water truck observed to be in use

Other observations during conduct of the IA, including the site inspection and interviews, are provided in sections 4.2 to 4.12.

4.2. Rehabilitation

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

- RMP (v2, November 2023)
- Annual Rehabilitation Report and Forward Program (v1, August 2022)
- Forward Programs:
 - Friday 31 December 2021 to Monday 30 December 2024
 - Sunday 1 January 2023 to Thursday 31 December 2026
 - Wednesday 1 January 2025 to Friday 31 December 2027
- Annual Rehabilitation Reports:
 - 31 December 2022 to 30 December 2023
 - Monday 1 January 2024 to Tuesday 31 December 2024

4.2.1. Progressive rehabilitation

Conduct of the IA, including review of relevant documentation and conduct of interviews determined Ashton Coal is committed to undertake rehabilitation progressively (as soon as reasonably practicable) following disturbance from mining activities. However, there is limited opportunity for progressive rehabilitation to be completed, based on:

- rehabilitation of the NEOC emplacement commenced in 2005, with approximately 140 ha of rehabilitation being completed in 2012, consisting of approximately 68ha of rehabilitated exotic pasture and approximately 71ha of eucalypt woodland habitat
- the majority of the remaining disturbed surface area (e.g. Infrastructure Areas) being required for the life of the ACP

This notwithstanding, areas of the approximately 68ha of rehabilitated exotic pasture in the rehabilitated NEOC emplacement are planned to be progressively converted to woodland habitat, and is reflected within the RMP (v2, November 2023). Approximately 15 ha is planned to be converted into areas of eucalypt woodland habitat, indicatively targeted for the end of the 2029 reporting period but subject to favourable meteorological conditions.

To date, no rehabilitation areas have achieved the final land use to a standard that would warrant Ashton Coal's submission of an ESF2 to NSW Resources.

4.2.2. Rehabilitation management and monitoring

Conduct of the IA verified active rehabilitation management is undertaken by Ashton Coal, with review of relevant documentation and conduct of interviews indicating rehabilitation management and monitoring is in accordance with the RMP and reported on an annual basis.

Rehabilitation monitoring continued to assess the performance of both the existing mixed woodland habitat and exotic perennial pastures, with three woodland rehabilitation sites and four exotic pasture rehabilitation sites being monitored in 2024. Rehabilitation performance is compared against the RMP proposed completion criteria using performance indicators obtained from non-mining-disturbed reference sites. Three mixed eucalypt woodland and three native grassland reference sites were established in 2019. The range values of each performance indicator area measured annually to reflect seasonal conditions and disturbance events, with monitoring of rehabilitation areas includes:

- landscape function analysis
- soil analysis
- assessment of ecosystem characteristics
- pasture productivity assessment
- land capability assessment
- photographic monitoring
- subsidence monitoring

Rehabilitation monitoring of ecological performance indicators for the mixed eucalypt woodland habitat and exotic pastures demonstrate these rehabilitated areas have generally developed into highly functional and stable communities, functionally comparable to the local woodlands and native grasslands. This has resulted in a number of completion criteria targets being met. However, monitoring in 2024 indicated these areas were dominated by exotic grasses and many sites had a higher diversity of exotic species compared to the reference sites. This is indicated to be related to ongoing dry conditions resulting in a decline in ecological function and increased abundance of weeds. However, rehabilitation monitoring completed by DnA Environmental in 2024 indicates there is little need for management intervention of the existing woodland habitats of the NEOC emplacement, particularly in the light of the revised rehabilitation objectives.

Rehabilitation monitoring was undertaken by DnA Environmental in 2024, which recommendation:

- Due to the age of the woodland rehabilitation and positive monitoring results, revising the monitoring effort and rehabilitation objectives in existing woodland and pasture rehabilitation areas. It was recommended monitoring effort should instead focus on assessing the development of new woodland areas established as part of the proposed pasture-to-woodland conversion program (section 4.2.1).
- Additional sowing of exotic species should be avoided, as these highly competitive species can restrict germination and establishment of native tree and shrub seed, reducing the diversity of desirable grasses and herbs in the longer-term.

A programmed range of pest and weed control activities was also undertaken in the NEOC emplacement rehabilitation area during the IA period, including baiting for wild dogs and foxes, and feral pig management (i.e. trapping and dispatching). Active weed control treatment in the NEOC emplacement rehabilitation area targeted general woody weeds.

4.3. Water management

The water management system for the ACP is outlined in the WMP (v13, April 2025), which includes the following subplans:

- Site Water Balance
- Bowmans Creek Diversion Management Plan
- Erosion and Sediment Control Plan
- Surface Water Management Plan (SWMP)
- Groundwater Management Plan (GWMP).

No reportable incidents relating to water management occurred during the IA period (section 3.5.2). Whilst the trigger action responses within the WMP were enacted for some exceedances, subsequent investigation revealed these exceedances were not the result of the ACP.

4.3.1. Water supply and water balance

Water use for the ACP is largely driven by supply to the CHPP, with additional demand from underground mining, evaporation, irrigation, truck filling, and potable use.

Both passive and active surface water and groundwater take were licensed with individual water access licences (WAL) during the IA period water from entitlements under the:

- Water Sharing Plan (WSP) for the Hunter Regulated River Water Source, in Management Zones 1B (Hunter River from Goulburn River Junction to Glennies Creek Junction) and 3A (Glennies Creek)
- WSP for the Hunter Unregulated and Alluvial Water Sources 2022, in the Hunter Water Management Area and the Central Coast Water Management Area (i.e. Jerrys Water Source [Bowmans Creek])
- WSP for the North Coast Fractured and Porous Rock Groundwater Sources 2016, from the Sydney Basin-North Coast Groundwater Source

Additional sources include reclaimed tailings water, and water returned from operation of the CHPP.

All mine affected water is stored in mine water storages for use on site, with water stored in on-site dams that captures runoff, groundwater, and underground return flows.

During periods when the site water balance identifies increasing water inventory as an issue, water is pumped from the Process Water Dam to a bank of evaporator sprays to increase system losses and mitigate the water inventory increase.

Water balance results indicate no CHPP shortfalls are forecast, with total stored water volumes expected to increase from 2025. This is due to reduced CHPP makeup water demand following the commissioning of tailings dewatering. It is noted that underground supply (dependent on WALs) reliability can, in drought conditions, fall significantly.

Review of the 2023 and 2024 Annual Reviews indicates there was sufficient water to supply the ACP, and both passive and active water take during the IA period remained within licensed entitlements.

4.3.1.1. Compensatory water supply

The Surface and Groundwater Response Plan, in section 8 of the WMP (v13, April 2025), outlines that in the event of a surface or groundwater assessment criterion being exceeded, remedial/compensatory measures will be developed in consultation with the DPHI and any other relevant department and implemented in response to the outcomes of the investigations.

Conduct of the IA determined no compensatory water supply was required during the IA period.

4.3.2. Water discharge and surface water monitoring

No offsite discharges were recorded during the IA period.

Water quality for the creeks and river surrounding ACP is monitored monthly by an independent consultant at sixteen approved monitoring sites with sample analysis by a NATA-accredited laboratory.

Three (or more) consecutive exceedances of pH, electrical conductivity (EC), or total dissolved solids (TDS) trigger values were recorded multiple times across different monitoring sites during the IA period. In accordance with the WMP, the trigger level exceedances were investigated by ATC Williams, which determined water quality was not affected directly by the ACP and was the result of upstream influences. Therefore, the exceedance of trigger levels was not reportable and consequently no reportable incidents occurred during the IA period.

4.3.3. Geomorphology

During the 2024 reporting period one non-compliance with DA 309-11-2001-i was recorded with Statement of Commitment 7.1 related surveys of Bowmans Creek, with the relevant commitments as follows:

At five yearly intervals, or immediately after a flood with a peak flow greater than 150 m³/s (about 5 years ARI), at existing cross sections in the retained sections of the existing creek. For purposes of this commitment, flow will be determined from the Office of Water gauging station.

At five yearly intervals, or immediately after a flood event with a peak flow greater than 150 m³/s (about 5 years ARI), at ten new cross section locations and along the thalweg of each diversion channel. The cross section locations will be established to be representative of the various geomorphic forms within the diverted channels..

This non-compliance was identified in the 2023 IA, with the most recent survey required during 2022, but was delayed. The survey was subsequently completed during December 2023, and the associated report completed in February 2025. The survey and report (i.e. Bowmans Creek Diversions Geomorphology – Review of 5 year [2018] and 10-year [2023] Monitoring Data) was completed by Fluvial Systems Pty Ltd.

4.3.3.1. Key conclusions

Key conclusions of the Fluvial Systems Pty Ltd report include:

- *Overall, the data suggests that the bed of the diversions at the locations of the rock bars has remained stable, except for extensive aggradation of the Western diversion which covered at least four of the 11 rock bars with bed material thick enough to obscure them.*
- *Compared with the changes observed in the unimpacted reaches of Bowmans Creek, in magnitude the changes observed in the diversions were within the expected natural range. Geomorphic change in the diversions was dominantly characterised by pool infilling (especially in the Western diversion) and widening of the lowest part of the low flow channel, while in Bowmans Creek there was no regular spatial pattern to the geomorphic changes.*
- *Inspection of the diversions in February 2024 suggested that geotextile was likely close to the surface at chainage 500 – 520 m of the Eastern diversion. Currently, action to fortify the bed and bank in this area is not warranted. Visual inspections of the diversions after flood events, with a focus on searching for exposed geotextile, is an appropriate approach to managing this risk.*
- *Surveys undertaken since 2014 indicate that the bed of the Western diversion has stabilised in a form that lacks significant pools. Now that the diversions are operational, it is not feasible to reinstate the notched low flow channel morphology by re-shaping the cobbles on the channel bed or to excavate pools in the Western diversion. Disturbance caused by such works would pose a risk to physical stability of the channel, water quality and biota.*

4.3.3.2. Key recommendations

Key recommendations of the Fluvial Systems Pty Ltd report include:

- *Gippel (2017) identified 11 specific locations within the diversions where there is a risk of exposure of the geotextile layer. The 5-year and 10-year monitoring results suggested that these locations remain at risk. These sites should be inspected following flood events of 2-year ARI peak flow (100 m³/s) or higher to assess the need for corrective works to ensure the ongoing geomorphic and biologic functionality of the diversions.*
- *The geomorphic indices developed by Gippel (2017), and also used in this report, should be used in future monitoring reports. It is recommended that monitoring begin with topographic surveys. The survey method should be very carefully specified so that the required data are collected. These data should be analysed to identify the areas of main interest, and then the diversions should be inspected in the field by a professional geomorphologist. The bed sediment sampling can be undertaken at this time.*

4.3.4. Groundwater monitoring

Groundwater at the ACP is managed in accordance with the approved WMP (including the GWMP), and monitoring program.

A groundwater model, informed by mine plans and historical data, predicts potential impacts to the local hydrological regime, which are assessed through a monitoring network targeting the following aquifers:

- Saturated quaternary sediments (alluvium) including:
 - Bowmans Creek Alluvium (BCA)
 - Glennies Creek Alluvium (GCA)
 - Hunter River Alluvium (HRA)
- Shallow Permian sandstone and minor coal seams, referred to as coal measures overburden (CMOB)
- Permian coal measures of varying thickness targeted by mining (Coal Measure)

Impact assessment criteria and trigger action response plans are implemented to investigate and respond to any results that exceed predicted impacts or defined limits.

4.3.4.1. Groundwater levels

Review of bore data in Annual Reviews for the IA period indicate the following on groundwater levels:

- BCA bores:
 - 2023 Annual Review: Groundwater levels decreased below established triggers in T2A (September and October 2023) and WMLP328 (July to December 2023). These triggers were investigated by AGE, with it concluded decreased groundwater levels were attributable to below average rainfall during the second half of 2023, and no mining impacts outside of predictions were noted.
 - 2024 Annual Review: Groundwater levels remained above the established triggers in WMLP323 and WMLP311 for the entire duration of the reporting period. WMLP328 was observed below the triggers at the beginning of the year (January to April); however, increased to above the trigger thresholds for the remainder of the reporting period (May to December).
- GCA bores: Groundwater levels were relatively stable. Due to sediment buildup in the screen interval, WMLP343 was unable to be sampled for most of the 2023 Annual Review period, and from August 2024 during the 2024 Annual Review period. Due to ongoing issues with WMLP343, airlift development to remove the sediment buildup was planned to be undertaken, but has not yet been completed. Therefore, **OFI01** has been identified.
- HRA bores: Groundwater levels decreased throughout 2023; however, remained above the relevant groundwater level trigger values during the reporting period.
- CMOB: Varying trends, with no trigger levels reached.
- Coal Measure bores: Groundwater elevations were stable throughout the IA period.

Vibrating wire piezometer (VWP) readings in sensors at 30 m and 59 m remained relatively stable in bore WMLP269 throughout the reporting period. However, no data has been recorded in the deeper sensors since July 2021, likely due to fracturing of strata in which the deeper sensors are located. A replacement VWP nearby to WMLP269 was planned in 2024 to record pressure head data down to the Lower Barrett Coal Seam. However, conduct of the IA was unable to confirm if this was completed. Therefore, **OFI02** has been identified.

4.3.4.2. Groundwater quality

Review of bore data in Annual Reviews for the IA period indicated the following on groundwater quality:

- pH: WMLP349 and WMLP358 bores exceeded pH trigger values on three or more consecutive occasions in both the 2023 and 2024 Annual Reviews. However, investigations by AGE identified no potential environmental harm or likely impact from mining operations and found that derived pH triggers were representative of drought conditions.
- Electrical conductivity: WMLP349 and WMLP358 bores exceeded the trigger levels on three consecutive occasions during the 2023 Annual Review period and WMLP311 and WMLP349 bores exceeded the trigger levels on three consecutive occasions during the 2024 Annual Review period. However, investigations by AGE concluded that the variability in rainfall recharge during the time period used to derive the triggers was not representative of average long-term rainfall variation at the ACP. This indicated that the derived triggers may not adequately capture natural environmental variation in the bores. It was recommended that revised triggers be developed to include the latest data collected, which better represents seasonal variability.

- Major ions: There were no exceedances for any of the analytes assessed, with the exception of phosphorous during both the 2023 and 2024 Annual Reviews periods, which was below the lower trigger level concentration (0.8-12 milligrams per litre) in multiple bores. Currently no site-specific analysis has been conducted at the ACP to define an appropriate P trigger as recommended by relevant guidelines.

4.4. Air quality and greenhouse gas

4.4.1. Management

The AQGHGMP (vH, April 2023) outlines the management measures to minimise air quality impacts. Air quality and GHG managements procedures include:

- staff and contractor inductions on dust control responsibilities
- day-to-day planning that considers forecast and real-time weather conditions to minimise emissions
- operational controls including:
 - the use of water carts, fixed sprays and misting systems
 - speed limits on haul roads
 - progressive rehabilitation and stabilisation of exposed surfaces
 - scheduling or modification of activities during adverse meteorological conditions
- minimising GHG emissions by:
 - flaring of gas from gas draining bores, where feasible
 - sourcing efficient equipment for all new or upgraded fixed and mobile plant, as required
- no complaints were received regarding odour or GHG, with one complaint regarding dust received during the IA period, which was determined to be unrelated to the ACP and the NSW EPA advised they were unable to identify the source of the dust emission and the complaint has been closed
- National Greenhouse Gas and Energy reporting (NGRS), completed by Yancoal Australia Limited on behalf of Ashton Coal

Measures described above are supported by review of documentation verifying equipment maintenance programs, prompt clean-up of spillage, and adaptive management responses triggered by monitoring results. In addition, a review was undertaken of dust monitors and wind direction for the period which Ashton's contributions at Site 10 was calculated to be 5.1 ug/m³ (24hrs) and 5.3 ug/m³ (3 hours). Investigations undertaken as to use of a polymer to provide a sealant surface to the tailings dam.

During the site inspection, Ashton Coal representatives were forthcoming in producing any evidence requested and it was determined the AQGGMP (vH, April 2023) has been appropriately implemented during the IA period.

4.4.2. Monitoring

Ambient air monitoring undertaken for the project includes:

- Depositional dust monitoring – one sample collected every 30 days (± 2 days) from one depositional dust gauge
- Particulate matter 10 micrometres or less (PM₁₀) – a real-time tapered element oscillating microbalance (TEOM), Site 10 located at Camberwell. Two additional TEOM samplers (Sites 7 and 9) are used for operational management purposes and are not reflective of impacts on sensitive receivers

Results of the air monitoring during the IA period indicates:

- The rolling annual average deposited dust levels recorded throughout the IA period remained below the criteria of 4g/m²/month.
- During the IA period, there were seven days (i.e. three in 2023 and four in 2024) when the 24-hour PM₁₀ results were above 50µg/m³ at Site 10. In each instance, investigations confirmed:
 - the ACP was not a substantial contributor to PM₁₀ levels in Camberwell Village
 - calculated contributions remained below the incremental contribution criteria
 - all reasonable and feasible avoidance measures were being employed.
- The 2025 EPL Monitoring Data Spreadsheet highlights that that continuous monitoring was not achieved, data capture complied with the requirements of Condition M2.4 of EPL 11879, which allows that:

‘Continuous’ means the operation of equipment to achieve a minimum pollutant and/or meteorological data capture rate of 95% for the duration of the licence Annual Return reporting period. The calculation of the data capture rate does not include data loss caused by the following activities:

 - a. routine maintenance;
 - b. routine calibration, including zero and span checks;
 - c. other activity or condition as approved in writing by the EPA.

4.5. Noise

4.5.1. Management

The NMP (vE, April 2023) outlines the management measures to minimise noise impacts. Noise managements procedures include:

- staff and contractor inductions on noise management responsibilities, including awareness of sensitive receivers and required noise mitigation practices
- day-to-day operational planning that considers forecast and real-time meteorological conditions (such as wind direction, temperature inversions and stability) to minimise noise impacts
- operational controls including:
 - selection and use of quieter plant and equipment where feasible
 - regular maintenance of machinery to minimise excessive noise emissions
 - implementation of speed limits and controlled haulage practices
 - use of acoustic bunds, barriers and terrain shielding where practicable
 - scheduling, sequencing or modification of noisy activities during noise-enhancing meteorological conditions or sensitive time periods

During the site inspection, Ashton Coal representatives were forthcoming in producing any evidence requested and it was determined the NMP (vE, April 2023) has been appropriately implemented during the IA period.

Three complaints related to noise were received during the IA period (section 3.5.1).

4.5.2. Monitoring

Noise monitoring undertaken for the project includes:

- Continuous noise monitoring: One continuous real time monitoring station located within Camberwell Village, which informs proactive management of noise generating activities at the site. Monitoring results are not used for regulatory purposes.
- Unannounced¹ attended noise monitoring: Monthly night-time monitoring conducted at three attended noise monitoring locations (N2, N3 and N4)
- Secondary attended noise monitoring: Undertaken within 75 minutes of an attended noise monitoring measurement if results indicate that ACP-related noise exceeds the relevant noise criteria under standard weather conditions (i.e. wind speeds up to 3m/s at 10m above ground level and/or a temperature inversion of up to 3 degrees Celsius)

Results of the noise monitoring during the IA period indicate that when audible, ACP operations were compliant with applicable criteria, including night-time sleep disturbance criteria and cumulative noise criteria at all locations.

4.6. Blasting

No surface blasting was undertaken during the IA period, with blasting management is not required under current operations as open cut mining ceased in 2011.

4.7. Heritage

The following heritage inspections and salvage works were undertaken by Stratum Archaeology Pty Ltd during the reporting period in accordance with Aboriginal Heritage Impact Permits.

- pre inspections were undertaken for any construction works
- annual inspection of archaeological sites outlined within the HMP.
- desktop due diligence reviews of pipeline trenching in previously cleared areas.
- Archaeological Salvage Excavation undertaken at AHIMS Site 37-3-0799

Salvage works were undertaken in this location due the area being predicted to be impacted by subsidence ponding and subsidence cracking. A total of >10,000 artefacts were recovered from approximately 200 m².

Additional archaeological due diligence inspections were also undertaken during the reporting period for a range of activities requiring GDPs such as installation of geotechnical drill holes etc. In response to requests made by Registered Aboriginal Parties at the ACOL Aboriginal Community Consultative Forum (ACCF), security cameras were installed at the ACOL temporary artefact storage facility.

One reportable heritage incident occurred during the IA period on 17 May 2023 (section 3.5.2).

¹ Ashton Coal are not informed of the monitoring until it is completed.

4.8. Biodiversity

Biodiversity is managed under the BMP (vK, April 2025) together with the Ashton Coal Project Plan of Management Voluntary Conservation Area (19/12/2012) for the SWCA. Key biodiversity management measures include:

- establishment of the SWCA
- targeted rehabilitation to improve habitat linkages across the landscape
- planting of River Red Gum saplings
- placement of nesting boxes
- stock exclusion from selected areas
- weed and feral pest control
- ongoing monitoring

4.8.1. Biodiversity Offsets

Schedule 3 Condition 27 of Development Consent DA 309-11-2001-i requires the establishment of the following biodiversity offsets.

- SWCA (existing vegetation and vegetation to be established) – minimum size 190 ha.
- Bowman Creek Riparian Area (riparian and woodland vegetation) – minimum size 60h a.
- NEOC emplacement rehabilitation area (woodland vegetation to be established) – minimum size 100 ha.

The SWCA is managed under a Conservation Agreement, which includes approximately 66 ha of Bowmans Creek riparian corridor and is managed according to its BOMP (vA10, 5 November 2020) (Appendix C in the BMP).

The approximately 140ha of the NEOC emplacement rehabilitation area was completed in 2012. Areas of the approximately 68ha of rehabilitated exotic pasture in the rehabilitated NEOC emplacement are planned to be progressively converted to woodland habitat, and is reflected within the RMP (v2, November 2023). Approximately 15 ha is planned to be converted into areas of eucalypt woodland habitat, indicatively targeted for the end of the 2029 reporting period but subject to favourable meteorological conditions.

4.8.2. Monitoring

Multiple terrestrial and aquatic flora and fauna monitoring programs are completed each year to determine the condition of ecological communities and habitats and compare these findings against relevant management plan performance indicators and closure objectives.

Monitoring completed during the IA period identified no reportable incidents; however, several recommendations from the monitoring was identified, including:

- Strategic grazing management will be reintroduced to effectively manage weed biomass and fuel loads once effective subsidence has been complete.
- Within the Bowmans Creek Riparian corridor, consideration of investigations to identify crucial erosion areas and where rehabilitation and restoration works are required.
- Habitat enhancement plantings, particularly within the narrow casuarina woodland areas, will also be considered. Plantings will include a high proportion of shrubs, native grasses, and reeds to aid with erosion control.

4.9. Social impact

4.9.1. Complaints

Community complaints continued to be managed in accordance with Ashton Coal's established complaints handling process, with all complaints recorded in the publicly available register.

Complaints received during the IA period included:

- 2023: Nil
- 2024: 2 relating to noise and 1 relating air quality
- 2025: 1 relating to noise
- 2026: Nil

4.9.2. Community Consultation

Formal community consultation continued to be undertaken through the ACP CCC, established in accordance with Schedule 5, Condition 7 of DA 309-11-2001-i.

Three CCC meetings were held in each year of the IA period. These meetings provided a structured forum for ACOL to present updates on mine development, environmental monitoring and performance, subsidence management, planning, and other relevant matters, and for community members to raise issues for consideration.

ACOL also continued engagement with the Aboriginal community through the ACCF, with meetings providing ongoing dialogue regarding planned mining operations, potential impacts to Country, upcoming projects and salvage works.

4.9.3. Community Support Program

Ashton Coal maintained its Community Support Program, providing financial and in-kind support to local organisations across four focus areas: social and community, environment and education, health, and training.

4.10. Bushfire management

While not required by conditions of DA 309-11-2001-i, bushfire risk at the ACP is managed through implementation of passive and active treatment measures as outlined in the BFMP (vE, March 2024).

Bushfire management includes both passive and active controls including:

- Establishment and maintenance of containment Asset Protection Zones (APZs) and Strategic Fire Advantage Zones to manage fuel loads and protect infrastructure.
- Fuel management activities such as slashing, fire break and APZ maintenance and, where required, hazard reduction burning (subject to approval from the NSW Rural Fire Service) undertaken based on seasonal conditions and performance criteria outlined in the Bushfire Treatment Register.
- Maintaining adequate water supply infrastructure and access provisions to support emergency response.
- Annual inspections undertaken prior to bushfire season to confirm fuel loads, access tracks and asset protection measures remain appropriate.

Ashton has reconsidered the bushfire risk in the Broad Brush Environment and Community Risk Assessment completed in 2025. The assessment concluded that existing controls reducing risks to levels as low a reasonably practicable. No fire related incidents were recorded during the IA period, with no non-compliances identified relating to bushfire management.

4.11. Waste management

DA 309-11-2001-i does not require a current waste management plan for the ACP, while there is a Statement of Commitment (SoC) for a waste management plan during construction works, this requirement has not been triggered during the IA period.

Waste is currently broadly outlined and managed under the RMP, with waste managed by:

- Encouraging segregation and recycling through appropriate facilities, with recyclable materials collected and sent off-site for recycling.
- Removal of non-recyclable waste by licensed contractors for disposal at landfills licensed to accept the relevant waste category. Three on-site sewage management systems service the underground mine bathhouse and administration facilities, the CHPP, and the NEOC workshop and bathhouse.
- Completion of weekly inspections by a waste contractor to identify any potential issues with waste management, with provision of a monthly report for consideration by Ashton Coal.
- During the 2023 reporting period an electronics bin was established for the recycling of eWaste with 770 kg of eWaste recycled from on-site stockpiles.

Appropriate waste management processes and procedures have been implemented by Ashton Coal, with no reportable incidents relating to waste management occurred during the IA period. Waste monitoring is actively completed onsite via waste tracking for open and underground mining sheets, with Annual Reviews including a record of annual total volumes of wastes and recycling.

4.12. Visual amenity and lighting impacts

The ACP is generally screened from public viewpoints due to the vegetated embankment along the New England Highway, while underground mining areas south of the New England Highway are not subject to significant visual impact from public viewpoints. Ashton Coal restricts works to daytime hours to avoid the need for additional light mitigation measures, with GDPs supporting this by restricting operations to 7am – 6pm.

Ashton Coal has not received any complaints related to visual impacts over the reporting period.

5. Corrective actions and opportunities for improvement

5.1. Corrective actions

No CAs have been identified as a result of the IA.

5.2. Opportunities for improvement

Table 5.1 summarises the OFIs made based on the findings of the IA and observations during the site inspection.

Table 5.1 Opportunities for improvement identified

Consent / licence / lease	Condition	OFI ID	OFI requirement
DA 309-11-2001-i	Schedule 3, Condition 26	OFI01	Complete planned airlift development to remove the sediment buildup in WMLP343
	Schedule 3, Condition 26	OFI02	Complete installation of VWP nearby to WMLP269, to record pressure head data down to the Lower Barrett Coal Seam.
	Schedule 5, Condition 1	OFI03	Update Appendix A of the EMS to ensure section references for where relevant requirements of Schedule 5, Condition 1 of DA 309-11-2001-i have been addressed are correct.

Appendix A

DPHI IA team endorsement and extension to IA
period

Department of Planning, Housing and Infrastructure

NSW Planning ref: DA309-11-2001-I-PA-48

Phillip Brown

Environment & Community Relations Superintendent

ASHTON COAL OPERATIONS PTY LIMITED

13/11/2025

Sent via the Major Projects Portal only

Subject: Ashton Coal - Audit Team Endorsement

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 (IEA) of the Ashton Coal Project, submitted as required by Schedule 5, Condition 11 of DA309-11-2001-I as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 12 November 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 5, Condition 11 (a) of the consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following IEA team:

- Elliot Holland (Lead Auditor)
- Kurtis Speirs (Lead Auditor)
- Gemma van (Assistant Auditor)
- Emma Spires (Assistant Auditor)

The following agencies and stakeholders are to be consulted prior to the commencement of the IEA:

- NSW Department of Planning, Housing and Infrastructure
 - Energy & Resource Assessment branch
 - Compliance branch
- NSW Resources Regulator
 - Mining Act Inspectorate
- NSW Department of Climate Change, Environment, Energy and Water
 - Conservation Programs, Heritage and Regulation group

Department of Planning, Housing and Infrastructure

- Water group
 - NSW Natural Resources Access Regulator
 - NSW Environment Protection Authority
 - Singleton Council
 - Ashton Coal Community Consultative Committee (chair)

Please note:

- This correspondence must be appended to the IEA report.
- The IEA must be prepared, undertaken, and finalised in accordance with the conditions of consent and the NSW Planning *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.
- The above audit team is approved for the current operational audit only. Additional approval must be sought from the Planning Secretary for future audits of the development.
- Any change to the auditor or auditor roles must be approved by the Planning Secretary prior to the IEA commencing.
- The Lead Auditor must attend the site inspection component of the IEA.
- The audit period is the day after the site inspection date of the previous IEA, to the final site inspection date of the current IEA.

Should you wish to discuss the matter further, please contact Toba Olaoye, Senior Compliance officer on 02 4040 8515 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader - Hunter
Compliance

As nominee of the Planning Secretary

Department of Planning, Housing and Infrastructure

Reference: DA309-11-2001-I-PA-49

Phillip Brown

Environment & Community Relations Superintendent

ASHTON COAL OPERATIONS PTY LIMITED

15/01/2026

Sent via the Major Projects Portal only

Subject: Ashton Coal - Extension of time for Independent Environmental Audit Site Inspection-
DA309-11-2001-I

Dear Mr Brown

I refer to your request for an extension of time to conduct site inspection for the Independent Environmental Audit (IEA) audit period starting from 18 January 2023 to 18 January 2026, submitted to the NSW Department of Planning, Housing and Infrastructure (the Department) on 14 January 2026.

The Department notes that:

1. The site inspection for the Audit is scheduled for 15 January 2026; however, the current weather forecast indicates that adverse conditions may restrict access and reduce visibility across the facility's operational areas if the inspection proceeds as planned.
2. The full site inspection, including assessment of progressive rehabilitation at the North East Open Cut would not be achievable.

In accordance with Schedule 5, Condition 11 of the consent, as nominee of the Planning Secretary, I extend the IEA audit period until 30 January 2026.

Should you wish to discuss the matter further, please contact Toba Olaoye, Senior Compliance Officer on 02 4040 8515 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters

Team Leader - Hunter

Compliance

As nominee of the Planning Secretary

Appendix B

IA declaration forms

6. Appendices

Appendix A – Declaration of Independence Form Template

Declaration of Independence - Auditor	
Project Name	Ashton Coal Project [ACP]
Consent Number	DA No. []-[]-[]-[]-i
Description of Project	Open cut coal mine, an underground, coal mine and construction and operation of associated surface facilities, known as the ACP
Project Address	Glennies Creek Road, CAMBERWELL, NSW, [] [] [] []
Proponent	Ashton Coal Operations Pty Ltd
Date	[] October [] [] [] []

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	Ashton Coal Project [ACP]
Consent Number	DA No. []-[]-[]-[]-i
Description of Project	Open cut coal mine, an underground, coal mine and construction and operation of associated surface facilities, known as the ACP
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Proponent	Ashton Coal Operations Pty Ltd
Date	[] October [] [] [] []

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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;
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- 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	Ashton Coal Project [ACP]
Consent Number	DA No. []-[]-[]-[]-i
Description of Project	Open cut coal mine, an underground, coal mine and construction and operation of associated surface facilities, known as the ACP
Project Address	Glennies Creek Road, CAMBERWELL, NSW, [] [] [] []
Proponent	Ashton Coal Operations Pty Ltd
Date	[] October [] [] [] []

I declare that:

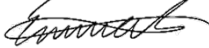
- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, 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;
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- 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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- 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
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Name of Proposed Auditor Emma Squires

Signature 

Qualification Bachelor of Environment Science

Company Onward Consulting Pty Ltd

Appendix C

Agency consultation

Emma Spires

From: Toba Olaoye <toba.olaoye@dpie.nsw.gov.au>
Sent: Wednesday, 3 December 2025 4:56 PM
To: Emma Spires
Cc: Elliot Holland; Kurt Speirs
Subject: Re: ACO-001: NSW DPHI Compliance – 2025 IEA: Ashton Coal Project

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Tracked To Dynamics 365

Hi Emma,

Thanks for reaching out to me for consultation regarding the upcoming IEA for Ashton Coal Project (ACP) in accordance with Schedule 5, Condition 11 of the Development Consent 309-11-2001-i (Modification 11) (DA 309-11-2001-i).

In addition to the requirements of the consent, specific focus should be on the following:

- Update on progressive rehabilitation activities (North-east Open Cut)
- Progress update on the implementation of the Heritage Management Plan
- Waste management plan and how this has been implemented
- Proponent to provide comment on the completion of activities listed under Statement of Commitments, specifically item 7.1, noting this item has been reported as a non-compliance in previous AR's

Thanks.

Regards,

Toba Samuel Olaoye (PhD)

Senior Compliance Officer

Development Assessment & Sustainability

Department of Planning, Housing and Infrastructure

T 02 4040 8515 M 0437 885 559 E toba.olaoye@dpie.nsw.gov.au

dphi.nsw.gov.au

516 High St

Maitland NSW 2320



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time

From: Emma Spires <emma.spires@onward.au>

Sent: Tuesday, November 25, 2025 3:44 PM

To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>; Toba Olaoye <toba.olaoeye@dpie.nsw.gov.au>

Cc: Elliot Holland <elliott.holland@onward.au>; Kurt Speirs <kurt.speirs@onward.au>

Subject: ACO-001: NSW DPHI Compliance – 2025 IEA: Ashton Coal Project

Hi,

Ashton Coal Operations Pty Limited (Ashton Coal) has engaged Onward Consulting Pty Ltd (Onward) to undertake an independent environmental audit (IEA) of the Ashton Coal Project (ACP), located approximately 14 km north-west of Singleton, NSW off Glennies Creek Road, Camberwell.

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 5, Condition 11 of Development Consent 309-11-2001-i (Modification 11) (DA 309-11-2001-i)

The focus of the IEA will be:

- conditions of:
 - DA 309-11-2001-i (as modified)
 - Environment Protection Licence (EPL) 11879
 - Standard Conditions (Schedule 8A, Part 2) of the 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 DA 309-11-2001-i (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 the ACP, as they relate to DA 309-11-2001-i (as modified). I also invite your organisation to comment on the Ashton Coal's performance with other requirements, as you may deem appropriate.

It would be appreciated if your organisation could provide comments regarding the performance of the ACP 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 Thursday 15 January 2026.

It would be appreciated if your organisation could submit written comments by close of business Monday 12 January 2026.

All correspondence / responses, in relation to the IEA, should be directed to Emma Spires emma.spires@onward.au. Should you have any questions, please do not hesitate to contact Elliot Holland (Principal (J–(J Auditing & Compliance, Exemplar Global Lead Auditor (J–(J EMS) on 0427 863 567 or elliot.holland@onward.au.

Kind regards,

Emma Spires
Environmental Consultant

0437 420 845
emma.spires@onward.au
187 Kirkwood Street
Armidale NSW 2350



Emma Spires

From: Jessica Dickson <jessica.dickson@dcceew.nsw.gov.au> on behalf of CPHR RD Hunter Central Coast Mailbox <huntercentralcoast@environment.nsw.gov.au>
Sent: Tuesday, 9 December 2025 3:36 PM
To: Emma Spires
Cc: Elliot Holland; Kurt Speirs
Subject: RE: ACO-001: DCCEEW CPHR – 2025 IEA: Ashton Coal Project

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Tracked To Dynamics 365

Dear Emma,

Thank you for your request for comment from the NSW Department of Climate Change Energy the Environment and Water (DCCEEW) to support an independent audit by your consultancy.

Our team is processing a high volume of requests relating to major projects including critical state significant infrastructure. Given this we apologise that we do not currently have capacity to provide input to this request.

Kind regards,

Jessica Dickson

A/Coordination and Planning Officer
Hunter Central Coast - Regional Delivery
Conservation Programs, Heritage and Regulation Group
Department of Climate Change, Energy, the Environment and Water

E huntercentralcoast@environment.nsw.gov.au



From: Emma Spires <emma.spires@onward.au>
Sent: Tuesday, 25 November 2025 3:29 PM
To: CPHR RD Hunter Central Coast Mailbox <huntercentralcoast@environment.nsw.gov.au>
Cc: Elliot Holland <elliott.holland@onward.au>; Kurt Speirs <kurt.speirs@onward.au>
Subject: ACO-001: DCCEEW CPHR – 2025 IEA: Ashton Coal Project
Importance: High

Hi,

Ashton Coal Operations Pty Limited (Ashton Coal) has engaged Onward Consulting Pty Ltd (Onward) to undertake an independent environmental audit (IEA) of the Ashton Coal Project (ACP), located approximately 14 km north-west of Singleton, NSW off Glennies Creek Road, Camberwell.

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- Schedule 5, Condition 11 of Development Consent 309-11-2001-i (Modification 11) (DA 309-11-2001-i)

The focus of the IEA will be:

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- 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 DA 309-11-2001-i (as modified)
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- 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 the ACP, as they relate to DA 309-11-2001-i (as modified). I also invite your organisation to comment on the Ashton Coal's performance with other requirements, as you may deem appropriate.

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Kind regards,

Emma Spires

Environmental Consultant

0437 420 845

emma.spires@onward.au

187 Kirkwood Street

Armidale NSW 2350



Our ref: OUT25/15572

Emma Spires
Onward Consulting Pty Ltd
Email: emma.spires@onward.au

2/12/2025

Subject: Ashton Coal Project - Independent Environmental Audit - DA309-11

Dear Emma Spires,

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 2025.
- 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 the Water Assessments team at water.assessments@dcceew.nsw.gov.au

Yours sincerely,

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

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

15 December 2025

Ms Emma Spires
Onward Consulting Pty Ltd
Suite 2, Level 1, 28 Donald Street
Hamilton NSW 2303
By Email: emma.spires@onward.au

Re: Ashton Coal Mine – Independent Environmental Audit

Dear Ms Spires,

Thank you for your email dated 25 November 2025 (our reference: AREQ0070010) requesting consultation on the independent audit to be undertaken of the Ashton Coal Mine which is covered by the following mining leases:

- ML1529 (1992)
- ML1696 (1992)
- ML1836 (1992)
- ML1533 (1992)
- ML1834(1992)
- ML1837 (1992)
- ML1623 (1992)
- ML1835(1992)
- ML1861 (1992)

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

Elliot Holland

From: Jack Turner <Jack.Turner@planning.nsw.gov.au>
Sent: Wednesday, December 3, 2025 11:48 AM
To: Emma Spires
Cc: Elliot Holland; Kurt Speirs
Subject: ACO-001: NSW DPHI Energy and Resources branch – 2025 IEA: Ashton Coal Project

Hi Emma

I received your email from the Customer Support team regarding 2025 IEA: Ashton Coal Project.

Please see feedback below under the headings in your email from the assessments team. I would say in general Ashton has been fairly quiet in terms of post approval tasks outside of a recent extraction plan and so the below are more areas of interest for the Department as they relate to all coal mining operations

I understand the compliance team will provide separate comments.

compliance with requirements

- compliance with active Extraction Plan(s)
- compliance with requirements to minimise greenhouse gas emissions (I note the current AQGHGMP is subject to revision regarding GHG components due early next year)
- compliance with biodiversity offset requirements

progress to meeting requirements

No comments from assessments team

details of incidents of non-compliance

No comments from assessments team

adequacy of actions taken

No comments from assessments team

adequacy of the requirements of the approval / licence

No comments from assessments team

Kind regards,

Jack

Jack Turner
Team Leader
Resource Assessments
Department of Planning, Housing and Infrastructure

T 9995 5387 E jack.turner@planning.nsw.gov.au

dphi.nsw.gov.au

6 Stewart Avenue
Newcastle NSW 2300

Working days Mon-Fri 8.30am-4.00pm, out of the office every second Friday





I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

I choose to work flexibly & send emails outside normal office hours. No need to respond to my emails outside yours.

Please consider the environment before printing this email.

Emma Spires

From: mmacdonald-hill@bigpond.com
Sent: Thursday, 22 January 2026 8:47 AM
To: Kurt Speirs
Cc: Elliot Holland; Emma Spires
Subject: ACO-001: Ashton Coal Community Consultative Committee – 2025 IEA: Ashton Coal Project

Categories: Tracked To Dynamics 365

Hi Kurt,

Further to your email on the Triennial Independent Environmental Audit for the Ashton Coal Project, I can confirm that I referred your request to the members of the CCC, asking for any matters they wished to raise for the period within the scope of the audit and advise there are no concerns relating to Ashton's performance or compliance under the project's consent approval and relevant licences.
On behalf of the members, thank you for the opportunity to comment.

Margaret MacDonald-Hill
0448 414 888

Elliot Holland

From: Emma Spires
Sent: Tuesday, November 25, 2025 3:20 PM
To: council@singleton.nsw.gov.au
Cc: Elliot Holland; Kurt Speirs
Subject: ACO-001: Singleton Council – 2025 IEA: Ashton Coal Project

Importance: High

Hi,

Ashton Coal Operations Pty Limited (Ashton Coal) has engaged Onward Consulting Pty Ltd (Onward) to undertake an independent environmental audit (IEA) of the Ashton Coal Project (ACP), located approximately 14 km north-west of Singleton, NSW off Glennies Creek Road, Camberwell.

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Kind regards,

Emma Spires
Environmental Consultant

0437 420 845
emma.spires@onward.au
187 Kirkwood Street
Armidale NSW 2350



Elliot Holland

From: Emma Spires
Sent: Tuesday, November 25, 2025 3:18 PM
To: info@epa.nsw.gov.au; EPA.Northopsregional@epa.nsw.gov.au
Cc: Elliot Holland; Kurt Speirs
Subject: ACO-001: NSW Environment Protection Authority – 2025 IEA: Ashton Coal Project

Importance: High

Hi,

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Kind regards,

Emma Spires
Environmental Consultant

0437 420 845
emma.spires@onward.au
187 Kirkwood Street
Armidale NSW 2350



Kurt Speirs

From: CS Connect Service Centre <cspconnect@service-now.com>
Sent: Friday, 28 November 2025 1:57 PM
To: Emma Spires
Cc: Kurt Speirs; Elliot Holland
Subject: NRAR: NRAR0018731 - ACO-001: NSW Natural Resources Access Regulator – 2025 IEA: Ashton Coal Project

Dear Customer,

Thank you for contacting the Natural Resources Access Regulator (NRAR).

Your enquiry appears to relate to controlled activity approvals, works on waterfront land, or licences and approvals for large water users. These matters are managed by the Department of Climate Change, Energy, the Environment and Water – Water Licensing (DCCEEW – Water).

For assistance, please contact DCCEEW – Water directly via:

Email: water.enquiries@dcceew.nsw.gov.au

Phone: 1300 081 047

Please note that all other water-related licences and approvals continue to be managed by WaterNSW.

We recommend forwarding your enquiry to DCCEEW – Water using the contact details above to ensure it reaches the appropriate team.

Kind regards,

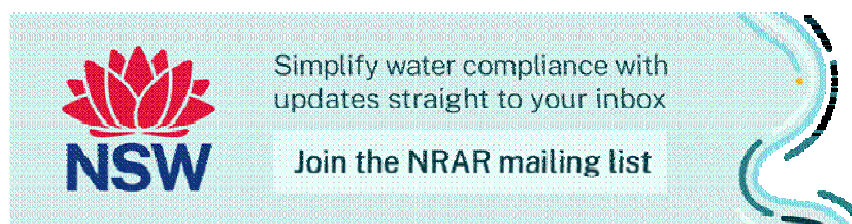
Mandi

Natural Resources Access Regulator (NRAR)

T 1800 633 362 E nrar.enquiries@nrar.nsw.gov.au | W nrar.nsw.gov.au

Postal Address: Locked Bag 5022, Parramatta NSW 2124

Working days Monday to Friday, 9:00am - 5:00pm



Follow us on [Facebook](#) | [X/Twitter](#) | [LinkedIn](#) | [YouTube](#)

I acknowledge the Traditional Custodians of the land and pay respects to Elders past and present.

I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

On Tuesday 25, November 03:32:48 PM AEDT, 'emma.spires@onward.au' wrote:

Hi,

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- AS/NZS ISO 19011:2019 Standard - *Guidelines for auditing management systems*
- the *Independent Audit Guideline Post Approval Requirements* (DPIE, 2020)
- Schedule 5, Condition 11 of Development Consent 309-11-2001-i (Modification 11) (DA 309-11-2001-i)

The focus of the IEA will be:

- conditions of:
 - DA 309-11-2001-i (as modified)
 - Environment Protection Licence (EPL) 11879
 - Standard Conditions (Schedule 8A, Part 2) of the 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 DA 309-11-2001-i (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 the ACP, as they relate to DA 309-11-2001-i (as modified). I also invite your organisation to comment on the Ashton Coal's performance with other requirements, as you may deem appropriate.

It would be appreciated if your organisation could provide comments regarding the performance of the ACP 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 Thursday 15 January 2026.

It would be appreciated if your organisation could submit written comments by close of business Monday 12 January 2026.

All correspondence / responses, in relation to the IEA, should be directed to Emma Spires emma.spires@onward.au. Should you have any questions, please do not hesitate to contact Elliot Holland (Principal – Auditing & Compliance, Exemplar Global Lead Auditor – EMS) on 0427 863 567 or elliott.holland@onward.au.

Kind regards,

Emma Spires

Environmental Consultant
0437 420 845
emma.spires@onward.au
187 Kirkwood Street

Armidale NSW 2350



Appendix D

DA 309-11-2001-i

Condition	Details	Compliance status	Relevant evidence	Commentary
Schedule 2 – ADMINISTRATIVE CONDITIONS				
OBLIGATIONS TO MINIMISE HARM TO THE ENVIRONMENT				
2.1	In addition to meeting the specific performance criteria established under this consent, Applicant must 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 development.	Non-compliant (Low)	- HMP (vF, April 2025). - Ashton Ravensworth Underground Mine – DPHI Approval of Extraction Plan for LWs 403 to 406 (18 July 2025). 2023 and 2024 Annual Reviews. - Notification Letter to DPE (26 May 2023). - DPE email response to notification (19 October 2023). - ACOL Ground Disturbance Permit Training Presentation. - Ashton Coal Operations Environmental Awareness Presentation.	Conduct of the IA has determined general compliance with the requirements of this condition; however, one reportable heritage incident occurred during the IA period on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow. On 19 May 2023, at approximately 3:00pm, Phillip Brown, Environment & Community Relations Superintendent for Ashton Coal was notified of the incident, with a written report submitted to the former Department of Planning and Environment (DPE) (now the DPHI) on 26 May 2023. The (then) DPE acknowledged receipt of the report and provided no comments on the incident. While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed. To prevent reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process. This incident has resulted in non-compliance with the requirements of this condition due to the HMP not being successfully implemented. As this incident was a result of not following the requirements of the HMP, and relevant actions were undertaken to prevent re-occurrence, no CA or OFI has been deemed relevant.
TERMS OF CONSENT				
2.2	The Applicant must: (a) carry out the development generally in accordance with the EA, previous EIAs, Modification Report (MOD 11) and the Development Layout Plans in Appendix 2; and (b) comply with the conditions of this consent and the Statement of Commitments. <i>Notes:</i> <i>The Development Layout Plans are shown in Appendix 2.</i> <i>The Statement of Commitments is reproduced in Appendix 3.</i> <i>Previous EIAs for the development are listed in Appendix 4.</i>	Non-compliant (Low)	This Audit.	Conduct of the audit, including review of documentation, site interviews and site inspection indicate that Ashton Coal is non-compliant with this condition with a number of conditions being identified as non-compliant.
2.3	If there is any inconsistency between the documents covered by condition 2(a) above then the most recent document prevails to the extent of the inconsistency.	Not triggered	Note	N/A.
2.4	The Applicant must comply with any reasonable requirement/s of the Planning Secretary arising from the Department's assessment of: (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted by the Applicant in accordance with this consent; and (b) the implementation of any actions or measures contained in these documents	Not triggered	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined this condition has not been triggered during the IA period.
LIMITS ON CONSENT				
2.5	Mining Operations The Applicant may carry out underground mining operations on the site until 31 December 2035. <i>Notes:</i> <i>Under this consent, the Applicant is required to rehabilitate the site and perform additional undertakings to the satisfaction of both the Planning Secretary and the Resources Regulator. Consequently, this consent 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.</i> <i>Re-handling/reshaping of previously emplaced overburden is not subject to this condition.</i>	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Mining has been ongoing over the IA period with the 2025 IA, still 10 years before this requirement. This condition is therefore compliant.
2.6	Coal Production The Applicant must not extract more than: (a) 5.45 million tonnes of ROM coal from the development in a calendar year. (b) Deleted.	Compliant	2023 and 2024 Annual Reviews. - CHPP Production Statistics Excel Sheet 2025	Annual total coal extracted according to Annual Reviews: 2023 AR: 2.56 million tonnes 2024 AR: 0.73 million tonnes The 2025 annual total coal extracted according to the Production Statistics Sheet is 1.07 million tonnes.

Condition	Details	Compliance status	Relevant evidence	Commentary
2.7	Coal Transport The Applicant must: (a) not transport coal from the site by road (except in an emergency situation and with the prior approval of the Planning Secretary); (b) not transport any coal to the Macquarie Generation coal conveyor by internal or public road; and (c) restrict coal processing for the Ashton Mine Complex and transport to/from the CHPP to a maximum of: • 8.6 million tonnes of ROM coal per calendar year; and • 5 train movements per day, averaged over a calendar month. <i>Note: For the purposes of this condition, each train entering and exiting the site is classified as 2 train movements; and a day refers to the 24 hours from midnight to midnight the next day.</i>	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - CHPP Production Statistics Excel Sheet 2025	Annual total of coal transported to the Port of Newcastle by rail: 2023 AR: 0.38 million tonnes 2024 AR: 1.28 million tonnes The 2025 annual total coal transported according to the Production Statistics Sheet is 0.44 million tonnes and there is no evidence of exceeding 5 train movements a day.
2.8	Hours of Operation The Applicant must restrict surface construction works on the site to: (a) day periods only, in the case of construction of gas wells; and (b) day and evening periods only, in the case of all other construction activities. The Applicant may undertake minor surface construction works outside of these hours in an emergency or where continuous operations are required (for example, raise boring), following the approval of the Planning Secretary. <i>Note: Underground mining operations, ROM coal handling, CHPP operation, conveyor transport to and from the CHPP and train loading may be undertaken at any time.</i>	Compliant	- Sample Ground Disturbance Permits (GDP) (0214, 0222, and 0230) 2023 and 2024 Annual Reviews. - Community Complaints Register - DPHI Approval Letter to Conduct Raise Boring Outside of Standard Hours (12 August 2024).	The sample GDPs reviewed for the LW206B Water Management Sump (0214), flag poles (0222), and the N2 pipework from N2 plant (0230) confirmed that their conditions included requirements for work hours that align with this condition. Ashton Coal received approval to conduct raise boring outside of standard hours in August 2024. Three complaints regarding noise were received over the IA period, however none of these complaints were in regard to noise generated by construction.
2.9	Blasting Unless the Planning Secretary agrees otherwise, the Applicant must not carry out any blasting on the site for open cut mining operations.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	The Annual Reviews confirms that no surface blasts were undertaken during the reporting periods.
STRUCTURAL ADEQUACY				
2.10	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA and SA NSW. <i>Notes:</i> • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works; • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development; • The development is located in the Patrick Plains Mine Subsidence District. Under Section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain SA NSW's approval before constructing any improvements on the site.	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA has determined this condition has not been triggered.
DEMOLITION				
2.11	The Applicant must ensure that all demolition work is carried out in accordance with AS 2601-2001: The Demolition of Structures, or its latest version.	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	No demolition permits were received and consequently no demolition occurred during the IA period.
INFRASTRUCTURE				
2.12	Protection of Public Infrastructure Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development, except where impacts to such works have otherwise been fully compensated through the compensation provisions of the Mining Act 1992. <i>Note: This condition does not apply to Lemington Road or Brunkers Lane, which have been separately addressed under condition 36 of Schedule 3.</i>	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - Longwall (LW) 208 Lemington Road Monitoring and Maintenance Plan (Rev 1, December 2024). - LW 207B Lemington Road Monitoring and Maintenance Plan (Rev1, August 2024). - LW205 to LW208 Ausgrid Asset Management Plan (2020) - LW205 to LW208 Transgrid Asset Management Plan (2020) - LWs 403 to 406 Transgrid Asset Management Plan (2024)	Management of risks to public infrastructure is outlined in the LW Monitoring and Maintenance Plans. The Asset Management Plans for the various LW detail how subsidence will be managed to minimise impacts on public infrastructure and outlines the requirement for Ashton to pay for any necessary repairs. Conduct of the audit has determined compliance with the requirements of this condition.
OPERATION OF PLANT AND EQUIPMENT				
2.13	The Applicant must ensure that all plant and equipment used at the site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	- Site inspection and interviews completed 28 January 2026. - Mechanical Engineering Management Control Plan. Revision 9, dated 20 June 2024 - Ashton Coal Operations Introduction to Site Procedure, Revision 9, dated 28 October 2024 - LH08 & LH09 Service Schedule and Workorder History	Conduct of the audit has determined compliance with the requirements of this condition.
RELATIONSHIP BETWEEN APPROVALS				
2.14	Deleted.	Not triggered	N/A	N/A

Condition	Details	Compliance status	Relevant evidence	Commentary																																																	
2.15	With the approval of the Planning Secretary, the Applicant may integrate any strategy, plan, program, report, review or audit required by this consent with any similar strategy, plan, program, report, review or audit (or part thereof) for the Ravensworth Underground Mine as approved under DA 104/96 and its subsequent modifications.	Not triggered	- Management plans incorporated into the Ravensworth Underground Mine (RUM) LWs 403 to 406 Extraction Plan (v1, April 2025), including: - Heritage Management Plan (HMP) (vF, April 2025). - Water Management Plan (WMP) (v13, April 2025). - Biodiversity Management Plan (BMP) (vK, April 2025). - Approval of the RUM LWs 403 to 406 Extraction Plan (EP) (v1, April 2025), including associated management plans, was provided by the DPHI on 18 July 2025.	Conduct of the audit has determined this condition has not been triggered during the IA period.																																																	
SCHEDULE 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS																																																					
ACQUISITION ON REQUEST																																																					
3.1	Acquisition on Request Upon receiving a written request for acquisition from an owner of the land containing a residential receiver listed in Table 1, the Applicant must acquire the land in accordance with the procedures in conditions 7 and 8 of Schedule 4. Table 1: Land Subject to Acquisition upon Request <table><tr><th>Residential Receiver No.</th><th>Acquisition Basis</th></tr><tr><td>83</td><td>Air Quality</td></tr><tr><td>120</td><td>Air Quality</td></tr><tr><td>121</td><td>Air Quality</td></tr><tr><td>129</td><td>Air Quality and Noise</td></tr><tr><td>130</td><td>Air Quality and Noise</td></tr><tr><td>182</td><td>Noise</td></tr><tr><td>185</td><td>Noise</td></tr><tr><td>188</td><td>Noise</td></tr></table> For the purposes of acquisition under this condition, parcels of land that are in close proximity and operated as a single agricultural enterprise should be included as part of the land to be acquired. Where the Applicant and the owner(s) cannot agree on whether non-contiguous parcels of land should be included, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's decision as to the lands to be included for acquisition under the procedures in conditions 7 and 8 of Schedule 4 is final. This condition only has effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex. <i>Note: To interpret the locations referred to in Table 1, see the applicable figures in Appendix 5.</i>	Residential Receiver No.	Acquisition Basis	83	Air Quality	120	Air Quality	121	Air Quality	129	Air Quality and Noise	130	Air Quality and Noise	182	Noise	185	Noise	188	Noise	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the audit has determined this condition has not been triggered during the IA period.																															
Residential Receiver No.	Acquisition Basis																																																				
83	Air Quality																																																				
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182	Noise																																																				
185	Noise																																																				
188	Noise																																																				
NOISE																																																					
3.2	Noise Criteria Except for the noise-affected land in Table 1, the Applicant must ensure that the noise generated by the Ashton Mine Complex does not exceed the criteria in Table 2 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land. Table 2: Noise Criteria dB(A) <table><tr><th rowspan="2">Location Receiver Number</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr><tr><th>(LAeq (15 min))</th><th>(LAeq (15 min))</th><th>(LAeq (15 min))</th><th>(LA1 (1 min))</th></tr><tr><td>18</td><td>46</td><td>46</td><td>42</td><td>51</td></tr><tr><td>23</td><td>43</td><td>43</td><td>40</td><td>51</td></tr><tr><td>34</td><td>42</td><td>42</td><td>39</td><td>51</td></tr><tr><td>35</td><td>41</td><td>41</td><td>39</td><td>51</td></tr><tr><td>111</td><td>35</td><td>35</td><td>35</td><td>51</td></tr><tr><td>114</td><td>45</td><td>45</td><td>38</td><td>51</td></tr><tr><td>117</td><td>42</td><td>42</td><td>36</td><td>51</td></tr><tr><td>151, the former St Clements Church</td><td colspan="4">45 (LAeq (period), internal when in use and under all weather conditions)</td></tr></table>	Location Receiver Number	Day	Evening	Night		(LAeq (15 min))	(LAeq (15 min))	(LAeq (15 min))	(LA1 (1 min))	18	46	46	42	51	23	43	43	40	51	34	42	42	39	51	35	41	41	39	51	111	35	35	35	51	114	45	45	38	51	117	42	42	36	51	151, the former St Clements Church	45 (LAeq (period), internal when in use and under all weather conditions)				Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the audit has determined this condition has not been triggered during the IA period.
Location Receiver Number	Day		Evening	Night																																																	
	(LAeq (15 min))	(LAeq (15 min))	(LAeq (15 min))	(LA1 (1 min))																																																	
18	46	46	42	51																																																	
23	43	43	40	51																																																	
34	42	42	39	51																																																	
35	41	41	39	51																																																	
111	35	35	35	51																																																	
114	45	45	38	51																																																	
117	42	42	36	51																																																	
151, the former St Clements Church	45 (LAeq (period), internal when in use and under all weather conditions)																																																				

Condition	Details						Compliance status	Relevant evidence	Commentary												
	<table><tr><td>All other privately-owned land</td><td>35</td><td>35</td><td>35</td><td>45</td></tr></table> Noise generated by the development is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i>. Appendix 8 sets out the requirements for evaluating compliance with these criteria. This condition only has effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex. At all other times, condition 2 of Appendix 6 has effect in its place. <i>Note: To interpret the locations referred to in Table 2, see the applicable figure in Appendix 5.</i>	All other privately-owned land	35	35	35	45															
All other privately-owned land	35	35	35	45																	
Appendix 6, Condition 2	Noise Criteria Except for the noise-affected land in Table 1 of Schedule 3, the Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on privately- owned land or on more than 25 per cent of any privately-owned land. Table 1: Noise Criteria dB(A) <table><tr><th>Receiver No.</th><th>Receiver</th><th>Day (L_{Aeq} (15min))</th><th>Evening (L_{Aeq} (15min))</th><th>Night (L_{Aeq} (15min))</th><th>Night (L_{A1}(1min))</th></tr><tr><td>-</td><td>All privately-owned land</td><td>38</td><td>38</td><td>36</td><td>46</td></tr></table> Noise generated by the development is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i>. Appendix 8 sets out the requirements for evaluating compliance with these criteria. However, these noise criteria do not apply if the Applicant has an agreement with the relevant owner/s of the residence/land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.						Receiver No.	Receiver	Day (L _{Aeq} (15min))	Evening (L _{Aeq} (15min))	Night (L _{Aeq} (15min))	Night (L _{A1} (1min))	-	All privately-owned land	38	38	36	46	Compliant	- Ashton Noise Monitoring Reports for 2025 2023 and 2024 Annual Reviews.	Noise monitor reporting during the IA period identified the following: 2023 AR: During monitoring events in which operations at ACP were audible, noise remained below the applicable criteria, including night-time sleep disturbance criteria (LA(1 min)), at all locations. 2024 AR: During monitoring events in which operations at ACP were audible, noise remained below the applicable criteria, including night-time sleep disturbance criteria (LA(1 min)), at all locations. 2025 Data: During monitoring events in which operations at ACP were audible, noise remained below the applicable criteria, including night-time sleep disturbance criteria (LA(1 min)), at all locations. Other mining operations in the vicinity were frequently audible during the operator-attended noise surveys for the IA period however the cumulative mining noise levels remained below the relevant limits.
Receiver No.	Receiver	Day (L _{Aeq} (15min))	Evening (L _{Aeq} (15min))	Night (L _{Aeq} (15min))	Night (L _{A1} (1min))																
-	All privately-owned land	38	38	36	46																
3.3	Additional Noise Mitigation Measures Upon receiving a written request from the owner of any residence on the land listed in Table 1 and/or at any residence where subsequent noise monitoring results shows the noise generated by the Ashton Mine Complex exceeds the noise criteria in Table 2 by 3-5 dB(A), the Applicant must implement additional reasonable and feasible noise mitigation measures (such as double glazing, insulation, and/or air conditioning) at the residence in consultation with the owner. If within 3 months of receiving this request from the landowner, the Applicant 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 Planning Secretary for resolution. This condition only has effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex. At all other times, condition 3 of Appendix 6 has effect in its place. <i>Note: For this condition to apply, the exceedance of the criteria must be systemic.</i>						Not Triggered	N/A	Open cut mining operations have not recommenced at the site, and therefore this condition remains not triggered, refer to appendix 6 Condition 3 for interim criteria.												
Appendix 6, Condition 3	Additional Noise Mitigation Measures Upon receiving a written request from the owner of any residence on any privately-owned land where subsequent operational noise monitoring shows the noise generated by the development exceeds the noise limits in Table 2, the Applicant must implement additional reasonable and feasible noise mitigation measures (such as double glazing, insulation, and/or air conditioning) at the residence in consultation with the owner. If within 3 months of receiving this request from the landowner, the Applicant 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 Planning Secretary for resolution. Table 2: Additional Noise Mitigation Criteria dB(A) L_{Aeq} (15min) <table><tr><th>Receiver No.</th><th>Receiver</th><th>Day (L_{Aeq} (15min))</th><th>Evening (L_{Aeq} (15min))</th><th>Night (L_{Aeq} (15min))</th></tr><tr><td>-</td><td>All privately-owned land</td><td>38</td><td>38</td><td>36</td></tr></table> <i>Notes:</i> - Noise generated by the development is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i>. Appendix 8 sets out the requirements for evaluating compliance with these criteria. - For this condition to apply, the exceedance of the criteria must be systemic.						Receiver No.	Receiver	Day (L _{Aeq} (15min))	Evening (L _{Aeq} (15min))	Night (L _{Aeq} (15min))	-	All privately-owned land	38	38	36	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	No written requests were received during the IA period.		
Receiver No.	Receiver	Day (L _{Aeq} (15min))	Evening (L _{Aeq} (15min))	Night (L _{Aeq} (15min))																	
-	All privately-owned land	38	38	36																	
3.4	Noise Acquisition Criteria If the noise generated by the Ashton Mine Complex exceeds the criteria in Table 3 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land (except for the noise-affected residential receivers in Table 1), then upon receiving a written request for acquisition from the owner, the Applicant must acquire the land in accordance with the procedures in conditions 7 and 8 of Schedule 4. Table 3: Noise Acquisition Criteria dB(A) LAeq (15 min)						Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - Ashton Noise Monitoring Reports for 2025, Version E, Dated April 2023.	Open cut mining operations have not recommenced at the site, and therefore this condition remains not triggered.												

Condition	Details				Compliance status	Relevant evidence	Commentary												
	Location Receiver Number	Day	Evening	Night															
	18	51	50	47															
	23	49	49	43															
	34	49	49	43															
	35	49	49	43															
	111	49	49	47															
	114	49	49	47															
	117	49	49	43															
	All other privately-owned land	41	41	41															
	Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy. Appendix 8 sets out the requirements for evaluating compliance with these criteria. This condition only has effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex. <i>Notes:</i> • To interpret the locations referred to in Table 3, see the applicable figure in Appendix 5. • For this condition to apply, the exceedance of the criteria must be systemic.																		
3.5	Cumulative Noise Criteria The Applicant must implement all reasonable and feasible measures to ensure that the noise generated by the Ashton Mine Complex combined with the noise generated by other mines in the vicinity does not exceed the criteria in Table 4 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land (except for the noise-affected residential receivers in Table 1). Table 4: Cumulative Noise Criteria dB(A) LAeq (period) <table><tr><td>Location</td><td>Day</td><td>Evening</td><td>Night</td></tr><tr><td>Camberwell Village</td><td>55</td><td>45</td><td>40</td></tr><tr><td>All other privately-owned land</td><td>50</td><td>45</td><td>40</td></tr></table> Cumulative noise is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy. Appendix 8 sets out the requirements for evaluating compliance with these criteria. For the purposes of this condition, 'reasonable and feasible avoidance and mitigation measures' includes, but is not limited to, the requirements in conditions 8 and 9 below to develop and implement a real-time noise management system that ensures effective operational responses to the risk of exceedance of the criteria. This condition only has effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex. <i>Note: To interpret the locations referred to in Table 4, see the applicable figure in Appendix 5.</i>				Location	Day	Evening	Night	Camberwell Village	55	45	40	All other privately-owned land	50	45	40	Not triggered	• 2023 and 2024 Annual Reviews. • Ashton Noise Monitoring Reports for 2025. • Noise Management Plan (NMP) (vE, April 2023). • Community Complaints Register.	Open cut mining operations have not recommenced at the ACP, and therefore this condition remains not triggered.
Location	Day	Evening	Night																
Camberwell Village	55	45	40																
All other privately-owned land	50	45	40																
3.6	Cumulative Noise Acquisition Criteria If the cumulative noise generated by the Ashton Mine Complex combined with the noise generated by other coal mines in the vicinity exceeds the criteria in Table 5 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land (except for the noise-affected residential receivers in Table 1), then upon receiving a written request from the landowner, the Applicant must, together with the relevant mines, acquire the land on as equitable basis as possible, in accordance with the procedures in conditions 7 and 8 of Schedule 4. Table 5: Cumulative Noise Acquisition Criteria dB(A) LAeq (period) <table><tr><td>Location</td><td>Day</td><td>Evening</td><td>Night</td></tr><tr><td>Camberwell Village</td><td>60</td><td>50</td><td>45</td></tr><tr><td>All other privately-owned land</td><td>55</td><td>50</td><td>45</td></tr></table> Cumulative noise is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy. Appendix 8 sets out the requirements for evaluating compliance with these criteria. <i>Note: To interpret the locations referred to in Table 5, see the applicable figure in Appendix 5.</i>				Location	Day	Evening	Night	Camberwell Village	60	50	45	All other privately-owned land	55	50	45	Compliant	• Site inspection and interviews completed 28 January 2026. • 2023 and 2024 Annual Reviews. • Ashton Noise Monitoring Reports for 2025.	Noise monitor reporting during the IEA period identified the following: • 2023 AR: When audible, the ACP operations were determined to be compliant with cumulative noise criteria. • 2024 AR: When audible, the ACP operations were determined to be compliant with cumulative noise criteria. • 2025 Data: When audible, the ACP operations were determined to be compliant with cumulative noise criteria.
Location	Day	Evening	Night																
Camberwell Village	60	50	45																
All other privately-owned land	55	50	45																
3.7	Rail Noise The Applicant must seek to ensure that its rail spur is only accessed by locomotives that are approved to operate on the NSW rail network in accordance with noise limits in RailCorp’s EPL (No. 12208) and ARTC’s EPL (No. 3142), or otherwise approved by the EPA.				Compliant	• 2023 and 2024 Rail Noise Annual Performance Report. • 2023 and 2024 Rail Noise Annual Performance Report.	Conduct of the IEA determined compliance with the requirements of this condition.												

Condition	Details	Compliance status	Relevant evidence	Commentary
3.8	Operating Conditions The Applicant must: (a) implement best practice noise management, including all reasonable and feasible noise mitigation measures, to minimise the operational, low frequency and rail noise generated by the Ashton Mine Complex at all times, including during temperature inversions; (b) operate a comprehensive noise management system that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day-to-day planning of mining operations and the implementation of both proactive and reactive mitigation measures to ensure compliance with the relevant conditions of this consent; (c) minimise the noise impacts of the development during meteorological conditions under which data is to be excluded for the purposes of assessing compliance with these conditions (see Appendix 8); and (d) co-ordinate noise management at the Ashton Mine Complex with noise management at nearby coal mines to minimise the cumulative noise impacts of the mines, to the satisfaction of the Planning Secretary. <i>Note: Condition 8(b) above only has effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex.</i>	Compliant	2023 and 2024 Annual Reviews. - Ashton Noise Monitoring Reports for 2025. - NMP (vE, April 2023). - Community Complaints Register.	Ashton Coal adequately addresses the requirements of this condition, as follows: - Requirement (a): Three complaints were received over the IA period in relation to noise. Investigations undertaken by Ashton were adequate. A review of noise monitoring results covering the IA period found no non-compliances against the noise limits. - Requirement (b): Noise management is documented in Section 4.4 of the NMP. Monitoring (including the location of Real-Time noise monitoring) is detailed in Section 4.5 and subsequently monthly attended noise monitoring reports are prepared by EMM for Ashton. - Requirement (c): Noise management is documented in Section 4.4 of the NMP, of particular relevance to this condition is the management measure item 7.2C in Table 7. Three complaints over the reporting period indicate that in general, noise is being managed effectively at the premises. - Requirement (d): Coordination of cumulative noise impacts with neighbouring mines is covered under item 7.7 in Table 7 of the NMP.
3.9	Noise Management Plan The Applicant must prepare a Noise Management Plan for the Ashton Mine Complex to manage potential impacts of the development. This plan must: (a) be submitted to the Planning Secretary for approval; (b) describe the noise mitigation measures that would be implemented to ensure: - best practice noise management is being employed and is regularly: - benchmarked against contemporary industry standards; and - reviewed to ensure continual improvement; and - compliance with the noise criteria and operating conditions of this consent; (c) describe the noise management system in detail; (d) include a noise monitoring program that: - uses a combination of real-time and supplementary attended monitoring measures to evaluate the noise performance of the Ashton Mine Complex; - includes a protocol for determining exceedances of the relevant conditions of this consent; - evaluates and reports on the effectiveness of the noise management system and the best practice noise management measures; - includes sufficient random audit of operational responses to the real-time noise management system to determine the ongoing effectiveness of these responses in - maintaining compliance with all relevant noise criteria and the requirements of condition 8 above; and - includes a mechanism for publication of the results of these audits and for an independent annual review of these results, including any recommendations for improvement in performance and (e) includes a protocol that has been prepared in consultation with the owners of nearby mines to minimise the cumulative noise impacts of the mines. The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - Ashton Noise Monitoring Reports for 2025 - NMP (vE, April 2023). - Community Complaints Register.	The NMP was found to adequately address the requirements of this condition as follows: - Requirement (a): addressed in Appendix C - Requirement (b): addressed in Section 4.4, 4.5, and 6 - Requirement (c): addressed in Section 3, 4, and 5 - Requirement (d): addressed in Section 4.5, 5.2, and 6 - Requirement (e): addressed in Section 4.2.3 and 4.4 The NMP (vE, April 2023) has been prepared and implemented in accordance with Schedule 3, Condition 9 of DA 309-11-2001-i. The NMP has been revised once during the start of the IA period, primarily to account for the integration of RUM, with approval of the revised NMP (vE, April 2023) by the former DPE (now the DPHI) dated 20 April 2023. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the NMP (vE, April 2023), which was confirmed to be available on the Project website.
AIR QUALITY & GREENHOUSE GAS				
3.10	Odour The Applicant must ensure that no offensive odours are emitted from the site, as defined under the POEO Act, unless otherwise authorised by an EPL.	Compliant	- Site inspection and interviews completed 28 January 2026. - Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (vH, April 2023). - Community Complaints Register. 2023 and 2024 Annual Reviews.	No complaints regarding odour were received over the IA period. No odours identified during the audit site inspection.
3.11	Greenhouse Gas Emissions The Applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Planning Secretary. <i>Note: This condition does not extend to Scope 3 emissions, as defined in the National Greenhouse Energy Reporting Guidelines.</i>	Compliant	- Site inspection and interviews completed 28 January 2026. - AQGHGMP (vH, April 2023). - Community Complaints Register. 2023 and 2024 Annual Reviews.	The AQGHGMP (vH, April 2023) outlines the management measures to minimise air quality impacts. Air quality and GHG management procedures include: - minimising GHG emissions by: - flaring of gas from gas draining bores, where feasible - sourcing efficient equipment for all new or upgraded fixed and mobile plant, as required - no complaints were received regarding odour or GHG - National Greenhouse Gas and Energy reporting (NGRS), completed by Yancoal Australia Limited on behalf of Ashton Coal

Condition	Details	Compliance status	Relevant evidence	Commentary																				
				As requested by the DPHI, Ashton Coal is in the process of revising the AQGHGMP to include additional detail in relation to management of GHG.																				
3.12	Air Quality Criteria Except for the land listed as air quality impacted in Table 1 (whilst condition 1 has effect), the Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the Ashton Mine Complex does not cause or contribute to exceedance of the criteria listed in Table 6 at any residence on privately-owned land or on more than 25 percent of any privately-owned land. Table 6: Air Quality Criteria <table><tr><th>Pollutant</th><th>Averaging Period</th><th colspan="2">Criterion ^d</th></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td colspan="2">^a 30 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td colspan="2">^b 50 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td colspan="2">^a 90 µg/m³</td></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> <i>Notes to Table 6:</i> <i>a Total impact (ie incremental increase in concentrations due to the Ashton Mine Complex plus background concentrations due to all other sources);</i> <i>b Incremental impact (ie incremental increase in concentrations due to the Ashton Mine Complex on its own);</i> <i>c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter – Deposited Matter - Gravimetric Method.</i> <i>d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity which has been endorsed by EPA and then agreed to by the Planning Secretary.</i> For the purposes of this condition, ‘reasonable and feasible avoidance and mitigation measures’ include, but are not limited to, the requirements in conditions 16 and 17 to develop and implement a real-time air quality management system that ensures effective operational responses to the risks of exceedance of the criteria.	Pollutant	Averaging Period	Criterion ^d		Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m³		Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m³		Total suspended particulates (TSP)	Annual	^a 90 µg/m³		^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month	Compliant	- AQGHGMP (vH, April 2023). - Community Complaints Register. 2023 and 2024 Annual Reviews. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet.	Ambient air monitoring undertaken for the ACP includes: - Depositional dust monitoring – one sample collected every 30 days (± 2 days) from one depositional dust gauge - Particulate matter 10 micrometres or less (PM10) – a real-time tapered element oscillating microbalance (TEOM), Site 10 located at Camberwell. Two additional TEOM samplers (Sites 7 and 9) are used for operational management purposes and are not reflective of impacts on sensitive receivers Results of the air monitoring during the IA period indicates: - The rolling annual average deposited dust levels recorded throughout the IA period remained below the criteria of 4g/m2/month. - During the IA period, there were seven days (i.e. three in 2023 and four in 2024) when the 24-hour PM10 results were above 50µg/m3 at Site 10. In each instance, investigations confirmed: - the ACP was not a substantial contributor to PM10 levels in Camberwell Village - calculated contributions remained below the incremental contribution criteria - all reasonable and feasible avoidance measures were being employed.
Pollutant	Averaging Period	Criterion ^d																						
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m³																						
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m³																						
Total suspended particulates (TSP)	Annual	^a 90 µg/m³																						
^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month																					
3.13	Additional Air Quality Mitigation Measures Upon receiving a written request from the owner of any residences on any privately-owned land where subsequent air quality monitoring shows the dust generated by the Ashton Mine Complex exceeds the air quality limits in Table 6, the Applicant must implement additional reasonable and feasible dust mitigation measures (such as a first-flush roof system, internal or external air filters and/or air conditioning) at the residence in consultation with the owner. If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution. <i>Note: For this condition to apply, the exceedance of the criteria must be systemic</i>	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA determined this condition has not been triggered during the IA period.																				
3.14	Exceedances at Occupied Residences on Mine-owned Land The Applicant must ensure that particulate matter emissions generated by the Ashton Mine Complex do not exceed the criteria listed in Table 6, at any occupied residence on any mine-owned land (including land owned by adjacent mines) unless: (a) the tenant, and landowner (where owned by a mine other than the Applicant), has been notified of health risks in accordance with the notification requirements under Schedule 4 of this consent; (b) the tenant of land owned by the Applicant can terminate their tenancy agreement without penalty, subject to giving reasonable notice, and the Applicant uses its best endeavours to provide assistance with relocation and sourcing of alternative accommodation; (c) air mitigation measures such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant and landowner (where owned by a mine other than the Applicant); (d) particulate matter air quality monitoring is undertaken to inform the tenant and landowner (where owned by a mine other than the Applicant) of potential health risks; and (e) the monitoring data is provided to the tenant in an appropriate format, for a medical practitioner to assist the tenant in making an informed decision on the health risks associated with occupying the property, to the satisfaction of the Planning Secretary.	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA determined this condition has not been triggered during the IA period.																				
3.15	Air Quality Acquisition Criteria If particulate matter emissions generated by the Ashton Mine Complex cause or contribute to exceedance of the cumulative criteria, in Table 7 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the landowner, the Applicant must acquire the land in accordance with the procedures in conditions 7 to 8 of Schedule 4.	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews..	Conduct of the IA determined this condition has not been triggered during the IA period.																				

Condition	Details	Compliance status	Relevant evidence	Commentary																								
	Table 7: Air quality acquisition criteria <table><thead><tr><th>Pollutant</th><th>Averaging Period</th><th colspan="2">Criterion ^d</th></tr></thead><tbody><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td colspan="2">^a 30 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td colspan="2">^a 150 µg/m³</td></tr><tr><td>Particulate matter < 10 µm (PM₁₀)</td><td>24 hour</td><td colspan="2">^b 50 µg/m³</td></tr><tr><td>Total suspended particulates (TSP)</td><td>Annual</td><td colspan="2">^a 90 µg/m³</td></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></tbody></table> Notes to Table 7: a Total impact (ie incremental increase in concentrations due to the Ashton Mine Complex plus background concentrations due to all other sources); b Incremental impact (ie incremental increase in concentrations due to the Ashton Mine Complex on its own); c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter – Deposited Matter - Gravimetric Method. d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity which has been endorsed by EPA and then agreed to by the Planning Secretary.	Pollutant	Averaging Period	Criterion ^d		Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m³		Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 150 µg/m³		Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m³		Total suspended particulates (TSP)	Annual	^a 90 µg/m³		^c Deposited dust	Annual	^b 2 g/m²/month	^a 4 g/m²/month			
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3.16	Operating Conditions The Applicant must: (a) implement best practice air quality management, including all reasonable and feasible measures to minimise off-site odour, fume and dust emissions generated by the Ashton Mine Complex, including those generated by any spontaneous combustion. (b) minimise the surface disturbance of the site; (c) minimise any off-site air pollution generated by the Ashton Mine Complex; (d) ensure that the: - the conveyor is enclosed on at least 3 sides including the side facing Camberwell village, and on all 4 sides where the conveyor crosses Glennies Creek and the New England Highway, prior to the commencement of conveyor operations; and - the bund along the northern boundary is constructed and revegetated as quickly as is practicable; (e) ensure that the ROM hopper operates water sprays during all dumping of coal; (f) operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting, predictive and real-time air dispersion modelling and real-time air quality monitoring data to guide the day-to-day planning of mining operations and the implementation of both proactive and reactive mitigation measures to ensure compliance with the relevant conditions of this consent; (g) manage PM2.5 levels in accordance with any requirements of an EPL; (h) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d under Table 7); (i) minimise the air quality impacts of the development during meteorological conditions when winds blow from the southerly direction (160-220 degrees), particularly when PM10 levels are elevated, or likely to be elevated; (j) co-ordinate the air quality management on site with the air quality management at nearby mines to minimise the cumulative air quality impacts of the mines, to the satisfaction of the Planning Secretary. Note: Condition 16(d), (f) and (i) above only have effect following recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - AQGHGMP (vH, April 2023). - Community Complaints Register. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet. - Ashton Coal Spontaneous Combustion Principal Hazard Management Plan. Version 15, dated 28 July 2024. - Example meeting minutes from May 2024 and October 2025 with neighbouring mines – discussing air quality.	The AQGHGMP (vH, April 2023) outlines the management measures to minimise air quality impacts. Air quality and GHG managements procedures include: - staff and contractor inductions on dust control responsibilities - day-to-day planning that considers forecast and real-time weather conditions to minimise emissions - operational controls including: - the use of water carts, fixed sprays and misting systems - speed limits on haul roads - progressive rehabilitation and stabilisation of exposed surfaces - scheduling or modification of activities during adverse meteorological conditions - minimising GHG emissions by: - flaring of gas from gas draining bores, where feasible - sourcing efficient equipment for all new or upgraded fixed and mobile plant, as required - no complaints were received regarding odour or GHG, with one complaint regarding dust received during the IA period, which was determined to be unrelated to the ACP and the NSW EPA advised they were unable to identify the source of the dust emission and the complaint has been closed - National Greenhouse Gas and Energy reporting (NGRS), completed by Yancoal Australia Limited on behalf of Ashton Coal Measures described above are supported by review of documentation verifying equipment maintenance programs, prompt clean-up of spillage, and adaptive management responses triggered by monitoring results. In addition, a review was undertaken of dust monitors and wind direction for the period which Ashton's contributions at Site 10 was calculated to be 5.1 ug/m3 (24hrs) and 5.3 ug/m3 (3 hours). Investigations undertaken as to use of a polymer to provide a sealant surface to the tailings dam. During the site inspection, Ashton Coal representatives were forthcoming in producing any evidence requested and it was determined the AQGGMP (vH, April 2023) has been appropriately implemented during the IA period.																								
3.17	Air Quality and Greenhouse Gas Management Plan The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the Ashton Mine Complex to manage potential impacts of the development. This plan must: (a) be submitted to the Planning Secretary for approval; (b) describe the measures that would be implemented to ensure:	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - AQGHGMP (vH, April 2023). - Community Complaints Register.	The AQGHGMP has been prepared for the development and was revised during the IA period to reflect the integration of mining in RUM by Ashton. The revised plan was approved on 20 April 2023 (approval letter attached to plan). The Air Quality and Greenhouse Gas Management Plan was found to adequately address the requirements of this condition as follows: Requirement (a): Appendix B																								

Condition	Details	Compliance status	Relevant evidence	Commentary
	- best practice air quality management is: - being employed; - regularly benchmarked against contemporary industry standards; and - regularly reviewed to ensure continual improvement; and - compliance with the air quality criteria, operating and greenhouse gas conditions, of this consent; (c) describe the air quality management system in detail; (d) include an air quality monitoring program that: - uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the Ashton Mine Complex; - includes a protocol for determining any exceedances of the relevant conditions in this consent; - evaluates and reports on the effectiveness of the air quality management system and the best practice air quality management measures; - includes sufficient random audit of operational responses to the real-time air quality management system to determine the ongoing effectiveness of these responses in maintaining the Ashton Mine Complex within the relevant criteria in this Schedule and the requirements of condition 16 above; - includes a mechanism for publication of the results of these audits and for an independent annual review of these results, including any recommendations for improvement in performance; and (e) include a protocol that has been prepared in consultation with the owners of nearby mines to minimise the cumulative air quality impacts of all mines. The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.		Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet.	- Requirement (b): Sections 4 and 6 - Requirement (c): Entire management plan - Requirement (d): Sections 4.4, 4.5, 5.2 and 6 - Requirement (e): Section 4.2.7 and Table 6 Item 4.3.7 The AQGHGMP (vH, April 2023) outlines the management measures to minimise air quality impacts. Air quality and GHG managements procedures include: - staff and contractor inductions on dust control responsibilities - day-to-day planning that considers forecast and real-time weather conditions to minimise emissions - operational controls including: - the use of water carts, fixed sprays and misting systems - speed limits on haul roads - progressive rehabilitation and stabilisation of exposed surfaces - scheduling or modification of activities during adverse meteorological conditions - minimising GHG emissions by: - flaring of gas from gas draining bores, where feasible - sourcing efficient equipment for all new or upgraded fixed and mobile plant, as required - no complaints were received regarding odour or GHG, with one complaint regarding dust received during the IA period, which was determined to be unrelated to the ACP and the NSW EPA advised they were unable to identify the source of the dust emission and the complaint has been closed - National Greenhouse Gas and Energy reporting (NGRS), completed by Yancoal Australia Limited on behalf of Ashton Coal Measures described above are supported by review of documentation verifying equipment maintenance programs, prompt clean-up of spillage, and adaptive management responses triggered by monitoring results. In addition, a review was undertaken of dust monitors and wind direction for the period which Ashton's contributions at Site 10 was calculated to be 5.1 ug/m3 (24hrs) and 5.3 ug/m3 (3 hours). Investigations undertaken as to use of a polymer to provide a sealant surface to the tailings dam. During the site inspection, Ashton Coal representatives were forthcoming in producing any evidence requested and it was determined the AQGGMP (vH, April 2023) has been appropriately implemented during the IA period.
METEOROLOGICAL MONITORING				
3.18	For the life of the development, the Applicant must ensure that there is a meteorological station 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, or as otherwise approved by the EPA.	Compliant	- Maps attached to EPL 11879 - Met Station Data (2023, 2024, 2025) - TEOM Ambient Particulate Monitor – Final Test Record (2024) 2023 and 2024 Annual Reviews. - AQGHGMP (vH, April 2023).	The Annual Reviews note the meteorological station called M2 (or Repeater_ station) located on the rehabilitated NEOC overburden emplacement was operated. Another weather station located in Camberwell is over operated and only required for temperature measurement for assessment of temperature inversions (lapse rate calculations). The AQGHGMP confirms that the air quality monitoring equipment is has been installed in accordance with the relevant guidelines and standards. The TEOM Ambient Particulate Monitor Final Test Record confirms manufacturing and quality controls inspections were completed on the instrument, reinforcing compliance. The Met Station Data indicates that continuous monitoring of rainfall, temperature and wind occurred over the IA period.
SOIL AND WATER				
3.19	Water Licences The Applicant must obtain all necessary water licences for the development under the <i>Water Act 1912</i> or the <i>Water Management Act 2000</i>.	Compliant	- Water Management Plan (WMP) (v13, April 2025). 2023 and 2024 Annual Reviews.	Both passive and active surface water and groundwater take were licensed with individual water access licences (WAL) during the IA period water from entitlements under the: - Water Sharing Plan (WSP) for the Hunter Regulated River Water Source, in Management Zones 1B (Hunter River from Goulburn River Junction to Glennies Creek Junction) and 3A (Glennies Creek) - WSP for the Hunter Unregulated and Alluvial Water Sources 2022, in the Hunter Water Management Area and the Central Coast Water Management Area (i.e. Jerrys Water Source [Bowmans Creek])

Condition	Details	Compliance status	Relevant evidence	Commentary
				WSP for the North Coast Fractured and Porous Rock Groundwater Sources 2016, from the Sydney Basin-North Coast Groundwater Source WALs recorded in the most recent version of the Water Management Plan include WAL 1358, WAL 15583, WAL 8404, WAL 997, WAL 1120, WAL 1121, WAL 6346, WAL 23912, WAL 984, WAL 19510, WAL 36702, WAL 36703, WAL 29566, WAL 41501, WAL 41552, WAL 41553, and WAL 41529.
3.20	Water Supply The Applicant must 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 Planning Secretary.	Compliant	- WMP (v13, April 2025). - Ashton-Ravensworth Underground Integration Modification Site Water Balance, Version G, Dated 8 November 2021. - Ashton Coal Mine Minerals Council of Australia 2023 Water Accounting Framework Report. Revision B dated 22 February 2024. - Ashton Coal Mine Minerals Council of Australia 2024 Water Accounting Framework Report. Revision A dated 29 May 2025. - Draft Ashton Annual Works GoldSim Water Balance Report 2025 Update.	The most recent update to the site water balance model was prepared to support the ACP Modification 11 application. The model operates on a sub-daily time-step and has most recently been set up to simulate the forward planning period from 1/07/2021 to 1/07/2035, reflecting mining at the ACP and ACOL-operated RUM through to their completion. Both passive and active water take during the reporting period remained within licensed entitlements associated with individual WALs. Water accounting reports are prepared on an annual basis for the site.,
3.21	Compensatory Water Supply The Applicant must provide compensatory water supply to any landowner of privately-owned land whose water entitlements are adversely and directly impacted (other than an impact that is negligible) as a result of the development, in consultation with DPI Water, and to the satisfaction of the Planning Secretary. The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the development. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified. If the Applicant 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 Planning Secretary for resolution. If the Applicant is unable to provide an alternative long-term supply of water, then the Applicant must provide alternative compensation to the satisfaction of the Planning Secretary.	Not triggered	Site inspection and interviews completed 28 January 2026.	Site interviews confirmed that no water entitlements were adversely and directly impacted during the IA period.
3.22	Surface Water Discharges The Applicant must ensure that any surface water discharges from the site comply with the: (a) discharge limits (both volume and quality) set for the development in any EPL; or (b) relevant provisions of the POEO Act or <i>Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002</i>	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA determined this condition has not been triggered during the IA period.
3.23	Bowmans Creek Setbacks and Diversions The Applicant must: (a) design underground workings to ensure that longwall mining voids are no closer than 40 metres from any point vertically beneath the high bank of Bowmans Creek (except those sections of channel made redundant by the Eastern and Western Diversions); (b) construct, manage and maintain the Eastern and Western Diversions to the satisfaction of the Planning Secretary; (c) submit an as-executed report to the Planning Secretary and DPI Water, certified by a practicing engineer, confirming that the Eastern and Western Diversions are sufficiently hydraulically and geomorphologically stable, within 6 months of completing construction of the diversions; (d) prepare a Bowmans Creek Diversion Management Plan for the proposed creek diversions in the underground mining area, which must: - be submitted to the Planning Secretary for approval; - be consistent with any related requirements in future Extraction Plan(s); and - include: - a vision statement for the creek relocations; - an assessment of the surface water and groundwater quality, ecological, hydrological and geomorphic baseline conditions within the creek; - detailed design specifications for the creek relocations; - a construction program for the creek relocations, describing how the work would be staged, and integrated with mining operations; - a revegetation program for the relocated creeks using a range of suitable native species; water quality, ecological, hydrological and geomorphic performance and completion criteria for the creek relocations based on the assessment of baseline conditions; and - a program to monitor and maintain surface water and groundwater quality, ecological, hydrological and geomorphic stability of the creek diversions.	Compliant	- WMP (v13, April 2025). - RUM LWs 403 to 406 EP (v1, dated 2025).	The requirements of this condition have been addressed as outlined below: - Requirement (a): As described in the Extraction Plan for LW 403-406, works have been designed in accordance with the requirements of this condition. - Requirement (b): Construction of the Eastern and Western Diversions occurred prior to the IA period. Management and maintenance of the diversion drains is described in Section 4 of the WMP. - Requirement (c): Completed prior to IA period and therefore not triggered. - Requirement (d): The WMP includes the Bowmans Creek Diversion Management Plan in Section 4. DPE approved the plan (that was prepared subsequent to the construction of the diversion) on 5 March 2013. <u>Note:</u> As outlined in the 2024 Annual Review: During the 2024 reporting period one non-compliance with Development Consent 309-11-2001-i was recorded. The non-compliance relates to a previously reported non-compliance which has now been resolved. Statement of Commitment 7.1 requires 5 yearly surveys of the diverted creek. The last survey was required during 2022 but was delayed. This non-compliance was reported through the 2023 Independent Environmental Audit. The survey was subsequently completed during December 2023 and the report in the process of being finalised during conduct of the IA.

Condition	Details	Compliance status	Relevant evidence	Commentary																				
	The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary. <i>Note: The diversions are shown on the relevant figure in Appendix 2.</i>																							
3.24	Tailings Pipelines The Applicant must ensure that the alarm system for the tailings pipelines is effectively maintained and operational and the emergency response procedures for the pipelines are maintained at all times during operation of the pipelines.	Compliant	- Site inspection and interviews completed 28 January 2026. - Ravensworth Void No. 4 Tailings Storage Facility Tailings Emplacement Operation Plan (Revision 3, dated 30 January 2014). - Example Shiftly CHPP Emplacement, Tailings and Operational Area Inspection sheets from 2023-2025.	The Tailings Emplacement Operation Plan outlines how tailings are managed on site. The tailings pipelines are continuously monitored from the CHPP control room. In addition shiftly inspections of the pipeline are also completed and logged as work orders as evidence by the Shiftly CHPP Emplacement, Tailings and Operational Area Inspection sheets.																				
3.25	Water Management Performance Measures The Applicant must comply with the performance measures in Table 8 to the satisfaction of the Planning Secretary. Table 8: Water Management Performance Measures <table><tr><th>Feature</th><th>Performance Measure</th></tr><tr><td>Water Management – General</td><td> - Maximise water sharing with the other mines in the region - Minimise the use of clean water on site </td></tr><tr><td>Construction and operation of infrastructure</td><td> - Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads</i> - Design, install and maintain all new infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (DPI 2007), or its latest version - Design, install and maintain creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions </td></tr><tr><td>Mine Sediment Dams</td><td> - Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries</i> </td></tr><tr><td>Clean water diversion & storage infrastructure</td><td> - Design, install and maintain the clean water system to capture and convey the 100 year ARI flood - Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site </td></tr><tr><td>Mine water storages</td><td> - New mine water storage infrastructure is designed to store a 100 year ARI 72 hour storm event - New on-site storages (including tailings dams, mine infrastructure dams, groundwater storage and treatment dams) are suitably lined to comply with a permeability standard of < 1 x 10⁻⁹ m/s </td></tr><tr><td>Tailings, acid forming and potentially acid forming materials</td><td> - New in-pit or void emplacement, encapsulation or capping to prevent the migration of pollutants beyond the pit shell - Adequate freeboard within the pit void to minimise the risk of discharge to surface waters </td></tr><tr><td>Chemical and hydrocarbon storage</td><td> - Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards </td></tr><tr><td>Bowmans Creek Diversion</td><td> - In accordance with the condition 23 above </td></tr><tr><td>Aquatic and riparian ecosystems, including Bowmans Creek</td><td> - Maintain or improve baseline channel stability - Develop site-specific in-stream water quality objectives in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> procedures (DECC 2006), or its latest version </td></tr></table>	Feature	Performance Measure	Water Management – General	- Maximise water sharing with the other mines in the region - Minimise the use of clean water on site	Construction and operation of infrastructure	- Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads</i> - Design, install and maintain all new infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (DPI 2007), or its latest version - Design, install and maintain creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions	Mine Sediment Dams	Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries</i>	Clean water diversion & storage infrastructure	- Design, install and maintain the clean water system to capture and convey the 100 year ARI flood - Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site	Mine water storages	- New mine water storage infrastructure is designed to store a 100 year ARI 72 hour storm event - New on-site storages (including tailings dams, mine infrastructure dams, groundwater storage and treatment dams) are suitably lined to comply with a permeability standard of < 1 x 10⁻⁹ m/s	Tailings, acid forming and potentially acid forming materials	- New in-pit or void emplacement, encapsulation or capping to prevent the migration of pollutants beyond the pit shell - Adequate freeboard within the pit void to minimise the risk of discharge to surface waters	Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards	Bowmans Creek Diversion	In accordance with the condition 23 above	Aquatic and riparian ecosystems, including Bowmans Creek	- Maintain or improve baseline channel stability - Develop site-specific in-stream water quality objectives in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> procedures (DECC 2006), or its latest version	Compliant	- Site inspection and interviews completed 28 January 2026. - WMP (v13, April 2025). - Ravensworth Void No. 4 Tailings Storage Facility Tailings Emplacement Operation Plan (Revision 3, dated 30 January 2014). - Ashton Coal Pollution Incident Response Management Plan, Version 1G, Dated 8 January 2024. - Ashton Coal Aquatic Ecology Monitoring Bowmans and Glennies Creek Reports for 2023 and 2024. - Ashton Coal Aquatic Ecology Monitoring Bowmans and Glennies Creeks Autumn 2025.	Conduct of the IA determined compliance with the requirements of this condition.
Feature	Performance Measure																							
Water Management – General	- Maximise water sharing with the other mines in the region - Minimise the use of clean water on site																							
Construction and operation of infrastructure	- Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads</i> - Design, install and maintain all new infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (DPI 2007), or its latest version - Design, install and maintain creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions																							
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Tailings, acid forming and potentially acid forming materials	- New in-pit or void emplacement, encapsulation or capping to prevent the migration of pollutants beyond the pit shell - Adequate freeboard within the pit void to minimise the risk of discharge to surface waters																							
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards																							
Bowmans Creek Diversion	In accordance with the condition 23 above																							
Aquatic and riparian ecosystems, including Bowmans Creek	- Maintain or improve baseline channel stability - Develop site-specific in-stream water quality objectives in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> procedures (DECC 2006), or its latest version																							
3.26	Water Management Plan The Applicant must prepare a Water Management Plan for the Ashton Mine Complex to manage potential impacts of the development. This plan must: (a) be prepared in consultation with the Resources Regulator and Council, and be endorsed by DPI Water and then submitted to the Planning Secretary for approval;	Compliant	- Site inspection and interviews completed 28 January 2026. - WMP (v13, April 2025). - Ashton Coal Pollution Incident Response Management Plan, Version 1G, Dated 8 January 2024	The WMP (v13, April 2025) has been prepared and implemented in accordance with: - Schedule 3, Condition 26 of DA 309-11-2001-i - Schedule 3, Condition 32 of DA 309-11-2001-i																				

Condition	Details	Compliance status	Relevant evidence	Commentary
	(b) include detailed performance criteria and describe measures to ensure that the Applicant complies with the Water Management Performance Measures (see Table 8); (c) include a Site Water Balance, which must: - include details of: - sources and security of water supply; - water use on site; - water management on site; - any off-site water transfers; and - investigate and implement all reasonable and feasible measures to minimise water use by the Ashton Mine Complex; (d) include an Erosion and Sediment Control Plan, which must: - identify activities that could cause soil erosion, generate sediment or affect flooding; - describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk; - describe the location, function, and capacity of erosion and sediment control structures and flood management structures; and - describe what measures would be implemented to maintain the structures over time; (e) include a Surface Water Management Plan, which must include: - detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the development; - surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts (for existing creeks and reinstated/rehabilitated creeks); - a program to monitor and assess: - surface water flows and quality; - impacts on water users; - stream health; and - channel stability; (f) include a Groundwater Management Plan, which must include: - detailed baseline data of groundwater levels, yield and quality in the region, particularly for privately-owned groundwater bores that could be affected by the development; - groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts; - a program to monitor and assess: - groundwater inflows to the mining operations; - impacts on regional aquifers; - impacts on the groundwater supply of potentially affected landowners; - impacts on the Bowmans Creek, Glennies Creek and Hunter River alluvial aquifers; and - impacts on groundwater dependent ecosystems and riparian vegetation; (g) include a Surface and Ground Water Response Plan, which must include: - a response protocol for any exceedances of the surface water and groundwater assessment criteria, including provisions for independent investigation by a suitably qualified hydrogeologist whose appointment has been approved by the Planning Secretary; - measures to offset the loss of any baseflow to watercourses caused by the development; - measures to compensate landowners of privately-owned land whose water supply is adversely affected by the development; and - measures to mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation. The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.		2023 and 2024 Annual Reviews. - Ashton Coal Aquatic Ecology Monitoring Bowmans and Glennies Creek Reports for 2023 and 2024 - Ashton Coal Aquatic Ecology Monitoring Bowmans and Glennies Creeks Autumn 2025	The WMP has been revised once during the IA period, primarily in relation to also being a sub-plan to the RUM LWs 403 to 406 EP (v1, April 2025). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the WMP was provided 18 July 2025. This revision involved updating data for predicted groundwater drawdown and updates to Figure 2 and Figure 3 of the WMP. Performance measures and monitoring in the latest version of the WMP remains consistent with the previous version. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection, and interviews) necessitating revision to the WMP (v13, April 2025), which was confirmed to be available on the Project website. Due to ongoing issues with WMLP343, airlift development to remove the sediment buildup was planned to be undertaken, but has not yet been completed. Therefore, OFI01 has been identified. OFI01: Complete planned airlift development to remove the sediment buildup in WMLP343. In addition, Vibrating wire piezometer (VWP) readings in sensors at 30 m and 59 m remained relatively stable in bore WMLP269 throughout the reporting period. However, no data has been recorded in the deeper sensors since July 2021, likely due to fracturing of strata in which the deeper sensors are located. A replacement VWP nearby to WMLP269 was planned in 2024 to record pressure head data down to the Lower Barrett Coal Seam. However, conduct of the IA was unable to confirm if this was completed. Therefore, OFI02 has been identified. Complete installation of VWP nearby to WMLP269, to record pressure head data down to the Lower Barrett Coal Seam.
BIODIVERSITY				
3.27	Biodiversity Offsets The Applicant must implement the biodiversity offset strategy as outlined in Table 9 and as generally described in the EA (and shown conceptually in Appendix 7), to the satisfaction of the Planning Secretary. Table 9: Biodiversity offset strategy	Compliant	- Site inspection and interviews completed 28 January 2026. - Biodiversity Management Plan (BMP) (vK, April 2025), including the Biodiversity Offset Management Plan (BOMP) (vA10, 5 November 2020). - Ashton Coal Project Plan of Management Voluntary Conservation Area (19/12/2012). 2023 and 2024 Annual Reviews.	Section 4.5 of the BMP details biodiversity offset management. The Southern Woodland Conservation Area (SWCA) is under a Conservation Agreement which includes 66 ha of Bowmans Creek riparian corridor and is managed according to its BOMP (Appendix C in the BMP). Schedule 3 Condition 27 of Development Consent DA 309-11-2001-i requires the establishment of the following biodiversity offsets. SWCA (existing vegetation and vegetation to be established) – minimum size 190ha.

Condition	Details			Compliance status	Relevant evidence	Commentary														
	<table><tr><th>Area</th><th>Offset Type</th><th>Minimum Size (hectares)</th></tr><tr><td>Southern Conservation Area</td><td>Existing vegetation and vegetation to be established</td><td>190</td></tr><tr><td>Bowmans Creek Riparian Area</td><td>Riparian and woodland vegetation</td><td>60</td></tr><tr><td>North East Open Cut Rehabilitation Area</td><td>Woodland vegetation to be established</td><td>100</td></tr><tr><td colspan="2">Total</td><td>350</td></tr></table>	Area	Offset Type	Minimum Size (hectares)	Southern Conservation Area	Existing vegetation and vegetation to be established	190	Bowmans Creek Riparian Area	Riparian and woodland vegetation	60	North East Open Cut Rehabilitation Area	Woodland vegetation to be established	100	Total		350			- Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	- Bowman Creek Riparian Area (riparian and woodland vegetation) – minimum size 60ha. - NEOC emplacement rehabilitation area (woodland vegetation to be established) – minimum size 100ha The SWCA is managed under a Conservation Agreement, which includes approximately 66 ha of Bowmans Creek riparian corridor and is managed according to its BOMP (vA10, 5 November 2020) (Appendix C in the BMP). The approximately 140ha of the NEOC emplacement rehabilitation area was completed in 2012. Areas of the approximately 68ha of rehabilitated exotic pasture in the rehabilitated NEOC emplacement are planned to be progressively converted to woodland habitat, and is reflected within the RMP (v2, November 2023). Approximately 15 ha is planned to be converted into areas of eucalypt woodland habitat, indicatively targeted for the end of the 2029 reporting period but subject to favourable meteorological conditions.
Area	Offset Type	Minimum Size (hectares)																		
Southern Conservation Area	Existing vegetation and vegetation to be established	190																		
Bowmans Creek Riparian Area	Riparian and woodland vegetation	60																		
North East Open Cut Rehabilitation Area	Woodland vegetation to be established	100																		
Total		350																		
3.28	The Applicant must prepare a Biodiversity Management Plan for the Ashton Mine Complex to manage potential impacts of the development. This plan must: (a) be prepared in consultation with BCD and Council, and be submitted to the Planning Secretary for approval; (b) describe how the implementation of the offset strategy would be integrated with the overall rehabilitation of the site (see below); (c) include: (i) a description of the short, medium, and long term measures that would be implemented to: - implement the offset strategy; and - manage the remnant vegetation and habitat on the site and in the offset areas; (ii) detailed performance and completion criteria for implementation of the offset strategy; (iii) a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for: - implementing revegetation and regeneration within the disturbance areas and offset areas, including establishment of canopy, sub-canopy (if relevant), understorey and ground strata; - maximising salvage and beneficial use of resources in areas that are to be impacted, including vegetative, soil and cultural heritage resources; - protecting vegetation and soil outside the disturbance areas; - rehabilitating creeks and drainage lines on the site (both inside and outside the disturbance areas), to minimise net loss of stream length and aquatic habitat; - managing salinity; - conserving and reusing topsoil; - undertaking pre-clearance surveys; - managing impacts on fauna; - landscaping the site and along public roads to minimise visual and lighting impacts, particularly along the New England Highway; - collecting and propagating seed; - salvaging and reusing material from the site for habitat enhancement; - salvaging, transplanting and/or propagating threatened flora and native grassland; - controlling weeds and feral pests; - managing grazing and agriculture on site and in the offset areas; - controlling access; and - bushfire management; (iv) a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria; (v) a description of the potential risks to successful revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and (vi) details of who would be responsible for monitoring, reviewing, and implementing the plan. The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.			Compliant	- Site inspection and interviews completed 28 January 2026. - BMP (vK, April 2025), including the Biodiversity Offset Management Plan (BOMP) (vA10, 5 November 2020) - Ashton Ravensworth Underground Mine – DPHI Approval of Extraction Plan for LWs 403 to 406 (18 July 2025) 2023 and 2024 Annual Reviews.	The BMP (vK, April 2025), including the Biodiversity Offset Management Plan (BOMP) (vA10, 5 November 2020), has been prepared and implemented in accordance with: - Schedule 3, Condition 28 of DA 309-11-2001-i - Schedule 3, Condition 32 of DA 309-11-2001-i The BMP has been revised once during the IA period, primarily in relation to also being a sub-plan to the RUM LWs 403 to 406 EP (v1, April 2025). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the BMP, was provided 18 July 2025. This revision included an additional performance measure regarding no decrease in extent of Central Hunter Grey Box—Ironbark Woodland and Central Hunter eucalypt forest and woodland. Furthermore, an updated monitoring methodology for PCT1603 within the Ashton Coal operated RUM areas was also included (section 4.8), this involves: - Establishing a bird monitoring site at Narama Dam to specifically monitor for ongoing waterbird usage and implement methodology in accordance with BMP. - Establishing targeted survey sites over LW 403-406 for threatened woodland birds to monitor for continued habitat usage. - Conducting baseline acoustic monitoring to determine if Southern Myotis (<i>Myotis aelleni</i>) is utilising Narama Dam. If Southern Myotis (<i>Myotis aelleni</i>) is recorded during baseline surveys, continue yearly monitoring between October-March to confirm species presence and habitat utilisation until two years post-mining of LW 403 to 406. At the time of the site inspection and interviews, surveys and monitoring had been completed and preparation of the associated report was underway. As the BOMP was not updated for the inclusion of the RUM LWs 403 to 406 EP (v1, April 2025), there is no updates to offset performance measures. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the BMP (vK, April 2025), which was confirmed to be available on the Project website.														
SUBSIDENCE																				
3.29	Performance Measures The Applicant must ensure that underground mining does not cause any exceedance of the performance measures in Table 10. Table 10: Subsidence Performance Measures			Compliant	- Site inspection and interviews completed 28 January 2026. - RUM LWs 403 to 406 EP (v1, April 2025), including: - Appendix C: WMP (v13, April 2025).	A summary of the performance measures for each aspect is included in Table 11 of the RUM LWs 403 to 406 EP (v1, April 2025) . Overall, there should be:														

Condition	Details		Compliance status	Relevant evidence	Commentary
	Water			- Appendix D: Land Management Plan (LMP) Addendum (v2, April 2025). - Appendix E: BMP (vK, April 2025). - Appendix F: HMP (vF, April 2025). - Appendix G: Built Features Management Plan (BFMP) (v3, July 2025), including: - AGL Macquarie Asset Management Plan (AMP) (v3, April 2025). - Narama Dam AMP (v2, July 2025). - Glencore AMP (v3, July 2025). - Transgrid AMP (v2, April 2025). - Appendix H: Public Safety Management Plan (PSMP) (v2, April 2025). - Appendix I: Coal Resource Recovery Plan (CRRP) (v2, April 2025). - Appendix J: Subsidence Monitoring Program (SMP) (v3, September 2025). - Appendix K: RMP (v3, November 2023). - Bowmans Creek Diversions Geomorphology – Review of 5-year (2018) and 10-year (2023) Monitoring Data Report - The Ashton Coal Project Environmental Impact Statement, 1 November 2001 - Annual Groundwater Monitoring Reviews for 2023 and 2024 (Appendix 2 in ARs) 2023 and 2024 Annual Reviews. - Bi-Annual Fauna Monitoring Program Summary Report for 2023 and 2024 - Heritage Management Plan Ashton Coal Project, Version E, April 2023 - Community Complaints Register.	- Either no great or negligible environmental consequences for Water, Biodiversity, Aboriginal Heritage, and Public Safety - Built Features should always be safe, with serviceability maintained. Subsidence is monitoring in accordance with the SMP (v3, September 2025), using a combination of: - conventional survey lines - conventional three-dimensional surveys - continuous GNSS monitoring - periodic LiDAR surveys to measure ground movement Monitoring is targeted at sensitive land uses and infrastructure, including powerlines, dams, fly ash emplacement areas and rehabilitated land, with survey frequency linked to LW face progression. Regular surface inspections supplement survey data to identify visible subsidence impacts, with results recorded, managed and reported to NSW Resources.
	Bowmans Creek	No greater subsidence impact or environmental consequences than predicted in the EA and the previous EIAs			
	Bowmans Creek – Eastern and Western Diversions	Hydraulically and geomorphologically stable			
	Bowmans Creek alluvial aquifer	No greater subsidence impact or environmental consequences than predicted in the EA and the previous EIAs			
	Biodiversity				
	Threatened species, populations, habitat or ecological communities	Negligible impact			
	Aboriginal Heritage Features				
	Waterhole Site	Negligible impact			
	Other Aboriginal heritage sites	No greater subsidence impact or environmental consequences than approved under a permit issued under section 90 of the <i>National Parks and Wildlife Act 1974</i>			
	Built Features				
	New England Highway, including the bridge over Bowmans Creek	Always safe and serviceable. Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired.			
	Lemington Road and Brunkers Lane	In accordance with recommendations of the report prepared under condition 36			
	Other built features, including other public infrastructure	Always safe. Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repaired or replaced, or else fully compensated.			
	Public Safety				
	Public Safety	No additional risk due to mining			
Notes: - The Applicant will be required to define more detailed performance indicators for each of these performance measures in the various management plans that are required under this consent. - The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of approval of Modification 6 to this consent on 24 December 2010. - Requirements regarding “safe” or “serviceable” do not prevent preventative or migratory actions being taken prior to or during mining in order to achieve or maintain these outcomes. - Compensation required under this condition includes any compensation payable under the Mine Subsidence Compensation Act 1961 and/or the Mining Act 1992					
3.30	Any dispute between the Applicant and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 10 is to be settled by the Planning Secretary, following consultation with SA NSW and the Resources Regulator. Any decision by the Planning Secretary is final and not subject to further dispute resolution under this consent.		Not triggered	Site inspection and interviews completed 28 January 2026.	Site interviews indicated that no disputes relating to subsidence performance have occurred during the IA period. This condition therefore is not triggered.
3.31	First Workings The Applicant may carry out first workings within the underground mining area shown in the Development Layout Plans, other than in accordance with an approved Extraction Plan, provided that the Resources Regulator is satisfied that the first workings are designed to remain long-term stable and non-subsiding in the long-term, except insofar as they may be impacted by approved second workings.		Compliant	- Site inspection and interviews completed 28 January 2026. - Ashton Coal Mine – RUMEx Pikes Gully Seam Development - First workings adequacy assessment dated 20 April 2023. - NSW Resources Regulator response to RUMEx Pikes Gully Seam Development - First workings adequacy assessment (8 May 2023).	2023 IA: Approval for extraction of LW 205-208 was approved prior to the IA period. First working approval for RUMex Pikes Gully is yet to be submitted. This condition is therefore not triggered. 2026 IA: On the 20 April 2023, Ashton submitted the RUMex Pikes Gully Seam Development - First workings adequacy assessment to the Resources

Condition	Details	Compliance status	Relevant evidence	Commentary
	<i>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 negligible resulting direct subsidence impacts.</i>			Regulator. Resources Regulator response, specifically from the Principal Subsidence Engineer determined, It is my view that the requirements of the Development Consent Condition 31, Schedule 2 of DA 309-11-2001-i can be met by the proposed mine layout subject to the following: The Proponent must undertake monitoring of the stability of the first workings in question and if required implement appropriate ground support to ensure compliance with the Condition 31, Schedule 2 of DA 309-11-2001-i.' The resources regulator's response confirms that the RUMex Piles Gully Seam Development will be built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible resulting direct subsidence impacts
3.32	The Applicant must prepare an Extraction Plan for all second workings on site. This plan must: (a) be prepared a team of suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary; (b) be approved by the Planning Secretary; (c) include detailed plans of the proposed second workings and any associated surface development; (d) include detailed performance indicators for each of the performance measures in Table 10; (e) provide revised predictions of the conventional and non-conventional subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this consent, that specifically addresses the incremental and cumulative subsidence effects and impacts of multi-seam mining; (f) describe the measures that would be implemented to ensure compliance with the performance measures in Table 10, and remediate any predicted subsidence impacts and/or environmental consequences; (g) include the following, which have been prepared in consultation with the Resources Regulator: - a coal resource recovery plan that demonstrates effective recovery of the available resource; - a subsidence monitoring program to: - provide data to assist in the management of the risks associated with subsidence; - validate the subsidence predictions; and - analyse the relationship between the subsidence effects and impacts under the Extraction Plan and any ensuing environmental consequences; - a Built Features Management Plan, which has been prepared in consultation with the owners of such features, to manage the potential impacts and consequences of subsidence on any built features; - a Public Safety Management Plan to ensure public safety in the underground mining area; and - a revised Rehabilitation Management Plan; (h) include a: - Water Management Plan, which has been prepared in consultation with DPE Water, to manage the potential impacts and consequences of subsidence on surface water and groundwater resources, flooding and existing and proposed creek diversions, and which includes: - 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 groundwater inflows to underground workings; - a program to manage and monitor impacts on groundwater bores on privately-owned land; - Biodiversity Management Plan, which has been prepared in consultation with BCD, to manage the potential impacts and consequences of subsidence on biodiversity, and which includes: - a program of works to ensure that overall terrestrial and aquatic biodiversity values are the same or better than existing in Bowmans Creek prior to longwall mining; - measures to manage potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna; - Land Management Plan, which has been prepared in consultation with relevant landowners, to manage the potential impacts and consequences of subsidence on land in general; - Heritage Management Plan, which has been prepared in consultation with Heritage NSW and relevant stakeholders for Aboriginal heritage, to manage the potential impacts and consequences of subsidence on heritage sites or values; (i) include Trigger Action Response Plans, or equivalent, to address potential subsidence impacts and environmental consequences that may result from mining subsidence; (j) include a contingency plan that expressly provides for adaptive management where monitoring indicates that there has been an exceedance of any performance measures in Table 10, or where any such exceedance appears likely; and (k) include a program to collect sufficient baseline data for future Extraction Plans.	Non-compliant (Low)	- Site inspection and interviews completed 28 January 2026. - RUM LWs 403 to 406 EP (v1, April 2025), including associated sub-plans.: - Appendix C: WMP (v13, April 2025). - Appendix D: LMP Addendum (v2, April 2025). - Appendix E: BMP (vK, April 2025). - Appendix F: HMP (vF, April 2025). - Appendix G: BFMP (v3, July 2025), including: - AGL Macquarie AMP (v3, April 2025). - Narama Dam AMP (v2, July 2025). - Glencore AMP (v3, July 2025). - Transgrid AMP (v2, April 2025). - Appendix H: PSMP (v2, April 2025). - Appendix I: CRRP (v2, April 2025). - Appendix J: SMP (v3, September 2025). - Appendix K: RMP (v3, November 2023). - Letter from the DPHI approving the RUM LWs 403 to 406 EP (v1, April 2025), including associated sub-plans (dated 18 July 2025). - Letter from the DPHI approving the revised SMP (v3, September 2025) (dated 1 October 2025).	RUM LWs 403 to 406 EP (v1, April 2025): The RUM LWs 403 to 406 EP (v1, April 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i. The RUM LWs 403 to 406 EP was developed in 2025, as LWs 403 to 406 are proposed second workings on site. Approval of the RUM LWs 403 to 406 EP (v1, April 2025), including associated management plans, was provided by the DPHI on 18 July 2025. The RUM LWs 403 to 406 EP (v1, April 2025) is an overarching document, with eight (8) associated management plans and a Subsidence Monitoring Program. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the RUM LWs 403 to 406 EP (v1, April 2025), which was confirmed to be available on the Project website. WMP (v13, April 2025): See discussion at Schedule 3, Condition 26. LMP Addendum (v2, April 2025): The LMP Addendum (v2, April 2025) is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025), which has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the LMP Addendum (v2, April 2025), was provided 18 July 2025. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection, and interviews) necessitating revision to the LMP Addendum (v2, April 2025), which was confirmed to be available on the Project website. BMP (vK, April 2025): See discussion at Schedule 3, Condition 28. HMP (vF, April 2025): A non-compliance is noted relating to implementation of the HMP during the IA period resulting in non-compliance with Schedule 3, Conditions 32 and 34 of DA 309-11-2001-i, with discussion at Schedule 3, Condition 34 providing further detail. BFMP (v3, July 2025), including AGL Macquarie AMP (v3, April 2025), Narama Dam AMP (v2, July 2025), Glencore AMP (v3, July 2025), and Transgrid AMP (v2, April 2025): The BFMP (v3, July 2025), including associated sub-plans (i.e. AGL Macquarie AMP [v3, April 2025], Narama Dam AMP [v2, July 2025], Glencore AMP [v3, July 2025], and Transgrid AMP [v2, April 2025]) is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025). The BFMP, including associated sub-plans, has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i. DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the BFMP and associated AMPs, was provided 18 July 2025. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the BFMP (v3, July 2025), including associated sub-plans. The BFMP (v3, July 2025) and associated sub-plans (i.e. AGL Macquarie AMP [v3, April 2025], Narama Dam AMP [v2, July 2025], Glencore AMP [v3, July 2025], and Transgrid AMP [v2, April 2025]) were confirmed to be available on the Project website. PSMP (v2, April 2025): The PSMP (v2, April 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i, and is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025).

Condition	Details	Compliance status	Relevant evidence	Commentary
	<i>Note: A Subsidence Management Plan approved by the Resources Regulator or an Extraction Plan approved by the Planning Secretary, prior to the date of approval of MOD 5, is taken to satisfy the requirements of this condition.</i> The Applicant must implement the approved management plans as approved from time to time by the Planning Secretary.			DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the PSMP (v2, April 2025), was provided 18 July 2025. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the PSMP (v2, April 2025), which was confirmed to be available on the Project website. CRRP (v2, April 2025): The CRRP (v2, April 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i, and is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the CRRP (v2, April 2025) was provided 18 July 2025. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the CRRP (v2, April 2025), which was confirmed to be available on the Project website. SMP (v3, September 2025): The SMP (v3, September 2025) has been prepared and implemented in accordance with Schedule 3, Condition 32 of DA 309-11-2001-i, and is a key document that sits under the RUM LWs 403 to 406 EP (v1, April 2025). The SMP has been updated three times during the IA period, DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the SMP (v2, July 2025) was provided 18 July 2025. The most recent revision of the SMP (v3, September 2025) was made following an audit by NSW Resources and was approved by the DPHI on 1 October 2025. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the SMP (v3, September 2025), which was confirmed to be available on the Project website. RMP (v3, November 2023): See discussion at Schedule 3, Condition 41.
3.33	Payment of Reasonable Costs The Applicant must pay all reasonable costs incurred by the Department to engage suitably qualified, experienced and independent persons (if required) to review the adequacy of any aspect of the Extraction Plan.	Not triggered	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA has determined this condition has not been triggered.
HERITAGE				
3.34	The Applicant must prepare a Heritage Management Plan for the Ashton Mine Complex to manage the potential impacts of the development. This plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with Heritage NSW, Council, the Aboriginal Community, local historical organisations and relevant landowners, and be submitted to the Planning Secretary for approval; (c) include the following for the management of Aboriginal cultural heritage on the site: - an archaeological salvage program for the development disturbance area, which include additional sub-surface testing of the more significant sites and landform units; - a description of the measures that would be implemented for: - the protection, monitoring and management of Aboriginal sites outside the development disturbance area and within the Southern Conservation Area; - maintaining and managing access for Aboriginal sites by the Aboriginal community; - managing the discovery of any human remains or previously unidentified Aboriginal objects that have conservation significance during the development; - ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage; and - heritage inductions for construction personnel (including procedures for keeping records of inductions); and (d) include the following for the management of historic heritage: - a description of the measures that would be implemented for: - managing the discovery of human remains or previously unidentified heritage items during the development; and - heritage inductions for construction personnel (including procedures for keeping records of inductions). The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.	Non-compliant (Low)	- Site inspection and interviews completed 28 January 2026. - HMP (vF, April 2025). - Ashton Ravensworth Underground Mine – DPHI Approval of Extraction Plan for LWs 403 to 406 (18 July 2025). 2023 and 2024 Annual Reviews. - Notification Letter to DPE (26 May 2023). - DPE email response to notification (19 October 2023). - ACOL Ground Disturbance Permit Training Presentation. - Ashton Coal Operations Environmental Awareness Presentation.	The HMP (vF, April 2025) has been prepared in accordance with: - Schedule 3, Condition 32 of DA 309-11-2001-i - Schedule 3, Condition 34 of DA 309-11-2001-i However, a non-compliance is noted relating to implementation of the HMP during the IA period resulting in non-compliance with Schedule 3, Conditions 32 and 34 of DA 309-11-2001-i. This non-compliance related to a reportable heritage incident occurring on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow. While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed. To prevent reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process. The former Department of Planning and Environment (DPE) (now the DPHI) was notified of the incident and acknowledged receipt of the notification. DPE provided no comments on the incident. This incident resulted in a non-compliance for Schedule 3, Condition 34 as it indicates that the HMP was not successfully implemented. As this incident was a result of not following the requirements of the HMP, and relevant actions were undertaken to prevent re-occurrence, no CA or OFI has been deemed relevant. The HMP has been revised once during the IA period, primarily in relation to also being a sub-plan to the RUM LWs 403 to 406 EP (v1, April 2025). DPHI approval of the RUM LWs 403 to 406 EP (v1, April 2025), including the HMP, was provided 18 July 2025.

Condition	Details	Compliance status	Relevant evidence	Commentary
				This revision included updates to the mitigation, management, monitoring and reporting requirements for heritage sites and values potentially impacted by mining of the ULD and ULLD seams at the ACP and PG Seam at LWs 403 to 406 at the Ashton Mine operated RUM. Key updates are evident in: - Table 3 (Sites Recorded over the Ashton Coal operated RUM Subsidence Impact Zone) with the addition of new sites along with impacts and management recommendations. - Item 1.06 in Table 4 (Archaeology and Cultural Heritage Management Actions and Responsibilities). No updates to the performance measures are evident in the latest version of the HMP. There were no issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the HMP (vF, April 2025), which was confirmed to be available on the Project website.
TRANSPORT				
3.35	Monitoring of Coal Transport The Applicant must keep accurate records of the: (a) amount of coal transported from the site (on a monthly basis); and (b) date and time of each train movement generated by the Ashton Mine Complex.	Compliant	2023 and 2024 Annual Reviews. - CHPP Production Statistics Excel Sheet 2025.	The Annual Reviews provide a production summary which includes data of the total amount of coal transported for the reporting period. The CHPP Production Statistics Excel sheet showcases the records that are kept for coal transport, in accordance with the requirements of this condition.
3.36	Lemington Road Alignment The Applicant must, together with the owner of the Ravensworth Operations Project, if directed by the Planning Secretary, commission and implement additional reports following extraction of each seam that the Applicant is permitted to extract. Each such additional report must review the impacts of previous subsidence on Lemington Road/Brunkers Lane, review existing measures to monitor and manage subsidence impacts, and recommend appropriate monitoring and management measures to address subsidence impacts (including any continuing need to realign Lemington Road), to the satisfaction of the Planning Secretary. The Applicant must fund 50% of the costs of reports prepared under this condition and must implement the recommendations of such reports, to the satisfaction of the Planning Secretary. Any dispute over the interpretation or implementation of reports prepared under this condition will be determined by the Planning Secretary, whose decision is final. <i>Notes:</i> - Stacked or offset panel alignments for the Upper Liddell, Upper Lower Liddell and Lower Barrett seams are shown in the plans in Appendix 2. - The owner of the Ravensworth Operations Project will be expected to fund the other 50% of report costs and to have similar responsibilities regarding implementation.	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered.
3.37	The Applicant must be responsible for implementing controls to ensure road traffic safety (including monitoring, maintenance and repairs of subsidence impacts) during any longwall extraction which may cause subsidence impacts to Brunkers Lane/Lemington Road. <i>Note: This responsibility for implementing controls exists notwithstanding that funding of these controls may come from other parties, such as the owner of the Ravensworth Operations Project or SA NSW.</i>	Compliant	Site inspection and interviews completed 28 January 2026.	No significant cracking was observed on Lemington Road during the reporting period. All observed cracking was in accordance with modelling/expectations and was on Ashton owned land and therefore was not a public safety issue.
VISUAL				
3.38	Visual Amenity and Lighting The Applicant must: (a) implement all reasonable and feasible measures to mitigate visual and off-site lighting impacts of the development; (b) ensure no unshielded outdoor lights shine above the horizontal; (c) ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting or its latest version; to the satisfaction of the Planning Secretary.	Compliant	- Site inspection and interviews completed 28 January 2026. - Example Ground Disturbance Permits (0214, 0222, 0230). - Community Complaints Register	Ashton restricts works to daytime hours to avoid the need for additional light mitigation measures. Ground Disturbance Permits support this with a condition restricting project operations to 7am – 6pm. There have been no complaints regarding lighting received by Ashton during the IA period.
WASTE				
3.39	The Applicant must: (a) minimise and monitor the waste generated by the development; (b) ensure that the waste generated by the development 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 Planning Secretary.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. 2023, 2024, and 2025 waste tracking for open and underground mining. 2023, 2024, and 2025 Waste Statistics. 2023, 2024, and 2025 Sample Waste Reports.	Waste is currently broadly outlined and managed under the RMP, with waste managed by: - Encouraging segregation and recycling through appropriate facilities, with recyclable materials collected and sent off-site for recycling. - Removal of non-recyclable waste by licensed contractors for disposal at landfills licensed to accept the relevant waste category. Three on-site sewage management systems service the underground mine bathhouse

Condition	Details	Compliance status	Relevant evidence	Commentary								
			Sample weekly inspection checklists and monthly reports completed by JR Richards.	and administration facilities, the CHPP, and the NEOC workshop and bathhouse. - Completion of weekly inspections by a waste contractor (JR Richards) to identify any potential issues with waste management, with provision of a monthly report for consideration by Ashton Coal. - During the 2023 reporting period an electronics bin was established for the recycling of eWaste with 770kg of eWaste recycled from on-site stockpiles. Appropriate waste management processes and procedures have been implemented by Ashton Coal, with no reportable incidents relating to waste management occurred during the IA period. Waste monitoring is actively completed onsite via waste tracking for open and underground mining sheets, with Annual Reviews including a record of annual total volumes of wastes and recycling.								
BUSHFIRE MANAGEMENT												
3.40	The Applicant must: (a) ensure that the Ashton Mine Complex is suitably equipped to respond to fires on site; and (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.	Compliant	- Site inspection and interviews completed 28 January 2026. - Bushfire Management Plan (vD, September 2019). - Broad Brush Environment & Community Risk Assessment Review (CHPP / Underground / Surface), dated 5 February 2025.	2023 IA recommendation: It is recommended that the Bushfire Management Plan is reviewed and updated. 2025 IA – Status of 2023 IA recommendation: Conduct of the IA has confirmed the BFAR was updated in March 2024. Therefore, this recommendation is considered closed. 2025 IA findings: While not required by conditions of DA 309-11-2001-i, bushfire risk at the ACP is managed through implementation of passive and active treatment measures as outlined in the Bushfire Management Plan (vD, September 2019). Bushfire management includes both passive and active controls including: - Establishment and maintenance of containment Asset Protection Zones (APZs) and Strategic Fire Advantage Zones to manage fuel loads and protect infrastructure. - Fuel management activities such as slashing, fire break and APZ maintenance and, where required, hazard reduction burning (subject to approval from the NSW Rural Fire Service) undertaken based on seasonal conditions and performance criteria outlined in the Bushfire Treatment Register. - Maintaining adequate water supply infrastructure and access provisions to support emergency response. - Annual inspections undertaken prior to bushfire season to confirm fuel loads, access tracks and asset protection measures remain appropriate. Ashton has reconsidered the bushfire risk in the Broad Brush Environment and Community Risk Assessment completed in 2025. The assessment concluded that existing controls reducing risks to levels as low a reasonably practicable. No fire related incidents were recorded during the IA period, with no non-compliances identified relating to bushfire management.								
REHABILITATION												
3.41	Rehabilitation Objectives The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992 and in a manner that is consistent with the rehabilitation objectives in the EA and Table 11. Table 11: Rehabilitation Objectives <table><tr><th>Feature</th><th>Objective</th></tr><tr><td>DA Area</td><td>Safe, stable & non-polluting</td></tr><tr><td>Final Void</td><td>Safe, stable & non-polluting Minimise the size and depth of the final void as far as is reasonable and feasible. Minimise the drainage catchment of the final void as far as is reasonable and feasible. Negligible high wall instability risk.</td></tr><tr><td>Surface infrastructure</td><td>To be decommissioned and removed unless the Resources Regulator agrees otherwise.</td></tr></table>	Feature	Objective	DA Area	Safe, stable & non-polluting	Final Void	Safe, stable & non-polluting Minimise the size and depth of the final void as far as is reasonable and feasible. Minimise the drainage catchment of the final void as far as is reasonable and feasible. Negligible high wall instability risk.	Surface infrastructure	To be decommissioned and removed unless the Resources Regulator agrees otherwise.	Compliant	- Site inspection and interviews completed 28 January 2026. - RMP (v2, November 2023). - Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024. 2023 and 2024 Annual Reviews.	Conduct of the IA verified active rehabilitation management is undertaken by Ashton Coal, with review of relevant documentation and conduct of interviews indicating rehabilitation management and monitoring is in accordance with the RMP and reported on an annual basis. Rehabilitation monitoring continued to assess the performance of both the existing mixed woodland habitat and exotic perennial pastures, with three woodland rehabilitation sites and four exotic pasture rehabilitation sites being monitored in 2024. Rehabilitation performance is compared against the RMP proposed completion criteria using performance indicators obtained from non-mining-disturbed reference sites. Three mixed eucalypt woodland and three native grassland reference sites were established in 2019. The range values of each performance indicator area measured annually to reflect seasonal conditions and disturbance events, with monitoring of rehabilitation areas includes: - landscape function analysis - soil analysis - assessment of ecosystem characteristics - pasture productivity assessment - land capability assessment
Feature	Objective											
DA Area	Safe, stable & non-polluting											
Final Void	Safe, stable & non-polluting Minimise the size and depth of the final void as far as is reasonable and feasible. Minimise the drainage catchment of the final void as far as is reasonable and feasible. Negligible high wall instability risk.											
Surface infrastructure	To be decommissioned and removed unless the Resources Regulator agrees otherwise.											

Condition	Details			Compliance status	Relevant evidence	Commentary
	Sections of Bowmans Creek within the underground mining area (except those sections of channel made redundant by diversion) Bowmans Creek – Eastern and Western Diversions Land to be restored or maintained for agricultural purposes Other land affected by the development Built features affected by subsidence Community	Restore pre-mining surface flow and pool holding capacity as soon as reasonably practicable. Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than existed prior to mining. Hydraulically and geomorphologically stable, with riparian vegetation that is the same or better than existing in the adjacent channel prior to mining. Restored and maintained to the same or higher land capability and agricultural suitability than prior to mining. Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: - local native plant species (unless the Resources Regulator agrees otherwise); and - a landform consistent with the surrounding environment. Repair to pre-mining condition or equivalent unless: - the owner agrees otherwise; or - the damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i> Ensure public safety. Minimise the adverse socio-economic effects associated with mine closure.				- photographic monitoring - subsidence monitoring Rehabilitation monitoring of ecological performance indicators for the mixed eucalypt woodland habitat and exotic pastures demonstrate these rehabilitated areas have generally developed into highly functional and stable communities, functionally comparable to the local woodlands and native grasslands. This has resulted in a number of completion criteria targets being met. However, monitoring in 2024 indicated these areas were dominated by exotic grasses and many sites had a higher diversity of exotic species compared to the reference sites. This is indicated to be related to ongoing dry conditions resulting in a decline in ecological function and increased abundance of weeds. However, rehabilitation monitoring completed by DnA Environmental in 2024 indicates there is little need for management intervention of the existing woodland habitats of the NEOC emplacement, particularly in the light of the revised rehabilitation objectives. Rehabilitation monitoring was undertaken by DnA Environmental in 2024, which recommendation: - Due to the age of the woodland rehabilitation and positive monitoring results, revising the monitoring effort and rehabilitation objectives in existing woodland and pasture rehabilitation areas. It was recommended monitoring effort should instead focus on assessing the development of new woodland areas established as part of the proposed pasture-to-woodland conversion program (section 4.2.1). - Additional sowing of exotic species should be avoided, as these highly competitive species can restrict germination and establishment of native tree and shrub seed, reducing the diversity of desirable grasses and herbs in the longer-term. A programmed range of pest and weed control activities was also undertaken in the NEOC emplacement rehabilitation area during the IA period, including baiting for wild dogs and foxes, and feral pig management (i.e. trapping and dispatching). Active weed control treatment in the NEOC emplacement rehabilitation area targeted general woody weeds.
3.42	The Applicant must carry out rehabilitation progressively, that is, as soon as reasonably practicable following disturbance, to the satisfaction of the Resources Regulator.			Compliant	- Site inspection and interviews completed 28 January 2026. - RMP (v2, November 2023). - Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024. 2023 and 2024 Annual Reviews.	Conduct of the IA, including review of relevant documentation and conduct of interviews determined Ashton Coal is committed to undertake rehabilitation progressively (as soon as reasonably practicable) following disturbance from mining activities. However, there is limited opportunity for progressive rehabilitation to be completed, based on: - rehabilitation of the NEOC emplacement commenced in 2005, with approximately 140 ha of rehabilitation being completed in 2012, consisting of approximately 68 ha of rehabilitated exotic pasture and approximately 71 ha of eucalypt woodland habitat - the majority of the remaining disturbed surface area (e.g. Infrastructure Areas) being required for the life of the ACP This notwithstanding, areas of the approximately 68 ha of rehabilitated exotic pasture in the rehabilitated NEOC emplacement are planned to be progressively converted to woodland habitat, and is reflected within the RMP (v2, November 2023). Approximately 15 ha is planned to be converted into areas of eucalypt woodland habitat, indicatively targeted for the end of the 2029 reporting period but subject to favourable meteorological conditions. To date, no rehabilitation areas have achieved the final land use to a standard that would warrant Ashton Coal's submission of an ESF2 to NSW Resources.

Condition	Details	Compliance status	Relevant evidence	Commentary
3.43	Rehabilitation Management Plan The Applicant must prepare and implement a Rehabilitation Management Plan for the Ashton Mine Complex in accordance with the conditions imposed in the mining lease(s) associated with the development under the Mining Act 1992. This plan must: (a) Deleted (b) be prepared in accordance with any relevant Resources Regulator guideline, and be consistent with the rehabilitation objectives in Table 11 and the documents listed in condition 2 of Schedule 2 and Appendix 4 of this consent; (c) build, to the maximum extent practicable, on the other management plans required under this consent; and (d) address all aspects of rehabilitation and mine closure, including final land use assessment, rehabilitation objectives, domain objectives, completion criteria and rehabilitation monitoring, and include: - an evaluation of end land use options for the final void; and - a life of mine tailings management strategy, including an environmental risk assessment demonstrating that the emplacements can be designed, managed and rehabilitated appropriately. <i>Note: The plan should build on the conceptual final land use and offset strategy depicted in Appendix 7.</i>	Compliant	- Site inspection and interviews completed 28 January 2026. - RMP (v2, November 2023). - Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	The RMP (v3, November 2023) has been prepared and implemented 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 - Schedule 3, Condition 43 of DA 309-11-2001-i. To reflect the revised Final Landform and Rehabilitation Plan (FLRP) submitted to the former NSW Resources Regulator (now NSW Resources), with Amendment 1 of the RMP completed in February 2023. Further comments were provided by the former NSW Resources Regulator (now NSW Resources) on 12 July 2023, with the revised FLRP submitted for approval on 23 August 2023. Approval of the FLRP and Rehabilitation Objectives Statement was approved by the former NSW Resources Regulator (now NSW Resources) on 3 October 2023. As a result, the current RMP (v3, November 2023) revision was completed. There were no significant issues identified during conduct of the IA (i.e. documentary review, site inspection and interviews) necessitating revision to the RMP (v3, November 2023), with the following related documents sighted during the IA: - Annual Rehabilitation Report and Forward Program (v1, August 2022) - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024 - Sunday 1 January 2023 to Thursday 31 December 2026 - Wednesday 1 January 2025 to Friday 31 December 2027 - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023 - Monday 1 January 2024 to Tuesday 31 December 2024
SCHEDULE 4 – ADDITIONAL PROCEDURES				
NOTIFICATION OF LANDOWNERS				
4.1	Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the noise criteria in condition 2 of Schedule 3 or the dust criteria in condition 12 of Schedule 3, the Applicant must: (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land and give them a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and (b) advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Planning Secretary.	Compliant	- Ashton Mine Dust and You – Fact Sheet. - Email from Commercial and Rural Property Manager confirming Mine Dust and You sheet is provided (22 January 2026). - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined compliance with the requirements of this condition.
4.2	Within 2 weeks of obtaining monitoring results showing: (a) an exceedance of any relevant criterion in Schedule 3, the Applicant must notify the affected landowner and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the development is again complying with the relevant criterion; and (b) an exceedance of any relevant criterion in condition 12 of Schedule 3, the Applicant must send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of mine-owned land).	Not triggered	2023 and 2024 Annual Reviews. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.
INDEPENDENT REVIEW				
4.3	If an owner of privately-owned land considers the development to be exceeding any relevant criteria in Schedule 3, then he/she may ask the Planning Secretary in writing for an independent review of the impacts of the development on his/her land	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.
4.4	If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 60 days of the request for a review. If the Planning Secretary is satisfied that an independent review is warranted, then within 2 months of the Planning Secretary's decision, the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to: - consult with the landowner to determine his/her concerns; - conduct monitoring to determine whether the development is complying with the relevant criteria; and - if the development is not complying with these criteria then: - determine if the more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land;	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.

Condition	Details	Compliance status	Relevant evidence	Commentary
	- identify the measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Planning Secretary and landowner a copy of the independent review.			
4.5	If the independent review determines that the development is complying with the relevant criteria, then the Applicant may discontinue the independent review with the approval of the Planning Secretary. If the independent review determines that the development is not complying with the relevant criteria, and that the development is primarily responsible for this non-compliance, then the Applicant must: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the development complies with the relevant criteria; or (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Planning Secretary. If the independent review determines that the development is not complying with the relevant acquisition criteria, and that the development is primarily responsible for this non-compliance, then upon receiving a written request from the landowner, the Applicant must acquire all or part of the landowner's land in accordance with the procedures in conditions 7 to 8 below.	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.
4.6	If the independent review determines that the relevant criteria are being exceeded, but that more than one mine is responsible for this non-compliance, then together with the relevant mine/s, the Applicant must: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until there is compliance with the relevant criteria; or (b) secure a written agreement with the landowner and other relevant mines to allow exceedances of the relevant criteria, to the satisfaction of the Planning Secretary. If the independent review determines that the development is not complying with the relevant acquisition criteria, but that more than one mine is responsible for this non-compliance, then upon receiving a written request from the landowner, the Applicant must acquire all or part of the landowner's land on as equitable a basis as possible with the relevant mine/s, in accordance with the procedures in conditions 7 to 8 below.	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.
LAND ACQUISITION				
4.7	Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant must make a binding written offer to the landowner based on: (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, or the current market value of properties that are of an equivalent standard to the landowner's existing dwelling (including associated facilities such as a pool) in the Singleton or Muswellbrook local government areas (whichever is greater), having regard to the: - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional mitigation measures required under conditions 3 and/or 13 of Schedule 3; (b) the reasonable costs associated with: - relocating within the Singleton or Muswellbrook local government areas, or to any other local government area determined by the Planning Secretary; and - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and (c) reasonable compensation for any loss attributable to disturbance and severance, if any, caused by the land acquisition process, if any; (d) reasonable compensation for any special value of the land to the person on the date of acquisition, if any; and (e) solatium, if any. For the purposes of this consent, the terms 'market value', 'disturbance', 'severance', 'special value' and 'solatium' are to be construed in the same way as those terms are defined in the Land Acquisition (Just Terms Compensation) Act 1991, and as interpreted by the judiciary with the same limitations applied. For the purposes of this consent the term 'landowner' is to be construed in the same way as the term 'owner' as defined in the Land Acquisition (Just Terms Compensation) Act 1991, and as interpreted by the judiciary. However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Planning Secretary for resolution. Upon receiving such a request, the Planning Secretary may request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to: (a) consider submissions from both parties; (b) determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above; (c) prepare a detailed report setting out the reasons for any determination; and	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.

Condition	Details	Compliance status	Relevant evidence	Commentary
	(d) provide a copy of the report to both parties. Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination. However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to an independent arbiter agreed to by the parties. If the parties cannot agree on an independent arbiter, the matter must be referred to the Planning Secretary to appoint an independent arbiter from the NSW Bar Association approved list or arbitrators. The independent arbitrator's costs must be borne by the Applicant, and the Applicant must compensate the landowner for any reasonable costs incurred by the landowner as a result of the matter being referred to arbitration, including any reasonable costs incurred by the landowner in obtaining legal and expert advice or representation for the purposes of arbitration. Within 14 days of receiving the independent arbiter's determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent arbiter's determination. If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land will cease, unless the Planning Secretary determines otherwise.			
4.8	The Applicant must pay all reasonable costs associated with the land acquisition process described in condition 7 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	Conduct of the IA has determined this condition has not been triggered during the IA period.
SCHEDULE 5 – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
ENVIRONMENTAL MANAGEMENT				
5.1	Environmental Management Strategy The Applicant must prepare an Environmental Management Strategy for the Ashton Mine Complex. The strategy must: (a) be prepared in consultation with Community Consultative Committee (CCC); (b) be submitted to the Planning Secretary for approval; (c) provide the strategic framework for environmental management of the development; (d) identify the statutory approvals that apply to the development; (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (f) describe the procedures that would be implemented to: - keep the local community and relevant agencies informed about the operation and environmental performance of the development; - receive, handle, respond to, and record complaints; - resolve any disputes that may arise during the course of the development; - respond to any non-compliance; - respond to emergencies; and (g) include: - copies of any strategies, plans and programs approved under the conditions of this consent; and - a clear plan depicting all the monitoring to be carried out in relation to the development. The Applicant must implement the approved strategy as approved from time to time by the Planning Secretary.	Compliant	- EMS (vG, 20 April 2023). - Letter from the former Department of Planning and Environment (DPE) (now the DPHI) approving the EMS (dated 20 April 2023).	The EMS (vG, 20 April 2023) has been prepared and implemented in accordance with Schedule 5, Condition 1 of DA 309-11-2001-i. The EMS has been revised once during IA period, primarily to account for the integration of RUM, with approval of the revised EMS (vG, 20 April 2023) by the former Department of Planning and Environment (DPE) (now the DPHI) dated 20 April 2023. There were no significant issues identified during the audit (i.e. documentary review, site inspection, and interviews) necessitating revision to the EMS (vG, 20 April 2023), which was confirmed to be available on the Project website. However, some section references provided in Appendix A of the EMS (i.e. identifying where relevant requirements of Schedule 5, Condition 1 of DA 309-11-2001-i are addressed) were noted to be incorrect. Therefore, OF103 has been identified. OF103: Update Appendix A of the EMS to ensure section references for where relevant requirements of Schedule 5, Condition 1 of DA 309-11-2001-i have been addressed are correct.
5.2	Management Plan Requirements The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: - the relevant statutory requirements (including any relevant approval, licence or lease conditions); - any relevant limits or performance measures/criteria; - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: - impacts and environmental performance of the development; - effectiveness of any management measures (see (c) above); (e) a contingency plan to manage any unpredicted impacts and their consequences; (f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Compliant	- EMS (vG, 20 April 2023). - RUM LWs 403 to 406 EP (v1, April 2025), including: - Appendix C: WMP (v13, April 2025). - Appendix D: LMP Addendum (v2, April 2025) - Appendix E: BMP (vK, April 2025). - Appendix F: HMP (vF, April 2025). - Appendix G: BFMP (v3, July 2025), including: - AGL Macquarie AMP (v3, April 2025). - Narama Dam AMP (v2, July 2025). - Glencore AMP (v3, July 2025). - Transgrid AMP (v2, April 2025). - Appendix H: PSMP (v2, April 2025). - Appendix I: CRRP (v2, April 2025). - Appendix J: SMP (v3, September 2025). - Appendix K: RMP (v3, November 2023). - NMP (vE, April 2023).	Conduct of the IA has determined compliance with the requirements of this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
	(g) a protocol for managing and reporting any: - incidents; - complaints; - non-compliances with the conditions of this consent and statutory requirements; and - exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. <i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>		AQGHGMP (vH, April 2023).	
5.3	Preparation of Management Plans etc The Applicant must submit all management plans required under Schedule 3 (with the exception of Extraction Plans required under condition 32 of Schedule 3) for approval by the Planning Secretary at least 3 months prior to recommencement of open cut mining operations (including overburden removal) at the Ashton Mine Complex. Prior to approval of management plans required under Schedule 3 (with the exception of Extraction Plans required under condition 32 of Schedule 3), all existing management plans, monitoring programs, strategies, programs, protocols, etc approved as at the date of approval of Modification 5 will continue to have full force and effect, and may be revised under the requirements of condition 6 below as if subject to the conditions of this consent that applied prior to the approval of Modification 5, or otherwise with the approval of the Planning Secretary.	Not triggered	Site inspection and interviews completed 28 January 2026.	Open cut mining operations have not recommenced at the site, and therefore this condition remains not triggered.
5.4	Relationships between Management Plans The Water, Biodiversity and Heritage Management Plans required by conditions 26, 28 and 34 of Schedule 3, respectively, are to be prepared in respect of all parts of the development that are not covered by an Extraction Plan, whether approved under condition 32 of Schedule 3 or otherwise approved as at the date of approval of MOD 5. In particular, the Water, Biodiversity and Heritage Management Plans should address all areas subject to existing or proposed surface disturbance associated with the development.	Compliant	- Appendix C: WMP (v13, April 2025). - Appendix E: BMP (vK, April 2025). - Appendix F: HMP (vF, April 2025).	The HMP, BMP, WMP cover all of the operations. The intent of this Condition has been satisfied.
5.5	Updating and Staging Submission of Strategies, Plans and Programs The Applicant must regularly review the strategies, plans and programs required under this consent and ensure that these documents are updated to incorporate measures to improve the environmental performance of the development and reflect current best practice in the mining industry. To facilitate these updates, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Planning Secretary. With the agreement of the Planning Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis. With the agreement of the Planning Secretary, the Applicant may prepare a revision or stage of any strategy, plan or program required under this consent, without undertaking consultation with all parties nominated under the applicable condition in this consent. With the agreement of the Planning Secretary, the Applicant may: (a) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (b) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required under the Ravensworth Underground Mine Consent for areas identified on Figure 5 of Appendix 2 as the "Operational Area to be managed by Ashton Coal Operations Ltd (Yancoal)" <i>Notes:</i> - While any strategy, plan or program may be submitted on a staged basis, the Applicant must 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.	Compliant	- RUM LWs 403 to 406 EP (v1, April 2025), including: - Appendix C: WMP (v13, April 2025). - Appendix E: BMP (vK, April 2025). - Appendix F: HMP (vF, April 2025).	Conduct of the IA has determined compliance with the requirements of this condition.
5.6	Revision of Strategies, Plans and Programs Within 3 months of: (a) submission of an incident report under condition 8 below; (b) submission of an annual review under condition 10 below; (c) submission of an audit under condition 11 below; and (d) any modification to the conditions of this consent (with the exception of MOD 5); the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary. The Applicant must publish on its website any revised document resulting from these reviews within 30 days of the Planning Secretary's approval of the document. <i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i>	Compliant	- EMS (vG, 20 April 2023). - RUM LWs 403 to 406 EP (v1, April 2025), including: - Appendix C: WMP (v13, April 2025). - Appendix D: LMP Addendum (v2, April 2025) - Appendix E: BMP (vK, April 2025). - Appendix F: HMP (vF, April 2025). - Appendix G: BFMP (v3, July 2025), including: - AGL Macquarie AMP (v3, April 2025). - Narama Dam AMP (v2, July 2025). - Glencore AMP (v3, July 2025). - Transgrid AMP (v2, April 2025). - Appendix H: PSMP (v2, April 2025). - Appendix I: CRRP (v2, April 2025). - Appendix J: SMP (v3, September 2025).	Conduct of the IA has determined compliance with the requirements of this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
			- Appendix K: RMP (v3, November 2023). - NMP (vE, April 2023). - AQGHGMP (vH, April 2023).	
5.7	Community Consultative Committee The Applicant must establish a CCC for the development to the satisfaction of the Planning Secretary. This CCC must: (a) be operated in general accordance with the Department's Community Consultative Committee Guidelines: State Significant Development (2019), or its latest version, and (b) include the following provisions in its terms of reference: (i) the CCC must be provided with all strategies, plans, reviews and incident reports generated during the life of the development; (ii) the CCC may not be bound by confidentiality provisions in relation to these documents; (iii) the CCC can, from time to time, make recommendations to the Planning Secretary, Minister and all relevant agencies; and (iv) the CCC can, from time to time, request representatives from government agencies to attend meetings as required. The members of the CCC must be paid if they so request by the Applicant at the rate for sitting fees set out in the NSW Premier and Cabinet document, Guidelines for NSW Board and Committee Members: Appointments and Remuneration. Notes: - The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. - In accordance with the guideline, the Committee must include an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community. - In establishing the CCC, the Department will accept the continued representation from existing CCC members.	Compliant	CCC Minutes uploaded on the Project website.	The Community Consultative Committee has been established and has met three times per year over the IA period. The CCC established meets the requirements of this Condition.
5.7A	With the agreement of the CCC Chairs and the approval of the Planning Secretary, matters associated with the Ravensworth Underground Mine Consent area being managed by the Applicant, as identified on Figure 5 of Appendix 2 as the "Operational Area to be managed by Ashton Coal Operations Ltd (Yancoal)", may be dealt with by the Ashton Coal Project CCC.	Note	Note	Note
REPORTING				
5.8	Incident Reporting The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.	Compliant	- Written report to DPE (26 May 2023). - DPE email response to written report (19 October 2023).	Conduct of the IA indicates there no incidents have occurred during the IA period, in relation to Section 148 (Pollution incidents causing or threatening material harm to be notified) of <i>the Protection of the Environment Operations Act 1997</i> (NSW). One reportable heritage incident occurred during the IA period on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow. On 19 May 2023, at approximately 3:00pm, Phillip Brown, Environment & Community Relations Superintendent for Ashton Coal was notified of the incident, with a written report submitted to the former Department of Planning and Environment (DPE) (now the DPHI) on 26 May 2023. The (then) DPE acknowledged receipt of the report and provided no comments on the incident. While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed. To prevent reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process.
5.8A	Non-Compliance Notification Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Not triggered	N/A	Non-compliance notification occurred during the IA period. <i>Note: The incident outlined above in Schedule 5, Condition 8, resulted in a non-compliance, however it was reported to the DPE originally as an incident.</i>

Condition	Details	Compliance status	Relevant evidence	Commentary
	<i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</i>			
5.9	Regular Reporting The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any approved plans of the conditions of this consent.	Compliant	2023 and 2024 Annual Reviews. - Ashton Coal IA 2022. - Ashton 260116 EPL Monitoring Data 2012—2026. - Ashton Monthly Noise Monitoring Reports. - Project website – Media & News.	Ashton publish all Annual Reviews, Independent Audits and Environmental Monitoring Data to their website.
5.10	Annual Review By the end of March each year (or other such timing as agreed by the Planning Secretary), the Applicant must review the environmental performance of the development to the satisfaction of the Planning Secretary. This review must: (a) describe the works (including any rehabilitation) that were carried during the previous calendar year, and the works that are proposed to be carried out over the current calendar year; (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the: - relevant statutory requirements, limits or performance measures/criteria; - monitoring results of previous years; and - relevant predictions in the EA and the previous EIAs; (c) identify any non-compliance over the last 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 development; (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Compliant	2022, 2023 and 2024 Annual Reviews.	The Annual Reviews completed for each reporting period satisfy the requirements of this condition.
INDEPENDENT ENVIRONMENTAL AUDIT				
5.11	One year after the commencement of construction of the development, and every 3 years thereafter, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must: (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); (d) review the adequacy of any approved strategies, plans or programs required under these approvals; and, if appropriate (e) recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals. <i>Notes:</i> <i>This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.</i>	Compliant	2023 IEA. - This audit.	Every three years, Ashton has commissioned and organised an IA to be completed. The last IA was for the period between 2019-2023 and finalised 1 March 2023. The 2023 IA Audit Report is compliant with these conditions, as outlined below: - Requirement (a): Appendix A. - Requirement (b): Appendix B. - Requirement (c): Section 4. - Requirement (d): Section 4.6. - Requirement (e): Section 5.
5.12	Within 6 weeks of the completion of this audit, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report.	Compliant	Submission evidence for 2023 IA (Appendix D of IA report).	Conduct of the IA has determined compliance with the requirements of this condition.
ACCESS TO INFORMATION				
5.13	The Applicant must: (a) make copies of the following publicly available on its website: - the documents listed in condition 2(a); - all current statutory approvals for the development; - approved strategies, plans and programs required under the conditions of this consent; - a comprehensive summary of the monitoring results of the development, including model performance results which have been reported in accordance with the various plans and programs approved under the conditions of this consent; - a complaints register, which is to be updated on a monthly basis; - minutes of CCC meetings; - the annual reviews over the life of the development; - any independent environmental audit, and the Applicant's response to the recommendations in any audit;	Non-compliant (ANC)	Ashton Coal Website.	Conduct of the IA determined general compliance with the requirements of this condition; however, at the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, an administrative non-compliance has been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.

Condition	Details	Compliance status	Relevant evidence	Commentary
	any other matter required by the Planning Secretary; and keep this information up to date by ensuring that all management plans, monitoring results and reports are available on the Applicant's website within 30 days of their completion			

Appendix E

EPL 11879

Condition	Details	Compliance status	Relevant evidence	Commentary																								
1. Administrative Conditions																												
A1 What the license authorises and regulates																												
A1.1	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. 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. <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>> 5000000 T annual handling capacity</td></tr><tr><td>Mining for coal</td><td>Mining for coal</td><td>> 5000000 T annual production capacity</td></tr></table> Note: In relation to this licence, the licensee must comply with: a) the activity scale limits imposed by this licence; b) the activity scale limits which apply for the reporting period specified in this licence; and c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the Environmental Planning and Assessment Act 1979.	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 5000000 T annual handling capacity	Mining for coal	Mining for coal	> 5000000 T annual production capacity	Compliant	2023 and 2024 Annual Reviews. CHPP Production Statistics Excel Sheet 2025.	Annual total coal extracted according to the Annual Reviews: 2023 AR: 2.56 million tonnes 2024 AR: 0.73 million tonnes The 2025 annual total coal extracted according to the Production Statistics Sheet is 1.07 million tonnes.															
Scheduled Activity	Fee Based Activity	Scale																										
Coal works	Coal works	> 5000000 T annual handling capacity																										
Mining for coal	Mining for coal	> 5000000 T annual production capacity																										
A2 Premises or plant to which this licence applies																												
A2.1	The licence applies to the following premises: <table><tr><th>Premises Details</th></tr><tr><td>ASHTON COAL MINE</td></tr><tr><td>GLENNIES CREEK ROAD AND NEW ENGLAND HIGHWAY</td></tr><tr><td>CAMBERWELL</td></tr><tr><td>NSW 2330</td></tr><tr><td>PREMISES BOUNDARY DEFINED BY SHAPE FILES AND MARKED AS 'ASHTON ENVIRONMENTAL PROTECTION LICENCE AREA' ON THE PLAN TITLED "ASHTON UNDERGROUND ENVIRONMENTAL PROTECTION LICENCE" DRAWING NO. A-9846 DATED 15/09/2022, WITH BOTH SHAPEFILES AND PLAN PROVIDED TO THE EPA ON 26/09/2022 (EPA REFERENCE DOC22/850412).</td></tr></table>	Premises Details	ASHTON COAL MINE	GLENNIES CREEK ROAD AND NEW ENGLAND HIGHWAY	CAMBERWELL	NSW 2330	PREMISES BOUNDARY DEFINED BY SHAPE FILES AND MARKED AS 'ASHTON ENVIRONMENTAL PROTECTION LICENCE AREA' ON THE PLAN TITLED "ASHTON UNDERGROUND ENVIRONMENTAL PROTECTION LICENCE" DRAWING NO. A-9846 DATED 15/09/2022, WITH BOTH SHAPEFILES AND PLAN PROVIDED TO THE EPA ON 26/09/2022 (EPA REFERENCE DOC22/850412).	Note	Note.	Note.																		
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A3 Information supplied to the EPA																												
A3.1	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: 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 b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence	Note	N/A.	N/A.																								
2 Discharges to Air and Water and Application to Land																												
P1.1	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 emission of pollutants from the point. <table><tr><th colspan="4">Air</th></tr><tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>9</td><td>Particulate Matter Monitoring</td><td></td><td>Monitoring at coordinates 318060, 6407586 (Easting, Northing), identified as Site 7 on Figure 1.</td></tr><tr><td>10</td><td>Particulate Matter Monitoring</td><td></td><td>Monitoring at coordinates 320854, 6407223 (Easting, Northing), identified as Site 9 on Figure 1.</td></tr><tr><td>11</td><td>Particulate Matter Monitoring</td><td></td><td>Monitoring at coordinates 320049, 6405620 (Easting, Northing), identified as Site 10 on Figure 1.</td></tr><tr><td>16</td><td></td><td>Discharge to Air</td><td>Gas flares at coordinates 319135, 6405675 (Easting, Northing), identified as CGDP Flares on Figure 2.</td></tr></table>	Air				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	9	Particulate Matter Monitoring		Monitoring at coordinates 318060, 6407586 (Easting, Northing), identified as Site 7 on Figure 1.	10	Particulate Matter Monitoring		Monitoring at coordinates 320854, 6407223 (Easting, Northing), identified as Site 9 on Figure 1.	11	Particulate Matter Monitoring		Monitoring at coordinates 320049, 6405620 (Easting, Northing), identified as Site 10 on Figure 1.	16		Discharge to Air	Gas flares at coordinates 319135, 6405675 (Easting, Northing), identified as CGDP Flares on Figure 2.	Compliant	Air Quality and Greenhouse Gas Management Plan (AQGHGMP) (vH, April 2023).	Monitoring points are identified in Section 4.4 of the AQGGMP.
Air																												
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																									
9	Particulate Matter Monitoring		Monitoring at coordinates 318060, 6407586 (Easting, Northing), identified as Site 7 on Figure 1.																									
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11	Particulate Matter Monitoring		Monitoring at coordinates 320049, 6405620 (Easting, Northing), identified as Site 10 on Figure 1.																									
16		Discharge to Air	Gas flares at coordinates 319135, 6405675 (Easting, Northing), identified as CGDP Flares on Figure 2.																									
P1.2	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Note	N/A.	N/A.																								
P1.3	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point. <table><tr><th colspan="4">Water and land</th></tr><tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>2</td><td>Ambient surface water monitoring</td><td></td><td>Monitoring u/s Bowmans Creek at coordinates 318011, 6407623 (Easting, Northing), identified as SM03 on Figure 1.</td></tr></table>	Water and land				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	2	Ambient surface water monitoring		Monitoring u/s Bowmans Creek at coordinates 318011, 6407623 (Easting, Northing), identified as SM03 on Figure 1.	Compliant	Water Management Plan (WMP) (v13, April 2025). Annual Returns for 2022/2023, 2023/2024, and 2024/2025.	Conduct of the IA determined compliance with the requirements of this condition.												
Water and land																												
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																									
2	Ambient surface water monitoring		Monitoring u/s Bowmans Creek at coordinates 318011, 6407623 (Easting, Northing), identified as SM03 on Figure 1.																									

Condition	Details			Compliance status	Relevant evidence	Commentary
	3	Ambient surface water monitoring	Monitoring Bowmans Creek near New England Highway at coordinates 318507, 6406607 (Easting, Northing), identified as SM04 on Figure 1.			
	4	Ambient surface water monitoring.	Monitoring Bowmans Creek near Longwall Panels at coordinates 317625, 6405580 (Easting, Northing), identified as SM05 on Figure 1.			
	5	Ambient surface water monitoring	Monitoring Bowmans Creek at Hunter River Confluence at coordinates 317124, 6404172 (Easting, Northing), identified as SM06 on Figure 1.			
	6	Ambient surface water monitoring.	Monitoring Hunter River u/s Bowmans Creek Confluence at coordinates 316484, 6404147 (Easting, Northing) identified as SM09 on Figure 1.			
	7	Ambient surface water monitoring	Monitoring Hunter River d/s Bowmans Creek Confluence at coordinates 317438, 6403869 (Easting, Northing), identified as SM10 on Figure 1.			
	17	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring STP monitoring and discharge at coordinates 319380, 6405955 (Easting, Northing), identified as STP - U/G on Figure 1.			
	18	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring STP monitoring and discharge at coordinates 318765, 6406765 (Easting, Northing), identified as STP - CHPP on Figure 1.			
	19	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring STP monitoring and discharge at coordinates 319355, 6406945 (Easting, Northing), identified as STP - O/C on Figure 1.			
	20	Groundwater monitoring	Monitoring upgradient of Bowmans Creek alluvium at coordinates 318438, 6407195 (Easting, Northing), identified as YAP016 in Figure 1.			
	21	Groundwater monitoring	Monitoring mid-gradient of Bowmans Creek alluvium at coordinates 317457, 6405388 (Easting, Northing), identified as WMLP320 in Figure 1.			
	22	Groundwater monitoring	Monitoring of Bowmans Creek alluvium at coordinates 317299, 6403992 (Easting, Northing), identified as WMLP279 in Figure 1.			
	23	Groundwater monitoring	Monitoring mid-gradient of Hunter River alluvium at coordinates 317798, 6403793 (Easting, Northing), identified as WMLP280 in Figure 1.			
	24	Groundwater monitoring	Monitoring up-gradient of Glennies Creek alluvium at coordinates 319294, 6404588 (Easting, Northing), identified as WML120B in Figure 1.			
	25	Groundwater monitoring	Monitoring mid-gradient of Glennies Creek alluvium at coordinates 319468, 6403528 (Easting, Northing), identified as WML129 in Figure 1.			
	26	Groundwater monitoring	Monitoring down-gradient of Glennies Creek alluvium at coordinates 318965, 6402842 (Easting, Northing), identified as WMLP336 in Figure 1.			
	27	Groundwater monitoring	Monitoring up-gradient of Barrett coal seam at coordinates 318431, 6407214 (Easting, Northing), identified as GM1 in Figure 1.			
	28	Groundwater monitoring	Monitoring up-gradient of Pikes Gully coal seam at coordinates 319292, 6404580 (Easting, Northing), identified as WML120A in Figure 1.			
	29	Groundwater monitoring	Monitoring mid-gradient of Pikes Gully coal seam at coordinates 319220, 6403928 (Easting, Northing), identified as WML262 in Figure 1.			
	30	Groundwater monitoring	Monitoring up-gradient of Upper Liddell coal seam at coordinates 319215, 6403958 (Easting, Northing), identified as WML181 in Figure 1.			
	31	Groundwater monitoring	Monitoring mid-gradient of Upper Liddell coal seam at coordinates 319188, 6404325 (Easting, Northing), identified as WML183 in Figure 1.			

Condition	Details	Compliance status	Relevant evidence	Commentary																									
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. <table><tr><th>EPA identi- fication no.</th><th>Type of monitoring point</th><th>Location description</th></tr><tr><td>12</td><td>Meteorological Station – to determine meteorological conditions for noise monitoring</td><td>Meteorological monitoring at coordinates 320522, 6406815 (Easting, Northing), identified as Repeater on Figure 2.</td></tr><tr><td>13</td><td>Noise monitoring</td><td>Monitoring at coordinates 320554, 6405839 (Easting, Northing), identified as N3 on Figure 2 and representative of Noise Assessment Group 2.</td></tr><tr><td>14</td><td>Noise monitoring</td><td>Monitoring at coordinates 320297, 6405670 (Easting, Northing), identified as N2 on Figure 2 and representative of Noise Assessment Group 1.</td></tr><tr><td>15</td><td>Noise monitoring</td><td>Monitoring at coordinates 319776, 6404101 (Easting, Northing), identified as N4 on Figure 2 and representative of Noise Assessment Group 3.</td></tr><tr><td>32</td><td>Meteorological Station – to determine meteorological conditions for noise monitoring</td><td>Monitoring of temperature at 'M1' at coordinates 320259, 6405971 (Easting, Northing).</td></tr></table>	EPA identi- fication no.	Type of monitoring point	Location description	12	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological monitoring at coordinates 320522, 6406815 (Easting, Northing), identified as Repeater on Figure 2.	13	Noise monitoring	Monitoring at coordinates 320554, 6405839 (Easting, Northing), identified as N3 on Figure 2 and representative of Noise Assessment Group 2.	14	Noise monitoring	Monitoring at coordinates 320297, 6405670 (Easting, Northing), identified as N2 on Figure 2 and representative of Noise Assessment Group 1.	15	Noise monitoring	Monitoring at coordinates 319776, 6404101 (Easting, Northing), identified as N4 on Figure 2 and representative of Noise Assessment Group 3.	32	Meteorological Station – to determine meteorological conditions for noise monitoring	Monitoring of temperature at 'M1' at coordinates 320259, 6405971 (Easting, Northing).	Compliant	- Noise Management Plan (NMP) (vE, April 2023). - AQGHGMP (vH, April 2023).	Conduct of the IA determined compliance with the requirements of this condition.							
EPA identi- fication no.	Type of monitoring point	Location description																											
12	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological monitoring at coordinates 320522, 6406815 (Easting, Northing), identified as Repeater on Figure 2.																											
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32	Meteorological Station – to determine meteorological conditions for noise monitoring	Monitoring of temperature at 'M1' at coordinates 320259, 6405971 (Easting, Northing).																											
P1.5	For the purposes of Condition P1.1, P1.2 and P1.3, Figure 1 refers to the plan titled "Ashton Underground Mine Environment Protection licence 11879 Premises Boundary, Surface Infrastructure" dated 30/08/19 (EPA reference DOC19/761196).	Note	Note.	Note.																									
P1.6	For the purpose of Condition P1.4, Figure 2 refers to the plan titled "Ashton Underground Mine Environment Protection licence 11879 Premises Boundary, Monitoring" dated 30/08/19 (EPA reference DOC19/761196).	Note	Note.	Note.																									
P1.7	The datum for grid references in this Licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.	Note	Note.	Note.																									
3 Limit Conditions																													
L1 Pollution of waters																													
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	The site is a zero discharge site. No discharge off site occurred during the IA period. No pollutants have been released into waterways, there was no pollution incidents during the IA period, indicating compliance with this condition.																									
L2 Concentration Limits																													
L2.1	Flares must be operated by the licensee such that there is no visible emission other than for a total period of no more than 5 minutes in any 2 hours, except for heat haze.	Compliant	Community complaints register.	No complaints or incidents relating to flare operation were reported over the IA period.																									
L3 Waste																													
L3.1	The licensee must not cause, permit or allow any waste to be received at the premises unless specified in this licence.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA determined compliance with the requirements of this condition.																									
L3.2	The licensee must not dispose of waste on the premises unless authorised by a condition of this Licence.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA determined compliance with the requirements of this condition.																									
L4 Noise Limits																													
L4.1	Noise from the premises must not exceed the noise limits specified in the table below. Residences referenced in this table are from the consent DA 309-11-2001-i and summarised in the EPA reference DOC19/761196. <table><tr><th>Location</th><th>Day LAeq(15 minute)</th><th>Evening LAeq(15 minute)</th><th>Night LAeq(15 minute)</th><th>Night LAeq(1 minute)</th></tr><tr><td>EPA Point 13</td><td>38</td><td>38</td><td>36</td><td>46</td></tr><tr><td>EPA Point 14</td><td>38</td><td>38</td><td>36</td><td>46</td></tr><tr><td>EPA Point 15</td><td>38</td><td>38</td><td>36</td><td>46</td></tr><tr><td>All other privately owned residences</td><td>38</td><td>38</td><td>36</td><td>46</td></tr></table>	Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LAeq(1 minute)	EPA Point 13	38	38	36	46	EPA Point 14	38	38	36	46	EPA Point 15	38	38	36	46	All other privately owned residences	38	38	36	46	Compliant	- Ashton Noise Monitoring Reports for 2025. 2023 and 2024 Annual Reviews.	Noise monitor reporting during the IA period identified the following: 2023 AR: During monitoring events in which operations at ACP were audible, noise remained below the applicable criteria, including night-time sleep disturbance criteria (LA(1 min)), at all locations. 2024 AR: During monitoring events in which operations at ACP were audible, noise remained below the applicable criteria, including night-time sleep disturbance criteria (LA(1 min)), at all locations. 2025 Data: During monitoring events in which operations at ACP were audible, noise remained below the applicable criteria, including night-time sleep disturbance criteria (LA(1 min)), at all locations. Other mining operations in the vicinity were frequently audible during the operator-attended noise surveys for the IA period however the cumulative mining noise levels remained below the relevant limits.
Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LAeq(1 minute)																									
EPA Point 13	38	38	36	46																									
EPA Point 14	38	38	36	46																									
EPA Point 15	38	38	36	46																									
All other privately owned residences	38	38	36	46																									
L4.2	For the purpose of condition L4.1:	Note	Note	Note																									

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 Sundays and Public Holidays			
L4.3	The noise emission limits identified in condition L4.1 apply under the following meteorological conditions: a) wind speeds up to 3m/s at 10m above ground level; and b) temperature inversion conditions up to 3 degrees C/100m	Note	Note	Note
L4.4	For the purposes of condition L4.1: a) Data recorded by the closest and most representative meteorological station installed on the premises at Point 12 must be used to determine meteorological conditions; and b) 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) using Points 12 and 32.	Compliant	- Ashton Noise Monitoring Reports. - Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	A review of select noise monitoring reports found that monitoring was being undertaken in accordance with the requirements of this condition.
4 Operating Conditions				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. 2023, 2024, and 2025 waste tracking for open and underground mining. 2023, 2024, and 2025 Waste Statistics. 2023, 2024, and 2025 Sample Waste Reports. - Sample weekly inspection checklists and monthly reports completed by JR Richards.	Waste is currently broadly outlined and managed under the RMP, with waste managed by: - Encouraging segregation and recycling through appropriate facilities, with recyclable materials collected and sent off-site for recycling. - Removal of non-recyclable waste by licensed contractors for disposal at landfills licensed to accept the relevant waste category. Three on-site sewage management systems service the underground mine bathhouse and administration facilities, the CHPP, and the NEOC workshop and bathhouse. - Completion of weekly inspections by a waste contractor to identify any potential issues with waste management, with provision of a monthly report for consideration by Ashton Coal. - During the 2023 reporting period an electronics bin was established for the recycling of eWaste with 770kg of eWaste recycled from on-site stockpiles. Appropriate waste management processes and procedures have been implemented by Ashton Coal, with no reportable incidents relating to waste management occurred during the IA period. Waste monitoring is actively completed onsite via waste tracking for open and underground mining sheets, with Annual Reviews including a record of annual total volumes of wastes and recycling.
O2 Maintenance of plant 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	- Site inspection and interviews completed 28 January 2026. - Mechanical Engineering Management Control Plan. Revision 9, dated 20 June 2024. - Ashton Coal Operations Introduction to Site Procedure, Revision 9, dated 28 October 2024. - LH08 & LH09 Service Schedule and Workorder History.	Conduct of the IA determined compliance with the requirements of this condition.
Sewage Treatment Systems				
O2.2	The licensee is responsible for the correct operation of the sewage treatment system on the premises	Note	Note	Note
O2.3	Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.	Compliant	- All Septic Services 2025 Compliance Letter - Ashton Coal Sewerage Treatment Plant Maintenance Report 2023 - Ashton Coal Sewerage Treatment Plant Maintenance Report 2024	Ashton has access to all relevant operational manuals, but utilises the services of a register wastewater treatment system engineer to inspect and maintain the site sewage treatment systems.
O2.4	The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.	Compliant	- All Septic Services 2025 Compliance Letter - Ashton Coal Sewerage Treatment Plant Maintenance Report 2023 - Ashton Coal Sewerage Treatment Plant Maintenance Report 2024	The sewage treatment system was serviced by a suitably qualified technician over the reporting period.
O2.5	The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4	Compliant	- Ashton Coal Sewerage Treatment Plant Maintenance Report 2023 - Ashton Coal Sewerage Treatment Plant Maintenance Report 2024 2023 and 2024 Annual Reviews.	The sewage treatment system was serviced and reported on by a suitably qualified technician over the reporting period.
O2.6	The licensee must prepare a sewage treatment system maintenance program. The program must include: a) Certification from the system provider that the sewage treatment system is operating within its capacity;	Compliant	- All Septic Services 2025 Compliance Letter - Ashton Coal Sewerage Treatment Plant Maintenance Report 2023	The annual Sewerage Treatment Plant Maintenance Reports include the requirements of the maintenance programs.

Condition	Details	Compliance status	Relevant evidence	Commentary
	b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and c) Provide written records of each quarterly inspection.		Ashton Coal Sewerage Treatment Plant Maintenance Report 2024	
O3 Dust				
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - Community complaints register. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet.	Ambient air monitoring undertaken for the ACP includes: - Depositional dust monitoring – one sample collected every 30 days (± 2 days) from one depositional dust gauge - Particulate matter 10 micrometres or less (PM10) – a real-time tapered element oscillating microbalance (TEOM), Site 10 located at Camberwell. Two additional TEOM samplers (Sites 7 and 9) are used for operational management purposes and are not reflective of impacts on sensitive receivers Results of the air monitoring during the IA period indicates: - The rolling annual average deposited dust levels recorded throughout the IA period remained below the criteria of 4g/m2/month. - During the IA period, there were seven days (i.e. three in 2023 and four in 2024) when the 24-hour PM10 results were above 50µg/m3 at Site 10. In each instance, investigations confirmed: - the ACP was not a substantial contributor to PM10 levels in Camberwell Village - calculated contributions remained below the incremental contribution criteria - all reasonable and feasible avoidance measures were being employed.
O3.2	All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimize the generation, or emission from the premises, of wind-blown or traffic generated dust.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - Community complaints register. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet.	Conduct of the IA determined compliance with the requirements of this condition.
O3.3	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews. - Community complaints register. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet.	Conduct of the IA determined compliance with the requirements of this condition.
O4 Effluent application to land				
O4.1	The licensee must ensure that the effluent discharge utilisation area perimeter is signposted and controlled in a manner to ensure exclusion of persons from that area.	Compliant	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined compliance with the requirements of this condition.
O4.2	The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.	Compliant	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined compliance with the requirements of this condition.
O4.3	Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.	Compliant	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined compliance with the requirements of this condition.
O5 Emergency Response				
O5.1	Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.	Compliant	Pollution Incident Response Management Plan (PIRMP) (v1G, January 2024).	The PIRMP has been prepared and maintained for the site in accordance with Part 5.7A of the POEO Act 1997. During the IA period, the PIRMP was tested multiple times in response to spill incidents. None of the PIRMP tests resulted in changes required to be made to the PIRMP. 2023 IA: Ensure that the PIRMP is updated as per the outcomes of the PIRMP test. Publish the updated PIRMP to the project website and make available to site staff. 2025 IA: The PIRMP was last updated in January 2024 and this latest version is available on the website.
O6 Processes and Management				
O6.1	Banks, channels and similar works must be constructed and maintained to divert stormwater away from disturbed or contaminated land surfaces such as mine workings, haul roads, overburden disposal areas, coal handling areas and wastewater treatment facilities. All diversion banks, channels and points of discharge must be constructed or stabilised so as to minimise erosion and scouring	Compliant	- Site inspection and interviews completed 28 January 2026. - WMP (v13, April 2025). 2023 and 2024 Annual Reviews.	Conduct of the IA determined compliance with the requirements of this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary								
O7 Waste Management												
O7.1	A water management system must be constructed and utilised to manage the collection, storage, treatment, use and disposal of minewater, sewage effluent and other wastewater.	Compliant	- Site inspection and interviews completed 28 January 2026. - WMP (v13, April 2025). 2023 and 2024 Annual Reviews. 2023, 2024, and 2025 waste tracking for open and underground mining. 2023, 2024, and 2025 Waste Statistics. 2023, 2024, and 2025 Sample Waste Reports. - Sample weekly inspection checklists and monthly reports completed by JR Richards.	Conduct of the IA determined compliance with the requirements of this condition.								
O7.2	Bunds must: a) have walls and floors constructed of impervious materials; b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed); c) have floors graded to a collection sump; and d) not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.	Compliant	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined compliance with the requirements of this condition.								
O7.3	A wastewater treatment facility with oil separator and sediment trap must be installed to treat drainage from the hardstand, vehicle servicing and general workshop areas.	Compliant	- Site inspection and interviews completed 28 January 2026. - Example Workshop Weekly Mechanical SETS Inspection Sheet - Sample weekly inspection checklists and monthly reports completed by JR Richards.	Conduct of the IA determined compliance with the requirements of this condition.								
O8 Other Operating Conditions												
O8.1	There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.	Compliant	- Site inspection and interviews completed 28 January 2026. 2023 and 2024 Annual Reviews.	Conduct of the IA determined compliance with the requirements of 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 by this condition	Compliant	Environmental monitoring data is stored on the Project website: to https://www.yancoal.com.au/our-sites/ashton/ashton-documents/	In addition to the Annual Reports and specific (consultant) environmental monitoring reports, EPL monitoring data is provided on the websites in spreadsheet format. The records maintained meet the requirements of the Condition.								
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	Environmental monitoring data is stored on the Project website: to https://www.yancoal.com.au/our-sites/ashton/ashton-documents/	EPL monitoring data provided on the website in spreadsheet format is in an easily accessible and legible format dates back to 2012.								
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant	Specific internal records, which have more detailed information to that available on the Project website: to https://www.yancoal.com.au/our-sites/ashton/ashton-documents/	Conduct of the IA determined compliance with the requirements of this condition.								
M2 Requirement to monitor concentration of pollutants discharged												
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns.	Note	N/A.	N/A.								
M2.2	Air Monitoring Requirements POINT 9,10,11 <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	Compliant	- AQGHGMP (vH, April 2023). 2023 and 2024 Annual Reviews. - Ashton 251029 EPL Monitoring Data 2012-2025 Spreadsheet.	As outlined in the AQGGMP and implemented as evidence in the Annual Reviews, these air monitoring requirements are met by the PM10 real-time TEOM at Site 10 located at Camberwell. Furthermore, two additional TEOM samplers (Sites 7 and 9) are used for operational management purposes. Conduct of the IA determined an administrative non-compliance due to PM10 results not being captured continuously during the IA period. However, the IA determined data capture has complied with the requirements of Condition M2.4, and compliance with Condition M2.2 has been confirmed.
Pollutant	Units of measure	Frequency	Sampling Method									
PM10	micrograms per cubic metre	Continuous	AM-22									
M2.3	Water and/or Land Monitoring Requirements	Compliant	WMP (v13, April 2025).	Conduct of the IA determined compliance with the requirements of this condition.								

Condition	Details	Compliance status	Relevant evidence	Commentary																																								
	POINT 2,3,4,5,6,7 <table><thead><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr></thead><tbody><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></tbody></table> POINT 17,18,19 <table><thead><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr></thead><tbody><tr><td>Faecal Coliforms</td><td>colony forming units per 100 millilitres</td><td>Quarterly</td><td>Grab sample</td></tr><tr><td>pH</td><td>pH</td><td>Quarterly</td><td>Grab sample</td></tr></tbody></table> POINT 20,21,22,23,24,25,26,27,28,29,30,31 <table><thead><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr></thead><tbody><tr><td>Conductivity</td><td>microsiemens per centimetre</td><td>Every 6 months</td><td>Grab sample</td></tr><tr><td>Standing Water Level</td><td>metres</td><td>Every 6 months</td><td>In situ</td></tr></tbody></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	Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample	pH	pH	Quarterly	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Every 6 months	Grab sample	Standing Water Level	metres	Every 6 months	In situ		2023 and 2024 Annual Reviews. - Ashton 251029 EPL Monitoring Data 2012-2025 Spreadsheet.	
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Standing Water Level	metres	Every 6 months	In situ																																									
M2.4	For the purposes of conditions M2.2 and M4.1, ‘Continuous’ means the operation of equipment to achieve a minimum pollutant and/or meteorological data capture rate of 95% for the duration of the licence Annual Return reporting period. The calculation of the data capture rate does not include data loss caused by the following activities: a) routine maintenance; b) routine calibration, including zero and span checks; c) other activity or condition as approved in writing by the EPA. Note: The above condition is interim only. The minimum data capture rate and calculation method required to achieve continuous monitoring is subject to review and could change, resulting in a change of this condition.	Note	Note	Note																																								
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: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or 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; 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. 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".	Compliant	AQGHGMP (vH, April 2023).	Conduct of the IA determined compliance with the requirements of this condition.																																								
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.	Compliant	- WMP (v13, April 2025). - Ashton Coal – Annual Groundwater Monitoring Review 2023 and 2024 (included in Appendix 2 in the Annual Reviews). - Samples of Ashton Monthly Waters Field Sheets.	The annual groundwater monitoring reviews completed for the site by Australasian Groundwater and Environmental Consultants Pty Ltd (NATA Registered Laboratories) and Monthly Wasters Field Sheets indicates that NATA Registration applies to the testing methods reported and meet the requirements of this Condition.																																								
M4 Weather Monitoring																																												
M4.1	The licensee must collect and analyse meteorological data at monitoring point 12 for the parameters, at a frequency, averaging period and using a method as specified in the table below. <table><thead><tr><th>Parameter</th><th>Units of Measure</th><th>Frequency</th><th>Averaging Period</th><th>Sampling Method</th></tr></thead><tbody><tr><td>Temperature @ 1.2m</td><td>C</td><td>Continuous</td><td>1 hour</td><td>AM-4</td></tr><tr><td>Rainfall</td><td>mm</td><td>Continuous</td><td>15 minutes</td><td>AM-4</td></tr><tr><td>Wind direction @ 10m</td><td>degrees</td><td>Continuous</td><td>10 minutes</td><td>AM-2 & AM-4</td></tr><tr><td>Wind speed @ 10m</td><td>m/s</td><td>Continuous</td><td>10 minutes</td><td>AM-2 & AM-4</td></tr><tr><td>Temperature Lapse Rate</td><td>degrees</td><td>Continuous</td><td>15 minutes</td><td>Factsheet D of the NSW Noise Policy for Industry</td></tr></tbody></table> Note: All methods are specified in the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales and all monitoring must be conducted strictly in accordance with the requirements outlined in this document.	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Temperature @ 1.2m	C	Continuous	1 hour	AM-4	Rainfall	mm	Continuous	15 minutes	AM-4	Wind direction @ 10m	degrees	Continuous	10 minutes	AM-2 & AM-4	Wind speed @ 10m	m/s	Continuous	10 minutes	AM-2 & AM-4	Temperature Lapse Rate	degrees	Continuous	15 minutes	Factsheet D of the NSW Noise Policy for Industry	Compliant	- Maps attached to EPL 11879. - Met Station Data (2023, 2024, 2025). - TEOM Ambient Particulate Monitor – Final Test Record (2024). 2023 and 2024 Annual Reviews. - AQGHGMP (vH, April 2023).	Conduct of the IA determined compliance with the requirements of this condition.										
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																								
Temperature @ 1.2m	C	Continuous	1 hour	AM-4																																								
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Condition	Details	Compliance status	Relevant evidence	Commentary								
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	Community complaints register.	A public complaints register to maintained on the Yancoal Ashton website.								
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	- Community complaints register. - Ashton internal form used to record complaints.	A public complaints register to maintained on the public website (that complaints register does not identify complainants). This register contains the following information: - Date and time - Nature of complaint - Details and response (includes statement on how the complaint was made) Complainant details are kept on an individual complaint records for privacy purposes.								
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Complaint	Community complaints register.	Yearly complaints registers presented on the website go back to 2016, longer than four years.								
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not triggered	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined this condition has not been triggered during the IA period.								
M6 Telephone line complaints												
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	Ashton Coal Website: Environment and Community Response line: 1800 657 639 https://www.yancoal.com.au/our-sites/ashton/	Ashton's website provides both email and telephone enquiries and complaints lines. The environmental hotline was tested by the auditor prior to the audit and was found to be functional and attended.								
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	Ashton Coal Website: Environment and Community Response line: 1800 657 639 https://www.yancoal.com.au/our-sites/ashton/	Ashton's website provides easily accessible email and telephone enquiries and complaints lines.								
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Not Triggered	N/A	N/A								
M7 Other monitoring and recording conditions - Requirement to monitoring particulate matter												
M7.1	The licensee must record the average PM10 concentration at Points 9, 10 and 11 at intervals of 10 minutes. This data must be made available upon request by any authorised officer of the EPA who asks to see them. Note: For the purpose of the ambient air monitoring required in respect of Points 9, 10 and 11, the EPA's "Ambient air monitoring guidance note" provides general information to licensees to reference when undertaking ambient air monitoring.	Compliant	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026. - AQGHGMP (vH, April 2023). - Community complaints register. - Ashton 251029 EPL-Monitoring-Data-2012-2025 Spreadsheet.	Conduct of the IA determined compliance with the requirements of this condition.								
M8 Noise Monitoring												
M8.1	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. POINT 13,14,15 <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>Monthly</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	Monthly	15 minutes	1 operation day	Compliant	2023 and 2024 Annual Reviews. - Ashton Noise Monitoring Reports for 2025. - NMP (vE, April 2023).	As outlined in the NMP and evidenced in the Annual Reviews, unannounced attended noise monitoring and monthly night-time monitoring is conducted at three attended noise monitoring locations (N2, N3 and N4), complaint with this condition.
Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period									
Night	Monthly	15 minutes	1 operation day									
M8.2	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. Definitions Noise refers to 'sound pressure levels' for the purpose of conditions L4.1 to L.4.4 and condition M8.1.	Compliant	2023 and 2024 Annual Reviews. - Ashton Noise Monitoring Reports for 2025. - NMP (vE, April 2023).	Noise monitoring reports conducted by EMM Consulting for Ashton confirm that the monitoring and assessment for the attended monitoring period uses the direct measurement method as per Fact Sheet D of the Noise Policy for Industry (2017).								
6 Reporting Conditions												
R1 Annual Return Documents												
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices.	Compliant	2024 Signed Annual Return (23 February 2025). 2023 Signed Annual Return (22 February 2024).	The annual returns finalised and submitted during the IA period comply with the requirements of this condition.								

Condition	Details	Compliance status	Relevant evidence	Commentary
	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	2024 Signed Annual Return (23 February 2025). 2023 Signed Annual Return (22 February 2024).	The annual returns finalised during the IA period were submitted on a yearly basis as per the annual reporting periods.
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	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined this condition has not been triggered during the IA 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	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined this condition has not been triggered during the IA 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	2024 Signed Annual Return (23 February 2025). 2023 Signed Annual Return (22 February 2024).	The annual returns finalised during the IA period were submitted on a yearly basis as per the annual reporting periods.
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	2024 Signed Annual Return (23 February 2025). 2023 Signed Annual Return (22 February 2024). 2022 Signed Annual Return (22 February 2023).	Conduct of the IA determined 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	2024 Signed Annual Return (23 February 2025). 2023 Signed Annual Return (22 February 2024).	The annual returns are certified and signed in compliance with this condition.
R2 Notification of environmental harm				
Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026. - Yancoal EHS Incident Management Register	Conduct of the IA determined this condition has not been triggered during the IA 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. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Not triggered	2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026. - Yancoal EHS Incident Management Register.	Conduct of the IA determined this condition has not been triggered during the IA period.
R3 Written report				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Not triggered	Site inspection and interviews completed 28 January 2026.	No requests by an authorised officers for a written report of an event during the IA 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 inspection and interviews completed 28 January 2026.	No requests by an authorised officers for a written report of an event during the IA 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; 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.	Not triggered	Site inspection and interviews completed 28 January 2026.	No requests by an authorised officers for a written report of an event during the IA period.

Condition	Details	Compliance status	Relevant evidence	Commentary
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 inspection and interviews completed 28 January 2026.	No requests by an authorised officers for a written report of an event during the IA period.
R4	Other Notification			
Noise Exceedance Notification				
R4.1	The licensee must report any exceedance of licence noise limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes know to the licensee or to one of the licensee's employees or agents	Not triggered	- Ashton Noise Monitoring Reports for 2025. 2023 and 2024 Annual Reviews.	As outlined in DA Appendix 6, Condition 2, no exceedances of noise limits occurred during the IA period.
Notification of Pollution of Waters				
R4.2	The licensee must notify the EPA by telephoning the Environment Line service on 131 555 immediately after the licensee becomes aware of any contravention or potential contravention of condition L1.1.	Not triggered	2023 and 2024 Annual Reviews.	The site is a zero discharge site. No discharge off site occurred during the reporting period and as confirmed in L1.1 no incidents warrant notifying EPA.
R4.3	The Licensee must provide written details of the notification to the EPA Director Hunter at hunter.region@epa.nsw.gov.au within 7 days of the date of the notification	Not triggered	N/A	No incidents relating to noise and water warranting notifications occurred during the IA period.
R5 Other reporting conditions				
Noise Compliance Assessment Report				
R5.1	A noise compliance assessment report must be submitted to the EPA on an annual basis with the Annual Return as set out in section R1. The report must be prepared by an accredited acoustic consultant and determine compliance with noise limits at noise monitoring points specified in conditions P1.4 and L4.2 to L4.4.	Compliant	2023 and 2024 Noise Compliance Assessments (Appendix 1 in Annual Reviews). 2024 Signed Annual Return (23 February 2025). 2023 Signed Annual Return (22 February 2024).	The annual returns provided do not include the attachments (such as the noise compliance assessments), however as the noise compliance assessments were sighted it is assumed they were attached to the Annual Returns.
Water Quality Monitoring Report				
R5.2	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 reporting period to which the Annual Return relates: (i) a summary of results for all ambient water quality monitoring required by the licence in table form and graphical form; (ii) total daily rainfall records from the premises meteorological monitoring required by the licence on the day that the sampling was undertaken in table form; (iii) total daily continuous rainfall records in graphical form; and (iv) a plan with the monitoring locations. b) A graphical presentation of the trends of monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceding data for the period of record the licensee has monitoring results for the licensed location. c) A graphical representation of total daily continuous rainfall records required by the licence for the record that matches the ambient water quality results, if available.	Compliant	- Yancoal – Ashton Coal 2023 EPL Annual Return: Surface Water Quality and Groundwater Quality. - Yancoal – Ashton Coal 2024 EPL Annual Return: Surface Water Quality and Groundwater Quality. - Yancoal – Ashton Coal 2025 EPL Annual Return: Surface Water Quality and Groundwater Quality.	The annual water quality monitory reports completed by Australasian Groundwater & Environmental Consultants which accompany the Annual Returns meet the requirements of this condition.
Groundwater Quality Monitoring Report				
R5.3	The licensee must provide the EPA with its Annual Return an annual groundwater 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 reporting period to which the Annual Return relates: (i) a summary of results for all groundwater quality monitoring required by the licence in table form and graphical form; (ii) total daily rainfall records from the premises meteorological monitoring required by the licence on the day that the sampling was undertaken in table form; (iii) total daily continuous rainfall records in graphical form; and (iv) a plan with the monitoring locations. b) A graphical presentation of the trends of monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceding data for the period of record the licensee has monitoring results for the licensed location. c) A graphical representation of total daily continuous rainfall records required by the licence for the record that matches the groundwater quality results, if available.	Compliant	- Yancoal – Ashton Coal 2023 EPL Annual Return: Surface Water Quality and Groundwater Quality. - Yancoal – Ashton Coal 2024 EPL Annual Return: Surface Water Quality and Groundwater Quality.	The annual water quality monitory reports completed by Australasian Groundwater & Environmental Consultants which accompany the Annual Returns meet the requirements of this condition.
Sewage Treatment Systems				
R5.4	The sewage treatment system maintenance program required by condition O2.6 must be submitted annually to the EPA with the Annual Return.	Compliant	- All Septic Services 2025 Compliance Letter. - Ashton Coal Sewerage Treatment Plant Maintenance Report 2023. - Ashton Coal Sewerage Treatment Plant Maintenance Report 2024. 2024 Signed Annual Return (23 February 2025).	Annual Sewerage treatment system maintenance program was completed annually during the IA period. The annual returns provided do not include the attachments (such as the Sewage Treatment Maintenance Program), however as these programs were sighted it is assumed they were attached to the Annual Returns.

Condition	Details	Compliance status	Relevant evidence	Commentary									
			2023 Signed Annual Return (22 February 2024).										
R5.5	The licensee must retain a copy of each report required by condition O2.5 for 3 years from the date each record is made.	Compliant	- Ashton Coal Sewerage Treatment Plant Maintenance Report 2022. - Ashton Coal Sewerage Treatment Plant Maintenance Report 2023. - Ashton Coal Sewerage Treatment Plant Maintenance Report 2024.	Ashton coal sewage treatment plant maintenance reports for 2022, 2023 and 2024 provided.									
7 General Conditions													
G1 Copy of license kept at the premises or plant													
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined compliance with the requirements of this condition.									
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not triggered	Evidence of any requests from EPA.	Conduct of the IA has determined this condition was not triggered during the IA period.									
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	Site inspection and interviews completed 28 January 2026.	Conduct of the IA determined compliance with the requirements of this condition.									
G2 Contact number for incidents and responsible employees													
G2.1	The licensee must operate one 24-hour telephone contact line for the purpose of enabling the EPA: a) to contact the licensee or a representative of the licensee who can respond at all times to incidents relating to individual premises, and b) to contact the licensee's senior employees or agents authorised at all times to: i) speak on behalf of the licensee, and ii) provide any information or document required under licence.	Compliant	Ashton Coal Website: Environment and Community Response line: 1800 657 639 https://www.yancoal.com.au/our-sites/ashton/	Ashton's website provides both email and telephone enquiries and complaints lines.									
G3 Other General Conditions													
G3.1 Completed Programs													
	<table><tr><th>Program</th><th>Description</th><th>Completed Date</th></tr><tr><td>Report comparing actual measured noise levels gene</td><td>Provide a report comparing actual measured noise levels generated by the Licensee with those predicted in the EIS under all conditions incl inversions & enhancing winds, & list measures taken to ensure noise from mine is not in excess of predict or limit. To prevent excessive noise levels at sensitive receptors (partpcularliy in Camberwell Village).</td><td>22-July-2009</td></tr><tr><td>Coal Mine Particulate Matter Control Best Practice</td><td>Requires the licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.</td><td>29-June-2012</td></tr></table>	Program	Description	Completed Date	Report comparing actual measured noise levels gene	Provide a report comparing actual measured noise levels generated by the Licensee with those predicted in the EIS under all conditions incl inversions & enhancing winds, & list measures taken to ensure noise from mine is not in excess of predict or limit. To prevent excessive noise levels at sensitive receptors (partpcularliy in Camberwell Village).	22-July-2009	Coal Mine Particulate Matter Control Best Practice	Requires the licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012	Not triggered	N/A.	These programs were completed prior to the IA period, and therefore this condition is not triggered
Program	Description	Completed Date											
Report comparing actual measured noise levels gene	Provide a report comparing actual measured noise levels generated by the Licensee with those predicted in the EIS under all conditions incl inversions & enhancing winds, & list measures taken to ensure noise from mine is not in excess of predict or limit. To prevent excessive noise levels at sensitive receptors (partpcularliy in Camberwell Village).	22-July-2009											
Coal Mine Particulate Matter Control Best Practice	Requires the licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012											

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 IA. - Environmental Management Strategy (EMS) (vG, 20 April 2023). 2023 and 2024 Annual Reviews. - Site inspection and interviews completed 28 January 2026.	A review of monitoring data and the management plans prepared for the project found that in general, Ashton are conducting activities in a way that minimises harm to the environment.
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				
5	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	- Site inspection and interviews completed 28 January 2026. - RMP (v3, November 2023). - Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	Conduct of the IA, including review of relevant documentation and conduct of interviews determined Ashton Coal is committed to undertake rehabilitation progressively (as soon as reasonably practicable) following disturbance from mining activities. However, there is limited opportunity for progressive rehabilitation to be completed, based on: - rehabilitation of the NEOC emplacement commenced in 2005, with approximately 140 ha of rehabilitation being completed in 2012, consisting of approximately 68 ha of rehabilitated exotic pasture and approximately 71 ha of eucalypt woodland habitat - the majority of the remaining disturbed surface area (e.g. Infrastructure Areas) being required for the life of the ACP This notwithstanding, areas of the approximately 68 ha of rehabilitated exotic pasture in the rehabilitated NEOC emplacement are planned to be progressively converted to woodland habitat, and is reflected within the RMP (v2, November 2023). Approximately 15 ha is planned to be converted into areas of eucalypt woodland habitat, indicatively targeted for the end of the 2029 reporting period but subject to favourable meteorological conditions. To date, no rehabilitation areas have achieved the final land use to a standard that would warrant Ashton Coal's submission of an ESF2 to NSW Resources.
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	- RMP (v3, November 2023). - Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Program: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Report: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024. 2023 and 2024 Annual Reviews.	Conduct of the IA determined this condition has not been triggered.
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).	Compliant	- DA 309-11-2001-i - RMP (v3, November 2023)	Regulatory requirements and planning approvals are described in Section 2.1 of the RMP. A review of the RMP indicates that Ashton are complying with the requirements of this condition
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	RMP (v3, November 2023).	A rehabilitation risk assessment is presented in Section 3 and Attachment 1 of the RMP.
	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)	In this clause— final land use for the mining area means the final landform and land uses to be achieved for the mining area— 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. planning approval means—	Note	N/A.	N/A.

Condition	Details	Compliance status	Relevant evidence	Commentary
	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.			
Division 2 Risk assessment				
7 Rehabilitation risk assessment				
7(1)	The holder of a mining lease must conduct a risk assessment (a rehabilitation risk assessment) that— a. identifies, assesses and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease— i. the rehabilitation objectives, ii. the rehabilitation completion criteria, iii. for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan, and b. identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks.	Compliant	RMP (v3, November 2023).	A rehabilitation risk assessment is presented in Section 3 and Attachment 1 of the RMP. The rehabilitation risk assessment is compliant with the requirements of this condition.
7(2)	The holder of the mining lease must implement the measures identified.	Compliant	• Site inspection and interviews completed 28 January 2026. • RMP (v3, November 2023). • Annual Rehabilitation Report and Forward Program (v1, August 2022). • Forward Programs: ◦ Friday 31 December 2021 to Monday 30 December 2024. ◦ Sunday 1 January 2023 to Thursday 31 December 2026. ◦ Wednesday 1 January 2025 to Friday 31 December 2027. • Annual Rehabilitation Reports: ◦ 31 December 2022 to 30 December 2023. ◦ Monday 1 January 2024 to Tuesday 31 December 2024.	Conduct of the IA determined compliance with the requirements of this condition.
7(3)	The holder of a mining lease must conduct a rehabilitation risk assessment— a. for a large mine—before preparing a rehabilitation management plan, and b. for a small mine—before preparing the rehabilitation outcome documents for the mine, and c. whenever a hazard is identified under clause 6(3)—as soon as reasonably practicable after it is identified, and d. whenever given a written direction to do so by the Secretary.	Compliant	RMP (v3, November 2023).	A rehabilitation risk assessment as prepared prior to the finalisation of the RMP. It is appended in Attachment 1 of the RMP
Division 3 Rehabilitation documents				
8 Application of Division				
	This Division does not apply to a mining lease unless— a. 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 b. 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	Mining leases granted (ML1529, ML1533, ML1623, ML1696).	The minimum deposit for a mining lease is outlined in Clause 261BF of the Mining Act 1992 and Clause 93 of the Mining Regulation 2016. For the purposes of section 261BF of the Mining Act, the minimum deposit for an authorisation is— (a) \$200 for a small-scale title, and (b) \$1,000 for an environmental assessment permit, and (c) \$10,000 for any other authorisation The security deposit is larger than \$10,000 and therefore this division is applicable to the site.
9 General requirements for documents				
	A document required to be prepared under this Division must— a. be in a form approved by the Secretary, and Note— The approved forms are available on the Department's website. b. include any matter required to be included by the form, and c. if required to be given to the Secretary—be given in a way approved by the Secretary.	Compliant	• Site inspection and interviews completed 28 January 2026. • RMP (v3, November 2023). • Annual Rehabilitation Report and Forward Program (v1, August 2022). • Forward Programs: ◦ Friday 31 December 2021 to Monday 30 December 2024. ◦ Sunday 1 January 2023 to Thursday 31 December 2026. ◦ Wednesday 1 January 2025 to Friday 31 December 2027. • Annual Rehabilitation Reports: ◦ 31 December 2022 to 30 December 2023. ◦ Monday 1 January 2024 to Tuesday 31 December 2024.	Conduct of the IA determined compliance with the requirements of 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— - a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area, - 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, - a summary of rehabilitation risk assessments conducted by the holder, - the risk control measures identified in the rehabilitation risk assessments, - the rehabilitation outcome documents for the mining lease, - 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	RMP (v3, November 2023).	A Rehabilitation Management Plan has been amended for the development during the IA period. The final submission of the plan was February 2023. The Rehabilitation Management Plan was found to adequately address the requirements of this condition as follows: - Requirement (a): Section 6.2 - Requirement (b): Section 5 and 6 - Requirement (c): Section 3 - Requirement (d): Attachment 1 - Requirement (e): Section 4 and 5 - Requirement (f): Section 4
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	RMP (v3, November 2023).	Conduct of the IA determined compliance with the requirements of 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— - must implement the matters set out in the rehabilitation management plan, and - if the forward program specifies timeframes for the implementation of the matters—must implement the matters within those timeframes.	Compliant	- Site inspection and interviews completed 28 January 2026. - RMP (v3, November 2023). - Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	Conduct of the IA verified active rehabilitation management is undertaken by Ashton Coal, with review of relevant documentation and conduct of interviews indicating rehabilitation management and monitoring is in accordance with the RMP and reported on an annual basis. Rehabilitation monitoring continued to assess the performance of both the existing mixed woodland habitat and exotic perennial pastures, with three woodland rehabilitation sites and four exotic pasture rehabilitation sites being monitored in 2024. Rehabilitation performance is compared against the RMP proposed completion criteria using performance indicators obtained from non-mining-disturbed reference sites. Three mixed eucalypt woodland and three native grassland reference sites were established in 2019. The range values of each performance indicator area measured annually to reflect seasonal conditions and disturbance events, with monitoring of rehabilitation areas includes: - landscape function analysis - soil analysis - assessment of ecosystem characteristics - pasture productivity assessment - land capability assessment - photographic monitoring - subsidence monitoring Rehabilitation monitoring of ecological performance indicators for the mixed eucalypt woodland habitat and exotic pastures demonstrate these rehabilitated areas have generally developed into highly functional and stable communities, functionally comparable to the local woodlands and native grasslands. This has resulted in a number of completion criteria targets being met. However, monitoring in 2024 indicated these areas were dominated by exotic grasses and many sites had a higher diversity of exotic species compared to the reference sites. This is indicated to be related to ongoing dry conditions resulting in a decline in ecological function and increased abundance of weeds. However, rehabilitation monitoring completed by DnA Environmental in 2024 indicates there is little need for management intervention of the existing woodland habitats of the NEOC emplacement, particularly in the light of the revised rehabilitation objectives. Rehabilitation monitoring was undertaken by DnA Environmental in 2024, which recommendation: - Due to the age of the woodland rehabilitation and positive monitoring results, revising the monitoring effort and rehabilitation objectives in existing woodland and pasture rehabilitation areas. It was recommended monitoring effort should instead focus on assessing the development of new woodland areas established as part of the proposed pasture-to-woodland conversion program (section 4.2.1). - Additional sowing of exotic species should be avoided, as these highly competitive species can restrict germination and establishment of native tree and shrub seed, reducing the diversity of desirable grasses and herbs in the longer-term. A programmed range of pest and weed control activities was also undertaken in the NEOC emplacement rehabilitation area during the IA period, including baiting for wild dogs and

Condition	Details	Compliance status	Relevant evidence	Commentary
				foxes, and feral pig management (i.e. trapping and dispatching). Active weed control treatment in the NEOC emplacement rehabilitation area targeted general woody weeds
11 Amendment of rehabilitation management plans				
	The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows— - 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, - as a consequence of an amendment made under clause 14 to a rehabilitation outcome document—within 30 days after the amendment is made, - 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, - whenever given a written direction to do so by the Secretary—in accordance with the direction.	Compliant	RMP (v3, November 2023).	The RMP (v3, November 2023) has been prepared and implemented 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 - Schedule 3, Condition 43 of DA 309-11-2001-i. To reflect the revised Final Landform and Rehabilitation Plan (FLRP) submitted to the former NSW Resources Regulator (now NSW Resources), with Amendment 1 of the RMP completed in February 2023. Further comments were provided by the former NSW Resources Regulator (now NSW Resources) on 12 July 2023, with the revised FLRP submitted for approval on 23 August 2023. Approval of the FLRP and Rehabilitation Objectives Statement was approved by the former NSW Resources Regulator (now NSW Resources) on 3 October 2023. As a result, the current RMP (v3, November 2023) revision was completed.
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— - the rehabilitation objectives statement, which sets out the rehabilitation objectives required to achieve the final land use for the mining area, - the rehabilitation completion criteria statement, which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives, - for a large mine, the final landform and rehabilitation plan, showing a spatial depiction of the final land use.	Compliant	RMP (v3, November 2023).	The RMP has been prepared in accordance with the requirements of this condition, as outlined below: - Requirement (a): Section 4 - Requirement (b): Section 4 - Requirement (c): Section 5
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.	Compliant	RMP (v3, November 2023).	Condition S3.41 of the project approval states rehabilitation objectives for various components of the site. These have been incorporated into the rehabilitation objectives outlined in the RMP.
13 Forward program and annual rehabilitation report				
13(1)	The holder of a mining lease must prepare a program (a forward program) for the mining lease that includes the following— - a schedule of mining activities for the mining area for the next 3 years, - a summary of the spatial progression of rehabilitation through its various phases for the next 3 years, - 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	- Annual Rehabilitation Report and Forward Program (v1, August 2022). - Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027.	Conduct of the IA determined compliance with the requirements of this condition.
13(2)	The holder of a mining lease must prepare a report (an annual rehabilitation report) for the mining lease that includes— - a description of the rehabilitation undertaken over the annual Reporting Period, - a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the Reporting Period, - a report demonstrating progress made towards the achievement of the following— - the objectives set out in the rehabilitation objectives statement, - the criteria set out in the rehabilitation completion criteria statement, - for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan.	Compliant	- Annual Rehabilitation Report and Forward Program (v1, August 2022) - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	Conduct of the IA determined compliance with the requirements of this condition.
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	Note.	Note.
13(4)	The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.	Compliant	- Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026.	The forward program and annual rehabilitation report have been prepared via the Resources Regulator online portal, satisfying the requirements of this condition.

Condition	Details	Compliance status	Relevant evidence	Commentary
			- Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	
13(5)	In this clause— 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.	Note	Note.	Note.
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	Note.	Note.
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	Note.	Note.
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 direction or approval from the Secretary requiring an amendment to a 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	Note.	Note.
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.	Not triggered	N/A	The initial period is outside of the 2026 IA period, as such the condition is not triggered.
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.	Non-compliant (ANC)	- Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024, submitted 25 January 2023. - Sunday 1 January 2023 to Thursday 31 December 2026, submitted 12 April 2024. - Wednesday 1 January 2025 to Friday 31 December 2027, submitted 5 June 2025. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023, submitted 12 April 2024. - Monday 1 January 2024 to Tuesday 31 December 2024, submitted 5 June 2025.	In accordance with Condition 15(2)(b), NSW Resources approved the submission of forward programs and rehabilitation reports annually by 31 March prior to the current audit period (i.e. 22 July 2022). Conduct of the IA indicates the following documents were submitted outside the amended date for submission: - Forward Program: Sunday 1 January 2023 to Thursday 31 December 2026, submitted 12 April 2024. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023, submitted 12 April 2024. Therefore, an administrative non-compliance has been determined with the requirements of this condition. However, as the forward program and annual rehabilitation reports for the 2024 period were submitted by 31 March 2025, no CA or OFI has been deemed relevant.
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.	Not triggered	- Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	The rehabilitation phases in the forward program do not propose areas for sign off / completion.
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— a. 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or b. a later date approved by the Secretary.	Not triggered	N/A.	The development consent has not been modified since the preparation of the rehabilitation outcomes. This condition is therefore not triggered.
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.	The development consent has not been modified since the preparation of the rehabilitation outcomes. This condition is therefore not triggered.

Condition	Details	Compliance status	Relevant evidence	Commentary
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.	No written notices relevant to this condition were received during the IA period.
15(7)	The holder of the mining lease must comply with the direction.	Not triggered	N/A.	Refer above.
15(8)	In this clause— initial period means the period commencing when the mining lease is granted and ending— a. 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or b. if this Division applies to the mining lease because of an increase in the required security deposit— i. when the surface of the mining area is disturbed by activities under the mining lease, or ii. at a later date approved by the Secretary.	Note	Note.	Note.
16 Certain documents to be publicly available				
16(1)	This clause applies to the following documents— a. a rehabilitation management plan, b. a forward program, c. an annual rehabilitation report.	Note	Note.	Note.
16(2)	The holder of a mining lease must make a document to which this clause applies publicly available by— a. publishing it on its website in a prominent position, or b. if the holder does not have a website— providing a copy of it to a person— i. on the written request of a person, and ii. without charge, and iii. within 14 days after the request is received.	Compliant	Ashton Coal Website.	2023 IA: The Forward Program is not on the website, therefore constituting an administrative non-compliance. 2026 IA: The RMP, Forward Program and the Annual Rehabilitation reports are all available on the website under the 'Rehabilitation Management Plan & Reporting' section. Note the 2021-2024 Forward Program is not available on the website and had to be requested for this IA as it falls into the audit reporting period.
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— a. for a rehabilitation management plan—within 14 days after it is prepared or amended, or b. for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended.	Non-compliant (ANC)	- Ashton Coal Website. - RMP (v3, November 2023).	The Annual Rehabilitation Reports, and Forward Program – Wednesday 1 January 2025 to Friday 31 December 2027 were confirmed to be available on the Project website. However, at the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, an administrative non-compliance has been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.
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	Note.	Note.
Division 4 Records, reporting and notification				
17 Records demonstrating compliance				
17	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. 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.	Compliant	- Forward Programs: - Friday 31 December 2021 to Monday 30 December 2024. - Sunday 1 January 2023 to Thursday 31 December 2026. - Wednesday 1 January 2025 to Friday 31 December 2027. - Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023. - Monday 1 January 2024 to Tuesday 31 December 2024.	The RMP, Forward Program and the Annual Rehabilitation reports are all available on the website under the 'Rehabilitation Management Plan & Reporting' section as well as Ashton provided documentation as required during this audit.
18 Report on non-compliance				
18(1)	The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with— a. a condition of the mining lease, or Note—The Act, section 364A contains provisions relating to the use and disclosure of information provided under this condition. b. a requirement of the Act or this Regulation relating to activities under the mining lease.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the IA 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 IA period.

Condition	Details	Compliance status	Relevant evidence	Commentary
18(3)	The holder of the mining lease must ensure the report— - identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and - describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and - describes the causes or likely causes of the non-compliance, and - describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance.	Not triggered	N/A.	Conduct of the audit has determined this condition has not been triggered during the IA period.
19 Nominated contact person				
19(1)	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. 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.	Compliant	Receipt of form for nominated contact person details submitted (16 September 2024)	Kelly Adamthwaite was nominated as the contact person as of 16 September 2024.
19(2)	The holder of the mining lease must give written notice to the Secretary of— - 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 - any change in nomination or in the nominated person's contact details—within 28 days after the change occurs.	Compliant	- Receipt of form for nominated contact person details submitted (16 September 2024). - Resources Regulator Confirmation email of new contact person (16 September 2024).	Ashton supplied the resources regulator with a notification for the changed nominated contact person on 16 September 2024 and the Resource Regulator supplied a confirmation of nomination email in return.
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	- Receipt of form for nominated contact person details submitted (16 September 2024). - Resources Regulator Confirmation email of new contact person (16 September 2024).	The nomination of the new contact person in 16 September 2024 included the required details outlined in this condition.
Division 5 Applications relating to development consent				
20 Additional requirements—application for or to modify development consent				
20(1)	The holder of a mining lease must give written notice to the Secretary within 10 days after— - making an application for development consent that relates to the mining area, or - making an application for modification of a development consent— - under the Environmental Planning and Assessment Act 1979, section 4.55(2), and - 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	Note.	Note.

Appendix G

Site inspection photos



Plate 1 Reclaimed effluent application area



Plate 2 TEOM PM₁₀ Monitor – Site 9 (EPA ID 10)



Plate 3 Dam 5/6, located immediately west of rail level crossing at Glennies Creek Road



Plate 4 Meteorological station M2 (EPA ID 12) within the NEOC Rehabilitation Area, which is currently in the Ecosystem and Land Use Development phase



Plate 5 Stag reused in rehabilitation works NEOC Rehabilitation Area providing shelter and breeding habitat for bird and arboreal mammal species



Plate 6 Water truck observed in operation at the CHPP and Rail Loadout



Plate 7 Noise monitor at 29 Powditch Street, Camberwell



Plate 8 Visual screening provided at gas drainage infrastructure south-west of the New England Highway and east of Bowmans Creek



Plate 9 Fenced and sign-posted archaeological site (i.e. AHIMS No 37-3-500 [Waterhole Site] containing artefact scatter and grinding grooves), south-east of Bowmans Creek



Plate 10 Central Gas Drainage Plant, including CGDP Flares



Plate 11 Groundwater bore (WML129) monitoring GCA, located within the Southern Woodland Conservation Area



Plate 12 SWCA – Underground Pasture Monitoring Site (SVCA03)



Plate 13 SWCA – Remediated subsidence cracking within Underground Woodland Monitoring Site (SVCA05), facing north



Plate 14 SWCA – Remediated subsidence cracking within Underground Woodland Monitoring Site (SVCA05), facing south



Plate 15 Planted River Red Gums at Bowmans Creek



Plate 16 Bowmans Creek (Eastern) Diversion channel, facing south



Plate 17 Bowmans Creek (Eastern) Diversion channel, facing north



Plate 18 Bowmans Creek (Eastern) Diversion block bank, facing west



Plate 19 Bowmans Creek (Eastern) Diversion block bank, facing east



Plate 20 Signage at Ravensworth Void 4 Tailings Dam



Plate 21 Ravensworth Void 4 Tailings Dam, facing west



Plate 22 Bunded oil and chemical storage at the Mine workshop, including stocked spill kits



Plate 23 Bunded diesel storage at the Mine workshop



Plate 24 Artesian Pit Sump near underground access portal

Contact us for further information

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19th March 2026

Ms Heidi Watters
Team Leader Northern
Compliance
Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Heidi

Re: 2025 Ashton Coal Independent Environmental Audit – response to audit

Ashton Coal Operations Limited (ACOL) is approved to extract coal by longwall method under Development Consent DA 309-11-2001i (MOD 11) (the consent) as part of the Ashton Coal Project (ACP). Conditions 11 and 12, Schedule 5, of the Consent require an independent environmental audit (IEA) of ACP to be undertaken one year after commencement of construction and every three years thereafter.

The required three-yearly IEA was conducted with a site inspection on 28th January 2026 by Elliot Holland of Onward Consulting Pty Ltd. Please find enclosed a copy of the 2025 Audit Report for your review.

Table 1 presents ACOL's response to the audit findings / recommendations and proposes remedial actions for identified non-compliances where appropriate.

If you have any questions or would like to discuss any aspect of this letter, please don't hesitate to give me a call on 0439 909 952.

Regards



Phillip Brown
Environment & Community Relations Superintendent

Enc. Onward Consulting Pty Ltd Report "Ashton Mine – Independent Audit 2026"

TABLE 1 SUMMARY OF AUDIT FINDINGS AND PROPOSED ACTIONS

Condition Number ID	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponents Proposed action/action taken response (as applicable)	Proposed Action Date
Schedule 2, Condition 1 (NC01)	In addition to meeting the specific performance criteria established under this consent, Applicant must 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 development	Conduct of the IA has determined general compliance with the requirements of this condition; however, one reportable heritage incident occurred during the IA period on 17 May 2023 (Cultural Heritage Incident 19.05.23). During grading of several roads within ML 1533, a grader operator graded a track leading to the Hunter River Pump station without instructions to do so and, as a result, graded through extant artefact sites. Any artefacts are expected to have been pushed up into the graded windrow. On 19 May 2023, at approximately 3:00pm, Phillip Brown, Environment & Community Relations Superintendent for Ashton Coal was notified of the incident, with a written report submitted to the former Department of Planning and Environment (DPE) (now the DPHI) on 26 May 2023. The (then) DPE acknowledged receipt of the report and provided no comments on the incident. While the ACOL South Track had been identified as containing extant artefact sites of moderate significance in relevant plans, relevant processes were not followed. The grader operator was not instructed to grade the track and relevant ground disturbance permit requirements, which would have identified the artefacts and prevented the incident from occurring, had not been completed. To prevent reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process. This incident has resulted in non-compliance with the requirements of this condition due to the HMP not being successfully implemented. As this incident was a result of not following the requirements of the HMP, and relevant actions were undertaken to prevent re-occurrence, no CA or OFI has been deemed relevant.	N/A	To prevent a reoccurrence, the grader operator was run through the ground disturbance training module with a specific note that all grading expressly requires the use of the ground disturbance permit process. Since the incident, the track and associated area has been demarcated and the track is no longer used.	Nil
Schedule 2, Condition 2 (NC02)	The Applicant must:... (b) comply with the conditions of this consent and the Statement of Commitments.	Conduct of the audit, including review of documentation, site interviews and site inspection indicate that Ashton Coal is non-compliant with this condition with several conditions being identified as non-compliant.	N/A	Nil	Nil

TABLE 1 SUMMARY OF AUDIT FINDINGS AND PROPOSED ACTIONS

Condition Number ID	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponents Proposed action/action taken response (as applicable)	Proposed Action Date
Schedule 3, Condition 32 (NC03)	The Applicant must prepare an Extraction Plan for all second workings on site... The Applicant must implement the approved management plans as approved from time to time by the Planning Secretary.	A non-compliance is noted relating to implementation of the HMP during the IA period, with relevant discussion provided at NC01.	N/A	Nil	Nil
Schedule 3, Condition 34 (NC04)	The Applicant must prepare a Heritage Management Plan for the Ashton Mine Complex to manage the potential impacts of the development... The Applicant must implement the approved management plan as approved from time to time by the Planning Secretary.	A non-compliance is noted relating to implementation of the HMP during the IA period, with relevant discussion provided at NC01.	N/A	Nil	Nil
Schedule 5, Condition 13 (NC05)	The Applicant must: (a) make copies of the following publicly available on its website:... • approved strategies, plans and programs required under the conditions of this consent;... keep this information up to date by ensuring that all management plans, monitoring results and reports are available on the Applicant's website within 30 days of their completion	Conduct of the IA determined general compliance with the requirements of this condition; however, at the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, an administrative non-compliance has been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.	N/A	Nil	
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.	In accordance with Condition 15(2)(b), NSW Resources approved the submission of forward programs and rehabilitation reports annually by 31 March prior to the current audit period (i.e. 22 July 2022). Conduct of the IA indicates the following documents were submitted outside the amended date for submission: • Forward Program: Sunday 1 January 2023 to Thursday 31 December 2026, submitted 12 April 2024. • Annual Rehabilitation Reports: 31 December 2022 to 30 December 2023, submitted 12 April 2024. Therefore, an administrative non-compliance has been determined with the requirements of this condition. However, as the forward program and annual rehabilitation reports for the 2024 period were submitted by 31 March 2025, no CA or OFI has been deemed relevant.	N/A	An action has been placed in the site action data base, Intelx which provides timely reminder of appropriate action requirements.	Nil

TABLE 1 SUMMARY OF AUDIT FINDINGS AND PROPOSED ACTIONS

Condition Number ID	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponents Proposed action/action taken response (as applicable)	Proposed Action Date
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— a. for a rehabilitation management plan—within 14 days after it is prepared or amended, or b. for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended.	At the time of the site inspection and interviews on 28 January 2026, the current RMP (v3, November 2023) was not available on the Project website, with the version available being the outdated Amendment 1 version from February 2023. As a result, an administrative non-compliance has been identified; however, as Ashton Coal has now updated the Project website to include the current RMP (v3, November 2023), no CA or OFI has been made.	N/A	Current version has been uploaded to website.	Nil
Schedule 3, Condition 26 OFI01	Complete planned airlift development to remove the sediment buildup in WMLP343	Air lift yet to be undertaken	Complete planned airlift development to remove the sediment buildup in WMLP343	Airlift planned to be carried out by 31 March 2026.	31.03.2026
Schedule 3, Condition 26 OFI02	Complete installation of VWP nearby to WMLP269, to record pressure head data down to the Lower Barrett Coal Seam.	Installation has not been undertaken.	Complete installation of VWP nearby to WMLP269, to record pressure head data down to the Lower Barrett Coal Seam.	Review of need for VWP in Lower Barrett Coal seam to be undertaken	30.04.2026
Schedule 5, Condition 1 OFI03	Update Appendix A of the EMS to ensure section references for where relevant requirements of Schedule 5, Condition 1 of DA 309-11-2001-i have been addressed are correct.	EMS requires updating inline with RUMEx modification.	Update Appendix A of the EMS to ensure section references for where relevant requirements of Schedule 5, Condition 1 of DA 309-11-2001-i have been addressed are correct.	Update EMS inline with RUMEx modification.	30.04.2026

Department of Planning, Housing and Infrastructure

Reference: DA309-11-2001-I-PA-51

Phillip Brown
Environment & Community Relations Superintendent
ASHTON COAL OPERATIONS PTY LIMITED

18/09/2026

Sent via the Major Projects Portal only

Subject: Ashton Coal - Independent Environmental Audit 2026

Dear Mr Brown

I refer to your Independent Environmental Audit (IEA) report [and Response to Audit Recommendations (RAR)] for the period 18 January 2023 to 28 January 2026, submitted as required by Schedule 5, Condition 11 of DA309-11-2001-I as modified (the consent) to the NSW Department of Planning, Housing and Infrastructure (the Department) on 19 March 2026.

The Department considers the IEA report to generally satisfy the reporting requirements of the consent and the Department's *Independent Audit Post Approval Requirements* (2020). As required by Schedule 5, Condition 13 of the consent, please make publicly available a copy of the IEA report on the project website.

Non-compliances identified in the IEA have been assessed by the Department in accordance with its Compliance Policy, with the Department on this occasion determining to record the breaches with no further enforcement action proposed. However, please note that recording the breach does not preclude the Department from taking an alternative enforcement action, should it become apparent that an alternative response is more appropriate.

Please note:

- The Department's acceptance of this IEA report is not an endorsement of the compliance status of the project.
- A status update for all actions provided in the RAR is to be reported in the next IEA, until all actions are completed.
- Following submission of the IEA you are required to review, and if necessary, revise the strategies, plans, and programs required under this consent/approval, in accordance with Schedule 5, Condition 6 of the consent.

Should you wish to discuss the matter further, please contact Carlo Eastaway, Compliance Officer on 0458 586 400 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader Hunter
Compliance

As nominee of the Planning Secretary