

EPBC Act 1999 Approval Independent Audit

Bulli Seam Operations Expansion, Bulli,
NSW (EPBC 2010/5350)

Illawarra Coal Holdings Pty Ltd

25 November 2025



Document version history

Version	Date	Revision description	Author	Approved for issue
0	24 November 2025	EPBC Act 1999 Approval Independent Audit for Bulli Seam Operations Expansion, Bulli, NSW (EPBC 2010/5350)	Gemma van Hemert	Elliot Hollland
1	25 November 2025	EPBC Act 1999 Approval Independent Audit for Bulli Seam Operations Expansion, Bulli, NSW (EPBC 2010/5350)	Gemma van Hemert	Elliot Hollland

Executive summary

The Bulli Seam Operations (BSO) Project is operated by Illawarra Coal Holdings Pty Ltd (ICHPL), a wholly-owned entity of Gear M Illawarra Met Coal Pty Ltd (trading as GM3), an entity owned by Golden Energy and Resources Pte Ltd (GEAR) and M Resources Pty Ltd. The BSO is an existing underground mine situated in the Wollondilly region of NSW, primarily producing metallurgical coal. The Project received approval as a Controlled Activity under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) (i.e. EPBC 2010/5350) for the BSO Expansion, which enabled:

- expansion of underground mining operations at the existing Appin coal mine and West Cliff Colliery
- development of several new underground longwall mining areas
- upgrade of the existing West Cliff Washery, including the creation of a new coal wash emplacement

This Independent Audit (IA) has been undertaken to meeting the requirements of Condition 18 of EPBC 2010/5350.

ICHPL engaged Onward Consulting Pty Ltd (Onward) to undertake an IA of compliance with the conditions of EPBC 2010/5350, with the Onward audit team approved by the Department on 10 April 2025.

The audit criteria and methodology for the IA was agreed to by the Department on 11 July 2025. The Independent Audit was conducted and carried out in accordance with the Independent Audit and Audit Report Guidelines (the Guidelines) (Cth DotEE, 2019), including the adoption of audit rating criteria ('Compliant', Non-compliant', 'Not-applicable' [N/A], and 'Observation').

With consideration to the audit period (i.e. 12 November 2022 to the date of the end of the audit [15 October 2025]), based on the documentation assessed and the site audit (i.e. audit interviews and a site inspection of the Project) completed on 14/15 October 2025, the following findings were identified in relation to the 19 conditions of EPBC 2010/5350:

- 50 condition elements were found to be 'Compliant'
- 13 condition elements were found to have not been triggered, and therefore found to be 'N/A'
- 0 condition elements were found to be 'Non-compliant'
- 0 condition elements were found

Table E.1 Summary of compliance outcome against each condition element

Condition element		Finding
#	Criteria	
1.1	Evidence the offset area for conservation has been legally secured.	Compliant
1.2	Evidence document detailing the legal security provided to the offset area must be submitted to the Department by 14 May 2014.	Compliant
2.1	Persoonia hirsuta Offset Management Plan (OMP) provided to the Minister for approval no later than 31 December 2012.	Compliant
2.2	Persoonia hirsuta OMP covers requirements of Condition 2(a) to 2(i).	Compliant
2.3	Results of the monitoring referred to in Condition 2(f) and 2(g) are provided to the Department within 30 days of every 12 month anniversary of the implementation date of the Persoonia hirsuta OMP.	Compliant
2.4	Revised Persoonia hirsuta OMP provided to the Minister for approval within 6 months of the research required by Condition 3 being finalised.	Compliant
2.5	The approved Persoonia hirsuta OMP is being implemented.	Compliant
2.6	Clearing of native vegetation for the stage 4 coal wash emplacement area did not occur until the Persoonia hirsuta OMP was approved by the Minister.	Compliant
3.1	A suitably qualified expert to undertake and make publicly available targeted research to inform conservation knowledge of Persoonia hirsute.	Compliant

Condition element		Finding
#	Criteria	
3.2	Research covers requirements of Condition 3(a) to 3(d).	Compliant
3.3	Research report finalised by no later than 30 June 2021.	Compliant
3.4	Research results publicly available on the Project website.	Compliant
4.1	The approved BSO Shale Sandstone Transition Forest OMP is being implemented.	Compliant
4.2	Offset area for long term conservation purposes legally secured by 2 March 2016.	Compliant
5.1	Submission of the Bulli Seam Operations Shale Sandstone Transition Forest Offset Management Plan to the Minister for approval within 1 year of the date of this approval	Compliant
5.2	BSO Shale Sandstone Transition Forest OMP content requirements, per Condition 5(a) to 5(d).	Compliant
5.3	Implementation of the approved BSO Shale Sandstone Transition Forest OMP within 2 years of the date of the approval.	Compliant
5A.1	Evidence Shale Sandstone Transition Forest legally secured as a registered NSW BioBanking site.	Compliant
5A.2	Annual reporting required for NSW BioBanking site provided to the Department in place of the reports containing monitoring results required at Condition 5c.	Compliant
5A.3	Annual reporting for NSW BioBanking site covers all measures specified in Condition 5.	Compliant
6.1	Coal Wash Emplacement Staging and Rehabilitation Plan (the Staging Plan) for the stage 4 coal wash emplacement area provided to the Minister for approval.	Compliant
6.2	The Staging Plan covers requirements of Condition 6(a) to 6(g)	N/A
6.3	The reporting of monitoring results are submitted to the Department within 30 days of every 12 month anniversary of the implementation date of the Staging Plan.	N/A
6.4	The Staging Plan is implemented, and remain implemented for a minimum period of 10 years.	N/A
6.5	Revised Staging Plan submitted and approved by the Minister after a minimum period of 10 years' of implementation, taking into account monitoring results.	N/A
7.1	Broad-Headed Snake and Southern Brown Bandicoot Management Plan provided for the Minister's approval within 1 year of the date of the approval.	Compliant
7.2	Broad-Headed Snake and Southern Brown Bandicoot Management Plan covers requirements of Condition 7(a) to 7(f).	Compliant
7.3	Implementation of the approved Broad-Headed Snake and Southern Brown Bandicoot Management Plan.	Compliant
7.4	Implementation of the approved Broad-Headed Snake and Southern Brown Bandicoot Management Plan within 2 years of the date of the approval.	Compliant
7.5	Clearing of native vegetation for the stage 4 coal wash emplacement area did not occur until the Broad-Headed Snake and Southern Brown Bandicoot Management Plan was approved by the Minister and being implemented.	Compliant
8.1	The Water Plan (i.e. Adaptive Management Plan [AMP] for Water Sensitive EPBC Listed Species) is being implemented	Compliant
8.2	The AMP for Water Sensitive EPBC Listed Species provided to the Minister for approval by 30 September 2012.	Compliant
8.3	Clearing of native vegetation for the stage 4 coal wash emplacement area did not occur until the AMP for Water Sensitive EPBC Listed Species was approved by the Minister and being implemented	Compliant
8.4	The AMP for Water Sensitive EPBC Listed Species covers requirements of Condition 8(a) to (j).	Compliant
9.1	Mine Closure Environmental Management Plan submitted to the Minister for approval at least 3 years prior to the date of expected closure of the mine.	N/A
9.2	The approved Mine Closure Environmental Management Plan is being implemented	N/A
10.1	All portals and vent shafts have been closed, decommissioned or capped in manner that prevents the death or injury of EPBC listed bats.	N/A
11.1	Shapefiles with offset attributes, shapefiles and textual descriptions and maps to clearly define the location and boundaries of the <i>Persoonia hirsuta</i> and Shale / Sandstone Transition offsets provided to the Department within 30 days of the protection in perpetuity of these areas.	Compliant
12.1	The Department notified in writing of the actual date of commencement, with 30 days after commencement of the action.	Compliant

Condition element		Finding
#	Criteria	
13.1	All management plans, reports, strategies or agreements (however described) required by these conditions of approval are available on the Project website.	Compliant
13.2	Each management plan, report, strategy or agreement was published on the Project website within 30 days of being approved.	Compliant
14.1	Preparation of a compliance report every 12-month period following action commencement date.	Compliant
14.2	Publication of prepared compliance reports within 60 business days following the relevant 12-month period	Compliant
14.3	Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of approval at the same time the compliance report was published	Compliant
15.1	Maintenance of compliance records	Compliant
16.1	Application to vary an action management plan approved by the Minister under Conditions 6, 7 and 9 in accordance with the requirements of section 143A of the EPBC Act.	Compliant
16.2	Approval of the Minister for revised action management plans required under Conditions 6, 7 and 9.	Compliant
16A.1	Compliance with requirements of Condition 16B.	Compliant
16B.1	Notification to the Department in writing that an approved action management plan has been revised, including provision of relevant documents.	Compliant
16B.2	Implementation of revised action management plan.	Compliant
16C.1	Written notice to the Department revoking choice to implement a revised action management plan under action management plan.	N/A
16D.1	Compliance with notice received from Minister that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact.	N/A
16E.1	Compliance with notice received from Minister that condition 16A does not apply for one or more specified action management plans.	Compliant
17.1	Minister's request to make specified revisions to the management plan, report, strategy or agreement.	N/A
17.2	Evidence of submission of revised management plan, report, strategy or agreement for Minister's approval.	N/A
17.2	Implementation of revised management plan, report, strategy or agreement following Minister's approval.	N/A
18.1	2022 independent audit undertaken within three years of the 2019 independent audit.	Compliant
18.2	2022 independent audit team endorsed by the Minister	Compliant
18.3	2022 independent audit criteria agreed to by the Minister.	Compliant
18.4	2022 independent audit addresses requirements of Condition 18(a) to 18(g).	Compliant
18.5	A copy of the 2022 independent audit submitted to the Minister within 6 weeks of completion.	Compliant
18.6	2022 independent audit addressed criteria to the satisfaction of the Minister.	Compliant
19.1	Commencement of the action within 5 years from the date of the approval.	N/A

Contents

Executive summary	2
1. Introduction	1
1.1. Background	1
1.2. Overview of scope	1
2. Audit approach	2
2.1. Methodology	2
2.1.1. Task 1: Audit preparation	2
2.1.2. Task 2: Site audit	2
2.1.3. Task 3: Documentation of findings	2
2.2. Compliance criteria	3
3. Details of the audit	4
3.1. Project name	4
3.2. Project approval holder	4
3.3. Approval details	4
3.4. Scope of the audit	4
3.5. Implementation of the audit	4
3.6. Methods used to assess compliance	5
3.7. Evidence considered to assess compliance	5
4. Auditor certification	7
5. Detailed audit findings	8

Appendices

Appendix A	Approval of independent auditor
Appendix B	Agreement of audit criteria and methodology
Appendix C	Detailed audit findings
Appendix D	Auditor's certification

Tables

Table E.1	Summary of compliance outcome against each condition element.....	2
Table 2.1	Compliance criteria	3
Table 3.1	Evidence considered to assess compliance	5

1. Introduction

1.1. Background

The Bulli Seam Operations (BSO) Project is operated by Illawarra Coal Holdings Pty Ltd (ICHPL), a wholly-owned entity of Gear M Illawarra Met Coal Pty Ltd (trading as GM3), an entity owned by Golden Energy and Resources Pte Ltd (GEAR) and M Resources Pty Ltd. The BSO is an existing underground mine situated in the Wollondilly region of NSW, primarily producing metallurgical coal.

The BSO operates under:

- Project Approval 08_0150 (i.e. MP08_0150), granted by the Minister for Planning under Part 3A of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) on 22 December 2011.
- Controlled Activity approval under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) Approval 2010/5350 (i.e. EPBC 2010/5350) for the BSO Expansion, which enabled:
 - expansion of underground mining operations at the existing Appin coal mine and West Cliff Colliery
 - development of several new underground longwall mining areas
 - upgrade of the existing West Cliff Washery, including the creation of a new coal wash emplacement

This Independent Audit (IA) has been undertaken to meeting the requirements of Condition 18 of EPBC 2010/5350.

ICHPL engaged Onward Consulting Pty Ltd (Onward) to undertake an IA of compliance with the conditions of EPBC 2010/5350, with the Onward audit team approved by the Department on 10 April 2025 (Appendix A).

1.2. Overview of scope

The Department required the audit criteria and methodology to cover the period from 12 November 2022 to the date of the end of the audit¹ (Appendix B). The audit criteria and methodology for the Independent Audit was agreed to by the Department on 11 July 2025 (Appendix B).

The Independent Audit was conducted and carried out in accordance with the Independent Audit and Audit Report Guidelines (the Guidelines) (Cth DotEE, 2019). This included the completion of three key tasks for the audit as described below:

- Task 1: Audit preparation
- Task 2: Site audit
- Task 3: Documentation of findings

¹ The site audit, which was completed on 14/15 October 2025, is the date of the end of the audit.

2. Audit approach

2.1. Methodology

2.1.1. Task 1: Audit preparation

Task 1 of the audit approach was preparation to conduct the audit and consisted of the following:

- **Inception meeting:** Onward's audit team conducted a kick-off meeting in May 2025 with relevant ICHPL personnel, to outline audit objectives, share access to information/documents, and confirm the logistics of the site audit.
- **Audit criteria and methodology:** Following the inception meeting, Onward developed and provided ICHPL an audit criteria and methodology, using the template provided in Appendix B of the Guideline (Cth DotEE, 2019). This was initially submitted to the Department on 9 May 2025, with a revised version submitted to address comments of the Department of 17 June 2025.
- **Documentary review:** Following receipt of agreement to of the audit criteria and methodology by the Department on 11 July 2025 (Appendix B), Onward conducted an initial desktop assessment of compliance with the relevant conditions of EPBC 2010/5350, based on review of documentary evidence identified in the approved audit criteria and methodology. Following the documentary review, Onward updated relevant aspects of the audit criteria and methodology to guide the site audit. Documentation assessment was undertaken only to the extent required by the approved audit criteria and methodology, as outlined in Appendix C.

2.1.2. Task 2: Site audit

The site audit involved audit interviews and a site inspection completed on 14/15 October 2025. The primary objectives of the site audit were to confirm Onward's understanding of the documentation already provided and the findings of the desktop review, including verifying implementation of the relevant management plans.

The audit interviews and inspections focussed on collecting evidence associated with compliance with the EPBC 2010/5350, and the activities undertaken during the audit period to comply with the conditions. In addition, the audit interviews and site inspection assisted Onward to understand the nature of the activities undertaken for the BSO Expansion.

During the interviews, Onward's audit team discussed preliminary observations and assessments, with ICHPL provided the opportunity to provide their inputs.

2.1.3. Task 3: Documentation of findings

This involved preparation for an IA report for provision to ICHPL and subsequent submission by ICHPL to the Department, ultimately for approval. This document includes the audit details, methodology, the auditor's certification, and detailed audit findings (Appendix C).

Onward prepared a draft IA report that detailed the audit findings including items of non-compliance, compliance, not applicable, and observations in accordance with the Guideline (Cth DotEE, 2019). The draft independent audit report was submitted to ICHPL on 10 November 2025, while the final IA report was provided to ICHPL on 24 November 2025 as electronic PDF and Word copies for submission to the Department for review and acceptance.

It is noted that after approval, this IA report will be publicly available.

2.2. Compliance criteria

The compliance criteria adopted by the Independent Audit aligned with the Guidelines (Cth DotEE, 2019) and were used as the basis to assess compliance and categorise findings and observations. The criteria include:

- Compliant
- Non-Compliant
- Not Applicable
- Observation

The full compliance criteria, including a description of each criterion, are provided in Table 2.1.

Table 2.1 Compliance criteria

Criteria	Criteria description
Compliant	A rating of 'compliant' is given when the auditee has complied with a condition or element of a condition.
Non-compliant	A rating of 'non-compliant' is given when the auditee has not met a condition or an element of a condition.
Not-applicable	A rating of 'not applicable' at the time of the audit is given when the condition or element of a condition falls outside the scope of the audit e.g. if an activity has not yet commenced or a requirement has not been triggered.
Observation	An 'observation' may be made about issues relevant to the protection of a matter of national environmental significance when the issue is not strictly related to compliance or non-compliance with a condition or element of a condition.

3. Details of the audit

3.1. Project name

The name of the project is the BSO Expansion, Bulli, NSW (EPBC 2010/5350).

3.2. Project approval holder

The name of the project approval holder is ICHPL.

3.3. Approval details

This IA was undertaken against the EPBC Act Approval (i.e. titled BSO Expansion, Bulli, NSW [EPBC 2010/5350]). As required by the Department, the IA covers the period from 12 November 2022 to the date of the end of the audit (i.e. 15 October 2025).

3.4. Scope of the audit

The scope of the Independent Audit was to assess activities associated with the BSO Expansion against conditions of the EPBC 2010/5350, held by ICHPL for the audit period from 12 November 2022 to the date of the end of the audit (i.e. 15 October 2025).

3.5. Implementation of the audit

The dates and locations corresponding with the implementation of the Independent Audit are noted as follows:

- Onward Newcastle Office – Suite 2, 86 - 88 Tudor Street, Hamilton, NSW, 2303 (Desktop Assessment: 12 August to 13 October 2025).
- BSO sites (Site audit: 14/15 October 2025), including:
 - Appin East Colliery (Appin East) – Colliery Road, Appin, NSW, 2560 (approximate easting & northing [Zone 56H]: 296650.30 m E, 6212362.48 m S).
 - Appin West Colliery (Appin West), including the Shale Sandstone Transition Forest offset/BioBank site – Unnamed Road, Douglas Park, NSW, 2569 (approximate easting & northing [Zone 56H]: 289698.27 m E, 6211163.97 m S)
 - Ventilation Shaft 6 (associated with Appin West), including associated vegetation offset area – 2E Duggan Street, Douglas Park, NSW, 2569 (approximate easting & northing [Zone 56H]: 289855.87 m E, 6215384.06 m S)
 - Appin North Colliery (Appin North), including the West Cliff Coal Preparation Plan (WCCPP) and EPBC *Persoonia hirsuta* offset area– Unnamed Road, Appin, NSW, 2560 (approximate easting & northing [Zone 56H]: 300226.51 m E, 6209844.90 m S)
 - Ventilation Shaft 7/8 construction site – 345 Menangle Road, Menangle, NSW, 2568.
 - Georges River remediation sites, including:
 - Rock bar (RB) 36, including Pools 35 and 36 (approximate easting & northing [Zone 56H]: 296878.80 m E, 6215786.66 m S),
 - RB40, including Pools 39 and 40 (approximate easting & northing [Zone 56H]: 296913.80 m E, 6216264.84 m S)
 - RB45, including Pools 44 and 45 (approximate easting & northing [Zone 56H]:

3.6. Methods used to assess compliance

The methods used to assess compliance are presented in section 2, and included a desktop assessment of documentation (i.e. only where required by the approved criteria methodology), and a site audit (i.e. audit interviews and site inspection).

3.7. Evidence considered to assess compliance

As described in section 2, the Onward audit team collected and assessed documentation relevant to the audit scope, including management plans, compliance and monitoring reports, approvals, and emails/letters. The purpose of the document assessment was to gather evidence to assess compliance with the approval conditions. A complete list of documents, emails and management plans used during the audit assessment process can be found in Table 3.1. Evidence also included the outcomes from the audit interviews and site inspections conducted on 14/15 October 2025.

Table 3.1 Evidence considered to assess compliance

ID	Name / description
Emails / letters	
1	Email dated 2 May 2025 submitting the revised <i>Persoonia hirsuta</i> OMP (v2, dated May 2025) to the Department for review and approval.
2	Email dated 26 June 2024 submitting the revised Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30 January 2025) to the Department for review and approval.
3	Email dated 2 May 2025 submitting the revised Biodiversity Management Plan (BMP) (v3, May 2025) for review and approval, with approval considered not required per email correspondence.
4	Email dated 26 June 2024 submitting the revised Coal Wash Emplacement Area Management Plan (v6, January 2025) to the Department for review and approval.
5	Email chain confirming submission of the revised AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024) to the Department for review and approval.
6	Approval of <i>Persoonia hirsuta</i> Offset Management Plan (OMP) (v1.1, dated 27 April 2022) by the former Department of Planning, Industry and Environment (DPIE) (now the Department of Planning, Housing and Infrastructure [DPHI]), dated 3 December 2021.
7	Approval of <i>Persoonia hirsuta</i> OMP (v1.1, dated 27 April 2022) by the Department, dated 18 May 2022.
8	Approval of <i>Persoonia hirsuta</i> OMP (v2, dated May 2025) by the DPHI, dated 29 September 2025.
9	Approval of <i>Persoonia hirsuta</i> OMP (v2, dated May 2025) by the Department, dated 29 September 2025.
10	Approval of the Coal Wash Emplacement Area Management Plan (CWEAMP) (v6, dated January 2025) by the DPHI dated 9 April 2025.
11	Approval of the Coal Wash Emplacement Area Management Plan (CWEAMP) (v6, dated January 2025) by the Department (dated 10 June 2025).
12	Approval of the Adaptive Management Plan (AMP) for Water Sensitive EPBC Listed Species by the Department (dated 3 July 2014).
13	Approval of the AMP for Water Sensitive EPBC Listed Species by the Department (dated 29 August 2018).
14	Approval of the AMP for Water Sensitive EPBC Listed Species by the Department (dated 28 January 2021).
15	Approval of the AMP for Water Sensitive EPBC Listed Species by the Department (dated 10 September 2024).
16	Approval of the Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30 January 2025) by the Department (dated 10 June 2025).
17	Email correspondence (dated 15 August 2023) delivered to the Department containing the 2023 compliance report and confirming its upload to the Project website
18	Email correspondence (dated 13 August 2024) delivered to the Department containing the 2024 compliance report and confirming its upload to the Project website
19	Email correspondence (dated 12 August 2025) delivered to the Department containing the 2025 compliance report and confirming its upload to the Project website.

ID	Name / description
20	Internal ICHPL email correspondence (dated 12 June 2025) requesting upload of the Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30 January 2025) and the CWEAMP (v6, dated January 2025) to the Project website.
21	Internal ICHPL email correspondence (dated 16 June 2025), confirming upload of Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30 January 2025) and the CWEAMP (v6, dated January 2025) to the Project website.
22	Letter received from the Department approving the team of experts nominated for the 2022 IEA (dated 5 August 2022)
23	Letter from the Department approving the audit criteria (dated 24 November 2022).
24	Email submitting the 2022 BSO IEA Action Response Table to the Department (dated 21 December 2022).
Management plans	
25	Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30 January 2025).
26	<i>Persoonia hirsuta</i> OMP (v2, dated May 2025).
27	BSO Shale Transition Forest OMP (v2, dated November 2024).
28	CWEAMP (v6, dated January 2025).
29	AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024).
30	Biodiversity Management Plan (BMP) (v3, May 2025).
Documents	
31	2014 BSO Project Independent Environmental Audit (IEA) (URS, 2014).
32	2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017).
33	IEA 2019 BSO (ERM, 2019).
34	2019 BSO IEA, South32 Illawarra Metallurgical Coal (IMC) Action Response Table.
35	IEA 2022 BSO (ERM, 2022).
36	2022 BSO IEA Action Response Table.
37	Annual Compliance Report – August 2023 (EPBC 2010/5350).
38	Annual Compliance Report – August 2024 (EPBC 2010/5350).
39	Annual Compliance Report – August 2025 (EPBC 2010/5350).
40	Appin Mine Annual Review FY23.
41	Appin Mine Annual Review FY24.
42	Appin Mine Annual Review FY25.
43	Annual <i>Persoonia hirsuta</i> Condition Monitoring Report (Niche Environment and Heritage, 2023a).
44	Annual <i>Persoonia hirsuta</i> Condition Monitoring Report (Niche Environment and Heritage, 2024a).
45	Annual <i>Persoonia hirsuta</i> Condition Monitoring Report (Niche Environment and Heritage, 2025a).
46	Appin West BioBank Site Annual Report – 2024/2025.
47	Appin West BioBank Site Annual Report – 2023/2024.
48	Appin West BioBank Site Annual Report – 2022/2023.
49	Persoonia Puzzle: Research Report on the Conservation Biology of <i>Persoonia hirsuta</i> (Haynes and Gregory, June 2021).
50	Monitoring Report – Emplacement Rehabilitation Year 12 (Niche Environment and Heritage, 2023b).
51	Monitoring Report – Emplacement Rehabilitation Year 13 (Niche Environment and Heritage, 2024b)
52	Monitoring Report – Emplacement Rehabilitation Year 14 (Niche Environment and Heritage, 2025b).
53	Appin Colliery Annual Rehabilitation Report Friday 1 July 2022 to Friday 30 June 2023.
54	Appin Colliery Annual Rehabilitation Report Saturday 1 July 2023 to Sunday 30 June 2024.
55	Appin Colliery Annual Rehabilitation Report Monday 1 July 2024 to Monday 30 June 2025.

4. Auditor certification

The certification of all auditors is provided in Appendix D, and it is noted that they are consistent with the nominated auditor team and subsequent Approval of Independent Auditor letter (Appendix A).

5. Detailed audit findings

The findings from the Independent Audit are provided in Appendix C and prepared per the minimum requirements outlined in the Guidelines (Cth DotEE, 2019). These detailed audit findings demonstrate the verification method, documents sighted, evidence utilised, determination and compliance findings against all criteria under each approval condition.

Based on the documentation assessed for the audit period (as detailed in section 3.7), the IA did not identify any non-compliant findings or formal observations concerning the EPBC Act Approval.

Appendix A

Approval of independent auditor

OFFICIAL



Australian Government
Department of Climate Change, Energy,
the Environment and Water

Our ref: EPBC 2010/5350

Chris Schultz
Superintendent Environment
GM3
Port Kembla Coal Terminal, Inner Harbour
Port Kembla Road
Port Kembla NSW 2505

Dear Chris,

Endorsement of Audit team – Bulli Seam Operations Expansion, Bulli, NSW, EPBC 2010/5350

I refer to your correspondence dated 25 March 2025, submitting details of the proposed independent auditors from Onward Consulting Pty Ltd and their team of experts for the audit of the Bulli Seam Operations Expansion, Bulli NSW (EPBC 2010/5350).

I note the Bulli Seam Operations Expansion, Bulli, NSW project was approved under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 15 May 2012.

I endorse the proposed independent auditors from Onward Consulting Pty Ltd and their team of experts to conduct the independent audit required under condition 18 of the EPBC 2010/5350 approval. I request that you submit the proposed audit criteria to the Department of Climate Change, Energy, the Environment and Water no later than 20 business days from the date of this letter.

If you have any questions regarding this matter, please contact Chris Kerin at audit@dcceew.gov.au.

Yours sincerely



Thomas Long
Director Environmental Audit
Compliance and Enforcement Branch
10 April 2025

DCCEEW.gov.au

John Gorton Building, King Edward Terrace, Parkes ACT 2600 Australia
GPO Box 3090 Canberra ACT 2601 ABN: 63 573 932 849

OFFICIAL

Appendix B

Agreement of audit criteria and methodology

OFFICIAL



Australian Government
**Department of Climate Change, Energy,
the Environment and Water**

Our ref: EPBC 2010/5350

Chris Schultz
Superintendent Environment
GM3
Port Kembla Coal Terminal, Inner Harbour
Port Kembla Road
Port Kembla NSW 2505

Dear Chris,


Agree to the Audit Criteria – Bulli Seam Operations Expansion, Bulli, NSW, EPBC 2010/5350

I refer to your correspondence dated 17 June 2025, submitting the audit criteria for the independent audit of the Bulli Seam Operations Expansion, Bulli NSW (EPBC 2010/5350). I note the project was approved under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 15 May 2012.

I agree to the audit criteria prepared by Onward Consulting Pty Ltd, and request that you submit the independent audit report to the Department of Climate Change, Energy, the Environment and Water by no later than 12 January 2026. I look forward to receiving a copy of the audit report.

If you have any questions regarding this matter, please contact Chris Kerin at audit@dcceew.gov.au.

Yours sincerely



Kim Morgan
A/g Director Environmental Audit
Compliance and Enforcement Branch
11 July 2025

DCCEEW.gov.au

John Gorton Building, King Edward Terrace, Parkes ACT 2600 Australia
GPO Box 3090 Canberra ACT 2601 ABN: 63 573 932 849

OFFICIAL

Appendix C

Detailed audit findings

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
EPBC Approval Condition 1		Persoonia Hirsuta (Hairy Geebung) The approval holder must legally secure the approved offset area for conservation, including the core population, for the duration of the EPBC approval (15 May 2042), as outlined in the approved Persoonia hirsuta Offset Management Plan under condition 2 of the approval. A copy of the document detailing the legal security provided to the offset area must be submitted to the Department by 14 May 2014.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
1.1	Evidence the offset area for conservation has been legally secured.	Review and document the outcomes of the 2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017).	<ul style="list-style-type: none"> • <i>Persoonia hirsuta</i> Offset Management Plan (OMP) (v1.1, dated 27/04/2022), including approval letters • Previous IEAs 	<ul style="list-style-type: none"> • <i>Persoonia hirsuta</i> Offset Management Plan (OMP) (v1.1, dated 27/04/2022), including approval by the: <ul style="list-style-type: none"> ◦ Former Department of Planning, Industry and Environment (DPIE) (now the Department of Planning, Housing and Infrastructure [DPHI]), dated 3 December 2021 ◦ Department, dated 18 May 2022 • <i>Persoonia hirsuta</i> OMP (v2, dated May 2025), including approval by the: <ul style="list-style-type: none"> ◦ DPHI, dated 29 September 2025 ◦ Department, dated 29 September 2025 • 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017) 	The offset was legally secured as evidenced by the 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017), which states: <i>The Offset is protected by incorporation of a condition to the Consolidated Coal Lease No.724 (CCL724) requiring the core population to be managed for the term of the lease for biodiversity conservation purposes. CCL 724 confers surface rights at Appin North in a similar manner to other land title mechanisms.</i> In September 2022, the Condition that secured the offset was removed from CCL 724 following a review of all mining leases by Mining Exploration and Geoscience. South32 has written to MEG to request Schedule A to be reinstated in CCL 724. Correspondence from MEG was received by IMC dated 15 November 2022 (post-audit) that Schedule A was reinstated.	Compliant
1.2	Evidence document detailing the legal security provided to the offset area must be submitted to the Department by 14 May 2014.	Review and document the outcomes of the 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017).	As above	As above	As above	Compliant
EPBC Approval Condition 2		The person taking the action must provide a plan for the management of the <i>Persoonia hirsuta</i> offset to the Minister for approval no later than 31 December 2012. The <i>Persoonia hirsuta</i> Offset Management Plan must include but not be limited to: <ol style="list-style-type: none"> measures for the conduct of pre-existing land management requirements or obligations in a manner that is compatible with the conservation of the species; information about the species' ecology, biology and conservation status to inform appropriate management actions; performance objectives and management actions that will enable maintenance and enhancement of <i>Persoonia hirsuta</i> plants and habitat covered by the plan; management responsibilities and accountabilities; mitigation measures to ensure operation of the action, including fire management and specifically the emplacement of coal wash, does not impact on any of the <i>Persoonia hirsuta</i> plants protected under this plan. This includes but is not limited to impacts associated with dust, shading, sedimentation, erosion or unrestricted access to areas containing <i>Persoonia hirsuta</i> plants; an assessment of the baseline <i>Persoonia hirsuta</i> population and distribution, including: <ol style="list-style-type: none"> the number of plants protected and their location; plant and habitat condition; age classes; measures for regular monitoring of the status of the <i>Persoonia hirsuta</i> plants and habitat as measured against the baseline population and distribution, including: <ol style="list-style-type: none"> recruitment and survivorship; seedling growth rate; age to reproductive maturity and peak flowering/fruit production; effectiveness of management actions and mitigation measures contained within the plan; and impacts of threatening processes; the results of the monitoring referred to in condition 2. f. and g. must be provided to the Department within 30 days of every 12 month anniversary of the implementation date of this plan; and provisions to revise the approved <i>Persoonia hirsuta</i> Offset Management Plan in response to the findings of the research required by condition 3., including the submission of the revised <i>Persoonia hirsuta</i> Offset Management Plan to the Minister for approval within 6 months of this research being finalised. The approved <i>Persoonia hirsuta</i> Offset Management Plan must be implemented. Clearing of native vegetation for the stage 4 coal wash emplacement area must not occur until the <i>Persoonia hirsuta</i> Offset Management Plan has been approved by the Minister.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
2.1	<i>Persoonia hirsuta</i> Offset Management Plan (OMP) provided to the Minister for approval no later than 31 December 2012.	Review and document the outcomes of the 2014 Bulli Seams Operations (BSO) Project Independent Environmental Audit (IEA) (URS, 2014).	<ul style="list-style-type: none"> • <i>Persoonia hirsuta</i> OMP • Previous IEAs 	<ul style="list-style-type: none"> • <i>Persoonia hirsuta</i> OMP (v1.1, dated 27/04/2022, and v2, dated May 2025) • 2014 Bulli Seams Operations Project IEA (URS, 2014) 	Determined to be compliant during as part of the 2014 IEA.	Compliant
2.2	<i>Persoonia hirsuta</i> OMP covers requirements of Condition 2(a) to 2(i).	Review of the content of the <i>Persoonia hirsuta</i> OMP.	<i>Persoonia hirsuta</i> OMP	<i>Persoonia hirsuta</i> OMP (v1.1, dated 27/04/2022, and v2, dated May 2025)	The <i>Persoonia hirsuta</i> OMP covers requirements of Condition 2 (a) to 2 (i)	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
2.3	Results of the monitoring referred to in Condition 2(f) and 2(g) are provided to the Department within 30 days of every 12 month anniversary of the implementation date of the <i>Persoonia hirsuta</i> OMP.	Sight evidence monitoring results are provided to the Department within 30 days of every 12 month anniversary of the implementation date.	<ul style="list-style-type: none"> Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	<i>Persoonia hirsuta</i> Condition Reports were submitted as required in 2013, 2014, 2015 (submitted late), 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024. The 2025 monitoring had not been completed at the time of this audit.	Compliant
2.4	Revised <i>Persoonia hirsuta</i> OMP provided to the Minister for approval within 6 months of the research required by Condition 3 being finalised.	Review and document the outcomes of the IEA 2022 BSO (ERM, 2022).	Previous IEAs	IEA 2022 BSO (ERM, 2022)	The 2022 IEA determined that: <i>The Persoonia hirsuta Offset Management Plan has been submitted twice during the audit period in response to new and completed research and feedback from DAWE, including in December 2021 and April 2022.</i> No non-compliances were recorded.	Compliant
2.5	The approved <i>Persoonia hirsuta</i> OMP is being implemented.	Review and assess documentation verifying implementation of the <i>Persoonia hirsuta</i> OMP, including conduct of interviews and site inspections (as relevant).	<ul style="list-style-type: none"> <i>Persoonia hirsuta</i> OMP Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> <i>Persoonia hirsuta</i> OMP (v1.1, dated 27/04/2022, and v2, dated May 2025) Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	<i>Persoonia hirsuta</i> Condition Reports were submitted as required in 2013, 2014, 2015 (submitted late), 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024. The 2025 monitoring had not been completed at the time of this audit. The latest monitoring results from December 2024 indicates that the overall health and size of the core population of the species is within expected parameters. No non-compliances were identified with implementation of the plan during the audit period.	Compliant
2.6	Clearing of native vegetation for the stage 4 coal wash emplacement area did not occur until the <i>Persoonia hirsuta</i> OMP was approved by the Minister.	Review and document the outcomes of the IEA 2022 BSO (ERM, 2022).	<ul style="list-style-type: none"> Previous IEAs <i>Persoonia hirsuta</i> OMP 	<ul style="list-style-type: none"> IEA 2022 BSO (ERM, 2022) <i>Persoonia hirsuta</i> OMP (v1.1, dated 27/04/2022, and v2, dated May 2025) 	<i>Persoonia hirsuta</i> OMP (v1.1, dated 27/04/2022), was approved by: <ul style="list-style-type: none"> Former Department of Planning, Industry and Environment (DPIE) (now the Department of Planning, Housing and Infrastructure [DPHI]), dated 3 December 2021 Department, dated 18 May 2022 <i>Persoonia hirsuta</i> OMP (v2, dated May 2025), including approval by the: <ul style="list-style-type: none"> DPHI, dated 29 September 2025 Department, dated 29 September 2025 The 2022 IEA confirmed that no clearing for the Stage 4 Coal Wash Emplacement had occurred prior to the plan being approved.	Compliant
EPBC Approval Condition 3		The person taking the action must engage a suitably qualified expert to undertake and make publicly available targeted research to inform conservation knowledge of <i>Persoonia hirsuta</i>. The research must:				
		a. document current understanding of <i>Persoonia hirsuta</i> ecology and genetics; b. outline previously documented management and conservation actions; c. investigate: i. pollination biology of <i>Persoonia hirsuta</i>; ii. requirements of its pollinators; iii. soil seed bank dynamics and the role of various disturbances (including fire) in germination and recruitment; iv. phenology and seasonal growth of <i>Persoonia hirsuta</i>; v. population genetic structure, levels of genetic diversity, minimum viable population size and management actions; vi. impact of dieback disease and control techniques on <i>Persoonia hirsuta</i> and its habitat; and vii. impact of fire on <i>Persoonia hirsuta</i> and its habitat; d. provide a general analysis of threatening processes and available management or mitigation actions; and e. a research report to be finalised by no later than 30 June 2021; f. be made publicly available on the approval holder's internet site.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
3.1	A suitably qualified expert to undertake and make publicly available targeted research to inform conservation knowledge of <i>Persoonia hirsuta</i> .	Review and document the outcomes of the IEA 2022 BSO (ERM, 2022)	Previous IEAs	IEA 2022 BSO (ERM, 2022)	The 2022 IEA found that "The Research Report on the Conservation Biology of <i>Persoonia hirsuta</i> (2021) addresses the requirements of this condition including date of completion.	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
3.2	Research covers requirements of Condition 3(a) to 3(d).	Review and document the outcomes of the: <ul style="list-style-type: none"> Independent Environmental Audit 2022 Bulli Seams Operations (ERM, 2022) 	Refer above	Refer above	Refer above	Compliant
3.3	Research report finalised by no later than 30 June 2021.	Review and document the outcomes of the Independent Environmental Audit 2022 Bulli Seams Operations (ERM, 2022).	Refer above	Refer above	Refer above	Compliant
3.4	Research results publicly available on the Project website.	Sight evidence research results are available on the Project website.	<ul style="list-style-type: none"> Research Reports Project website 	<ul style="list-style-type: none"> The Persoonia Puzzle: Research Report on the Conservation Biology of <i>Persoonia hirsuta</i> (Haynes and Gregory, June 2021) Project website 	The Research Report is publicly available on the project website	Compliant
EPBC Approval Condition 4		Shale / Sandstone Transition Forest The person taking the action must implement the approved Bulli Seam Operations Shale Sandstone Transition Forest Offset Management Plan. The person taking the action must legally secure the offset area for long term conservation purposes by 2 March 2016.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
4.1	The approved Bulli Seam Operations Shale Sandstone Transition Forest OMP is being implemented.	Review and assess documentation verifying implementation of the BSO Shale Sandstone Transition Forest OMP, including conduct of interviews and site inspections (as relevant).	<ul style="list-style-type: none"> BSO Shale Sandstone Transition Forest OMP Annual Reviews Previous IEAs 	<ul style="list-style-type: none"> BSO Shale Sandstone Transition Forest OMP (v2, November 2024) Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017) 	<p>The audit confirmed the Shale Sandstone Transition Forest OMP (v2, dated November 2024) has been prepared and implemented in accordance with the requirements of Conditions 4 and 5 of EPBC 2010/5722. The Shale Sandstone Transition Forest OMP was revised during the audit period with administrative changes, and to reflect organisational changes from South32 to GM3.</p> <p>There were no issues during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the Shale Sandstone Transition Forest OMP (v2, dated November 2024), which was confirmed to be available on the Project website.</p> <p>Annual reports for the audit period document the ongoing monitoring and maintenance within the offset (secured as a BioBanking site), with no management issues identified during the audit period.</p>	Compliant
4.2	Offset area for long term conservation purposes legally secured by 2 March 2016.	Review and document the outcomes of the: <ul style="list-style-type: none"> 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017) 	Previous IEAs	2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017)	The 2017 IEA considered compliance with the requirements of this element, with the offset secured as a BioBanking site on 1 February 2017.	Compliant
EPBC Approval Condition 5		The person taking the action must provide to the Minister for approval within 1 year of the date of this approval, a plan for the management of the Shale/ Sandstone Transition Forest Offset. The approved Shale/ Sandstone Transition Forest Offset Management Plan (the Forest plan) must include but not be limited to: <ol style="list-style-type: none"> Specific management measures to control weed species, pest animals, public access and otherwise manage the Shale/ Sandstone Transition Forest Offset so that the ecological condition of the Shale/ Sandstone Transition Forest Offset is maintained or enhanced to a higher condition than that being lost as a result of this action; <ol style="list-style-type: none"> This may be demonstrated through comparisons of floristic diversity and structure, vegetation health and/or percentage cover of introduced or weed plants; an outline of key milestones and performance objectives; measures for annual monitoring of the ongoing quality (as measured against the ecological survey information referred to at Conditions 4 a) of the Shale/ Sandstone Transition Forest Offset and the effectiveness of management actions. Reports containing the monitoring results must be submitted to the Department within 30 days of every 12 month anniversary of the date the Shale / Sandstone Transition Forest Offset is protected in perpetuity or as otherwise agreed to by the Minister; and corrective actions and contingency measures to be implemented should monitoring indicate a decrease in the quality of the Shale / Sandstone Transition Forest conservation offset. The approved Forest plan must be implemented within 2 years of the date of this approval.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
5.1	Submission of the Bulli Seam Operations Shale Sandstone Transition Forest Offset Management Plan to the Minister for approval within 1 year of the date of this approval	Review and document the outcomes of the 2014 BSO Project IEA (URS, 2014).	Previous IEAs	2014 BSO Project IEA (URS, 2014)	The 2017 IEA considered compliance with the requirements of this element, with the Shale Sandstone Transition Forest OMP approved by the Department on 7 June 2013.	Compliant
5.2	Bulli Seam Operations Shale Sandstone Transition Forest Offset Management Plan content requirements, per Condition 5(a) to 5(d).	Review of the content of the Bulli Seam Operations Shale Sandstone Transition Forest Offset Management Plan.	BSO Shale Sandstone Transition Forest OMP	BSO Shale Sandstone Transition Forest OMP (v2, November 2024)	The audit confirmed the Shale Sandstone Transition Forest OMP (v2, dated November 2024) has been prepared and implemented in accordance with the requirements of Conditions 4 and 5 of EPBC 2010/5350	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
5.3	Implementation of the approved Bulli Seam Operations Shale Sandstone Transition Forest Offset Management Plan within 2 years of the date of the approval.	Review and document the outcomes of the: <ul style="list-style-type: none"> Independent Environmental Audit 2022 Bulli Seams Operations (ERM, 2022). 	Previous IEAs	IEA 2022 BSO (ERM, 2022)	The IEA 2022 reported compliance with this condition.	Compliant
EPBC Approval Condition 5A		If the Shale Sandstone Transition Forest is legally secured as a registered NSW BioBanking site, the management plan developed under the NSW BioBanking Agreement for that site is an Offset Management Plan for the purposes of Condition 4. The annual reporting required under that scheme may be provided to the Department in place of the reports containing monitoring results required at Condition 5c, on the proviso that all measures specified in Condition 5 are covered.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
5A.1	Evidence Shale Sandstone Transition Forest legally secured as a registered NSW BioBanking site.	Review the outcomes of the: <ul style="list-style-type: none"> Independent Environmental Audit 2022 Bulli Seams Operations (ERM, 2022) 	Previous IEAs	2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017)	The 2017 IEA considered compliance with the requirements of this element, with the offset secured as a BioBanking site on 1 February 2017.	Compliant
5A.2	Annual reporting required for NSW BioBanking site provided to the Department in place of the reports containing monitoring results required at Condition 5c.	Sight evidence confirming annual reporting required for NSW BioBanking site are provided to the Department.	<ul style="list-style-type: none"> Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	The 2022/23, 2023/24 and 2024/25 Shale Sandstone Transition Forest OMP (v2, November 2024) monitoring was conducted and reported under the requirements of the Biobanking Agreement.	Compliant
5A.3	Annual reporting for NSW BioBanking site covers all measures specified in Condition 5.	Review annual reports to confirm requirements of Condition 5 are addressed.	<ul style="list-style-type: none"> Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	Annual reporting covers all measures specified in Condition 5.	Compliant
EPBC Approval Condition 6		<p>Coal Wash Emplacement Staging and Rehabilitation Plan</p> <p>The person taking the action must provide a Coal Wash Emplacement Staging and Rehabilitation Plan (the Staging Plan) for the stage 4 coal wash emplacement area to the Minister for approval. Clearing of native vegetation for stage 4 coal wash emplacement area must not occur until the Staging Plan has been approved by the Minister. The Staging Plan must include, but not be limited to:</p> <p>a. measures to limit the clearing of native vegetation to no more than 60 hectares;</p> <p>b. provision for the progressive staging of coal wash emplacement to ensure at all times a minimum 100 m wide habitat corridor is maintained linking the <i>Persoonia hirsuta</i> core population with habitat adjacent to the stage 4 coal wash emplacement area;</p> <p>c. measures to ensure that, if the corridor is to include land previously used as stage 4 coal wash emplacement areas (either in whole or in part), native re-vegetation is established to the extent that it facilitates the movement of pollination vectors for <i>Persoonia hirsuta</i>;</p> <p>d. staging of emplacement from east to west;</p> <p>e. provision for progressive rehabilitation of the emplacement area, including through:</p> <p>i. staged clearing of native vegetation within the stage 4 coal wash emplacement area;</p> <p>ii. maximising opportunities for natural regeneration, including through salvage, storage and re-use of site top soil and maximising the retention time of suitable habitat species within the stage 4 coal wash emplacement area adjacent to active emplacement areas to assist recolonisation of native species to rehabilitated areas;</p> <p>iii. key performance objectives for site rehabilitation, including indicative timelines, performance measures, management actions and responsibilities and accountabilities;</p> <p>iv. planting only endemic species in habitat mixes appropriate for the local surrounding environment, soil, slope and aspect, in accordance with relevant published guidelines; and</p> <p>v. appropriate weed and pest control strategies;</p> <p>f. monitoring of rehabilitation actions including, but not limited to, measures to assess the success of management actions, natural regeneration and revegetation. The reporting of monitoring results must be submitted to the Department within 30 days of every 12 month anniversary of the implementation date of the Staging Plan; and</p> <p>g. unless otherwise agreed to in writing by the Minister, the Staging Plan must be implemented and remain implemented for a minimum period of 10 years at which point a revised plan taking into account the monitoring referred to above must be submitted to and approved by the Minister.</p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
6.1	Coal Wash Emplacement Staging and Rehabilitation Plan (the Staging Plan) for the stage 4 coal wash emplacement area provided to the Minister for approval.	Review of the Coal Wash Emplacement Area Management Plan (CWEAMP) (v6, dated January 2025), including approval letters.	CWEAMP, including relevant approvals	CWEAMP (v6, dated January 2025), including approval by the: <ul style="list-style-type: none"> DPHI, included in Appendix 7, dated 9 April 2025 Department, included in Appendix 8, dated 10 June 2025 	A review of the CWEAMP (v6, dated January 2025) confirms the plan is currently being implemented for Stage 3 and covers Stage 4, however Stage 4 is not expected to commence until 2029. Approval letters demonstrate the current plan (covering Stage 3 and 4) was provided to the Minister for approval	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
6.2	The Staging Plan covers requirements of Condition 6(a) to 6(g)	N/A – As above, emplacement area currently in Stage 3 – Stage 4 is not expected until 2029.				
6.3	The reporting of monitoring results are submitted to the Department within 30 days of every 12 month anniversary of the implementation date of the Staging Plan.	N/A – As above, emplacement area currently in Stage 3 – Stage 4 is not expected until 2029.				
6.4	The Staging Plan is implemented, and remain implemented for a minimum period of 10 years.	N/A – As above, emplacement area currently in Stage 3 – Stage 4 is not expected until 2029.				
6.5	Revised Staging Plan submitted and approved by the Minister after a minimum period of 10 years' of implementation, taking into account monitoring results.	N/A – As above, emplacement area currently in Stage 3 – Stage 4 is not expected until 2029.				
EPBC Approval Condition 7		<p>Southern Brown Bandicoot and Broad-Headed Snake Management Plan or Plans Within 1 year of the date of this approval the person taking the action must provide for the Minister's approval a Southern Brown Bandicoot and Broad-Headed Snake conservation management plan or plans. The plan or plans must include:</p> <p>a. measures to avoid, mitigate and manage impacts on the Southern Brown Bandicoot, Broad-Headed Snake and their habitats occurring as result of the action; b. provisions for the contribution of no less than \$250 000 (GST exclusive) in funding towards regional Southern Brown Bandicoot and Broad-Headed Snake programs. This funding must not be expended on the measures referred to in condition 6.a.; c. a description of actions to be funded and undertaken to inform and/or enhance the conservation of these species, including through survey or research, threat abatement with specific reference to predator controls and habitat restoration or rehabilitation, including public reporting or publication of information gained by these actions; d. a demonstration that management actions to be undertaken will not adversely impact EPBC Act listed species; e. a description of funding arrangements or agreements including work programs and responsible entities; and f. measures for the provision of documentary evidence within 30 days of the funding having been expended and/or that funding commitments have been met.</p> <p>The approved plan or plans must be implemented within 2 years of the date of this approval. The clearing of native vegetation for the stage 4 coal wash emplacement cannot occur until the approved plan or plans have been implemented.</p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
7.1	Broad-Headed Snake and Southern Brown Bandicoot Management Plan provided for the Minister's approval within 1 year of the date of the approval.	Review and document the outcomes of the: <ul style="list-style-type: none"> 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017) 	Previous IEAs	2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017)	Reported as compliant during as part of EPBC Compliance Audit (ERM, 2017).	Compliant
7.2	Broad-Headed Snake and Southern Brown Bandicoot Management Plan covers requirements of Condition 7(a) to 7(f).	Review of the content of the Broad-Headed Snake and Southern Brown Bandicoot Management Plan.	Broad-headed Snake and Southern Brown Bandicoot Management Plan	Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, 30/01/2025)	The audit confirmed the Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30/01/2025) has been prepared and implemented in accordance with Condition 7 of EPBC 2010/5350. The Broad-headed Snake and Southern Brown Bandicoot Management Plan was updated during the audit period as part of a scheduled review, with additional detail provided in relation to a Broad-headed Snake sighting and the results of agency consultation. There were no issues during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30/01/2025), which was confirmed to be available on the Project website.	Compliant
7.3	Implementation of the approved Broad-Headed Snake and Southern Brown Bandicoot Management Plan.	Review and assess documentation verifying implementation of the Broad-Headed Snake and Southern Brown Bandicoot Management Plan, including conduct of interviews and site inspections (as relevant).	<ul style="list-style-type: none"> Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	The audit confirmed the Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30/01/2025) has been prepared and implemented in accordance with Condition 7 of EPBC 2010/5350. Two juvenile Broad-headed Snakes (one alive and one deceased) were observed in the Appin North switch room in January 2024. The snake that was alive exited the switchroom of its own accord and did not require relocation. As the deceased snake was considered to have died of natural causes it was not considered to be an incident that required notification to the Planning Secretary. NPWS was advised of the find. The audit found relevant mitigation measures were implemented during the audit period. No non-compliances were identified.	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
7.4	Implementation of the approved Broad-Headed Snake and Southern Brown Bandicoot Management Plan within 2 years of the date of the approval.	Review and document the outcomes of the: <ul style="list-style-type: none"> 2017 Conditions of Approval Independent Environmental Audit & EPBC Compliance Audit (ERM, 2017) 	Previous IEAs	2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017)	Reported as compliant during as part of EPBC Compliance Audit (ERM, 2017).	Compliant
7.5	Clearing of native vegetation for the stage 4 coal wash emplacement area did not occur until the Broad-Headed Snake and Southern Brown Bandicoot Management Plan was approved by the Minister and being implemented.	Review and document the outcomes of the annual reporting documentation.	<ul style="list-style-type: none"> Broad-headed Snake and Southern Brown Bandicoot Management Plan Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, 30/01/2025) Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	The emplacement area is currently in Stage 3 with Stage 4 is not expected to commence until 2029. While native vegetation has been cleared in preparation for Stage 4 during FY25 (i.e. for test pits); however, this has occurred after the approval and implementation of the Broad-Headed Snake and Southern Brown Bandicoot Management Plan. Therefore, the audit has confirmed the Broad-Headed Snake and Southern Brown Bandicoot Management Plan was approved by the Minister and was being implemented prior to clearing for Stage 4 coal wash emplacement area.	Compliant
EPBC Approval Condition 8		<p>Surface and Ground Water Quality Monitoring and Adaptive Management Plan</p> <p>The person taking the action must provide a Surface and Ground Water Quality Monitoring and Adaptive Management Plan (the Water Plan) to the Minister for approval by 30 September 2012. Clearing of native vegetation for the stage 4 coal wash emplacement area and new mining activities beneath water courses containing habitat for EPBC Act listed species cannot occur until or unless the Water Plan has been approved and implemented. The Water Plan must:</p> <p>a. provide a monitoring and adaptive management framework that will identify potential water related impacts of the action on EPBC Act listed species and their habitat;</p> <p>b. contain a review of the ecological system that defines the ecological assets, functions and habitats to be protected and establish pre-mining baseline conditions;</p> <p>c. detail strategies and actions for maintaining, enhancing, and if required, restoring ecological assets, functions and habitats, for dependent EPBC Act listed species and their habitat including but not limited to the Macquarie Perch in Brennans Creek and the Georges and Nepean Rivers;</p> <p>d. define ecological outcomes and performance objectives;</p> <p>e. identify water requirements (volume, timing, duration, frequency, quality) for meeting ecological outcomes and performance objectives;</p> <p>f. identify monitoring, evaluating and reporting mechanisms including comprehensive water quality monitoring, incorporating the stage 4 coal wash emplacement area, that includes:</p> <p>i) detailed baseline data;</p> <p>ii) monitoring methods, location and effort;</p> <p>iii) specific performance indicators that will be used to judge performance, or guide the implementation of any required management measures; and</p> <p>iv) a program to monitor and report on the impacts and environmental performance of the action and effectiveness of management measures;</p> <p>g. identify requirements for adaptive management actions to achieve performance objectives and ecological outcomes, including a description of the measures that would be implemented to achieve these;</p> <p>h. include contingency plan(s) to manage any unpredicted impacts and their consequences;</p> <p>i. include a program to investigate and implement ways to improve the environmental performance of the project over time; and</p> <p>j. include protocols for periodic review of the plan and annual reporting to the Minister.</p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
8.1	The Water Plan (i.e. AMP for Water Sensitive EPBC Listed Species) is being implemented	Review and assess documentation verifying implementation of the AMP for Water Sensitive EPBC Listed Species, including conduct of interviews and site inspections (as relevant).	<ul style="list-style-type: none"> Annual Compliance Reports Annual Reviews 	<ul style="list-style-type: none"> Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 	The audit confirmed the Adaptive Management Plan (AMP) for Water Sensitive EPBC Listed Species (v1.2 dated 19 July 2024) has been prepared and implemented in accordance with Condition 8 of EPBC 2010/5350. The compliance reports indicates all water-related requirements and obligations were classified as 'in control' in the 2023, 2024 and 2025 reports. Annual Compliance Reviews and Annual Reviews for the audit period state 'no impacts observed' in relation to terrestrial ecology and aquatic ecology in relation to the Project, with no adaptive management strategies within the AMP for Water Sensitive EPBC Listed Species (v1.2 dated 19 July 2024) triggered during the audit period.	Compliant
8.2	The AMP for Water Sensitive EPBC Listed Species provided to the Minister for approval by 30 September 2012.	Review and document the outcomes of the 2014 BSO Project IEA (URS, 2014).	Previous IEAs	2014 BSO Project IEA (URS, 2014)	The Surface and Ground Water Quality Monitoring and Adaptive Management Plan (September, 2012) was submitted 30 September 2012, confirming compliance with this requirement.	Compliant
8.3	Clearing of native vegetation for the stage 4 coal wash emplacement area did not occur until the AMP for Water Sensitive EPBC Listed Species was approved by the Minister and being implemented	Review and document the outcomes of the annual reporting documentation.	AMP for Water Sensitive EPBC Listed Species	AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024), including approval by the Department (dated 3/07/2014, 29/08/2018, 28/01/2021, and 10/09/2024)	The emplacement area is currently being constructed in Stage 3 – Stage 4 is not expected until 2029. Therefore, the audit has confirmed the AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024) was approved by the Minister and was being implemented prior to clearing for Stage 4 coal wash emplacement area.	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
8.4	The AMP for Water Sensitive EPBC Listed Species covers requirements of Condition 8(a) to (j).	Review of the content of AMP for Water Sensitive EPBC Listed Species.	AMP for Water Sensitive EPBC Listed Species	AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024)	<p>The audit confirmed the Adaptive Management Plan (AMP) for Water Sensitive EPBC Listed Species (v1.2, dated October 2024) has been prepared and implemented in accordance with Condition 8 of EPBC 2010/5350. The AMP for Water Sensitive EPBC Listed Species was revised twice during the audit period, as follows:</p> <ul style="list-style-type: none"> v1 (dated February 2024): General update in accordance with three-yearly review period, with updates being: <ul style="list-style-type: none"> inclusion of roles and responsibilities removal of reference to change from the former Threatened Species Act 1995 (NSW) to the Biodiversity Conservation Act 2016 (NSW) revision of relevant standards and inclusion of mining leases reference to the Appin Mine Areas 7 and 9 Longwalls 709 to 711 and 905 Extraction Plan (v1.2, dated July 2022) for figures and plans with updated species records revision of monitoring in Nepean River, which was reduced as mining operations moved away from the Nepean River progress of WTP and Georges River subsidence remediation remediation methodologies for subsidence impact inclusion of new LDPs and water quality limits Inclusion of reference to AMVA Project and Annual Rehabilitation Report v1.1 (dated July 2024): Updated to address comments from the Cth DCCEE (dated 15 May 2024 and 18 July 2024). v1.2 (dated October 2024): Updated with administrative changes and to reflect organisational changes from South32 to GM3. <p>There were no issues during the audit (i.e. documentary review, site inspection and interviews) necessitating revision to the AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024), which was confirmed to be available on the Project website.</p>	Compliant
EPBC Approval Condition 9		Mine Closure Environmental Management Plan				
		No less than 3 years prior to the date of expected closure of the mine, the person taking the action must submit to the Minister for approval an environmental management plan that sets out any required actions and responsibilities to ensure the closure of the mine does not result in on-going adverse impacts (post closure) to EPBC Act listed species. The approved plan must be implemented until the person taking the action can provide evidence that no further actions are required and cessation is agreed to in writing by the Minister.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
9.1	Mine Closure Environmental Management Plan submitted to the Minister for approval at least 3 years prior to the date of expected closure of the mine.	N/A – Closure of the mine is not expected until at least 15 May 2042, as such this condition has not been triggered.				
9.2	The approved Mine Closure Environmental Management Plan is being implemented	N/A – Closure of the mine is not expected until at least 15 May 2042, as such this condition has not been triggered.				
EPBC Approval Condition 10		At the cessation of mining activities, all portals and vent shafts are to be closed, decommissioned or capped in manner that prevents the death or injury of EPBC listed bats.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
10.1	All portals and vent shafts have been closed, decommissioned or capped in manner that prevents the death or injury of EPBC listed bats.	N/A – Closure of the mine is not expected until at least 15 May 2042, as such this condition has not been triggered.				

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
EPBC Approval Condition 11		Shapefiles The person taking the action must provide the Department with offset attributes, shapefiles and textual descriptions and maps to clearly define the location and boundaries of the <i>Persoonia hirsuta</i> and Shale / Sandstone Transition offsets required as a result of this approval. These must be provided within 30 days of the protection in perpetuity of these areas				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
11.1	Shapefiles with offset attributes, shapefiles and textual descriptions and maps to clearly define the location and boundaries of the <i>Persoonia hirsuta</i> and Shale / Sandstone Transition offsets provided to the Department within 30 days of the protection in perpetuity of these areas.	Review and document the outcomes of the 2014 BSO Project IEA (URS, 2014).	Previous IEAs	2014 BSO Project IEA (URS, 2014)	The 2014 IEA confirmed ICHPL emailed the Department on 26 November 2013 concerning the <i>Persoonia hirsuta</i> and Shale / Sandstone Transition offsets attributes, namely, shapefiles and textual description and maps prior to legal offset security and associated 15 May 2014 deadline.	Compliant
EPBC Approval Condition 12		Notification of Actual Date of Commencement Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
12.1	The Department notified in writing of the actual date of commencement, with 30 days after commencement of the action.	Review and document the outcomes of the 2014 BSO Project IEA (URS, 2014).	Previous IEAs	2014 BSO Project IEA (URS, 2014)	The 2014 IEA confirmed ICHPL advised the Department on 31 May 2012 within 30 days of the actual date of commencement (i.e. 15 May 2012).	Compliant
EPBC Approval Condition 13		Publication Requirements Unless otherwise agreed to or instructed in writing by the Minister, the person taking the action must publish all management plans, reports, strategies or agreements (however described) required by these conditions of approval on their website. Each management plan, report, strategy or agreement must be published on the website within 30 days of being approved.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
13.1	All management plans, reports, strategies or agreements (however described) required by these conditions of approval are available on the Project website.	Sight evidence all management plans, reports, strategies or agreements are available on the Project website.	Project website: https://gm3.au/appin-mine/	All required documents as available on the Project website: https://gm3.au/appin-mine/	All of the required documents were found to be available on the Project website in a clear and logical manner	Compliant
13.2	Each management plan, report, strategy or agreement was published on the Project website within 30 days of being approved.	Sight evidence management plans, reports, strategies or agreements approved or revised during the audit period were published on the website within 30 days of being approved.	<ul style="list-style-type: none"> Internal ICHPL email correspondence Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30/01/2025) CWEAMP (v6, dated January 2025) Project website: https://gm3.au/appin-mine/ 	<ul style="list-style-type: none"> Internal ICHPL email correspondence (dated 12/06/2025) requesting upload of the Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30/01/2025) and the CWEAMP (v6, dated January 2025) to the Project website Internal ICHPL email correspondence (dated 16 June 2025), confirming upload of Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30/01/2025) and the CWEAMP (v6, dated January 2025) 	A review of the Project website confirmed all required documents are published and available online. Sample email correspondence provided by ICHPL demonstrates the Broad-Headed Snake and Southern Brown Bandicoot Management Plan and the CWEAMP were uploaded within the 30-day timeframe.	Compliant
EPBC Approval Condition 14		Compliance Report Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
14.1	Preparation of a compliance report every 12-month period following action commencement date.	Comparison of the date of action commencement or that agreed in writing by the Minister and the dates of subsequent compliance reports.	<ul style="list-style-type: none"> Email correspondence with the Department Annual Compliance Reports 	<ul style="list-style-type: none"> Email correspondence (dated 15 August 2023) delivered to the Department containing the 2023 compliance report and confirming its upload to the Project website Email correspondence (dated 13 August 2024) delivered to the Department containing the 2024 compliance report and confirming its upload to the Project website Email correspondence (dated 12 August 2025) delivered to the Department containing the 2025 compliance report and confirming its upload to the Project website Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) 	A review of the 2023, 2024 and 2025 EPBC Compliance Reports and the email correspondence confirms their preparation and provision on the Project website is within the required timeframe and prior to 15 August each year.	Compliant
14.2	Publication of prepared compliance reports within 60 business days following the relevant 12-month period	Sight the publication date of the compliance report for the audit period.	As above	As above	As above	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
14.3	Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of approval at the same time the compliance report was published	Comparison between publication date of compliance report for the audit period and email notification to the Department of that publication.	As above	As above	As above	Compliant
EPBC Approval Condition 15		Accurate Records Must be Maintained The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plan, report, strategy or agreement required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department’s website. The results of audits may also be publicised through the general media.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
15.1	Maintenance of compliance records	Sighting compliance records (i.e., records associated with the management plans as described above and other records as applicable) and assess evidence of implementation.	<ul style="list-style-type: none"> Project website: https://gm3.au/appin-mine/ 2014 BSO Project IEA (URS, 2014) Annual Compliance Reports Annual Reviews Research reports 	<ul style="list-style-type: none"> 2014 BSO Project IEA (URS, 2014) 2017 Conditions of Approval IEA & EPBC Compliance Audit (ERM, 2017) IEA 2019 BSO (ERM, 2019) IEA 2022 BSO (ERM, 2022) Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 Persoonia Puzzle: Research Report on the Conservation Biology of Persoonia hirsuta (Haynes and Gregory, June 2021) 	This audit (see above assessment against conditions) and previous audits were reviewed on the company website. All records required under this condition were identified. No non-compliances were identified.	Compliant
EPBC Approval Condition 16		Minister’s Approval of the Modification to a Management Plan, Report, Strategy or Agreement The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under condition 6, 7, and, 9 or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
16.1	Application to vary an action management plan approved by the Minister under Conditions 6, 7 and 9 in accordance with the requirements of section 143A of the EPBC Act.	Sight evidence of submission of application in accordance with the requirements of section 143A of the EPBC Act.	<ul style="list-style-type: none"> Correspondence and submission packages delivering revised plans to the Department’s post approval inbox 	Correspondence and submission packages delivered to the Department’s post approval inbox for: <ul style="list-style-type: none"> Email dated 2 May 2025 submitting the revised <i>Persoonia hirsuta</i> OMP (v2, dated May 2025) for review and approval, with approval by the Department dated 29 September 2025 	Conduct of the audit confirmed application packages satisfy the requirements.	Compliant
16.2	Approval of the Minister for revised action management plans required under Conditions 6, 7 and 9.	Sight evidence of approval of the Minister action management plans, as relevant (i.e. revised during the audit period).	<ul style="list-style-type: none"> Approval of revised plans by the Department 	<ul style="list-style-type: none"> Email dated 26 June 2024 submitting the revised Broad-headed Snake and Southern Brown Bandicoot Management Plan (v2, dated 30 January 2025) for review and approval, with approval by the Department dated 10 June 2025 Email dated 2 May 2025 submitting the revised Biodiversity Management Plan (v3, May 2025) for review and approval, with approval considered not required per email correspondence dated 21 May 2025 Email dated 26 June 2024 submitting the revised Coal Wash Emplacement Area Management Plan (v6, January 2025) for review and approval, with approval by the Department dated 10 June 2025 Email chain confirming submission of the revised AMP for Water Sensitive EPBC Listed Species (v1.2, dated October 2024) on 22 February 2024 for review and approval, with approval by the Department dated 10 September 2024 	Conduct of the audit confirmed approval has been received for all plans which require it.	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
EPBC Approval Condition 16A		The approval holder may choose to revise an action management plan approved by the Minister under condition 6, 7 and 9 or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
16A.1	Compliance with requirements of Condition 16B.	Confirm compliance with the requirements of Condition 16B, as relevant.	<ul style="list-style-type: none"> Email correspondence with the Department BMP 	<ul style="list-style-type: none"> Email dated 2 May 2025 submitting the revised Biodiversity Management Plan (v3, May 2025) for review and approval, with approval considered not required per email correspondence dated 21 May 2025 BMP (v3, dated May 2025) 	The updated BMP and notification was provided to the Department in accordance with the requirements of Condition 16B.	Compliant
EPBC Approval Condition 16B		<p>If the approval holder makes the choice under condition 16A to revise an action management plan without submitting it for approval, the approval holder must:</p> <p>a. notify the Department in writing that the approved action management plan has been revised and provide the Department with:</p> <p>i. an electronic copy of the RAMP</p> <p>ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP</p> <p>iii. an explanation of the differences between the approved action management plan and the RAMP</p> <p>iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact</p> <p>v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department.</p> <p>b. subject to condition 16D, implement the RAMP from the RAMP implementation date.</p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
16B.1	Notification to the Department in writing that an approved action management plan has been revised, including provision of relevant documents.	Sight evidence of notification, including provision of relevant documentation.	Per Condition 16A.1	Per Condition 16A.1	Per Condition 16A.1	Compliant
16B.2	Implementation of revised action management plan.	Review and assess documentation verifying implementation of the revised action management plan, including conduct of interviews and site inspections (as relevant).	<ul style="list-style-type: none"> Annual Reviews Annual Compliance Reports Annual Rehabilitation Reports BMP Audit interviews Audit inspection 	<ul style="list-style-type: none"> Annual Compliance Report – August 2023 (EPBC 2010/5350) Annual Compliance Report – August 2024 (EPBC 2010/5350) Annual Compliance Report – August 2025 (EPBC 2010/5350) Appin Mine Annual Review FY23 Appin Mine Annual Review FY24 Appin Mine Annual Review FY25 Appin Colliery Annual Rehabilitation Report Friday 1 July 2022 to Friday 30 June 2023 Appin Colliery Annual Rehabilitation Report Saturday 1 July 2023 to Sunday 30 June 2024 Appin Colliery Annual Rehabilitation Report Monday 1 July 2024 to Monday 30 June 2025 Email dated 2 May 2025 submitting the revised Biodiversity Management Plan (v3, May 2025) for review and approval, with approval considered not required per email correspondence dated 21 May 2025 Audit interviews completed on 14 and 15 October 2025 Audit inspection completed on 14 and 15 October 2025 	A review of annual compliance and review documents and required monitoring confirmed the BMP is being implemented as per the revised plan. Site interviews and conduct of the site inspection confirmed documentary evidence and implementation of the BMP.	Compliant
EPBC Approval Condition 16C		The approval holder may revoke its choice to implement a RAMP under condition 16A at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 16A, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 16A.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
16C.1	Written notice to the Department revoking choice to implement a revised action management plan under action management plan.	N/A – Conduct of interviews confirmed this condition has not been triggered.				

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
EPBC Approval Condition 16D		<p>If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then:</p> <p>a. condition 16A does not apply, or ceases to apply, in relation to the RAMP</p> <p>b. the approval holder must implement the action management plan specified by the Minister in the notice.</p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
16D.1	Compliance with notice received from Minister that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact.	N/A - Conduct of the audit and interviews confirm this condition has not been triggered with the Department considering that the changes to the BMP, as provided under the RAMP notification, would not constitute a new or increased impact as a result of the changes. No other revisions to the management plans indicated a new or increased impact associated with the approved action.				
EPBC Approval Condition 16E		<p>At the time of giving the notice under condition 16D, the Minister may also notify that for a specified period of time, condition 16A does not apply for one or more specified action management plans.</p> <p><i>Note: conditions 16A, 16B, 16C, 16D and 16E are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.</i></p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
16E.1	Compliance with notice received from Minister that condition 16A does not apply for one or more specified action management plans.	Conduct of interviews to confirm if this condition has been triggered.	<ul style="list-style-type: none"> Audit interviews completed 14 and 15 October 2025 Correspondence with the Department BMP 	<ul style="list-style-type: none"> Email dated 2 May 2025 submitting the revised Biodiversity Management Plan (v3, May 2025) for review and approval, with approval considered not required per email correspondence dated 21 May 2025 Audit interviews completed 14 and 15 October 2025 	BMP did not trigger the need for new ministerial approval, as provided in the email correspondence received from DCCEEW.	Compliant
EPBC Approval Condition 17		<p>Minister's Modification to a Management Plan, Report, Strategy or Agreement</p> <p>If the Minister believes that it is necessary or convenient for the better protection of controlling provisions listed in this decision instrument to do so, the Minister may request that the person taking the action make specified revisions to the management plan, report, strategy or agreement specified in the conditions and submit the revised management plan, report, strategy or agreement for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan, report, strategy or agreement must be implemented. Unless the Minister has approved the revised management plan, report, strategy or agreement, then the person taking the action must continue to implement the management plan, report, strategy or agreement originally approved, as specified in the conditions.</p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
17.1	Minister's request to make specified revisions to the management plan, report, strategy or agreement.	N/A - Conduct of interviews confirmed this condition had not been triggered for the audit period.				
17.2	Evidence of submission of revised management plan, report, strategy or agreement for Minister's approval.	N/A – As above.				
17.2	Implementation of revised management plan, report, strategy or agreement following Minister's approval.	N/A – As above.				
EPBC Approval Condition 18		<p>Independent Auditor</p> <p>By the end of 31 December 2013 and every three years thereafter, unless the Minister directs otherwise, the person taking the action must commission and pay the full cost of an independent environmental audit of the project. This audit must:</p> <p>a. be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Minister;</p> <p>b. include consultation with relevant State agencies;</p> <p>c. assess the environmental performance of the project and assess whether it is complying with the requirements in this approval (including any assessment, plan or program (however described) required under this approval);</p> <p>d. review the adequacy of strategies, plans or programs required under the abovementioned approvals;</p> <p>e. recommend appropriate measures or actions to improve the environmental performance of the action, and/or any assessment, plan or program required under the abovementioned approvals; and</p> <p>f. audit criteria must be agreed to by the Minister.</p> <p>g. Within 6 weeks of the completion of this audit, or as otherwise agreed by the Minister, the person taking the action must submit a copy of the audit report to the Minister. The audit report must address the criteria to the satisfaction of the Minister.</p> <p><i>Note: The audit team must be led by a suitably qualified auditor and include experts in any field specified by the Minister.</i></p>				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
18.1	2022 independent audit undertaken within three years of the 2019 independent audit.	Review of dates for the independent 2019 and 2022 independent audits.	Previous IEAs, including associated correspondence	<ul style="list-style-type: none"> IEA 2019 BSO (ERM, 2019) 2019 BSO IEA, South32 Illawarra Metallurgical Coal (IMC) Action Response Table IEA 2022 BSO (ERM, 2022) 2022 BSO IEA Action Response Table 	Conduct of the audit has confirmed compliance with the requirements of this element.	Compliant
18.2	2022 independent audit team endorsed by the Minister	Sight evidence of endorsement by the Minister.	Previous IEAs, including associated correspondence	IEA 2022 BSO (ERM, 2022), including letter received from the Department approving the team of experts nominated for the 2022 IEA (dated 5 August 2022)	The correspondence and approval letter sighted confirmed the audit team was endorsed.	Compliant

CONDITIONS OF EPBC ACT APPROVAL – EPBC 2010/5350						
18.3	2022 independent audit criteria agreed to by the Minister.	Sight evidence of agreement of criteria by the Minister.	Previous IEAs, including associated correspondence	IEA 2022 BSO (ERM, 2022), letter received from the Department approving the audit criteria (dated 24 November 2022)	The correspondence and approval letter sighted confirmed the audit criteria was endorsed.	Compliant
18.4	2022 independent audit addresses requirements of Condition 18(a) to 18(g).	Review of the 2022 independent audit.	Previous IEAs	IEA 2022 BSO (ERM, 2022)	A review of the 2022 IEA report confirms clauses 18(a) to 18(g) are addressed.	Compliant
18.5	A copy of the 2022 independent audit submitted to the Minister within 6 weeks of completion.	Sight evidence of submission date of 2022 independent audit against completion date.	Previous IEAs, including associated correspondence	<ul style="list-style-type: none"> IEA 2022 BSO (ERM, 2022) 2022 BSO IEA Action Response Table submission email to the Department (dated 21 December 2022) 	As the 2022 IEA report period was 25 October 2019 to 11 November 2022 and the 2022 IEA report was published and submitted to the Minister on 21 December 2022, the Project is compliant with this condition as this is within the six week timeframe.	Compliant
18.6	2022 independent audit addressed criteria to the satisfaction of the Minister.	Sight evidence of satisfaction of Minister with the 2022 independent audit.	Previous IEAs, including associated correspondence	Letter from the Department approving the audit criteria (dated 24 November 2022).	The correspondence and approval letter sighted confirmed the audit criteria was endorsed and the audit was carried out per the approved audit criteria. No further correspondence was received from the minister.	Compliant
EPBC Approval Condition 19		Unsatisfactory Commencement of Action If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.				
Element	Criteria	Verification method	Evidence	Documents sighted	Determination	Compliance finding
19.1	Commencement of the action within 5 years from the date of the approval.	N/A - Work commenced on 15 May 2012 as per date of commencement letter sent to the Department, therefore this condition was not triggered.				

Appendix D

Auditor's certification

Project and Technical Lead and Lead Auditor

Name: Elliot Holland

Position: Principal – Auditing and Compliance at Onward

Company: Onward Consulting Pty Ltd

Contact details: Email: elliott.holland@onward.au, Mobile: 0427 863 567

Auditor's qualification and/or experience

Elliot is a certified Exemplar Global Lead Auditor – Environmental Management Systems (EMS) with more than 14 years' experience on a variety of projects.

Elliot's experience includes environmental representative roles, environmental and management systems audits, management plan preparation, and leading audit teams considering compliance with relevant conditions of consent/approval, adequacy of environmental documentation, and consideration of environmental performance.

Elliot understands the importance of participating in and facilitating clear and open communication between all relevant stakeholders. As a lead auditor, he is comfortable leading audit teams with multiple disciplines across a range of industries. This experience includes on-site roles and providing advice relating to environmental management responsibilities to ensure compliance with jurisdictional requirements.

Education and Certifications

- Bachelor of Environmental Science and Management
- Exemplar Global Lead Auditor – EMS (ID: C-359963)

Auditor's declaration

I, Elliot Holland,

For environmental audits that are required by a condition of an *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

For directed environmental audits that are required pursuant to section 458 of the EPBC Act I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature:



Date: November 2025



Confirms that
Elliot Holland

has satisfied all the requirements against PCDO4 Environmental Management Systems
(EMS) Certification Requirements, Edition 3 November 2023 for the grade of

Lead Auditor

in the Qualification based

Environmental Management Systems Auditor

with the following Scope of Certification

- 01. Environmental Management Audit
- 02. ISO14001:2015 Audit
- 04. Environmental Report Verification
- 05. Regulatory Compliance Audit

C-359963

Certificate Number

27 Nov 2019

Initial Certificate Date

15 Oct 2026

Expiry Date



Andrew Baines
President & CEO

Support Environmental Auditor

Name: Gemma van Hemert

Position: Environmental Consultant

Company: Onward Consulting Pty Ltd

Contact details: Email: gemma.vanhemert@onward.au

Auditor's qualification and/or experience

Gemma is an innovative and driven environmental consultant with experience across many industries, including construction, environmental management and animal conservation.

She has volunteered at landmark organisations such as the iconic Australian Reptile Park, as well overseas in South Africa, for the Vervet Monkey Foundation.

Gemma has experience working in diverse environments and in diverse groups, partaking in several large university projects, such as an international, inter-university field research program in Niigata, Japan, with academics from all over Australia, Japan, India and Sri Lanka.

Gemma is hard-working and driven, with strong passions in the renewable and energy transition sectors, creating a society where people and the environment both prosper is a truly exciting prospect for her.

Education

Bachelor of Environment Science

Auditor's declaration

I, Gemma van Hemert,

For environmental audits that are required by a condition of an Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

For directed environmental audits that are required pursuant to section 458 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature:

A handwritten signature in black ink, appearing to read 'g.vanhemert'.

Date: October 2025

Contact us for further information

PO Box 1606,
Armidale NSW 2350
admin@onward.au

ARMIDALE

Head Office
0437 645 419
187 Kirkwood Street
Armidale NSW 2350

BRISBANE

0437 008 431
Suite 2, Level 12
157 Ann Street
Brisbane QLD 4000

MELBOURNE

0449 968 602
Doreen VIC 3754

NEWCASTLE

0401 499 270
Suite 2
86 - 88 Tudor Street
Hamilton NSW 2303

