7 October 2022

Georgia Dragicevic
Senior Compliance Officer
NSW Department of Planning & Environment

Email: georgia.dragicevic@planning.nsw.gov.au
Also submitted on DPE Planning Portal

Dear Georgia,

Tahmoor South Coal Project (SSD 8445)
Submission of Independent Environmental Audit Report 2022

We refer to Tahmoor Coal's Development Consent SSD 8445 and, specifically, Schedule 2, Condition E16 that requires an Independent Environmental Audit to be undertaken on the 'Construction Phase' of the Tahmoor South Coal Project development.

An Independent Environmental Audit Report as per Condition E16 of the consent has been completed by Integrated Environmental Management Australia Pty Ltd (IEMA) and an electronic copy is enclosed with this covering letter for your file reference. Table 1 below outlines the recommendations from IEMA and the associated comments / actions from Tahmoor Coal. Tahmoor Coal will manage the actions outlined within Table 1 and will report back to the Department of Planning & Environment on completion of each action.

Please do not hesitate to contact me if you have any questions or concerns regarding the above on 0438 284 106 or zina.ainsworth@simecgfg.com.

Yours sincerely,

Zina Ainsworth
Manager Environment and Community
Tahmoor Coal
SIMEC Mining

Table 1: IEMA Recommendations with Comments from Tahmoor Coal

		IEMA Comments/Recommendations	Status	Tahmoor Coal Comments/Actions	Timing
NC#	SSD-8445				
NC1	A2	**TERMS OF CONSENT** Based on the findings of this audit, the development has generally been carried out in accordance with the requirements of this condition with the exception of the identified non-compliances below.	**Non-compliant (Administrative)**	Noted.	As per below
NC2	B48	**WASTE** It is recommended that Tahmoor Coal: Explain the situation in relation to Condition B48 (c) to the Planning Secretary and the EPA and seek a direction that any references in the Development Consent to complying with an applicable EPL will be deemed to include permission to conduct an activity if an EPL is not required for such activity.	**Non-compliant**	Tahmoor Coal will consult with the DPE (Planning Secretary) and EPA to seek further direction relating to any references in the Development Consent to complying with an applicable EPL will be deemed to include permission to conduct an activity if an EPL is not required for such activity.	12/12/2022

		IEMA Comments/Recommendations	Status	Tahmoor Coal Comments/Actions	Timing
NC3	E15	INDEPENDENT ENVIRONMENTAL AUDIT This audit has been undertaken in accordance with the requirements of the IA PAR (2020). It was understood by the auditor that the audit was required to be undertaken by 16 August 2022. The audit was scheduled and undertaken on 10 August 2022 which was understood to be within the required period. During the preparation of the audit report it was identified that the required 12 week period following commencement of construction on 16 May 2022 ended on 8 August 2022, thus the site inspection was undertaken 2 days outside of the 12 week period. Tahmoor Coal has advised that they interpreted the wording of "12 weeks" as "3 months". This is considered to be a minor and administrative non-compliance. The audit report is required to be submitted within 2 months of the site inspection and will be submitted with a response to recommendations prior to 10 October 2022. No further recommendations.	Non-Compliant (Administrative)	Tahmoor Coal acknowledge the 'low risk' administrative non-compliance due to the audit being inadvertently undertaken 2 days over the required 12 weeks post commencement of construction period. Tahmoor Coal will ensure that all commitments/requirements regarding Consent Conditions including Independent Audits will be conducted/completed within the specified timelines.	N/A
REC1		OPERATION OF PLANT AND EQUIPMENT Ensure that contractors maintain appropriate records during future activities.	Recommendation	Tahmoor Coal will ensure that contractors will keep and maintain appropriate administrative records.	Ongoing

		IEMA Comments/Recommendations	Status	Tahmoor Coal Comments/Actions	Timing
REC2		WASTE Liaise with the EPA to confirm Tahmoor Coal's interpretation of the requirements of condition B49 as it relates to import of road upgrade materials to the Site.	Recommendation	Tahmoor Coal will liaise with the EPA to seek confirmation of the requirements of condition B49, specifically in relation the use of materials for onsite road upgrades and maintenance.	12/12/2022
REC3		TRANSPORT Seek clarification from DPE on the definition of laden trucks.	Recommendation	Tahmoor Coal will seek clarification from DPE on the definition of laden trucks.	12/12/2022
REC4		ACCESS TO INFORMATION Remove the link to the Department's Major Projects website for the EIS and provide the EIS itself on the Tahmoor Coal website. Remove hyperlink to former Tahmoor South website and ensure any relevant information on that website is transferred to the new website. Consider implementing a recurring trigger in the site's compliance management system to ensure the website content is kept up to date.	Recommendation	Tahmoor Coal is in the process of consolidating the Tahmoor South and Tahmoor Coal websites. An internal review will be undertaken of the website and remove all identified links listed in the Audit Report. An internal monthly prompt within Tahmoor's compliance tracking software has been implemented to ensure the website is up to date.	12/12/2022