



Bulli Seam Operations Annual Compliance Report – August 2023 (EPBC 2010/5350)

Date of submission: 15 August 2023

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Abbreviations:

DOtEE – Federal Department of the Environment and Energy (now DCCEEW)

DAWE – Department of Agriculture, Water and the Environment (formerly DOtEE)

DCCEEW – Department of Climate Change, Energy, the Environment and Water (formerly DAWE)

OEH – NSW Office of Environment and Heritage (now Biodiversity and Conservation Science Directorate)

CCL – Consolidated Coal Lease

EPBC – Environment Protection and Biodiversity Conservation

IMC – Illawarra Metallurgical Coal

In accordance with condition 14 of the EPBC Approval (2010/5350), 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.

Condition	Condition Summary	Status	Compliant 2023
1	<u>Persoonia Hirsuta (Hairy Geebung)</u> Approval holder must legally secure the approved offset area for conservation for the duration of the EPBC approval.	Proposed offset area submitted to DOtEE in the <i>Persoonia hirsuta</i> Offset Management Plan. Application submitted on 26 Nov 2013 to amend CCL 724 via a s238 Condition under the Mining Act 1992 to legally secure a <i>Persoonia hirsuta</i> Offset Area at Appin North (formerly West Cliff Mine) as required by the Bulli Seam Operations EPBC Approval (2010/5350). The Minister for Resources and Energy amended CCL 724 on 23 March 2014.	Yes



Condition	Condition Summary	Status	Compliant 2023
		<p>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. IMC requested MEG to reinstate the condition, which was completed on 15 November 2022.</p>	
2	<p><u>Persoonia Hirsuta</u> Develop a management plan for the <i>Persoonia hirsuta</i> offset area.</p> <p>Annual monitoring requirements and provide results of the monitoring to the Dept within a timeframe.</p> <p>No clearing of Stage 4 emplacement area permitted until the Offset MP has been approved by the Minister.</p>	<p><i>Persoonia hirsuta</i> Offset Management Plan was submitted to DOfEE prior to 31 December 2012 and approved on 22 November 2013 (ref 2013/10882). The latest revision (Version 1.1) was approved in May 2022. The Plan is available on the IMC website using this link: Persoonia hirsuta Offset Management Plan.</p> <p><i>Persoonia hirsuta</i> Condition Reports were submitted as required in 2013, 2014, 2015 (submitted late), 2016, 2017, 2018, 2019, 2020, 2021 and 2022.</p> <p>Clearing for Stage 4 coal-wash emplacement has not yet been undertaken.</p>	Yes
3	<p><u>Persoonia Hirsuta</u> Engage a suitably qualified expert to undertake targeted research to inform conservation activities. Make research publicly available.</p>	<p>IMC received an extension to the deadline for finalising and reporting the research to 30 June 2021. The research report was submitted to DAWE on 29 June 2021. The research report is available on the IMC website using this link: Persoonia hirsuta Research Report.</p> <p>The research report is included within the approved Offset MP (see link above).</p>	Yes
4	<p><u>Shale/Sandstone Transition Forest</u> Implement the approved SSTF Offset MP. Legally secure the offset for long term conservation.</p>	<p>In 2012, IMC provided an offset management plan as well as ecological survey information to comply with these conditions. The plan was approved by DOfEE in June 2013. In 2014, IMC requested an extension to the deadline to have the offset secured in perpetuity. DOfEE granted an additional 18 months, making the deadline March 2016.</p>	Yes



Condition	Condition Summary	Status	Compliant 2023
		<p>In October 2015, IMC made an application to (then) NSW Office of Environment & Heritage (OEH) to have the SSTF offset secured via a BioBanking Agreement under Part 7A Division 2 of the <i>Threatened Species Conservation Act 1995</i>. The BioBanking Agreement was finalised and executed on 1 February 2017.</p>	
5	<p><u>Shale/Sandstone Transition Forest</u> Provide a management plan for shale/sandstone transition forest.</p>	<p>Management plan submitted and approved on 7 June 2013. The revised Plan was updated and approved on 2 September 2014.</p> <p>The Management Plan was updated in 2018 and re-submitted to the DOtEE to reflect the new offset mechanism (BioBanking). Condition 5A was added to the EPBC approval in May 2018:</p> <div data-bbox="983 708 1637 960" style="border: 1px solid black; padding: 5px;"><p>Conditions attached to the approval</p><p>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.</p></div> <p>The 2017/18, 2018/19, 2019/20, 2020/21 and 2021/22 SSTF monitoring was conducted under the requirements of the Biobanking Agreement.</p> <p>The 2022/23 annual report was also completed in accordance with the BioBanking Agreement and will be provided to DCCEEW in August 2023.</p> <p>The Shale Sandstone Transition Forest Offset Management Plan was updated in July 2021. The current version of the SSTF OMP (APNMP0118 Version 1.0)</p>	Yes



Condition	Condition Summary	Status	Compliant 2023
		is available on the IMC website at: Shale Sandstone Transition Forest Offset Management Plan .	
6	<u>Coal Wash Emplacement Staging and Rehabilitation Plan</u> Develop a Coal Wash Emplacement Staging and Rehabilitation Plan for stage 4 coal wash emplacement area. Submission of rehabilitation monitoring results.	The Coal Wash Emplacement Area Management Plan (available on the IMC website at Coal Wash Emplacement Area Management Plan) incorporates the requirements of both the EPBC Act approval and NSW EP&A Act. The latest version of the Plan was approved by DAWE on 28 January 2021. Results of the monitoring are provided in the Annual Review which is published on the IMC website. The 2022 report was submitted on time by email on 20 July 2023 and will be included in the FY23 Annual Review.	Yes
7	<u>Southern Brown Bandicoot and Broad Headed Snake Management Plan or Plans</u> Develop a Southern Brown Bandicoot and Broad Headed. Snake conservation management plan or plans.	Draft Plans completed and submitted to DOtEE on 15 May 2013. Plans were revised following comments from DOtEE and OEH. Final Plans re-submitted to DOtEE and OEH on 29 April 2014. Plans approved on 28 May 2014. The Plans were revised and combined in 2020 in APNMP0111. The plan was approved by DAWE on 28 January 2021. The current Plan is available on the IMC website at Broad Headed Snake and Southern Brown Bandicoot Management Plan .	Yes
8	<u>Surface and Ground Water Quality Monitoring and Adaptive Management Plan</u> Develop a Surface and Ground Water Quality	Original Plan submitted on the 30 September 2012 to DOtEE. Plan was approved on 3 July 2014.	Yes



Condition	Condition Summary	Status	Compliant 2023
	Monitoring and Adaptive Management Plan for species listed in the EPBC Act.	The Plan was revised in 2020 and approved by DAWE on 28 January 2021. The current plan is available on the IMC website at: Adaptive Management Plan - Water Sensitive EPBC Act Listed Species .	
9	<u>Mine Closure Environmental Management Plan</u> Develop a mine closure plan 3 years prior to closure for EPBC Act listed species.	Mine Closure Plan not yet submitted. Closure is not planned in the next three years.	N/A
10	<u>Mine Closure Environmental Management Plan</u> Management for EPBC listed bats through the decommissioning of mining equipment.	Mine Closure Plan will include management of EPBC listed bats as applicable. Mine Closure Plan not yet submitted. Closure is not planned in the next three years.	N/A
11	<u>Shapefiles</u> Provide offset area shapefiles to the DOtEE.	Shapefiles provided on 26 November 2013.	Yes
12	<u>Notification of Actual Date of Commencement</u> Notification date of commencement to be supplied to DSEWPaC.	Letter sent to DOtEE (previously DSEWPaC) on 31 May 2012.	Yes
13	<u>Publication Requirements</u> Publish all management plans, reports, strategies or agreements with the Department	Undertaken as required. See IMC website: https://www.south32.net/what-we-do/our-locations/australia/illawarra-metallurgical-coal/documents .	Yes
14	<u>Compliance Report</u> Publish a report on website addressing compliance with each of the conditions of this approval.	This compliance report meets this condition. The 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022 reports were submitted and are available on the IMC website.	Yes
15	<u>Accurate Records Must be Maintained</u> Maintain accurate records substantiating all activities associated with or relevant to the conditions of approval.	Documents are maintained in the IMC controlled document system.	Yes



Condition	Condition Summary	Status	Compliant 2023
16 (16A, 16B, 16C, 16D, 16E)	<u>Minister's Approval of the Modification to a Management Plan, Report, Strategy or Agreement</u> Apply to the minister for approval to modify management plans, reports, strategies or agreements.	No EPBC Approval related management plans were reviewed in FY23.	Yes
17	<u>Minister's Modification to a Management Plan, Report, Strategy or Agreement</u> Comply with the minister's request to modify management plans, reports, strategies or agreements.	No requests received from the Minister for modifications in this reporting period.	N/A
18	<u>Independent Auditor</u> Commission and pay the full cost for independent environmental auditor of the project.	Independent audits were carried out in accordance with the conditions in 2013/14, 2017, 2019 and 2022. This most recent report was submitted to DCCEEW and is available on the IMC website at: IEA 2022 . The next audit will take place prior to the end of December 2025.	Yes
19	<u>Unsatisfactory Commencement of Action</u> If work has not commenced within 5 years of approval, written approval needs to be obtained from the minister.	Work commenced on 15 May 2012 as per date of commencement letter sent to the Department.	Yes

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APNMP0111

Management Plan Version 1.1

			Outcome	Comment	Proposed Action
AUDIT REVIEW					
Section	MP Ref.	Requirement / Obligation			
Management Strategies	6.1	Clearing practices will incorporate appropriate controls to minimise mortality and injury to Broad-headed Snakes and Southern Brown Bandicoots occupying the site.	In Control	Clearing practices involve a two-staged process as required by the MP.	
Pre clearance surveys	6.1.1	Prior to the first stage of clearing, the area to be cleared will be marked using flagging and surveyed by an ecologist or suitably trained site environmental representative to locate, record and mark specific habitat features that are proposed for preservation and redistribution to the emplacement (e.g. rocks and boulders, stags and large hollows).	In Control	Pre-clearing assessment undertaken as required which contains instructions for redistributing habitat	
Two stage Clearing	6.1.2	Where possible, (i.e. where access to trees by the excavator is safe and practical), clearing of hollow bearing trees will be performed in a two stage process where surrounding vegetation is cleared separately, before the removal of habitat trees to allow fauna an opportunity to move.	In Control	Clearing practices involve a two-staged process as required by the MP. Pre-clearing assessment undertaken as required which contains instructions for redistributing habitat.	
Management of Captured Animals	6.1.3.1	If a Broad-headed Snake is found during the two-stage clearing process, the animal will be relocated to pre-determined suitable habitat within the Appin North surface mining lease area	In Control	In April 2016, one individual Broad-headed Snake was found in the Stage 3 area during a pre-clearing survey. The individual was captured and released to another location in accordance with this Plan. No other individuals have been located since.	

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Management of Captured Animals	6.1.3.1	Pre-determined sites for relocation will take into account the species home ranges and be evenly spaced to avoid social conflict. Ideally, predetermined relocation sites should not be inhabited by another Broad-headed Snake at the time of relocation.	In Control	In April 2016, one individual Broad-headed Snake was found in the Stage 3 area during a pre-clearing survey. The individual was captured and released to another location in accordance with this Plan. No other individuals have been located since.	
Management of Captured Animals	6.1.3.1	Pre-determined relocation sites will necessarily consist of the following: <ul style="list-style-type: none"> • occur on Hawkesbury Sandstone within the current known range of the species and provide rocky outcrops with a westerly or north-westerly aspect, and horizontal crevices (Webb and Shine 1998c); and/or • have large adjacent areas of woodland that support large stags or trees bearing numerous hollows (Webb and Shine 1997b). The adjacent woodland will ideally be larger than the area supporting rocky outcrops (Webb and Shine 1997a) and contain preferred species of 'habitat trees' (trees most often selected by Broad-headed Snakes) such as <i>Eucalyptus gummifera</i>, <i>E. punctata</i>, <i>E. agglomerata</i> and <i>E. piperita</i> (Webb and Shine 1997b). 	In Control	The snake found in April 2016 was relocated to pre-determined habitat in accordance with Figure 3 of the MP.	
Management of Captured Animals	6.1.3.1	Any other fauna located within the CWEA during the pre-clearing survey will also be relocated. In particular, any Velvet Geckos (and other lizards) encountered will be relocated to the same pre-determined sites for Broad-headed Snakes to provide prey for the relocated snakes.	In Control	Not triggered	

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Management of Captured Animals	6.1.3.1	Where possible, snakes will be translocated from the initial capture point to the nearest site considered suitable for the long-term habitation by the species, but not more than 1 km from that point (where possible) to reduce the possibility for unfavourable genetic mixing. Snakes will be released at sites as soon as practicable after capture.	In Control	The snake found in April 2016 was relocated to pre-determined habitat in accordance with Figure 3 of the MP.	
Management of Captured Animals	6.1.3.1	BCD will be notified within one month of any Broad-headed Snakes identified during preclearing surveys and relocated.	In Control	Not triggered	
Management of Captured Animals	6.1.3.2	Sites for relocation will take into account the species home ranges and be evenly spaced to avoid social conflict. Where possible, captured bandicoots will be translocated from the initial capture point to the nearest site considered suitable for the long-term habitation by the species, but not more than 1 km from that point (where possible) to reduce the possibility for unfavourable genetic mixing.	In Control	Not triggered	
Management of Captured SBBs	6.1.3.2	Bandicoots will be released at sites as soon as practicable after capture.	In Control	Not triggered	
Habitat Translocation - Broad-headed Snake	6.1.4	Suitable winter habitat occurring within the Stages 3 and 4 of the Emplacement Area will be identified during the pre-clearing survey.	In Control	Pre-clearing assessment undertaken as required which contains instructions for redistributing habitat.	

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Habitat Translocation - Broad-headed Snake	6.1.4	<p>Rehabilitation of the CWEA behind the line of clearing for the Broad-headed Snake, in terms of winter habitat, will include the following:</p> <ul style="list-style-type: none">• Translocated rocky outcrops and boulders will ideally be positioned with a westerly or north-westerly aspect and crevices should remain horizontal (Webb and Shine 1998c; Goldingay and Newell 2017).• The Velvet Gecko should also be translocated (Webb and Shine 2000). Suitable habitat for this prey species is the same as for the Broad-headed Snake's winter habitat and includes loose rock on rock substrate (Shine et al. 1998, Webb and Shine 1998c, Croak et al. 2013).• The above shelter sites will ideally be evenly spaced and not clumped together to encourage a greater number of Broad-headed Snakes to the area (Webb and Shine 1997a). If shelter sites are too close together, they are likely to remain uninhabited due to home range overlap. Shelter sites will ideally be placed at least 300 m apart and close/adjacent to suitable summer habitat (translocated hollow-bearing trees or limbs within rehabilitating sections of the old CWEAs (Webb and Shine 1997a)).	In Control	<p>Artificial pavers were installed in the emplacement area in FY22.</p> <p>Camera trap monitoring of one Broad-Headed Snake habitat was included in the FY23 monitoring period. More in depth monitoring to be included in FY24 CWEA rehabilitation monitoring.</p>	
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		<ul style="list-style-type: none"> • Artificial rocks/concrete pavers will be added to the CWEA behind the line of clearing to increase habitat opportunities for prey items and the Broad-headed Snake if insufficient natural rock cannot be sourced from the CWEA for this purpose. Webb and Shine (2000) recommend the use of large pavers (30 – 45 cm wide and 5 – 10 cm thick), as well as a range of smaller pavers (e.g. 19 cm wide) and thicker pavers (e.g. > 30 cm thick) placed with a variety of crevice sizes (up to 10 mm). The artificial rocks will be placed in both shaded and exposed areas to provide a range of suitable micro-climates for the snake and its prey depending on the time of year (Croak et al. 2013, Croak et al. 2008, Croak, et al. 2010). • Hollow logs and hollow-bearing stags will also be translocated to provide additional retreat-sites for the Broad-headed Snake and its prey (Webb and Shine 1997b). 			
Habitat Protection during construction	6.1.5	Sediment control measures will be adopted during clearing, as outlined in the CWEAMP.	In Control	Incorporated into emplacement design requirements	
Habitat Protection during construction	6.1.5	The CWEA will be clearly demarcated and regularly surveyed to prevent unnecessary clearing or access by construction vehicles and plant to surrounding potential habitat.	In Control	Emplacement boundaries are defined on digital plans and bounded by haul roads and diversion drains.	

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Habitat Protection during construction	6.1.5	Construction materials and spoil must not be stored, dumped or stockpiled within surrounding habitat.	In Control	Stockpiling of freshly stripped topsoil is avoided through progressive rehabilitation. There are some stockpiles onsite containing topsoil material from the original stage 3 emplacement development construction; however this is strategically set aside for future capping material as the emplacement progresses down the valley. These stockpiles are stable and non-polluting and situated within the approved disturbance footprints.	
Habitat Protection during construction	6.1.5	Induction of the CWEA Supervisory personnel will include information about the Southern Brown Bandicoot and its habitat within Stage 4 of the CWEA, along with protection measures that will be in place and enforced during the construction period.	In Control	Construction in Stage 4 has not yet commenced.	

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Habitat Protection during construction	6.1.5	General information on threatened species (including key site contacts for threatened species) will be provided to all CWEA personnel.	In Control	Threatened species identification included in all supervisory personnel during onboarding. CWEA pre-clearing process re-iterates threatened flora and fauna prior to any clearing works being undertaken.	Refresher planned in FY24.
Summary of Impact Minimisation Strategies	6.2/ Table 3	Vegetation clearing to be within approved boundaries	In Control	Boundaries set out in Emplacement MP.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Future development requiring land clearing to consider Broad-headed Snake and Southern Brown Bandicoot individuals.	In Control	Any additional clearing (outside the emplacement area) onsite will consider internal and external approval requirements.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Conduct pre-clearance surveys in the Stage 3 and 4 CWEAs and subsequent two-stage clearing, to give animals the opportunity to move away. Individuals found will be relocated to pre-determined suitable habitat within the Appin North surface mining lease area.	In Control	Two-stage clearing processes are being followed as required. No SBB individuals have been found to date. The BHS found in April 2016 was relocated to pre-determined habitat in accordance with Figure 3 of the MP.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Document by preparation of pre-clearing survey reports for every emplacement phase cleared including use of GIS coordinates for survey results.	In Control	Pre-clearance survey reports completed as required and issued to the emplacement contractors undertaking the clearing.	

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Summary of Impact Minimisation strategies	6.2/ Table 3	Document by preparation of pre-clearing survey reports for every emplacement phase cleared including use of GIS coordinates for survey results.	In Control	Pre-clearance survey reports completed as required and issued to the emplacement contractors undertaking the clearing. Last report completed April 2023.	
Summary of Impact Minimisation strategies	6.2/ Table 3	Document numbers of individuals trapped and released. Observation of animal condition. Record release location.	In Control	S32 engaged a snake expert from Niche Environment & Heritage in 2016 to capture and relocate the individual. A brief report was prepared documenting the process.	
Summary of Impact Minimisation strategies	6.2/ Table 3	Placement of hollow logs and rock outcrop elements of habitat for the Broad-headed Snake in rehabilitated areas.	In Control	Rehabilitation includes placement of rocks and hollows as required. Pre-clearance inspections also identify flat rock to be retained and translocated to the rehab areas. Artificial pavers were installed in the emplacement area in FY22. No translocation of Velvet Geckos has been undertaken or required.	
Summary of Impact Minimisation strategies	6.2/ Table 3	Installation of artificial habitat (e.g. concrete paving slabs) if necessary as per Webb and Shine (2000).	In Control	Rehabilitation includes placement of rocks and hollows as required. Pre-clearance inspections also identify flat rock to be retained and translocated to the rehab areas. Artificial pavers were installed in the emplacement area in FY22. No translocation of Velvet Geckos has been undertaken or required. Camera trap monitoring of one Broad-Headed Snake artificial habitat undertaken in FY23. Additional monitoring planned for FY24.	

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Summary of Impact Minimisation Strategies	6.2/ Table 3	Placement of topsoil, hollow logs and other structural elements of habitat for the Southern Brown Bandicoot in rehabilitated areas.	In Control	Undertaken as part of the progressive rehabilitation program - See Annual Emplacement Rehabilitation Monitoring Report.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Annual Emplacement Rehabilitation Inspection program undertaken	In Control	As above	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Reports from the annual rehabilitation monitoring program to be attached to the Appin Mine Annual Review.	In Control	Report is included each year as an appendix to the Annual Review.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Dust impacts from emplacement operations will be mitigated by the coal wash material being wet from coal washing processes and being compacted once emplaced.	In Control	In addition to coal wash moisture content, a watercart is in use for the active emplacement areas as additional dust control.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Active emplacement areas will be capped and vegetated as soon as practicable.	In Control	Rehabilitation is progressive as required. ~1.4 ha of stage 3 active emplacement capped and seeded over FY23.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Annual environmental reporting of air quality results and performance of mitigation measures in the Appin Mine Annual Review.	In Control	Dust results are provided in the Annual Review each year as required.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Participation in regional vertebrate pest programs with National Parks & Wildlife Service and Sydney Catchment Authority.	In Control	Not aware of any such program existing. No population of SBBs has been confirmed or defined.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Note: The regional research program established under the EPBC Act project approval (condition 7b) will focus on population monitoring. A regional pest problem will be designed once a population of Southern Brown Bandicoots has been confirmed and defined.	In Control	No population of SBBs has been confirmed or defined.	

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Summary of Impact Minimisation Strategies	6.2/ Table 3	Reporting of project to DAWE and other stakeholders.	In Control	DCCEEW (previously DAWE) is provided with a copy of the Annual Review each year.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Adjustments made to systems and methods as required	In Control	Not Triggered	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Monitoring including pre-clearing surveys, capture and transfer of animals, implementation of two-stage clearing, success of translocation efforts, progress in rehabilitation of emplacement sites, success of captive breeding programs if applicable.	In Control	Pre-clearance surveys undertaken as required, no SBB have been captured and no BHS since 2016. Success of rehabilitation reported in the Annual Review.	
Summary of Impact Minimisation Strategies	6.2/ Table 3	Annual compliance report to DAWE.	In Control	Annual compliance report submitted as required.	
Provision of Regional Funding	7.1	Illawarra Coal (IC) has funded \$250,000 towards the regional management of the Southern Brown Bandicoot and Broad-headed Snake programs as outlined in this Plan and as detailed in the Offset Strategy (Appendix 5). The project took place over three years commencing July 2014 and finishing June 2017 with payments issued as follows: • Year 1 \$85,000 July 2014. • Year 2 \$85,000 July 2015. • Year 3 \$80,000 July 2016.	In Control	Program completed as required	
Actions to be funded	7.2	OEH developed a Project Proposal to be funded by IC, which addressed points (c) to (f) of the EPBC Approval Condition 7. The Project Proposal, OEH Letter of endorsement and BHPBilliton letter of endorsement are provided in Appendix 5, Appendix 6 and Appendix 7 respectively.	In Control	The (then) NSW Office of Environment and Heritage (OEH) developed a Project Proposal to be funded by IC, which addresses points (c) to (f) of the EPBC Act Approval Condition 7.	

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Impacts to other EPBC Act Listed Species	7.3	Condition 7(d) of the EPBC Approval for works conducted by OEH as follows: (d) a demonstration that management actions to be undertaken will not adversely impact EPBC Act listed species; The OEH Proposal addressed the above requirement (see section titled Consideration of Impacts of the Project).	In Control	The OEH Proposal addressed the above requirement.	
Funding Arrangements	7.4	OEH provided a Project Proposal for the Broad headed snake and Southern Brown bandicoot Recovery Actions (see Appendix 5). IC provided the funding through a Non-order Invoice (NOI). OEH issued three separate invoices, prior to the start of each financial year i.e. Year 1, Year 2 and Year 3.	In Control	IMC provided the funding through a Non-order Invoice (NOI). OEH issued three separate invoices, prior to the start of each financial year i.e. Year 1, Year 2 and Year 3.	
Documentary Evidence of Funding	7.5	IC provided documentary evidence to the DoTE&E in September 2016 to satisfy this condition. The relevant results were included in the FY17 BSO Annual Review.	In Control	IMC provided documentary evidence to the DoTE&E in September 2016 to satisfy this condition. https://www.south32.net/docs/default-source/illawarra-coal-bulli-seam-operations/annual-review/bulli-seam-operations-project-annual-review-fy2017.pdf?sfvrsn=2ace739a_4 .	
Reporting	8.1.1	Annual reporting is undertaken as per Condition 14 of the EPBC Approval. The Compliance Report is required to be submitted to DAWE by 15 August of each year via EPBCMonitoring@environment.gov.au and is attached as an appendix in the Annual Review.	In Control	The Compliance Report has been submitted as required and attached as an Appendix in the relevant Annual Review.	

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Reporting	8.1.2	<p>IMC will report on the performance of the SBMP in the Annual Review.</p> <p>The Annual Review is prepared in accordance with Condition 4 of Schedule 6 of the Project Approval and is submitted to relevant agencies in September each year. Annual Reviews are made available to the general public via the South32 website.</p>	In Control	<p>The Annual Reviews have been completed as required and published to the South32 website.</p> <p>Actions taken to support the SBMP will be detailed in the Annual Review.</p>	
Review of SBMP	8.2	<p>In accordance with Condition 5 of Schedule 6 of the Project Approval, the SBMP will be reviewed, and if necessary revised, within three months, of:</p> <ul style="list-style-type: none"> • the submission of an annual review; • the submission of an incident report; • the submission of an Independent Environmental Audit report; or • any modification to the conditions of the Project Approval (unless the conditions require otherwise). <p>Outcomes from each review will be documented in the Management Plan Review Log. The SBMP will only be revised where a material change to site operations or environmental management has occurred, or in accordance with the review period on the SBMP.</p> <p>Administrative or descriptive changes do not constitute a material change.</p> <p>Where a review triggers a revision of the SBMP, the SBMP will be revised and submitted to the Secretary and/or Minister for approval.</p>	In Control	<p>The SBB and BHS Management Plans were reviewed in FY21 and combined. The revised document was approved by DPIE on 18/12/2020 and by DAWE on 28/01/2021.</p> <p>The Management Plan Review log is being maintained.</p>	

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Publication	12.3	<p>Condition 13 of the EPBC Approval requires the proponent to: <i>...publish all management plans, reports, strategies or agreements 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.</i> Approved versions of the SBMP will be displayed on the South32 regulatory page at: https://www.south32.net/our-business/australia/illawarra-metallurgical-coal/documents.</p>	In Control	<p>The approved SBMP is available on the South32 website.</p> <p>Note that the link has changed: https://www.south32.net/what-we-do/our-locations/australia/illawarra-metallurgical-coal.</p>	
Independent Environmental Audit	12.4.1	<p>In accordance with Condition 9 of Schedule 6 of the Project Approval and Condition 18 of the EPBC Approval, an Independent Environmental Audit (IEA) shall be commissioned every three years, that will include a review of the SBMP. The report is required to be submitted to the Secretary within six weeks of completion of the audit, in accordance with Condition 10 of Schedule 6 of the Project Approval and Condition 18 of the EPBC Approval. IEAs have been conducted in 2013, 2016/17 and 2019, with the next IEA to be conducted in 2022. Recommendations from the IEA will be incorporated into the SBMP where appropriate.</p>	In Control	<p>The last IEA was conducted in 2022. A copy of the IEA Report was provided to DCCEE as required.</p> <p>The next IEA will be completed in 2025.</p>	

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ISO 14001	12.4.2	<p>As part of the ISO 14001 certification, IMC maintains an environmental auditing and governance program across all of its operational sites. The program, which includes the use of competent internal and accredited external auditors, is an integral part of maintaining certification under the ISO 14001 standard. External surveillance audits are undertaken on an annual basis, with recertification audits undertaken every three years.</p> <p>Internal Governance Reviews of the SBMP are nominally undertaken on a three yearly basis.</p>	In Control	The last Governance Review was undertaken in March 2023.	
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AUDIT REVIEW			Outcome	Comment & Evidence	Proposed Action
Section	MP Ref.	Requirement / Obligation			
Protection Mechanism	3.2.2	The Persoonia hirsuta Offset Area is protected by incorporating a condition into Consolidated Coal Lease No. 724 (CCL 724)	In Control	Refer to lease conditions. In 2022 a variation to CCL 724 was issued that did not include this condition. An application was made and accepted for the condition to be included.	
Protection Mechanism	3.2.2	The leaseholder must comply with the <i>Persoonia hirsuta</i> Offset Management Plan approved (and modified if applicable) in accordance with the requirements of the Bulli Seam Operations Expansion, Bulli, NSW (EPBC 2010/5350) Approval dated 15 May 2012, made under sections 130(1) and 133 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act Approval).	In Control	Last IEA was completed in 2022. Next IEA scheduled for 2025.	
Protection Mechanism	3.2.2	The leaseholder must provide the Department of Trade and Investment NSW - Mineral Resources Unit with a copy of the Compliance Report required by condition 14 of the EPBC Act Approval at the same time that the report is published in accordance with the requirements of Condition 14.	In Control	The FY22 Compliance Report was submitted at the same time as it was submitted to DCCEEW.	

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Protection Mechanism	3.2.2	The leaseholder must also provide Department of Trade and Investment NSW - Mineral Resources Unit with a copy of the Audit Report required by Condition 18 of the EPBC Act Approval as soon as practicable following confirmation that the Audit Report addresses the audit criteria to the satisfaction of the Minister responsible for the administration of the EPBC Act (or their delegate).	In Control	The triennial audit reports are provided to the Resources Regulator as required. The last IEA was undertaken in 2022. The next IEA is scheduled for 2025.	
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Protection Mechanism	3.2.2	<p>In the event that the Persoonia Offset cannot achieve the objectives of Conditions 1 and 2 of the EPBC Approval, ICHPL will provide an offsite offset or alternative offset if:</p> <ul style="list-style-type: none"> - Annual surveys over the period 2037 – 2039 (both inclusive) demonstrate that the P. hirsuta core population has not been maintained or enhanced to the satisfaction of the Department. An offsite offset to be agreed by the department must be provided. The offsite offset must be secured by a legal mechanism acceptable to the Department six months prior to the expiry date of the EPBC approval (by 18 December 2041). In the event it can be demonstrated that a suitable offsite offset could not be found, ICHPL will provide an alternative compensatory measure commensurate with the requirements of Condition 1 of the EPBC Approval to the satisfaction of the Department, or - CCL 724 is not renewed or is revoked at any time prior to the expiry date of the EPBC approval (15 May 2042). An alternative offset to be agreed by the Department must be secured by a legal mechanism acceptable to the Department within two years of the relinquishment or revocation of CCL 724. <p>In the event it can be demonstrated that a</p>	In Control	Not triggered.	
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		suitable alternative offset could not be found, ICHPL will provide an alternative compensatory measure commensurate with the requirements of Condition 1 of the EPBC Approval to the satisfaction of the Department.		
Persoonia Monitoring	5.2.1	All extant plants will be inspected annually to record the following attributes: * height and width to measure growth rates; * age class and condition to assess reproductive activity, age to maturity overall health of the population etc; * visual observations for any seedlings; and * comments on any imminent threat or risk to the plants health (e.g. apparent disease, excessive dust deposition) to assess the effectiveness of management actions contained within the OMP.	In Control	See Annual Persoonia health monitoring report that is submitted each year to DCCEEW.

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Persoonia Monitoring	5.2.1	Height will be measured using a tape measure, measuring from the ground surface to the highest point on the plant, without physically moving any part of the plant. Condition will be defined using a combination of factors, including the percent cover of leaves, colour of leaves and the presence or absence of fruit or flowers, rating condition from 0 to 6, or from very poor condition to excellent condition. All plants have been recorded with a Garmin GPS and flagged with fluorescent, biodegradable flagging tape and given a unique ID.	In Control	Monitoring methods as per the above.	
Survey Timing	5.2.1	The survey will be conducted from late spring into early summer which is the peak flowering period for the species.	In Control	Monitoring is undertaken during the peak flowering season. This does change slightly depending on season but generally falls late Spring into early summer.	
Reporting	5.2.3	In accordance with Condition 2 (h) of the EPBC Approval, the results of the monitoring will be provided to the Department within 30 days of every 12 month anniversary of the implementation date of the OMP.	In Control	2022 report was submitted on 22 December 2022 as required.	

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Research	6	ICHPL has engaged the University of Wollongong (UoW) and Royal Botanic Gardens Trust to conduct research on <i>P. hirsuta</i> . The aim of the research is to gain a better understanding of the ecology and genetics to satisfy Condition 3 of the EPBC Act Approval. A summary of the research undertaken to-date as well as the research planned is provided in Table 3.	In Control	<p>Research is now underway at the Mt Annan Royal Botanic Gardens as per strategy.</p> <p>The research report was submitted to DAWE on 29 June 2021 in accordance with Condition 3e of EPBC Approval 2010/5350.</p> <p>Research in FY23 included the support of an honours thesis through the University of Technology Sydney looking into pollinator-plant interactions and pollinator network recovery in the CWEA rehabilitation areas. This included checking flowering <i>Persoonia hirsuta</i> and associated pollinator interactions.</p>	
Research	6	As new information becomes available regarding the local population of <i>P. hirsuta</i> , this will be incorporated into the OMP revisions as required.	In Control	<p>The research report was submitted to DAWE on 29 June 2021 in accordance with Condition 3e of EPBC Approval 2010/5350.</p> <p>The Offset Management Plan will be reviewed to incorporate the outcomes of the research.</p>	
Research	6	In accordance with Condition 3 of the EPBC Approval, ICHPL prepared a research report that was submitted to DAWE by 30 June 2021. The research report is available on the IMC website in accordance with Condition 3 (f) of the EPBC Act Approval.	In Control	<p>The research report was submitted to DAWE on 29 June 2021 in accordance with Condition 3e of EPBC Approval 2010/5350.</p> <p>The research report has been published on the IMC website.</p>	

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Performance Objectives and Management Actions	7.1	1a. Secure Offset by the required timeframe i.e. 15 May 2014.	In Control	Offset secured as per timing requirements.	
Performance Objectives and Management Actions	7.1	1b. Offset must include a minimum area of suitable habitat to support at least 150 <i>P. hirsuta</i> plants.	In Control	As per the Offset Management Plan.	
Performance Objectives and Management Actions	7.1	1c. Maintain or increase the number of individual plants in the Offset Area relative to the 2012 baseline population (~44 plants).	In Control	Three translocations have been undertaken to Appin North (Autumn 2019, Autumn 2021 and Autumn 2022).	
Performance Objectives and Management Actions	7.1	2a. Develop a <i>P. hirsuta</i> research strategy	In Control	Research strategy is included in the MP.	
Performance Objectives and Management Actions	7.1	2b. Targeted research commenced by July 2013	In Control	Targeted research has been underway since 2013.	
Performance Objectives and Management Actions	7.1	2c. Research findings published by 30 June 2021 as per the EPBC Approval.	In Control	The research report was submitted to DAWE on 29 June 2021 in accordance with Condition 3e of EPBC Approval 2010/5350.	
Performance Objectives and Management Actions	7.1	2d. Undertake Phase 3 translocation in FY22.	In Control	The Phase 3 translocation was undertaken in May 2022.	

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Performance Objectives and Management Actions	7.1	2e. Continue to monitor outcomes of translocation trials.	In Control	Annual monitoring of the trials will continue to be undertaken.	
Performance Objectives and Management Actions	7.1	2f. Investigate opportunities with suitable organisations and research institutions for undertaking targeted research to progress recommendations as outlined in the Research Report.	In Control	In FY23 an honours thesis around pollinator-plant interactions and pollinator network recovery was supported through the Mount Annan Botanic Gardens and the University of Technology Sydney. Discussions with the Mt Annan Botanic Gardens around potential research continued throughout FY23; with suggestions for additional research being taken on board for the FY24 period. Progress will be reported in the Annual Review.	
Performance Objectives and Management Actions	7.1	3a. No loss of <i>P. hirsuta</i> in the Offset Area due to land clearing or operational activities	In Control	Plants in an exposed position are clearly demarcated. There has been no loss due to land clearing or operational activities. Permit to Disturb process is in place (IMCF0209).	
Performance Objectives and Management Actions	7.1	3b. No loss of <i>P. hirsuta</i> in other areas of site (outside the approved emplacement and development footprints) due to land clearing or operational activities.	In Control	Plants in an exposed position are clearly demarcated. There has been no loss due to land clearing or operational activities.	

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Performance Objectives and Management Actions	7.1	3c. Restrict access to Offset Area.	In Control	<p>Signage in place. Access to Appin North is restricted. Permit to Disturb process in place.</p> <p>The area is not fenced to allow unimpeded access for wildlife and pollination vectors across the site.</p>	
Performance Objectives and Management Actions	7.1	3d. Avoidance of surface runoff from emplacement areas entering the <i>Persoonia hirsuta</i> Offset Area	In Control	<p>Routine inspections of the Offset have not identified any issues regarding surface runoff from emplacement areas. Stage 4 emplacement construction has not yet commenced. Stage 3 is buffered by a haul road separating the Offset from the active disturbance areas. Drainage from disturbance areas is directed to dedicated catchment ponds.</p> <p>Drainage will be incorporated into the design of Stage 4 emplacement. Not yet required.</p>	
Performance Objectives and Management Actions	7.1	3e. Minimise weed infestation within the Offset Area	In Control	<p>Minor weed control is undertaken by experienced personnel for perennial grasses on the powerline easement.</p>	Weed control is ongoing.

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Performance Objectives and Management Actions	7.1	3f. Minimise dust impacts to <i>P hirsuta</i> from operational activities.	In Control	Dust from emplacement areas is mitigated by the wet coal washing process and the compaction of emplaced coal wash. Areas are rehabilitated as soon as practicable. Water carts are in use on the active emplacement area. Routine inspections of the Offset have not identified any issues regarding dust impacts.	
Performance Objectives and Management Actions	7.1	4. Adequate regeneration of emplacement as per the approved CWEA Management Plan.	In Control	As per annual Emplacement Rehabilitation Report.	
Performance Objectives and Management Actions	7.1	Soil translocation protocols and re-vegetation protocols are implemented as per the CWEA Management Plan e.g. Topsoil from the donor site will be stripped from the surface in layers. The most valuable layer is the top 50 mm of soil which contains the majority of soil stored seed and propagules, plant nutrients and beneficial soil microbes.	In Control	As per CWEAMP.	
Performance Objectives and Management Actions	7.1	<i>P. hirsuta</i> individuals within the approved emplacement and development footprints may be translocated to the rehabilitating emplacement.	N/A	Not required at this stage.	

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Performance Objectives and Management Actions	7.1	Successfully propagated plants (or seed from propagated plants) are introduced from the nursery at Mt Annan Botanic Gardens to the rehabilitating emplacement (or other suitable areas outside the emplacement and disturbance footprints).	In Control	Translocation of Persoonia Plants into the Offset Area (Stage 3) was undertaken in Autumn 2022.	
Performance Objectives and Management Actions	7.1	Annual rehabilitation survey will be conducted and a report attached to the Appin Mine Annual Review.	In Control	Annual report is attached as an appendix each year to the Annual Review. The most recent rehabilitation report was submitted to DCCEEW via email 20/07/2023.	

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<p>Management Actions and Commitments from Research</p>	<p>7.2</p>	<p>1. Promoting outcrossing conditions.</p> <ul style="list-style-type: none"> • This has been achieved through sourcing propagative material over three years (2017-2019) from several wild populations throughout the Sydney region to supply the P. hirsuta translocation trials occurring at Appin North. This strategy ensures the translocated population will contain a level of genetic diversity that reflects the natural species' distribution. • Genetic studies conducted by Mount Annan Botanic Gardens have confirmed there is a significant amount of genetic diversity in the Sydney region which has been enhanced in the Appin North translocations. • The following sourced material (location, year, propagative material) was utilised in the translocations stages 1 and 2 and will also be utilised in the stage 3 translocation: <ul style="list-style-type: none"> - Appin North, 2017, vegetative cuttings and seeds (stages 1 & 2) - Glenorie, 2017-19, seeds (stages 1 & 2) - Yanderra, 2018, vegetative cuttings (stages 1 & 2) - Parr SCA, 2019, seeds (stage 2) - Yango NP, 2017-2019. Seeds and cuttings (stage 2) 	<p>In Control</p>	<p>Sourcing of vegetative material from a diverse set of locations for the P. hirsuta translocations has achieved this action.</p>	
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<p>Management Actions and Commitments from Research</p>	<p>7.2</p>	<p>2. Encouraging the presence of natural pollinators.</p> <ul style="list-style-type: none"> • This will be achieved by constructing artificial Bee Habitats on site, promoting the presence of native bee species. This will be primarily focused around the introduction of bees that have been known to successfully pollinate <i>P. hirsuta</i>, namely <i>Megachile</i> and <i>Leioproctus</i> species. • The presence of natural pollinators is also being encouraged in the Appin North Rehabilitation areas through promoting the growth of native flowering plants that attract natural pollinators. This is achieved through using fresh soil with a naturally occurring seed bank of flowering native plant species as capping material for the rehabilitation areas as well as directly seeding native flowering plants onto the freshly capped areas. This will encourage native Australian bees to naturally inhabit areas within the Appin North site. Some native flowering species present on the Emplacement Rehabilitation Areas that are known to attract Native Australian Bees include: <ul style="list-style-type: none"> o <i>Angophora</i> spp. o <i>Callistemon</i> spp. o <i>Eucalyptus</i> spp. o <i>Grevillea</i> spp. o <i>Leptospermum</i> spp. 	<p>In Control</p>	<p>Native bee habitats were installed in FY23.</p> <p>The translocation of soil from areas stripped in advance of the CWEA onto the active rehabilitation area will continue to be implemented. Seeding of the translocated soil to initiate the growth of various native flowering plants will also be continued.</p>	<p>Monitor success of bee habitat installation.</p>
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<p>Management Actions and Commitments from Research</p>	<p>7.2</p>	<p>3. Discouraging damage of plants from herbivory.</p> <ul style="list-style-type: none"> • Translocated plants will be protected with plant guards to assist in preventing potential herbivory, particularly in early translocation stages where introduced plants are adapting to an in-situ environment. • IMC will place mesh plant guards around the remaining <i>P. hirsuta</i> individuals in the Stage 1 translocation area as well as placing plant guards on all future translocations to protect them from herbivory. 	<p>In Control</p>	<p>Stage 1 translocation trial adopted mesh guards for a portion of the individuals to allow for observation of herbivory.</p> <p>Stages 2 and 3 translocations included the use of mesh guards on all plants.</p>	
<p>Management Actions and Commitments from Research</p>	<p>7.2</p>	<p>4. Managing bushfire risk.</p> <ul style="list-style-type: none"> • Research has identified the importance of extended fire intervals in <i>Persoonia</i> populations. • The Appin Mine Bushfire Management Plan will be updated to show the location of adult plants at Appin North. The plan can be referred to in the event of a bushfire to avoid backburning in these areas. 	<p>In Control</p>	<p>The Appin Mine Bushfire Management Plan has been updated to include the location of these plants.</p>	

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Management Actions and Commitments from Research	7.2	<p>5. Maintaining Persoonia stocks through propagation.</p> <ul style="list-style-type: none"> • Translocations of Persoonia plants have been effective in maintaining populations. • South32 will support the Mt Annan Botanic Gardens to maintain a stock of Persoonia plants in their nursery for future translocations and collection of seed (to be reviewed annually). 	In Control	<p>Two Persoonia hirsuta translocations have occurred within the offset area within Appin North to maintain populations. One Persoonia hirsuta translocation has also occurred within the rehabilitation area.</p> <p>Mount Annan have been approached to maintain Persoonia hirsuta stocks to supplement populations as required.</p>	
Review of the OMP	7.3	<p>In accordance with Condition 5 of Schedule 6 of the Project Approval, the OMP will be reviewed, and if necessary revised, within three months, of:</p> <ul style="list-style-type: none"> • the submission of an Annual Review; • the submission of an incident report; • the submission of an Independent Environmental Audit (IEA) report; or • any modification to the conditions of the Project Approval (unless the conditions require otherwise). 	In Control	<p>The research report was submitted to DAWE on 29 June 2021 in accordance with Condition 3e of EPBC Approval 2010/5350.</p> <p>The Offset Management Plan was reviewed by IMC in discussions with DAWE. The Offset Management Plan was approved by DAWE on 18 May 2022.</p>	
Review of the OMP	7.3	<p>Outcomes from each review will be documented in the Management Plan Review Log. The OMP will only be revised where a material change to site operations or environmental management has occurred, or in accordance with the review period on the OMP. Administrative or descriptive changes do not constitute a material change.</p>	In Control	<p>No material changes required since the last review of the OMP in FY22.</p>	

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Review of the OMP	7.3	Where a review triggers a revision of the OMP, the OMP will be revised and submitted to the Secretary for approval.	N/A	No material changes required since the last review of the OMP in FY22.	
Review of the OMP	7.3	The OMP will be reviewed in accordance with Condition 2(i) of the EPBC Approval. The findings from the research programs required by Condition 3 will be incorporated into the approved Persoonia hirsuta OMP and the revised plan will be re-submitted to the Minister for approval within 6 months of the research being finalised, i.e. within 6 months of 30 June 2021.	In Control	This was completed in FY22. The OMP was approved on 18 May 2022.	

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AUDIT REVIEW			Outcome	Comment & Evidence	Proposed Action
Section	MP Ref	Requirement / Obligation			
Monitoring and Adaptive Management Framework	3	Potential impacts from mining induced subsidence is monitored and managed via an Extraction Plan which is to be approved by the Secretary of DPIE prior to longwall mining commencing in any area.	In Control	Extraction plans in place for Area 9. SMP and Extraction Plan for Area 7.	
Ecological Outcomes and Performance Measures	5	The "Trigger-Action-Response Plans (TARPs)" relate to identifying, assessing and responding to the range of conditions related to potential subsidence impacts on the Rivers which form the potential habitat for Macquarie Perch which is the primary species of management concern in this Plan. Detailed performance indicators are outlined in the Extraction Plan TARPs for each mining area.	In Control	Refer to each Extraction Plan/SMP.	

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<p>Ecological Outcomes and Performance Measures</p>	<p>5</p>	<p>If any impact is recorded, consideration would be given to implementing appropriate management, remediation and/or mitigation measures in consultation with Biodiversity and Conservation Division, DAWE and other relevant stakeholders (refer Section 9). If the performance measures are exceeded, IMC will notify relevant stakeholders and implement the Contingency Plan (Section 10).</p>	<p>In Control</p>	<p>Recorded impacts are reported to relevant agencies in line with the Trigger Action Response Plan (TARP). This includes initiating discussion around remediation measures. The Georges River Rehabilitation Plan has been developed, incorporating detailed feedback from agencies, prior to being approved by DPIE and the Resources Regulator. Additional approvals will be sought to undertake the remediation, as per the plan. The findings from remediation at WC21 will be applied to the Georges River remediation. The remediation trial works were completed in FY23, following delays due to catchment closures as a result of excessive rainfall. A contractor has been onboarded to commence the Georges River Remediation works in Q1 FY24. There are continuing issues associated with land access to access the pools requiring remediation.</p>	<p>Commencement of execution of the Georges River Rehabilitation Plan is planned for Q1 FY24, pending land access approvals being in place.</p>
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Water Requirements for Fish	6.1	Macquarie Perch could be impacted by subsidence through reduced habitat availability through pool diminution and possible discontinuity in smaller tributaries. These impacts are largely mitigated through the Mine Plan or longwall layout that does not longwall mine below rivers and aims to avoid impacts to critical ecological assets such as the Macquarie Perch.	In Control	<p>No Macquarie Perch have been identified within mining areas. Longwall mining does not occur below named streams where Macquarie Perch are found. Macquarie Perch are not expected to occur in the current and future Area 7 mining area due to the limited aquatic habitat provided by ephemeral first, second and third order drainage lines present.</p> <p>eDNA analysis of sediment samples was undertaken in FY22. No DNA for Macquarie Perch was identified.</p>	
Water Requirements for Fish	6.1	Any impacts to potential habitat for Macquarie Perch would be rehabilitated as part of the BSO Project.	N/A	There have been no impacts to known Macquarie Perch habitat.	
Water Requirements for Fish	6.1	Through the implementation of programs to reduce pollutants and compliance with license requirements, impacts from mine water discharges such as the BCD discharge are mitigated.	In Control	EPL 2504 is in place at Appin North.	

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Water Requirements for Fish	6.1	A water treatment plant (WTP) is planned for Appin North to provide an improvement in water quality released from site. It is planned for the WTP to release 1.5 ML/day averaged over the month.	In Control After Action Close-out	A temporary water treatment plant (WTP) was operational until December 2022. The long-term WTP was commissioned in February 2023. High quality permeate is being discharged from the water treatment plant. Discharge from BCD will be modified once consistent flow from the WTP is achieved.	Continue discussions with the EPA regarding discharge from BCD.
Water Requirements for Fish	6.1	Monitoring of mine water discharge and upstream and downstream water quality is an EPL requirement and is part of the ongoing management of mine water releases e.g. Brennans Creek.	In Control	As per EPL requirements.	
Water Requirements for Fish	6.1	Hydrological and water quality monitoring of streams within the Project mining areas is conducted to determine any surface water and surface/ground water impacts. This monitoring will fall under the Extraction Plan process.	In Control	Localised impacts to fish habitat has occurred as predicted in the EIS. No listed species of fish have been impacted. Macquarie Perch are not expected to occur in the current and future Area 7 mining area due to the limited aquatic habitat provided by ephemeral first, second and third order drainage lines present.	

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Water Requirements for Amphibians	6.2	<p>No EPBC listed threatened amphibian species have been recorded in the BSO project area therefore it is highly unlikely that project discharges will affect any populations.</p> <p>Subsidence related impacts may affect small permanent, semi-permanent pools which they require to complete their life cycle. These impacts are largely mitigated through the mine planning that aims to avoid critical ecological areas.</p>	In Control	No EPBC listed threatened amphibian species have been recorded in the BSO project area.	Continue monitoring impacts in the mining areas.
Monitoring Overview	8.1	<p>There are no records for Macquarie Perch within the Project Area. Potential habitat occurs in the project area but the species is highly unlikely to be present due to numerous fish barriers in the subject watercourses. A precautionary approach has been taken and routine aquatic monitoring (including fish sampling) is being undertaken in the relevant watercourses.</p>	In Control	<p>No Macquarie Perch have been identified within mining areas. Longwall mining does not occur below named streams where Macquarie Perch are found.</p> <p>Macquarie Perch are not expected to occur in the current and future Area 7 mining area due to the limited aquatic habitat provided by ephemeral first, second and third order drainage lines present.</p>	

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Monitoring Overview	8.1	There are no records for either the Giant Burrowing Frog or Littlejohns Tree Frog within the Project Area despite targeted surveys for these species. Marginal potential habitat exists within the Project Area but the species are unlikely to be present due to lack of preferred habitat. Accordingly, no targeted monitoring is proposed for these species unless unpredicted impacts occur or these species are detected.	In Control	No EPBC listed threatened amphibian species have been recorded in the BSO Project Area.	Continue monitoring impacts in the mining areas.
Monitoring Overview	8.1	Potential habitat for the Woronora Beard-heath (<i>Leucopogon exolasius</i>) occurs within the Georges River but there are no records for this species within the Project Area despite survey completed for this species. Accordingly, no targeted monitoring is proposed for these species unless this species is detected in the project area.	In Control	Potential habitat for the Woronora Bearded Heath (<i>Leucopogon exolasius</i>) occurs within the Georges River but there are no records for this species within the Project Area despite survey completed for this species.	
Table 4 Monitoring Summary for Macquarie Perch	8.1	Aquatic monitoring (including fish sampling) via the Appin Area 7 Longwalls 701 – 710 Extraction Plans (Biodiversity Management Plan). Refer Section 8.2, Figure 10 and Appendix 3.	In Control	Monitoring plan in place.	
Table 4 Monitoring Summary for Macquarie Perch	8.1	Aquatic monitoring (including fish sampling) via the West Cliff Area 5 Longwall 34 - 36 Extraction Plans (Biodiversity Management Plan). Refer Section 8.2, Figure 11, Appendix 4 and Appendix 5.	In Control	Monitoring plan in place.	Continue monitoring impacts in the mining areas, noting that rehabilitation of pools in the Georges River as a result of previous mining has not yet been completed.

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Table 4 Monitoring Summary for Macquarie Perch	8.1	Aquatic monitoring (including fish sampling) via the Appin Area 9 Longwall 901-904 Extraction Plans (Biodiversity Management Plan). Refer Section 8.2, Figure 10 and Appendix 6.	In Control	Monitoring plan in place.	
Table 4 Monitoring Summary for Macquarie Perch	8.1	EPL 2504 Water quality monitoring (EPA Licence) for West Cliff, Appin East and Appin West Pit Top sites. Refer Section 8.2, Section 8.5 and Appendix 7.	In Control	As per EPL requirements	Continue monitoring in line with plans.
Table 4 Monitoring Summary for Macquarie Perch	8.1	General water quality monitoring of subsidence impacts under the Extraction Plans referred to above.	In Control	Water quality monitoring is being undertaken in the BSO project area in line with the SMP, EP or EMP for each area or specific feature e.g. Georges River.	Continue monitoring in line with plans.
Table 4 Monitoring Summary for Macquarie Perch	8.1	EPL Georges River Aquatic Health Monitoring Program (including program to improve water quality and minimum flow requirements) - Appendix 8.	In Control	Aquatic Health Monitoring Program in place.	Continue monitoring in line with plans.
Table 4 Monitoring Summary for Macquarie Perch	8.1	Surface water (hydrological) monitoring via Extraction Plans referred to above. Refer Section 8.	In Control	Surface water monitoring plan in place.	Continue monitoring impacts in the mining areas.
Table 4 Monitoring Summary for Macquarie Perch	8.1	Monitoring of subsidence impacts via Extraction Plans referred to above.	In Control	Subsidence monitoring plan in place.	As above
Table 4 Monitoring Summary for Giant Burrowing Frog	8.1	Targeted monitoring may be initiated if relevant subsidence management TARPs reach level 3, triggering corrective management actions for terrestrial biodiversity. Refer to the relevant Extraction Plan.	In Control	TARPs are in place and reported, corrective actions as required. No triggers have been reported.	

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Table 4 Monitoring Summary for Giant Burrowing Frog	8.1	Any individuals of this species discovered in the Project Area will be addressed by targeted monitoring that will be included in subsequent revisions of this Plan.	In Control	No individuals identified.	Continue monitoring impacts in the mining areas.
Table 4 Monitoring Summary for Littlejohns Tree Frog	8.1	Targeted monitoring may be initiated if relevant subsidence management TARPs reach level 3, triggering corrective management actions for terrestrial biodiversity. Refer to the relevant Extraction Plan.	In Control	No individuals identified.	Continue monitoring impacts in the mining areas.
Table 4 Monitoring Summary for Littlejohns Tree Frog	8.1	Any individuals of this species discovered in the Project Area will be addressed by targeted monitoring that will be included in subsequent revisions of this Plan.	In Control	No individuals identified.	Continue monitoring impacts in the mining areas.
Table 4 Monitoring Summary for <i>Leucopogon exolasius</i>	8.1	Any individuals of this species discovered in the Project Area will be addressed in subsequent revisions of this Plan.	In Control	No individuals identified.	Continue monitoring impacts in the mining areas.

<p>Aquatic Monitoring Programs</p>	<p>8.2.2</p>	<p>Currently aquatic monitoring is conducted across four programs relating to the current longwall mining areas (Appin Area 7, Area 9 and West Cliff Area 5) and monitoring under the Georges River Aquatic Health Monitoring Program required by EPL 2504. These programs are itemized below with references to further specific information attached to this document.</p> <ul style="list-style-type: none"> • Aquatic monitoring (including fish sampling) via the Appin Area 7 Longwalls 701 – 710 Extraction Plans (Biodiversity Management Plan). Refer Appendix 3. • Aquatic monitoring (including fish sampling) via the West Cliff Area 5 Longwall 37 - 38 Extraction Plan (Biodiversity Management Plan). Refer Appendix 5. • Aquatic monitoring (including fish sampling) via the Appin Area 9 Longwall 901 - 904 Extraction Plans (Biodiversity Management Plan). Refer Appendix 6. • Georges River Aquatic Health Monitoring Program. The Aquatic Health Monitoring Program incorporates (refer to Appendix 8): <ul style="list-style-type: none"> • quantitative sampling of macroinvertebrates; • ecological assessment processes using DNA extracted from sediment; • in-stream water quality; and • laboratory water testing. 	<p>In Control</p>	<p>Georges River Aquatic Health Monitoring Program is in place.</p>	<p>Continue monitoring impacts in the mining areas.</p>
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Aquatic Monitoring Methods	8.2.3	<p>The following habitat features are recorded:</p> <ul style="list-style-type: none"> * in-stream features such as sequence of pools, runs and riffles; * stream substratum; * presence, type and extent of aquatic vegetation; * presence of barriers to fish passage into and beyond the study area; and * a photographic record of the habitat. 	In Control	Refer Georges River Aquatic Health Monitoring Program methods.	
Aquatic Monitoring Methods	8.2.3	<p>Water quality will be measured at each site using a water quality probe. Variables to be measured include; pH, dissolved oxygen, oxidation-reduction potential, temperature, turbidity and conductivity. Where applicable, the results will be compared to ANZECC (2000) water quality guidelines for the protection of aquatic ecosystems.</p>	In Control	Georges River Aquatic Health Monitoring Program is in place.	Continue monitoring in line with plans.
Aquatic Monitoring Methods	8.2.3	<p>Fish will be sampled using a back-pack electro fisher and baited traps. At each site, six baited traps are to be deployed in a variety of habitats such as amongst aquatic plants and snags, in deep holes and over bare substratum. The back-pack electro fisher is to be operated around the edge of pools and in riffles. At each site, four, two minute shots are to be performed. Fish are to be collected in a scoop net, identified and measured. Native species are to be released unharmed whilst exotics are not to be returned to the water.</p>	In Control	Georges River Aquatic Health Monitoring Program has no requirement to monitor fish. This is only relevant to extraction plan monitoring.	Continue monitoring impacts in the mining areas.

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Aquatic Monitoring Methods	8.2.3	At each site macroinvertebrates will be sampled using the AusRivAS protocol developed under the National River Health Program. Where available, riffle and edge habitats will be sampled using a dip net along a 10m stretch of habitat. Samples will be sorted in the field, preserved in alcohol and transported to a laboratory for identification. Taxa will be identified to levels required for calculating SIGNAL2 values according to the AusRivAS protocol.	In Control	Monitoring plan in place.	Continue monitoring impacts in the mining areas.
Aquatic Monitoring Methods	8.2.3	Reports will be produced at the conclusion of each aquatic monitoring survey that provide sufficient information to describe the habitats and biota that may be affected by subsidence or Appin Mine water releases.	In Control	Refer to last AHMP report on the IMC website: https://www.south32.net/docs/default-source/operations/illawarra/illawarra-metallurgical-coal-mine/documents/bulli-seam-operations-project/licenses/georges-river-aquatic-health-monitoring-report-(2023).pdf?sfvrsn=454bf6ca_1 .	Continue monitoring impacts in the mining areas.
Management Responses Monitoring Methods	8.2.4	If level 3 TARPs are triggered within potential Macquarie Perch habitat, Corrective Management Actions (CMAs) such as additional monitoring, habitat rehabilitation or other adaptive management measures will be considered.	In Control	No Macquarie Perch identified.	Continue monitoring impacts in the mining areas. Annual reports to be uploaded to the IMC website.
Management Responses Monitoring Methods	8.2.4	Monitoring results will be reviewed by the IMC Subsidence Management Committee and determine whether performance indicators have been exceeded; and whether CMAs are required.	In Control	Monthly meetings are conducted.	Continue with meetings and documentation.

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Management Responses Monitoring Methods	8.2.4	If the findings of monitoring are deemed to warrant an immediate response, the Manager Approvals will initiate the requirements of the TARP.	In Control	Actions are implemented as required and reported in the Monthly Subsidence Meeting Minutes.	Continue with meetings and documentation.
Terrestrial Biodiversity Monitoring Methods	8.3.2	Terrestrial monitoring occurs over longwall mining areas (i.e. Appin Area 7, Appin Area 9 and West Cliff Area 5) and focuses on detecting significant changes to vegetation communities and fauna habitat present within the mining area and aims to ensure complete coverage across the Study Area. Specific targeted monitoring sites will be determined if justified (e.g. if threatened species populations, EECs or habitats are known and have more than a negligible potential to be impacted).	In Control	Monitoring plan in place.	Continue monitoring impacts in the mining areas. Annual reports to be uploaded to the IMC website. Negligible impact to EECs, habitats or populations to date.
Terrestrial Biodiversity Monitoring Methods	8.3.2	Inspections of vegetation communities within the mining areas is undertaken as a part of routine landscape and water monitoring programs. Targeted inspection by a qualified ecologist will follow should vegetation health changes be observed.	In Control	No vegetation health changes detected to date.	Continue monitoring impacts in the mining areas.

<p>Terrestrial Biodiversity Monitoring Methods</p>	<p>8.3.2</p>	<p>Monitoring will focus on detecting significant changes to vegetation communities and fauna habitat present within the Study Area and will aim to ensure complete coverage across the Study Area.</p> <p>Inspections of vegetation condition will assess the following:</p> <ul style="list-style-type: none"> * Does the vegetation appear healthy? * Are there any detectable visual impacts (e.g. canopy thinning, thinning of shrub layer, loss of ground cover, dead branches present)? * Are there any significant detectable visual impacts (e.g. canopy loss with areas of dieback present, loss of whole shrubs, loss of ground cover)? <p>Areas of impact or any subsidence effects will be mapped and documented using digital photography.</p> <p>Where a significant visual impact is detected a qualified ecologist will be engaged to document the following:</p> <ul style="list-style-type: none"> * the total area of impact. This will be mapped using a GPS and aerial photo interpretation; * the Foliage Percentage Cover (FPC); and * Modified Braun-Blanquet cover abundance scores for each species. 	<p>In Control</p>	<p>No vegetation health changes detected to date.</p>	<p>Continue monitoring impacts in the mining areas.</p>
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Terrestrial Biodiversity Monitoring Methods	8.3.2	This information will be used to objectively assess extent and degree of impact. Assessment of similar vegetation communities or fauna habitat within the broader locality will be undertaken to determine if the detected changes are within normal variation or represent a possible impact of mining. Additional studies (e.g. gas release measurements) will be commissioned in response to an observed mining impact to understand the mechanism involved and consider any CMAs that may be required.	In Control	No vegetation health changes detected to date.	Continue monitoring impacts in the mining areas.
Terrestrial Biodiversity Monitoring Methods	8.3.2	Impacts are to be monitored as a part of ongoing observations to determine any change in extent or degree.	In Control	No vegetation health changes detected to date.	Continue monitoring impacts in the mining areas.
Terrestrial Biodiversity Monitoring Methods	8.3.2	The typical frequency of terrestrial biodiversity monitoring is: * two baseline monitoring campaigns 1 year prior to mining; * monthly visual inspections (as part of Landscape Features Monitoring), increased to weekly inspections during critical periods during mining; * six monthly monitoring for two years (as part of Landscape Features Monitoring) post mining; * general observation of active mining areas during all other monitoring.	In Control	No vegetation health changes detected to date.	Continue monitoring impacts in the mining areas.

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Terrestrial Biodiversity Monitoring Methods	8.3.2	IMC will implement remediation measures where impacts to vegetation communities or fauna habitat are deemed to be caused by subsidence effects.	In Control	<p>Georges River Rehabilitation Plan has been approved by DPIE and the Resources Regulator. Additional approvals will be sought to undertake the remediation, as per the plan.</p> <p>WC21 trial work has been undertaken however the results of monitoring have not yet been received.</p>	Execution of the Georges River Rehabilitation Plan is anticipated in Q1 FY24, noting that some access approvals have not yet been received.
Monitoring methods for <i>Leucopogon exolasius</i>	8.4.2	<p>Standard monitoring will be conducted as per Section 8.3.2. Any future targeted monitoring for this species may include (but not be limited to):</p> <ul style="list-style-type: none"> * Fixed photo points. * Fixed vegetation quadrats. Data collected from each quadrat may include species richness, community structure and composition, vegetation condition, mortality and recruitment, the presence of soil profile development (leaf litter, presence/absence of invertebrates). * Random meander transects in targeted monitoring areas in order to identify recruitment. 	In Control	<i>Leucopogon exolasius</i> not identified in monitoring program.	Continue monitoring impacts in the mining areas.
Water Monitoring Overview and Context for EPBC Listed Species	8.5.1	Water releases from surface operations are monitored and managed via the relevant management plans as shown in Diagram 1.	In Control	Refer to Appin Mine Water MP, Coal Wash Emplacement Area MP and Georges River Aquatic Health Monitoring Program on the IMC website.	

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Water Monitoring Overview and Context for EPBC Listed Species	8.5.1	Impacts associated with longwall mining areas are addressed through specific Extraction Plans (and their associated Water Management Plans).	In Control	Extraction plans/SMPs for Area 7 and 9 are on South32 website. https://www.south32.net/what-we-do/our-locations/australia/illawarra-metallurgical-coal/documents	
Water Monitoring for Potential Impacts from Mining Induced Subsidence	8.5.2	Extractions Plans with detailed monitoring programs are submitted on a progressive basis as mining commences in each mining domain.	In Control	Approved monitoring plans in place.	Continue monitoring impacts in the mining areas.
Water Monitoring for Potential Impacts from surface Operations	8.5.3	Potential impacts from Appin Mine surface operations are monitored and managed via the Water Management Plan and EPL 2504 (Appendix 7).	In Control	Refer to Appin Mine Water MP, Coal Wash Emplacement Area MP and Georges River Aquatic Health Monitoring Program on the IMC website.	
Monitoring Parameters and Performance Indicators	8.5.4	EPL 2504 regulates, among other things, the discharge of water from the surface operations into receiving waters. Quantified limits are currently stated in EPL 2504 for a range of parameters. These limits are effectively the surface water quality performance indicators for the AMP as they are aimed at maintaining suitable water quality to support downstream aquatic habitat for species such as Macquarie Perch.	In Control	EPL 2504 is in place.	
Monitoring Parameters and Performance Indicators	8.5.4	Monitoring is conducted monthly.	In Control	Monthly samples are collected as required by EPL 2504	

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Summary of Performance Measures	9.1	The implementation of remedial or adaptive management measures would be assessed through the results of the Extraction Plan monitoring programs, EPL (surface water discharge) monitoring and additional detailed assessments as required.	In Control	Georges River Remediation Plan and Georges River Aquatic Health Monitoring Program are in place.	
Summary of Performance Measures	9.1	In the event the Performance Measures detailed in Table 7 of the AMP are considered to have been exceeded, or are likely to be exceeded, IMC will implement a Contingency Plan (refer Section 10) to manage any unpredicted impacts and their consequences. Such an exceedance would normally represent a Level 3 TARP for surface water quality, flow or aquatic habitat being triggered.	In Control	No Macquarie Perch identified to date.	
Adaptive Management Options - Mine Planning	9.2.1	If impacts exceed performance measures, adaptive management techniques will be considered, such as seeking variations to adjustment the length of planned longwalls. This has been implemented in the past for Longwall 34 in West Cliff Area 5 where Level 2 impacts were identified from Longwall 33.	In Control	No performance measures exceeded. Georges River Rehabilitation Plan has been approved by DPIE and the Resources Regulator.	Execution of the Georges River Rehabilitation Plan is anticipated in Q1 FY24, noting that some access approvals have not yet been received.

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Active Flow Management	9.2.2	During no or low rainfall periods the flow in the Georges River is largely determined by the volume of water discharged via licence discharge point 10 from BCD and from Appin East. If the Level 2 trigger for minor cracking leading to a reduction in pool water level is observed, then additional flow can be released from BCD and/or Appin East to ensure pool water levels are maintained.	In Control	Supplementary flows are and have been provided via BCD and from the temporary and long-term WTPs at Appin North. The EPA and Georges River Stakeholder Group is regularly advised and where required, consulted on the discharge from BCD. Discussions are underway with the EPA regarding BCD discharges post commissioning of the long-term WTP. (Note: Georges River Stakeholder Group was wound up in April 2023).	Continue discussions with the EPA regarding discharge from BCD.
Water Quality and Discharge Management	9.2.3	Where low water quality is identified to be resulting from mining induced subsidence or surface discharges this exceeds relevant TARPs , consideration of appropriate CMAs will be undertaken with relevant stakeholders. Any CMA will be highly dependent on the parameter being exceeded and technical feasibility of interventions.	In Control	No performance measures exceeded. Georges River Rehabilitation Plan has been approved by DPIE and the Resources Regulator.	Execution of the Georges River Rehabilitation Plan is anticipated in Q1 FY24, noting that some access approvals have not yet been received.
Natural Remediation	9.2.4	While sealing of surface fractures will occur naturally in some instances and over time, it is recognised that this may not provide sufficient mitigation in some situations and that active sealing of the streams may be required in some locations.	In Control	Active sealing of streams, with the exception of Georges River, not yet triggered	

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Hand Mortaring	9.2.5.1	Should large fractures occur in the base of the pools they may be sealed over with hand placed cement grout and natural oxides.	In Control	Georges River Rehabilitation Plan has been approved by DPIE and the Resources Regulator.	Execution of the Georges River Rehabilitation Plan is anticipated in Q1 FY24, noting that some access approvals have not yet been received.
Injection Grouting	9.2.5.2	These rehabilitation operations have the potential to cause adverse environmental impacts through the materials used and the disturbance associated with access and will be carefully planned to avoid contamination of watercourses. Bunds will be used to contain any spillage at mixing points. The materials used in these processes are non-toxic, environmentally inert and do not significantly impact upon the natural habitats of aquatic species.	In Control	Georges River Rehabilitation Plan approved by DPIE and the Resources Regulator incorporates these requirements.	Monitoring of the remediation program will be undertaken.

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Surface Treatment	9.2.5.6	Where cracking develops in significant areas and natural sealing is not progressing, the cracks may require forking over and compacting to prevent subsequent erosion. Larger cracks may require more work to repair them, for example, mulch or other protection to prevent the development of erosion channels. Surface protection will remain in place until revegetation covers the disturbed area. In some cases, e.g. if the cracks are wider they may require gravel or sand filling up to surface level and revegetation using local native plants. Such rehabilitation measures have the potential to cause impact through the materials used and the disturbance associated with access. Considerable care and relevant approvals will be obtained to ensure the protection of the environment as such works are implemented.	In Control	No significant cracks have been observed that require remediation to prevent erosion. Fracturing in Georges River is covered by above sections 7.2.5 and 7.2.6	
Gas Releases	9.2.6	Where vegetation is impacted by gas releases, the areas affected will be revegetated once monitoring determines the gas releases have ceased or reduced to an extent that vegetation is no longer affected.	In Control	No vegetation health changes detected to date.	Continue monitoring impacts in the mining areas.
Gas Releases	9.2.6	Where low dissolved oxygen is identified to be resulting from mining induced gas release and this exceeds relevant TARPS, consideration of appropriate CMAS will be undertaken with relevant stakeholders.	In Control	No CMAs have been required as a result of low DO from gas release zones. Consideration includes agencies and specialist consultants.	Continue monitoring impacts in the mining areas.

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Contingency and Response Plans	10.1	<p>In the event the Performance Measures pertaining to Macquarie Perch or other EPBC listed species detailed in Section 9 of the AMP are considered to have been exceeded, or are likely to be exceeded, IMC will implement a Contingency Plan to manage any unpredicted impacts and their consequences. This would involve:</p> <ul style="list-style-type: none"> * capture photographic record if appropriate; * notify relevant stakeholder, agencies and specialists soon as practicable; * conduct site visits with stakeholders as required; * contract specialists to investigate and report on changes identified; * provide incident report to relevant agencies; * review monitoring and implement additional monitoring if required; * inform relevant agencies and stakeholders of results of investigation; * develop site CMA in consultation with key stakeholders if required and seek approvals; * implement CMA as agreed with stakeholders following approvals; * conduct initial follow up monitoring and reporting following CMA completion; * review relevant management plan(s); and * report in regular reporting and Annual Review. 	In Control	<p>No Macquarie Perch identified to date.</p> <p>Macquarie Perch are not expected to occur in the current and future Area 7 mining area due to the limited aquatic habitat provided by ephemeral first, second and third order drainage lines present.</p>	
Contingency and Response Plans	10.1	<p>IMC will consult with appropriate specialists and relevant agencies in order to devise an appropriate response in respect to any identified exceedance.</p>	In Control	No exceedance to date.	Continue monitoring impacts in the mining areas.

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Contingency and Response Plans	10.1	The development and implementation of contingency measures will be designed to address the specific circumstances of the exceedance and assessment of environmental consequences.	In Control	No exceedance to date.	Continue monitoring impacts in the mining areas.
Contingency and Response Plans	10.1	If the contingency measures implemented by IMC fail to remediate or mitigate the impact or the Secretary of DPIE determines that it is not reasonable or feasible to remediate the impact, IMC will provide a suitable offset to compensate for the impact to the satisfaction of the Secretary of DPIE (or DAWE as appropriate), in accordance with Condition 2 of Schedule 3 of the Project Approval.	In Control	No exceedance to date.	Continue monitoring impacts in the mining areas.
Non-compliance, Corrective Action and Preventative Action	10.2	Events, non-compliances, corrective actions and preventative actions are managed in accordance with the Reporting and Investigation Standard and Environmental Compliance/Conformance Assessment and Reporting Procedure. These procedures, which relate to all IMC operations, detail the processes to be utilised with respect to event and non-conformance/non-compliance classification and reporting, and identification of corrective and preventative actions.	In Control	No incidents to date.	Continue monitoring impacts in the mining areas.

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Performance Improvement	9	<p>As part of the Statement of Commitments prepared for the BSO Project EA, IMC committed to implement “research, offset and compensatory measures for Project impacts on water quality and ecological aspects” with the aim of continual performance review and improvement.</p> <p>The annual review process will also formalise opportunities for improvement based on the monitoring data.</p>	In Control	As per Persoonia Offset and research, Georges River Aquatic Health Monitoring Program and construction of a long-term WTP at Appin North.	
Compliance Report	12.1.1	<p>Annual reporting is undertaken as per Condition 14 of the EPBC Approval which requires the proponent to:</p> <p><i>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.</i></p> <p>The Compliance Report is required to be submitted to DAWE by 15 August of each year via EPBCMonitoring@environment.gov.au and is attached as an appendix in the Annual Review.</p>	In Control	This report	

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Annual Review	12.1.2	IMC will report on the performance of the AMP in the Annual Review. The Annual Review is prepared in accordance with Condition 4 of Schedule 6 of the Project Approval and is submitted to relevant agencies in September each year. Annual Reviews are made available to the general public via the South32 website.	In Control	Annual Reviews are published on the IMC website as required.	
EPL Reporting	12.1.3	The specific requirements for the publication of EPL monitoring results are set out in section 66(6) of the POEO Act. In summary, this provision requires that licensees who undertake monitoring as a result of a licence condition must publish or make available monitoring data that relates to pollution within 14 days of obtaining the data and/or receiving a specific request for a copy of the data	In Control	Results are reporting online via the 14 day monitoring report https://www.south32.net/what-we-do/our-locations/australia/illawarra-metallurgical-coal/documents . Monitoring data is stored in EQUiS.	
EPL Reporting	12.1.4	In addition to the above, an Annual Return is submitted to the NSW EPA as required by the EPL. The EPL also details requirements for the Aquatic Health Monitoring Program.	In Control	The 2022/23 Annual Return was submitted as required.	
End of Panel Reports	12.1.5	End of Panel (EoP) reports are prepared in accordance with the relevant Extraction Plan or Subsidence Management Plan. They are prepared following the completion of longwall extraction of each panel. The report outlines the measured and observed impacts relevant to the extraction of the longwall panel and summarises a comparison of observed impacts to predictions and performance criteria.	In Control	The most recent EoP reports completed are for Longwall 708 (April 2022), Longwall 904 (December 2022) and Longwall 905 (June 2023).	

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Incident Reporting	12.1.5	<p>In accordance with Condition 7 of Schedule 6 of the Project Approval, IMC is to notify the Secretary of DPIE and relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. Within seven days of the date of the incident, IMC is to provide the Secretary and relevant agencies with a detailed report on the incident.</p>	In Control	Not triggered on the operational mine sites or mining area.	Continue monitoring impacts in the mining areas.
Review	12.2	<p>In accordance with Condition 5 of Schedule 6 of the Project Approval, the AMP will be reviewed, and if necessary revised, within three months, of:</p> <ul style="list-style-type: none"> • the submission of an annual review; • the submission of an incident report; • the submission of an Independent Environmental Audit report; or • any modification to the conditions of the Project Approval (unless the conditions require otherwise). <p>Outcomes from each review will be documented in the Management Plan Review Log. The AMP will only be revised where a material change to site operations or environmental management has occurred, or in accordance with the review period on the AMP.</p> <p>Administrative or descriptive changes do not constitute a material change.</p> <p>Where a review triggers a revision of the AMP, the AMP will be revised and submitted to the Secretary and/or Minister for approval.</p>	In Control	AMP was reviewed in 2020. The AMP was approved by the Minister on 28 January 2021.	

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Publication	12.3	<p>Condition 13 of the EPBC Approval requires the proponent to: <i>...publish all management plans, reports, strategies or agreements 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.</i></p> <p>Approved versions of the AMP will be displayed on the South32 regulatory page at: https://www.south32.net/our-business/australia/illawarra-metallurgical-coal/documents</p>	In Control	The approved AMP is available on the IMC website.	
Independent Environmental Audit	12.4.1	<p>In accordance with Condition 9 of Schedule 6 of the Project Approval and Condition 18 of the EPBC Approval, an Independent Environmental Audit (IEA) shall be commissioned every three years, that will include a review of the AMP. The report is required to be submitted to the Secretary within six weeks of completion of the audit, in accordance with Condition 10 of Schedule 6 of the Project Approval and Condition 18 of the EPBC Approval.</p> <p>IEAs have been conducted in 2013, 2016/17 and 2019, with the next IEA to be conducted in 2022. Recommendations from the IEA will be incorporated into the AMP where appropriate.</p>	In Control	<p>The last IEA was conducted in 2022. The IEA report was submitted to DCCEEW as required.</p> <p>The next IEA is scheduled to be conducted in 2025.</p>	

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ISO 14001	12.4.2	As part of the ISO 14001 certification, IMC maintains an environmental auditing and governance program across all of its operational sites. The program, which includes the use of competent internal and accredited external auditors, is an integral part of maintaining certification under the ISO 14001 standard. External surveillance audits are undertaken on an annual basis, with recertification audits undertaken every three years. Internal Governance Reviews of the AMP are nominally undertaken on a three yearly basis	In Control	The last Governance Review was undertaken in 2021, with the next review scheduled for 2024.	
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Coal Wash Emplacement Area Management Plan
WCPMP0019
Management Plan Version 5

AUDIT REVIEW			Outcome	Comment & Evidence	Proposed Action
Section	MP Ref.	Requirement / Obligation			
Scope	1.2	Emplacement construction and operations will be conducted in accordance with the detailed design plans prepared for each emplacement phase. Due to the long life of the emplacement, detailed final design details are prepared progressively and are therefore not outlined in this plan for Stage 4. Emplacement of coal wash in Stage 3 is currently underway. The Stage 4 CWEA is scheduled to commence in approximately ten (10) years.	In Control	Detailed design plans are not yet available. Stage 4 construction is at least five years away.	
Emplacement Design and Staging	4.1	The maximum design parameters for Stage 3 are: * No more than 60.5 ha of native vegetation to be cleared	In Control	The area cleared to date for Stage 3 is ~40 Ha (37 Ha in desktop review). With an additional ~2.5 ha to be added once 2023 clearing is completed.	
Emplacement Design and Staging	4.1	The maximum design parameters for Stage 4 of the emplacement design are: * volume of 26Mt; * height of 331 m AHD; * footprint that retains the existing Brennans Creek Dam storage capacity and stockpile areas (refer to Plan 1); and * maximum of 60ha of native vegetation clearance.	In Control	Detailed design plans are not yet available. Stage 4 construction is at least five years away.	

Coal Wash Emplacement Area Management Plan
WCPMP0019
Management Plan Version 5

Emplacement Design and Staging	4.1	Measures to limit the clearing of native vegetation to no more than 60 ha will include: <ul style="list-style-type: none"> • survey and demarcation of the Stage 4 boundary prior to clearing works by a qualified surveyor; • Stage 4 boundary will be clearly outlined on site plans and plans will be provided to clearance contractors; • pre-clearing survey will be undertaken by Specialist Environment who will be trained appropriately in survey methodology (training provided by external consultancy) or a specialist consultant. The area to be cleared will be clearly demarcated with flagging tape. Boundary markings will be placed in a way to ensure that each marker is within line of site. 	In Control	Detailed design plans are not yet available. Stage 4 construction is at least five years away.	
Emplacement Design and Staging	4.1	The Stage 3 valley will be filled in a north westerly direction and Stage 4 from the eastern (or upstream/upslope) boundary and progress in corridors from east to west down the valley, as required by EPBC Approval Condition 6 (d).	In Control	As verified on Arc GIS. Stage 3 is progressing in NW direction.	
Emplacement Design and Staging	4.1	Coal wash will be deposited in benches across the valley (in the case of Stage 4 which will be north-south) and progressively down the valley from east to west.	In Control	Stage 4 not yet commenced. Stage 3 is being deposited in benches across the valley.	
Emplacement Design and Staging	4.1	As each section of fill reaches the designed height, it is top soiled and revegetated. The final landform created by the CWEA will be sympathetic with the regional morphology and will be largely masked from public view by the visual screening of existing eucalypt forest.	In Control	Morphology is as per approved design plans. The completed emplacement is topsoiled and revegetated progressively.	Updated design for Stage 3 including landform is underway.

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Emplacement Design and Staging	4.1	CWEA construction and operations will be conducted in accordance with the final detailed engineering drawings prepared for each CWEA. The Stage 3 and 4 final landform concept designs are illustrated on Plan 2 and Plan 3.	In Control	Routine surveys and a desktop review on ArcGIS suggests the Stage 3 construction is consistent with the design plans.	
Emplacement Design and Staging	4.1	The engineering drawings for the Stage 4 CWEA will be prepared prior to implementation of the Stage 4 CWEA and these plans will show staging of the emplacement and will comply with Condition 17 (a) and (b) of the Project Approval and Condition 6(b) of the EPBC Approval.	In Control After Action Close-out	To be incorporated into the Stage 4 design plans when available	Design plans to comply with Condition 17 (a) and (b) and Condition 6 of the EPBC approval.
Emplacement Design and Staging	4.1	Plan 4 shows a preliminary concept staging plan that provides for the progressive staging of the Stage 4 CWEA to keep the minimum 100 m wide habitat corridor to link the <i>Persoonia hirsuta</i> core population with habitat north of the Stage 4 CWEA, as required by Condition 6(b) of the EPBC Act Approval.	In Control After Action Close-out	To be incorporated into the Stage 4 design plans when available	Design plans to comply with this condition.
Emplacement Design and Staging	4.1	The Stage 4 Design Plans will be implemented and remain in place for at least ten years, unless otherwise agreed to in writing by the Minister of DAWE, at which point a revised plan taking into account the monitoring referred to above must be submitted to and approved by the Minister.	In Control	Condition not triggered. Stage 4 design plans are not yet initiated	

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Haul Road Design	4.2.3.3	<p>Construction of coal wash haul roads associated with the emplacement are to be carried out in accordance with the CWEAMP.</p> <p>Minimum Road Width: Minimum road pavement widths for coal wash haul roads associated with the emplacement area are to be no less than 15 m along curved and straight sections.</p> <p>Maximum Grade: The grade of haul roads should generally not be greater than a 1:9 grade or 11%. If the grade of the haul road is greater than 11%, a risk assessment is to be conducted as detailed in Table 3.</p>	In control	<p>Minimum road widths are no less than 15 m along curved and straight sections. Where not possible risk assessment and traffic control undertaken. Risk assessments and procedures available as required on haul roads graded above 11%. In field inspections are undertaken as required.</p>	
Haul Road Design	Table 3	<p>A risk assessment is to be conducted to identify all the requirements that are to be put in place before operating on 11% to 20% grades.</p>	In control	<p>Risks assessments conducted as required on haul roads graded between 11% and 20%. In field inspections are undertaken as required. All vehicles are rated beyond the grade of all haul roads and access ramps.</p>	
Haul Road Design	Table 3	<p>Risk assessment is to be conducted and approval obtained from the Manager Surface and Infrastructure where haul road is planned to operate for more than 12 months) for grades greater than 20%.</p>	In control	<p>In field verifications are undertaken and any grade above 20% is reported to the Operations Manager. No haul roads have been constructed at a grade above 20%.</p>	

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Horizontal Curve Dimensions	4.2.3.3	Horizontal curves will be designed as required to suit site constraints taking into account safety and operational requirements. Where possible, the following guidelines will be applied to haul road design: <ul style="list-style-type: none"> • sharp horizontal curves will be avoided at or near hill crests, at the bottom of hills, and after long sustained downgrades; • if passing will be required, sections of haul road will be designed with long tangents and constant grades intersections will be avoided at the crest of vertical and/or sharp horizontal curves; and • tight curves will be avoided. 	In control	Daily emplacement inspections undertaken to verify requirement. Any potential breach of guidelines is reported to the Operations Manager and rectified.	
Vertical Curve Dimensions	4.2.3.3	Coal wash haul roads associated with the emplacement are to be designed and constructed to a minimum vertical curve radius of 1500 m and a minimum vertical curve length of 150 m.	In Control After Action Close-out	Requires in field verification. Action taken to survey emplacement crest.	In-field verification required.
Construction of Brennans Creek Diversion Channel	4.2.4	Progressive rehabilitation of the Brennans Creek Diversion Channel will be undertaken in accordance with the approved Brennans Creek Bypass Channel Rehabilitation Plan.	In Control	Diversion channel (within channel) has been rehabilitated.	
Erosion and Sediment Control Measures for Clean Water Cut off Drains	4.2.5.2	The drains are positioned to capture clean water runoff from valley sides and divert it past the emplacement dirty water catch pond system and into BCD.	In Control		
Erosion and Sediment Control Measures for Clean Water Cut off Drains	4.2.5.2	The drains are to be sized as required for the catchment area. Excavated material will be placed beside the drains to form access tracks in the valley for construction of catch ponds and development of the emplacement.	In Control		

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Erosion and Sediment Control Measures for Clean Water Cut off Drains	4.2.5.2	The channels will be modified as necessary during the life of the CWEA to adapt to the changing runoff conditions created by the advancing emplacement.	In Control		
Construction of Emplacement Subsoil Drainage Network	4.2.6	Subsurface drains will be installed on the prepared active CWEA under engineering supervision before coal wash emplacement commences. Construction of the subsurface drains shall be installed in accordance with detailed engineering drawings. Subsurface drains will be progressively linked to subsoil drainage from previous sections of the CWEA.	In Control	In field verification is undertaken as required.	
Construction of Emplacement Catch Ponds	4.2.7.1	The CWEA to be supported by two sequential ponds sited down the Brennans Creek Valley. As each phase approaches completion, and filling of the first pond is imminent, a new pond will need to be constructed and so on.	In Control	Stage 3 emplacement is approaching Emplacement Pond 2. Emplacement Ponds 2 and 3 are still in place.	

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Construction of Emplacement Catch Ponds	4.2.7.1	Clean water cut-off drains will be established prior to construction of ponds and flows in Brennans Creek will be diverted around the construction area via a temporary dam and pump. This will prevent sediment contamination of clean water from surrounding clean water catchment and treated water from upstream emplacement ponds. Emplacement pond dam walls will be constructed using site won material excavated from an appropriate area onsite (most likely excavated material from the base of the dam storage area or areas being prepared for active emplacement) or coal wash. Where possible, dam wall fill material will be transported directly to construction areas however it may be necessary at times for this material to be temporarily stockpiled until required.	In Control	Clean water drains are in place. Planning for new emplacement ponds is in progress.	
Erosion and Sediment Control Measures for Emplacement Catch Ponds	4.2.7.3	Each phase of the CWEA is supported by two sequential ponds sited down Brennans Creek Valley. The first (upstream) pond allows passive settling of particles, while the second pond will have the capability to be chemically dosed to remove fine particulates from the water column.	In Control	The first (upstream) pond: Emplacement Pond 2 - is utilized for passive settling. The second (downstream) pond: Emplacement Pond 3 - is chemically dosed for assisted settling.	

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Erosion and Sediment Control Measures for Emplacement Catch Ponds	4.2.7.3	Each pond must be operational prior to commencement of coal wash emplacement in the catchment area for that pond. As each phase approaches completion and filling of the first pond is imminent, a new pond is to be constructed downstream, prior to the emplacement encroaching on the upstream pond. Emplacement pond dam walls will be constructed using coal wash or site won material excavated (sandstone, coal wash or other appropriate material) from prepared active emplacement areas or other suitable areas.	In Control	Stage 3 emplacement is approaching Emplacement Pond 2. No new ponds were created in FY23.	
Preparation of Active Emplacement Areas	4.2.8.1	Preparation of active emplacement areas will take place progressively as the emplacement advances down Brennans Creek Valley.	In Control	As per CWEAMP rehabilitation program.	
Preparation of Active Emplacement Areas	4.2.8.1	The area of land cleared and dedicated as the active emplacement area will be restricted to an operational size of 18 ha (where practical, with a maximum area of 21 ha) in order for the emplacement ponds to effectively treat surface flows.	In Control	Active emplacement area is within limits. Emplacement Area at 17.92 ha at time of desktop review (10/08/2023). South eastern face of emplacement currently being covered by topsoil from clearing area taking place for the Stage 3 CWEA at the time of reporting. Total area to be cleared in early FY24 is ~1.5 ha that will be relocated as topsoil for current active emplacement.	

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Preparation of Active Emplacement Areas	4.2.8.1	In general, stripped topsoil will be placed on finished emplacement areas and stripped sandstone/bedrock will be used onsite for emplacement pond dam wall construction. This may require temporary stockpiling of stripped topsoil and sandstone material and appropriate mitigative measures will be undertaken to minimise the effects of erosion and sediment runoff. Stage 4 of the CWEA has a design footprint of 59.4 ha as shown in Plan 3.	In Control	As per CWEAMP rehabilitation program. VENM was imported to Appin North in FY22 and FY23 for use as capping material for the CWEA.	
Vegetation and Topsoil Removal	4.2.8.3	All vegetation including shrubs, trees and roots shall be cleared from the active emplacement area using the two-stage clearing process before coal wash emplacement commences. Loose vegetation from site clearing, such as tree branches, shall be used as mulch or brush matting over areas of the CWEA being rehabilitated. Soil will be stripped from areas cleared for coal wash emplacement and where practicable, the seed rich surface layer of topsoil shall be separated from lower level soils. Stripped soil will be applied to a depth of typically 0.5 m (where appropriate) over completed areas of the emplacement as soon as practical. When seed rich topsoil stripped from cleared areas is available it will be spread as the surface layer on emplacement areas being rehabilitated. Seed rich topsoil is to be reused as quickly as possible to maintain viability of seeds.	In Control	As per CWEAMP rehabilitation program.	

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Vegetation and Topsoil Removal	4.2.8.3	When the emplacement is progressing to its final stages, particular attention must be paid to stockpiling the necessary volumes of soil to ensure adequate soil cover is achieved during rehabilitation of the final landform. Where required, suitable material may be sourced from off-site locations to supplement on-site material where deficiencies are identified.	In Control After Action Close-out	A Biodiversity Risk Assessment was completed in April 2023 which looked at "topsoil deficit" and identified actions to reduce the risk of a topsoil shortfall. VENM was imported to Appin North in FY22 and FY23 for use as capping material for the CWEA.	Incorporate topsoil stockpiling into the design planning for Stage 4 (include a topsoil inventory for Stage 4). Continue to investigate other options for sourcing alternative material and progress required approvals as appropriate.
Emplacement of Coal Wash in Active Emplacement	4.2.9.1	Active emplacement areas will be revegetated as soon as possible after the final emplacement design level has been reached.	In Control	Rehabilitation is undertaken progressively.	

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Coal Wash Transportation	4.2.9.3	<p>The following procedures must be adhered to with regard to transportation of coal wash associated with the emplacement operations:</p> <ul style="list-style-type: none"> • coal wash shall be transported in trucks on the mine site; • coal wash trucks shall be restricted to designated haul roads on the mine site; • coal wash haul roads shall be designed in accordance with the haul road design guidelines in this management plan (see Section 4.2.3.3); • coal wash haul roads must drain to contaminated water catchments and have standard berms installed; • coal wash haul roads must be maintained to minimise airborne dust; • only dump trucks shall be permitted on the emplacement area (semi-trailers shall only be permitted on areas of the emplacement that have been specially prepared for their access); • dump trucks will be speed restricted to an appropriate speed to meet the site requirements; and • all haul trucks must adhere to site speed limits to maintain operational safety and minimise dust impacts. 	In Control	<p>The procedures governing the transportation of coal wash associated with the emplacement operations are consistent with the Management Plan. In field verification is undertaken as required.</p>	
Coal Wash Transportation	4.2.9.3	<p>Coal wash transport will comply with the safety and operational conditions of the West Cliff Surface Transport Management Plan (Document Number: WCPMP0012), Stockpile and Slope Stability Management Plan (Document Number: WCPMP0001), and the Road Maintenance Manual (Document Number: WCPM0004).</p>	In Control		

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Coal Wash Tipping	4.2.9.4	<p>A tipping area is provided on each active coal wash bench for haul trucks to tip their loads onto the bench. There are currently eight different materials which are required to be placed in a controlled manner into the emplacement.</p> <p>The tipping areas must be set up to handle all eight materials, each of which have different characteristics:</p> <ul style="list-style-type: none"> • DCPP coal wash; • WCCPP coal wash; • belt press fines from the WCCPP; • oversize stone (Big Rock) from the WCCPP; • thickener sludge from the WCCPP; • drilling muds, waters and drill cuttings from IMC exploration and methane drainage programs; • inert waste (including concrete and soil) and virgin excavated natural material (VENM); and • sump/dam clean out materials. 	In Control	Tipping areas are set out on individual benches for approved materials as outlined in the Management Plan. In field verification is undertaken as required.	
Coal Wash Tipping	4.2.9.4	<p>The Material Acceptance Form must be completed and approved prior to the transport of any material not generated by the WCCPP or DCPP to the emplacement for use or disposal.</p>	In Control	Material Acceptance Forms have been completed for the transport of materials not generated by the WCCPP or DCPP.	
Coal Wash Tipping	4.2.9.4	<p>Each area is prepared in such a way that allows safe operation of mobile equipment while accessing the area for tipping. This includes:</p> <ul style="list-style-type: none"> • adequate areas and lighting for night time operations; • berms in place; • signage marking tip areas; • allowance for drainage; • surfaces suitable for dump trucks and other approved surface mobile equipment; and • surfaces suitable for tankers around sludge ponds. 	In Control	Each area is prepared in such a way that allows safe operation of mobile equipment while accessing the area for tipping as outlined in the Management Plan. In field verification is undertaken as required.	

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Coal Wash Tipping	4.2.9.4	The Contract Supervisor for the CWEA operations is responsible for ensuring required inspections are undertaken. The adequacy of these inspection records will be checked by IMC personnel on a periodic basis (nominally annually).	In Control	Required inspections are undertaken and reviewed by IMC.	
Coal Wash Drying	4.2.9.5	If the moisture content of coal wash delivered to the emplacement area is too high for satisfactory compaction it will be left to dry naturally until suitable moisture content for compaction is reached.	In Control	Coal wash that is delivered to the emplacement area that has a high moisture content is left to dry naturally as outlined in the Management Plan. In field verification is undertaken as required.	
Coal Wash Drying	4.2.9.5	Coal wash slimes/fines will be tipped into shallow temporary drying basins (i.e. sludge ponds) constructed with coarse coal wash. Temporary drying basins will be carefully located on the emplacement area well away from the embankment face and perimeter drains. No surface drainage will be permitted to enter a temporary drying basin.	In Control	Coal wash slimes/fines are handled as outlined in the Management Plan. In field verification is undertaken as required.	
Compaction	4.2.9.6	Coal wash will be spread from tipped heaps and where necessary compacted with vibratory rollers. Fine coal wash will be combined with coarse coal wash in the spreading and compaction operation. Material from temporary drying basins will be placed and compacted into the emplacement in a similar manner to fine coal wash.	In Control	Tipping methods allow for the adequate mixing of coarse and fine coal wash materials. Fine coal wash management outlined in OMS and approved by RTFE/EoR. Compaction requirements outlined in OMS.	

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Compaction	4.2.9.6	The Emplacement Supervisor manages the deposition of coal wash and is required to balance available areas for deposition, volumes and material types and compaction results.	In Control	Emplacement Supervisor manages and balances coal wash deposition as outlined in the Management Plan. In field verification undertaken as required.	
Compaction	4.2.9.6	The developing emplacement benches shall be graded back into the valley to prevent surface water flowing over the front batter of the bench.	In Control	Benches constructed as outlined in the Management Plan. In field verification undertaken as required.	
Compaction	4.2.9.6	Compaction testing is nominally carried out ten times per year with each testing campaign comprised of at least five representative samples. The compaction testing tests for Standard Maximum Dry Density (SMDD) and the results are compared with a compaction criterion of 95% Standard Compaction. The tests are carried out by a Geotechnical consultant at test locations selected by the Contract Supervisor for the emplacement operations.	In Control	Compaction testing completed as per plan. Compaction method and trials underway under OMS.	
Compaction	4.2.9.6	A record of the test results and locations of where they have been taken shall be maintained in the document management system.	In Control	Records of compaction tests are maintained by the emplacement contractor. Desktop verification undertaken as required.	

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Bench Heights	4.2.9.7	Coal wash emplacement will progress in a series of filled horizontal benches until each active emplacement area reaches its finished height. Coal wash benches will extend down the valley in a repetitive sequence of tipping, spreading, and compacting. Coal wash material that is too wet to be emplaced immediately will be placed in temporary drying ponds, which will be located within the emplacement footprint.	In Control	Emplacement operations undertaken as outlined in the Management Plan. In field verification undertaken as required.	
Bench Heights	4.2.9.7	Coal wash emplacement in the valley shall commence at the lower end of the prepared active emplacement area and progress in a series of filled horizontal benches until the emplacement reaches the finished height. Coal wash shall be deposited on the benches and compacted in layers as shown in Figure 1 to achieve better than 95% dry density ratio.	In Control	Emplacement operations undertaken as outlined in the Management Plan.	
Bench Heights	4.2.9.7	The developing benches will be graded back into the valley to prevent surface water flowing over the front batter of the bench and operations will generally aim to maintain coal wash benches with a 30 m lift as outlined in Figure 1.	In Control	Emplacement operations undertaken as outlined in the Management Plan.	

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Bench Heights	4.2.9.7	<p>The vertical height of a bench is measured at its highest point or crest and at the bench toe. A bench is established in four distinct stages and must be built with the materials' natural angle of repose forming the maximum angle or slope. Any under-cut which increases this angle must be avoided and rectified before tipping can proceed on top of the bench. The procedure for constructing the benches is as follows:</p> <ul style="list-style-type: none"> • each layer of coal wash is pushed off with the dozer; • depending on material type and compaction already achieved, a vibratory roller is used to further compact the coal wash; edges of the bench are further rolled providing increased compaction; • surface gradient of the bench top is provided to facilitate quick water run off for rain events; and • surface contour drains are provided at intervals and a new bench is started. The contour surface drains must have a gradient that allows surface water to be discharged quickly. 	In Control	<p>Emplacement benches established as outlined in the Management Plan.</p> <p>In field verification undertaken as required.</p>	
Bench Heights	4.2.9.7	<p>Best practice at the CWEA has limited bench heights to 30 m. This height can only be exceeded following a formal risk assessment which involves suitably qualified personnel other than the contractor or persons normally supervising the work.</p>	In Control	<p>Bench heights of 30 m are not exceeded in the CWEA.</p>	

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Bench Heights	4.2.9.7	The surface shape of the CWEA will be finished to blend with the surrounding landform (as per the approved final landform) and provide for non-eroding table drains to carry surface water runoff to the emplacement perimeter drains. Batter slopes on the finished emplacement will be constructed to non-eroding grades where practical in accordance with the approved finished profile design contours. This profile has been designed to a maximum grade of 1(V):3(H) to prevent erosion and sediment runoff. Suitable erosion control methods will be adapted as necessary.	In Control	The finished landform is as per approved design plans in the CWEA management plan.	
Redirect Coal Wash to Beneficial Uses	4.2.12	IMC has committed to pursuing alternative uses for coal wash as part of the Project Approval and the Dendrobium Mine Development Consent. This commitment is demonstrated from the continuing work in this area, including researching new technologies which would enable beneficial coal wash uses.	In Control	Beneficial uses of coal wash continue to be investigated.	
Cultural Heritage Management	5.1	Detailed design plans which include options for reducing, avoiding and/or managing impacts on Aboriginal heritage sites in and adjacent to the southwestern fringe of the proposed Stage 4 footprint (including sites 52-2-2228/3617, 52-2-1373, 52-2-3533/3613 and 52-2-3506);	In Control	Stage 4 not yet commenced	
Cultural Heritage Management	5.1	Management strategies to ensure no impacts to Aboriginal heritage site 52-2-3505 other than negligible impacts, including consideration of potential staged development of the emplacement and/or buffer areas.	In Control	Emplacement is at least five years away from this location. The site is also buffered by the Brennans Creek Diversion Channel.	
Management and Mitigation	5.7	There are 13 cultural heritage sites within the CWEA that will require some form of management. Refer to Appendix 3.	In Control	Cultural heritage is managed as per the approved CWEAMP.	

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Management and Mitigation	5.7	For sites located within the boundaries of the proposed Stage 4 CWEA, the proposed management approach is to conduct detailed recording and, where appropriate, archaeological salvage of a sample of occupation deposit. This strategy is consistent with that successfully employed for the Stage 3 CWEA.	In Control	Cultural heritage is managed as per the approved CWEAMP.	
Management and Mitigation	5.7	For sites avoided by the emplacement footprint, but located in close proximity, proposed management includes conducting detailed recording of the site prior to works in the vicinity, and demarcation of the site to minimize the potential for accidental impacts from mobile machinery working in the area.	In Control	Cultural heritage is managed as per the approved CWEAMP. Consultation with Aboriginal Groups commenced in FY23 and will continue in FY24.	
Management and Mitigation	5.7	Detail and scheduling of these management strategies should be developed in consultation with the Aboriginal community through the AHP process.	In Control After Action Close-out	Cultural heritage is managed as per the approved CWEAMP. Consultation with Aboriginal Groups commenced in FY23 and will continue in FY24.	Continue consultation with local Aboriginal groups.
Vegetation and Fauna Management	6.1.1	The unit of vegetation to be cleared will be surveyed by appropriately qualified personnel (suitably trained Environmental Representative or specialist consultant) and marked out using flagging tape.	In Control	Relevant site personnel have been trained	
Vegetation and Fauna Management	6.1.1	Surveys of each unit will involve traversing the study area to locate, record and mark specific habitat features that are proposed for preservation and redistribution to the emplacement (e.g. rocks and boulders, stags and large hollows).	In Control	Pre-clearance inspections are undertaken as required.	

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Vegetation and Fauna Management	6.1.1	Prior to any vegetation clearance occurring on site, specific details including the type and number of each habitat feature will be clearly recorded and identified on a pre-clearing checklist. Clearance will only occur following demarcation and survey by appropriately qualified personnel.	In Control	Pre-clearance inspections are undertaken as required.	
Vegetation and Fauna Management	6.1.1	The survey will identify appropriate candidate boulders and outcrop rock that could be translocated for habitat creation in revegetated areas. Boulders shall be placed on top of replaced soils (on top of the CWEA) to recreate habitat for species dependent on rocky outcrops, such as the Broad-headed Snake.	In Control	Pre-clearance inspections are undertaken as required and suitable boulders identified.	
Vegetation and Fauna Management	6.1.1	During the pre-clearance survey, habitat features within each unit will be inspected in order to identify the need for any relocation of resident fauna species. Relocation of fauna will also involve the identification of capture and release methods and release areas for the relocation of fauna species prior to clearing.	In Control	Pre-clearance inspections are undertaken as required. No relocations were required in FY22.	
Permit to Disturb	6.1.2	Prior to any vegetation clearance occurring on site, a Permit to Disturb (ICHF0209) is to be issued. Specific details including the type and number of each habitat feature will be clearly recorded and identified on Permits to Disturb prior to issue. Permits to Disturb will only be issued following demarcation and survey by the Environmental Representative.	In Control	Permits to Disturb are completed as required.	
Permit to Disturb	6.1.2	A post-clearing inspection will be undertaken by the site Environmental Representative to verify the clearing was done in accordance with the Permit to Disturb.	In Control	Permits to Disturb are completed as required.	

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Permit to Disturb	6.1.2	If unapproved clearing goes beyond the emplacement boundary: <ul style="list-style-type: none"> • the incident will be reported in accordance with the Environmental Compliance/Conformance Assessment and Reporting Procedure (IMCP0186); and • the disturbed area will be rehabilitated as soon as practicable. 	N/A	Not triggered	
Clearing Process - Timing	6.2.1	Where possible, the timing of vegetation clearance of important habitat features will be between January and May to avoid the primary breeding and nesting periods of most hollow-dwelling species.	In Control	The last emplacement clearing permit was issued in April 2023 with two stage clearing implemented for this area. Habitat features checked through spotlighting before clearing approved. Some habitat features remain in the area as of 10/08/2023 and will be checked prior to clearing as part of two stage clearing process.	
Two-Stage Clearing	6.2.2	Where possible, (i.e. where access to trees by the excavator is safe and practical), clearing of hollow bearing trees will be performed in a two-stage process where surrounding vegetation is cleared separately, before the removal of habitat trees to allow fauna an opportunity to move.	In Control	Two stage clearing undertaken as required and as per requirements of the pre-clearing assessment report that is issued to the contractor before clearing can take place.	

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Injured Animals	6.2.2.3	The general practice of dealing with injured or captured fauna will be for the site operators to notify the site Environmental Representative who will arrange for fauna rescue or veterinary treatment. If the site Environmental Representative is not present when an injured or juvenile animal is found, the following steps will be implemented: <ul style="list-style-type: none"> • cover animal with a towel or blanket to minimise stress and place in an appropriate hessian or cloth bag; • move animal to designated holding area; and • contact the local animal welfare group or veterinarian immediately. 	N/A	Not triggered	
Stockpiling	6.2.3	Vegetation shall be removed from the area in stages and stockpiled adjacent to the clearing.	In Control	Stockpiling is avoided where possible. Material is preferentially translocated directly to the areas being rehabilitated.	
Stockpiling	6.2.3	Rocks and logs are to be redistributed to the recipient sites (as per the Permit to Disturb). Large boulders and stags which require partial soil cover to be secured in place will be moved to the recipient sites prior to soil translocation.	In Control	Rocks and logs are collected. Large boulders and stags are relocated as required where identified.	
Stockpiling	6.2.3	Where practical, soil stockpiling will be avoided, and stripped soil layers will be immediately redistributed to the donor sites. Soils will not be stockpiled for long periods of time. Soil horizons will not be removed during or immediately following rain to minimise the composting process during stockpiling.	In Control	Stockpiling is avoided where possible. Material is preferentially translocated directly to the areas being rehabilitated.	

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Stripping of soil horizons	6.2.4	Topsoil from the donor site will be stripped from the surface in layers. The most valuable layer is the top 50 mm of soil which contains the majority of soil stored seed and propagules, plant nutrients and beneficial soil microbes. The top 50 mm of soil will be stripped and mixed with the cleared vegetation and stockpiled adjacent to or on the selected and pre-prepared recipient site ready for spreading.	In Control	Topsoil stripping and placement is undertaken as detailed. The success of this methodology is noted in the CWEA monitoring report.	
Stripping of soil horizons	6.2.4	Stripping and stockpiling of subsoil horizons will be undertaken depending on depth of bedrock. Where possible the depth of subsoil removal should exceed 500 mm. Subsoil layers will then be translocated to the recipient sites.	In Control	Subsoil stripping and placement is undertaken as detailed.	
Progressive Rehabilitation	6.3.1	Rehabilitation of the emplacement surface will take place progressively as each section of embankment fill reaches the finished level. Completed sections of the emplacement will be trimmed to even grades, and spread with approximately 0.5 m of soil (including subsoil and topsoil).	In Control	Progressive rehabilitation is undertaken.	
Progressive Rehabilitation	6.3.1	Habitat reinstatement techniques such as transplanting dead stags, addition of habitat logs and woody debris, nest box use and installation reconstruction of rock outcrops will be undertaken as described.	In Control	Progressive rehabilitation is undertaken.	
Landform Design	6.3.2	The surface of the emplacement will be reshaped in order to mimic micro-topographic features. Where possible, more natural concave slope profiles and slope angles will be used to limit the loss of sediment off the slope. The finished surface profile of the CWEA must be in accordance with the approved design contours (refer to Plan 2 and Plan 3).	In Control	Micro-topographic features are built in line with recommendations outlined in the Management Plan. Verified in field on a quarterly basis.	

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Translocation of Habitat and Soil	6.3.3.1	To facilitate successful long term plant growth it will be necessary to avoid capillary rise of potential saline seepage from the coal wash. In order to avoid the potential for saline seepage (which can prevent seed germination and retard plant growth), the emplacement will be fully encapsulated by soil horizons to a depth of typically 0.5m where appropriate.	In Control	There is no evidence of capillary rise in the CWEA.	
Translocation of Habitat and Soil	6.3.3.1	Subsoil horizons will first be spread over the allocated recipient sites on the Emplacement surface. Finally, the remaining 50 mm (topsoil) will be spread over on top.	In Control	Soil horizons are spread as required.	
Translocation of Habitat and Soil	6.3.3.2	All remaining stockpiles of rocks, logs and vegetation will then to be redistributed over the recipient site. Avoiding excessive soil compaction is crucial to maximising plant establishment and all traffic should be excluded from the translocated soil horizons once all materials have been spread on the surface. Habitat logs and coarse woody debris from the cleared vegetation will provide microhabitat for fauna and protection for emerging seedlings.	In Control	Stockpiles of rocks, logs and vegetation are spread as detailed.	
Translocation of Habitat and Soil	6.3.3.3	Large hollow bearing trees are numerous within areas proposed for clearing. Selected large hollow bearing trees within each clearance compartment will be transplanted to areas within the rehabilitating emplacement to become standing dead trees (stags). Provision of these dead stags will provide fauna habitat which may otherwise take decades to form. The quantity of dead stags transplanted to the emplacement will aim to mimic the numbers originally present within the cleared compartments.	In Control	Large stags are being identified during the pre-clearance inspections and placed within the rehabilitation areas.	

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Translocation of Habitat and Soil	6.3.3.4	To provide suitable habitats for certain fauna species (especially reptiles), relocation of sandstone rock outcrops to the emplacement will be undertaken. The location of rock outcrops will account for the thermoregulatory requirements of reptile fauna by concentrating placement of boulders and exfoliating rocks on westerly aspects of the CWEA.	In Control	<p>Rock outcrops are being constructed as required. Soil capping and habitats are currently being built over the eastern side of the Stage 3 CWEA as of 10/08/2023.</p> <p>Pavers were installed in the rehabilitation areas to replicate habitat for the Broad-headed Snake and the Velvet Gecko in FY22. One Broad-Headed Snake habitat included in annual rehabilitation monitoring for FY23, with a more in depth monitoring regime to be implemented for FY24.</p>	
Translocation of Habitat and Soil	6.3.4	Seed mixes should resemble the local vegetation types (Exposed Sandstone Scribbly Gum Woodland (ESSW) and Sandstone Gully Peppermint Forest (SGPF)) to supplement rehabilitation of the emplacement and associated areas. Seed is harvested by contractors from areas of land within the regional locality, and will be spread over bare areas of the CWEA. Where required (i.e. in areas that remain without any, or poor, natural regeneration for a period longer than six months), supplementary planting of local provenance tubestock will be considered to ensure vegetation is progressively reinstated.	In Control	Seed is sourced from a contractor. It is not always possible to guarantee local seed due to availability in the local areas. Due to health and safety risks associated with seed collection on an active mine site, no seed is formally collected on the mine site and it hasn't been required due to seed being available elsewhere in the region. Supplementary planting has not been required to date.	
Translocation of Habitat and Soil	6.3.4	A list of suitable plant species for collection, propagation and installation has been derived from the Species Impact Study species list and is included in Table 5.	In Control	Seed list has been provided to the seeding contractor. Monitoring results suggests revegetation is consistent with the listing provided.	

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Weed and Pest Management	6.3.5.1	Weeds and vertebrate pests will be managed as detailed in Table 6.	In Control	Regular slashing has continued as required. Weed spraying occurred throughout the rehabilitation areas during FY23. No pest management has been required in FY23.	
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<p>Bushfire Management</p>	<p>6.3.5.2</p>	<p>Bushfire management at the site will be reviewed once the current <i>Persoonia hirsuta</i> research project findings are completed (which includes ecological burning). The updated bushfire management for the site will also consider the fire ecology of all threatened species at the site. Bushfire trials are being considered on the CWEA, in particular Stage 1 and Stage 2.</p>	<p>In Control</p>	<p>A literature review of bushfire and rehabilitation was undertaken in FY21 and revised following the provision of results from coal wash sampling and provision of additional data as part of an ACARP Project. The Literature Review concluded that bushfire on the CWEA rehabilitation has a low (inconsequential) risk of ignition of the coal wash combustibles and the existing surrounding landscape would offer containment of a fire and prevent potential spread from the rehabilitation area. The subterranean coal wash material is unlikely to be exposed to a radiant heat intensity and duration that would have potential to ignite the coal wash reject material. There is a limited yet manageable risk associated with bushfire on the CWEA.</p> <p>The <i>Persoonia</i> Research report was submitted to DAWE in June 2021.</p> <p>The Appin Mine Bushfire Management Plan was reviewed in FY23.</p>	
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Rehab Phases, indicators and Completion Criteria	6.3.6	The Appin Mine Mining Operations Plan (that also meets the requirements of Condition 33 of Schedule 4 of the Project Approval for the Appin Mine Rehabilitation Management Plan) summarises the rehabilitation processes for all surface facilities and sites associated with Appin Mine. Table 7 outlines the rehabilitation phases, indicators, objectives and completion criteria for the CWEA.	In Control	Progressive rehabilitation is undertaken to achieve the Completion Criteria. The CWEA Annual Monitoring Report details progress towards meeting these criteria. The MOP was replaced with a Rehabilitation Management Plan on 2 July 2022.	
<i>Persoonia hirsuta</i> management strategies	6.4	The Stage 4 conceptual staging plan will facilitate pollination vectors for <i>Persoonia hirsuta</i> across remnant bushland for Corridors 1 through 3 as shown in Plan 4.	N/A	Not yet triggered	Design plans will be developed to comply with this Condition as required.
Water	7.1	Runoff from the active emplacement areas (or areas where the vegetation has not yet been spread) is directed to the emplacement water management system (i.e. Ponds P4, EP2, and EP3) for treatment prior to being gravity fed to BCD.	In Control	Inspections are undertaken to check effective operation of the water management system.	
Water	7.1	As the emplacement construction progresses, a subsurface drainage system is installed in the base of the cleared area. Emplacement under-drainage flows are generally clean. The emplacement under-drainage is pumped to the clean water diversion channel for release into BCD. If required (i.e. if the water is turbid), the underdrainage can be directed into the CWEA dirty water system. Overflow from the CWEA under-drainage system feeds directly to the CWEA water treatment system.	In Control	Underdrainage water quality is monitored monthly via grab samples.	

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Dust Control	7.2	<p>Dust impacts from emplacement operations will be mitigated by the coal wash material containing moisture from coal washing processes and being compacted once emplaced. Active emplacement areas will be vegetated as soon as is practical after emplacement and revegetated emplacement is typically stable. The following measures are in place to reduce dust emissions associated with emplacement operations:</p> <ul style="list-style-type: none"> • regular inspections are undertaken to identify the presence of dry windy conditions and appropriate dust suppression is implemented as necessary • early warning weather alerts are received that predict adverse weather conditions and pre-emptive dust controls are implemented where required. A water cart is maintained on site and is used when the surface of the emplacement is dry and airborne dust can be created; and • vehicle speed limits are followed to reduce the risk of dust emissions from unsealed roads due to vehicle movements. <p>Air quality around the CWEA will be monitored by:</p> <ul style="list-style-type: none"> • collection and measurement of dust samples from strategically placed dust deposition gauges; • use of real-time air quality monitors; and • dust emission surveys and spot checks using hand-held photometers (as required). 	In Control	<p>Watercart is in use on the haul roads and stockpiles.</p> <p>Coal wash is compacted and covered as soon as practicable.</p> <p>Dust deposition gauges were decommissioned in FY21 following consultation with the EPA and DPIE.</p> <p>No specific dust impacts were identified in FY23.</p>	
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Noise Control	7.3	Noise generated on the CWEA is from coal wash haul trucks and earthmoving equipment. The noise impact from these operations is deemed to be minimal as noise is naturally mitigated by the emplacement being located in a valley and at a distance of 1.5 km to 2.5 km from the nearest residential development in Appin. This is confirmed by the quarterly noise monitoring program and the lack of complaints about noise from the site.	In Control	No noise complaints received. No issues raised during quarterly noise monitoring.	
Noise Control	7.3	Noise complaints will continue to be recorded and if a notable increase is identified, IMC will undertake further investigations.	In Control	As per Noise MP.	
Visual Impact	7.4	The following measures will be undertaken to minimise impacts on visual amenity due to emplacement operations: <ul style="list-style-type: none"> • the finished level of the CWEA will be in accordance with approval conditions; • the land area dedicated to active emplacement operations will be kept to a minimum (typically 18 ha, maximum 21 ha); • the finished surface of the emplacement will be of a shape which complements and blends, as much as possible, with the surrounding natural landform, as per the approved final landform plans; and • completed sections of the CWEA will be revegetated as soon as possible. 	In Control	The CWEA is constructed as per design. Progressive rehabilitation is undertaken.	
Emplacement Rehabilitation Monitoring	8.1.1.5	Biometric assessments are required annually, starting at 1 year after translocation.	In Control	See last CWEA Monitoring Annual Report.	
Emplacement Rehabilitation Monitoring	8.1.1.5	Surveys at control sites only required once every three years and the benchmarks as presented in this report remain so for the ensuing three year period.	In Control	Control sites last monitored in Spring 2020. To be included in 2023 monitoring schedule.	

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Emplacement Rehabilitation Monitoring	8.1.1.5	Photo point monitoring is required annually and done in conjunction with the biometric assessment.	In Control	Photo points last monitored in 2022. See last CWEA Monitoring Annual Report.	
Emplacement Rehabilitation Monitoring	8.1.1.5	Meanders for threatened plants are undertaken every three years.	In Control	Threatened plant meander undertaken in Spring 2020. To be included in 2023 monitoring schedule.	
Emplacement Rehabilitation Monitoring	8.1.1.5	Fauna monitoring using camera traps is required annually, starting 5 years after translocation or as deemed appropriate depending on the maturity of the revegetation.	In Control	Fauna last monitored in Spring 2022. See last CWEA Monitoring Annual Report. Next round of Fauna monitoring to be undertaken Spring 2023.	
Emplacement Monitoring	8.2	Permanent survey control benchmarks are established on stable ground outside the perimeter of the CWEA from which the monitoring stations can be surveyed. Survey heights are taken regularly to determine the appropriate design heights.	In Control	Emplacement contractor achieves finished levels as follows; 1. At regular intervals depending upon the coal wash volumes (up to 6 times per year), a Surveyor provides positive proof of the current levels against the IMC approved design. 2. Check of coal wash levels at 500 mm below the finished plan undertaken (allowing for soil placement). 3. Clarification of the emplacement heights and displacement is obtained using InSAR satellite monitoring.	

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Emplacement Monitoring	8.3	<p>Compaction testing is nominally carried out ten times per year. Each testing campaign must take at least five representative samples. Compaction testing will test for SMDD and the results will be compared with a compaction criterion of 95% Standard Compaction. If after testing the compaction results are less than 95% then the fail area must be reworked and re-tested. The fail area shall be isolated from normal emplacement operation until results of re-testing indicate 95% or better compaction.</p>	In Control	Compaction testing completed as per plan.	
Emplacement Monitoring	8.4	<p>Runoff from active emplacement areas or areas where vegetation is not established is directed to the CWEA water management system (i.e. Ponds P4A, EP2 and EP3) for treatment prior to being diverted to BCD. Emplacement under-drainage flows are generally clean but have the potential to be dirty during the first-flush period of a rainfall event, especially after a prolonged dry period. Any first flush flows that are dirty are directed to the CWEA water treatment system (i.e. Ponds P4A, EP2, and EP3). During clean subsurface flows, or once the dirty first flush flows have cleared, emplacement under-drainage is pumped to the clean water diversion channel for release into BCD. The water management system is explained in more detail in the Appin Mine Water Management Plan. Monthly water samples are taken to monitor the quality of the CWEA subsurface drainage.</p>	In Control	Monthly samples collected as required - refer to 14-day Report (Point 16) on IMC website.	

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Emplacement Monitoring	8.5	<p>Erosion and sediment control structures will be regularly inspected to check they are operating satisfactorily and to perform any maintenance work and repairs that may be required. Regular maintenance will include:</p> <ul style="list-style-type: none"> • sediment removal from drains and sediment basins; • installation, proper operation and routine maintenance of any flocculant dosing equipment; • replacement and or repair of sediment control structures as required; and • repair of areas that become unstable following periods of high flow. 	In Control	Monitored as part of quarterly inspection regime by Specialist Environment. Last inspection completed in June 2023.	
Complaints and Non-compliance Management	9.1	<p>Community complaints and enquiries may also be received in person by any employee of IMC, with details to be immediately shared with the Community Team for investigation. All CWEA complaints received in relation to Appin Mine will be managed in accordance with the Handling Community Complaints, Enquiries and Disputes Procedure.</p> <p>Upon receipt of a community complaint, preliminary investigations will commence as soon as practicable to determine the likely cause of the complaint. An initial response will be provided to the complainant within 24 hours of the complaint being made, with a follow up response being provided as soon as practicable once a more detailed investigation is complete.</p>	In Control	No complaints regarding CWEA activities received in FY23.	

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Non-Compliance, Corrective Action and Preventative Action	9.2	Events, non-compliances, corrective actions and preventative actions are managed in accordance with the Reporting and Investigation Standard and Environmental Compliance/Conformance Assessment and Reporting Procedure. These procedures, which relate to all IMC operations, detail the processes to be utilised with respect to event and hazard reporting, investigation and corrective action identification.	In Control	Events are logged in G360, and change management of non-compliances are logged in GISTM folders and annual report.	
Notification of Pollution Incidents to Government Authorities and the Public	9.3	In accordance with Condition 7 of Schedule 6 of the Project Approval and Condition R2 of EPL 2504, IMC is to notify DPIE, EPA and other relevant agencies of any incident that has caused (or threatens to cause) material harm to the environment.	In Control	No pollution incidents relating to CWEA activities occurred in FY23.	
Reporting and Review	10.1.1	IMC will report on the performance of the CWEAMP in the Annual Review. The Annual Review is prepared in accordance with the requirement of Condition 4 of Schedule 6 of the Project Approval and is submitted to relevant agencies in September each year. Annual Reviews are made available to the general public via the South32 website.	In Control	Annual Review is submitted as required. Copies of previous Annual Reviews are available on the IMC website.	
Reporting and Review	10.1.2	The Emplacement Rehabilitation Monitoring Report is included as an appendix in the Annual Review.	In Control	Report was submitted to DCCEEW on 20/07/2023.	
Reporting and Review	10.1.3	A summary of the CWEA monitoring results (where applicable), including details of exceedances and non-compliances (as determined in accordance with Section 9.2 of the CWEAMP), will be provided on the South32 website in the 14-day report.	In Control	Report is available on the IMC website.	

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Exceedance/non-compliance notifications	10.2	In the event that an exceedance or non-compliance of the relevant air quality, noise or water quality criteria is confirmed, a notification will be made.	In Control	No air quality, noise or water quality exceedances or non-compliances at the CWEA were identified in FY23.	
Review of CWEAMP	10.3	In accordance with Condition 5 of Schedule 6 of the Project Approval, the CWEAMP will be reviewed, and if necessary revised, within three months, of: <ul style="list-style-type: none"> • the submission of an Annual Review; • the submission of an incident report; • the submission of an Independent Environmental Audit (IEA) report; or • any modification to the conditions of the Project Approval (unless the conditions require otherwise). 	In Control	Last reviewed and approved 12/12/2020 by State government, 28/01/2021 by Federal government. Plan is reviewed post submission of the Annual Review and is currently in draft pending completion of consultation with local Aboriginal parties.	
Independent Environmental Audit	10.4.1	In accordance with Condition 9 of Schedule 6 of the Project Approval, and Condition 18 of the EPBC Approval, an IEA shall be commissioned every three years, that will include a review of the CWEAMP. The report is required to be submitted to the Secretary within six weeks of completion of the audit, in accordance with Condition 10 of Schedule 6. The IEA Report is also required to be submitted to the Minister of DAWE in accordance with Condition 18 of the EPBC Approval within six weeks of completion of the IEA.	In Control	The last IEA was undertaken in 2022. The IEA Report was submitted to DAWE as required. The next IEA is scheduled in 2025.	
ISO 14001	10.4.2	External surveillance audits are undertaken on an annual basis, with recertification audits undertaken every three years. Internal Governance Reviews of the CWEAMP are nominally undertaken on an annual basis.	In Control	The last re-certification audit was undertaken in June 2021. The last surveillance audit was undertaken in June 2023. The last Governance Review was undertaken in May 2022 with the next review in Q3 2023.	

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			Outcome	Comment & Evidence	Proposed Action
AUDIT REVIEW					
Section	MP Ref.	Requirement / Obligation			
Bulli Seam Operations Project Environmental Assessment	1.5	South32 has committed to clearing no more than 9 ha of SSTF over the life of the project.	In Control	This target has not been exceeded.	
Monitoring, Record Keeping & Reporting	3	Monitoring, record keeping and reporting will be conducted as per the BioBanking Agreement, Annexure D. This will include an Annual BioBank Report to include the information required under Annexure D, Condition 2.5.	In Control	Reports submitted as required	
Monitoring, Record Keeping & Reporting	3	A copy of the BioBank report will be included in the Annual Review as an appendix and be submitted to the Department of Agriculture, Water and Environment (DAWE) to satisfy the EPBC Approval conditions.	In Control	BioBank report is included as an Appendix in the Annual Review.	
Management Plan Review	4	In accordance with Condition 5A of EPBC Approval 2010/5350, Biobanking Agreement 215 is considered to be an Offset Management Plan for the purposes of Condition 4 and therefore approval from the Minister of the SSTF Offset Management Plan is not required for this, or future, revisions of the management plan.	In Control	Updated SSTF Management Plan provided to DAWE for information in July 2021.	

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BioBanking Agreement ID number: 215	Ref.	Requirement / Obligation			
Use of the biobank site General responsibilities	3.1	Except as otherwise permitted by this agreement, the landowner must not carry out any act or omit to carry out any act, or cause or permit any act to be carried out or any act not to be carried out which act or omission may harm biodiversity values on the biobank site, including but not limited to any native animals, native plants, threatened species, populations and ecological communities, and their habitats. NOTE: The clearing of native vegetation that is otherwise permissible in accordance with the NV Act (whether it is permissible under a PVP, routine agricultural management activity (as defined under the NV Act), or is otherwise permitted under Part 3 of that Act) can only be carried out on the biobank site to which this agreement applies if it is also permissible under this agreement. Item 5.1 of the management actions contained in Section 1 of Annexure C sets out the limited circumstances in which native vegetation can be cleared on the biobank site. Annexure C also contains limited exceptions in relation to when a landowner is not required to comply with the management actions contained in Annexure C.	In Control	As per Management Actions comments below.	

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Use of the biobank site Cultural heritage	3.2	To avoid any doubt, nothing in this agreement is to be construed as authorising (including, but not limited to, by way of a consent, permit, approval or authorisation of any kind for the purposes of Part 6 of the NPW Act) any person to damage or to cause or permit damage to an Aboriginal object or Aboriginal place in, on or under the biobank site.	In Control	As per Management Actions comments below.	
Use of the biobank site Obtaining of consents, permits and authorisations	3.3	The landowner is responsible for obtaining all necessary licences, consents, authorisations, permits or approvals in order to lawfully comply with and carry out its obligations under this agreement or to undertake or enable any other identified matter under clause 3.5 and/or clause 3.6	In Control		
Use of the biobank site Development	3.4.1	<p>The landowner must not carry out, or cause or permit to be carried out, any development (as defined under clause 1 above) on the biobank site, unless the development:</p> <p>3.4.1 - is permitted or required under Annexure C, or</p> <p>3.4.2 - is identified in the table entitled 'Permissible development on the biobank site' contained in clause 3.5 or identified in the table entitled 'Permissible human activities on the biobank site' contained in clause 3.6</p>	In Control	As per Management Actions comments below.	

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<p>Use of the biobank site Permissible development</p>	<p>3.5</p>	<p>The landowner shall be permitted to carry out, or cause or permit to be carried out, the development specified in the following table in the management zone specified in the table:</p> <p>* All Management zones - Any development within the meaning of section 127 (1) of the Act reasonably considered necessary to remove or reduce an imminent risk of serious personal injury or damage to property.</p>	<p>In Control</p>	<p>As per Management Actions comments below.</p>	
<p>Use of the biobank site Permissible development</p>	<p>3.5</p>	<p>The landowner shall be permitted to carry out, or cause or permit to be carried out, the development specified in the following table in the management zone specified in the table:</p> <p>* All Management Zones - Any development permitted or required as part of a management action under Annexure C, including but not limited to maintaining existing access tracks on the biobank site, building shed/s to store weed control chemicals or other pesticides on the biobank site, building fences to manage stock on the biobank site and building structures to restore natural water flow regimes.</p>	<p>In Control</p>	<p>As per Management Actions comments below.</p>	

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<p>Use of the biobank site Permissible development</p>	<p>3.5</p>	<p>The landowner shall be permitted to carry out, or cause or permit to be carried out, the development specified in the following table in the management zone specified in the table:</p> <p>* All Management Zones - Construction of fencing to prevent stock incursion.</p>	<p>In Control</p>	<p>Signage and fencing as per the BBA are in good working order.</p> <p>In the 2022 reporting period there was minor damage to the top strand of the boundary fence with the neighbour to the south from falling branches during high wind. This fence was repaired in September 2022. There has been no known incursion of stock onto the site since the previous reporting period.</p> <p>The 2022 annual audit by BCT occurred on 29 September 2022. The Next Audit will be scheduled for after August 2023.</p>	
<p>Use of biobank site Permissible human activities</p>	<p>3.6</p>	<p>Notwithstanding clause 3.1, the landowner may carry out or cause or permit to be carried out any human activities specified in the following table, in the management zone specified in the table:</p> <p>* All Management Zones - Any human activity reasonably considered necessary to remove or reduce an imminent risk of serious personal injury or damage to property.</p>	<p>In Control</p>	<p>As per Management Actions comments below.</p>	

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<p>Use of biobank site Permissible human activities</p>	<p>3.6</p>	<p>Notwithstanding clause 3.1, the landowner may carry out or cause or permit to be carried out any human activities specified in the following table, in the management zone specified in the table:</p> <p>* All Management Zones - Any activity or any development permitted or required as part of a management action under Annexure C, including but not limited to mustering stock or feral herbivores including with mechanised vehicles, spraying or mechanically removing weeds, planting tube stock or sowing seeds of native vegetation, using drip torches, thinning native vegetation, disturbing soil temporarily to control erosion, encouraging regeneration, controlling nutrients or restoring natural flow regimes, laying baits, trapping or otherwise controlling vertebrate pests and feral herbivores and overabundant native herbivores.</p>	<p>In Control</p>	<p>As per Management Actions comments below.</p>	
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Use of biobank site Permissible human activities	3.6	<p>Notwithstanding clause 3.1, the landowner may carry out or cause or permit to be carried out any human activities specified in the following table, in the management zone specified in the table:</p> <p>* All Management Zones - Passive recreation, with the exception of overnight stays and/or camp fires, is permissible on the land to the extent that the condition of vegetation on site is not degraded. Passive recreation can include but is not limited to activities such as walking and bird watching.</p>	In Control	As per Management Actions comments below.	
Use of biobank site Permissible human activities	3.6	<p>Notwithstanding clause 3.1, the landowner may carry out or cause or permit to be carried out any human activities specified in the following table, in the management zone specified in the table:</p> <p>* All Management Zones - Any activity required to undertake permissible development</p>	In Control	As per Management Actions comments below.	
Management actions and management plans	4.1	<p>The landowner must carry out or procure the carrying out of the management actions in accordance with the timing, manner and requirements of Annexure C.</p>	In Control	As per Management Actions comments below.	

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Management actions and management plans	4.2	<p>The landowner must:</p> <p>i) implement or procure the implementation of; and</p> <p>ii) comply or procure the compliance with</p> <p>the management plans in accordance with the timing, manner and requirements of Annexure C</p> <p>NOTE: The management actions listed in Annexure C include requirements to take certain action and requirements to refrain from taking certain action.</p>	In Control	As per Management Actions comments below.	
Management actions and management plans	4.3	<p>Unless otherwise indicated by Annexure C, the landowner must ensure that;</p> <p>i) the management actions to be carried out in accordance with clause 4.1; and</p> <p>ii) the management plans to be implemented and complied with in accordance with clause 4.2</p>	In Control	As per Management Actions comments below.	
Monitoring, record keeping and reporting	7.1	The landowner must comply with the monitoring and record keeping requirements as set out in Annexure D.	In Control	As per Management Actions comments below.	

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Monitoring, record keeping and reporting	7.2	The landowner must submit an annual report complying with the requirements set out in Annexure D to the Chief Executive within the timeframe specified in Annexure D.	In Control	Reports submitted as required.	
Monitoring, record keeping and reporting	7.3	<p>The landowner must notify the Chief Executive in writing as soon as practicable after becoming aware of any failure to comply with this agreement or any other incident at the biobank site (or surrounds) which results or may result in a sudden or significant decline of biodiversity values at the biobank site. In particular, the landowner must notify the Chief Executive of:</p> <p>7.3.1 - the nature, location and time of the incident</p> <p>7.3.2 - the impact of the incident on biodiversity values</p> <p>7.3.3 - the measures that have been taken or will be taken in response to the incident</p> <p>7.3.4 - any provision of this agreement which may have been breached</p> <p>7.3.5 - the extent of any damage caused or permitted by the incident</p>	In Control	<p>Trespass and unauthorised removal of trees in August 2019. Incident report was provided to the Biodiversity Conservation Trust as required by this condition. BCT satisfied with the report and actions taken by South32.</p> <p>No other incidents have occurred as of 10/08/2023.</p>	

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Use of the land by servants, agents, leases or licensees	8	The landowner must incorporate all relevant requirements of this agreement in any lease or licence issued for the biobank site, and must at all times ensure that any servant, contractor, consultant, agent, lessee or licensee occupying the biobank site area shall be aware of, and not undertake any act inconsistent with, the landowner's obligations under this agreement.	In Control	Landcare have been provided a copy of the agreement as required.	
Change of land ownership of subdivision of land	9.1	<p>The landowner must notify the Chief executive in writing of any change of:</p> <p>9.1.1 - ownership of the biobank site, or any part thereof, within seven (7) days after the change of ownership of the biobank site; or</p> <p>9.1.2 - lessee of the biobank site, or any part thereof, within twenty-eight (28) days after the change of lessee or licensee of the biobank site.</p> <p>The notice must include the name and address and other relevant contact details of the new landowner, lessee or licensee.</p>	N/A	Not triggered	

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Change of land ownership of subdivision of land	9.2	The landowner must provide a copy of this agreement, including a copy of each management plan and a copy of all records required to be kept under the record keeping requirements, to the transferee before completion of the assignment, transfer, disposal or sale of any interest in the biobank site.	N/A	Not triggered	
Change of land ownership of subdivision of land	9.3	The landowner must notify the Chief Executive in writing no less than 14 days before the biobank site is subdivided.	N/A	Not triggered	
Change of land ownership of subdivision of land	9.4	The landowner cannot assign, transfer, dispose of or sell its rights, title or interest in part of the land containing any area of the biobank site unless the landowner and the Minister have first agreed to vary the agreement to apportion the obligations and rights under the agreement in respect of that part of the biobank site that will be assigned, transferred, disposed of or sold.	N/A	Not triggered	

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<p>Right to enter biobank site for research and monitoring</p>	<p>10.1</p>	<p>The landowner must permit access to the biobank site at any time to the Minister, the Chief Executive, an authorised officer or an officer of OEH for the purpose of carrying out research or monitoring in relation to the biodiversity values on the biobank site for which biodiversity credits have been created under this agreement, but only where the person has given reasonable notice to the landowner and the landowner's agent, lessee or licensee, of the intention to enter the biobank site for that purpose and the nature of the research or monitoring that will be conducted. In exercising its right of access under this clause, the Minister, the Chief Executive, an authorised officer or an officer of OEH must ensure that such access does not:</p> <p>10.1.1 - result in physical or radio interference which obstructs, interrupts or impedes the use or operation of any telecommunications network and telecommunications service of a lessee or licensee of a part of the land; or</p> <p>10.1.2 - interfere with the electricity supply separate from the landowner's electricity supply to any part of the land occupied by a lessee or licensee.</p>	<p>In Control</p>	<p>BCT have been given access as required for the purpose of the annual audit.</p>	
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Right to enter biobank site for research and monitoring	10.2	The Minister, Chief Executive, an authorised officer or an officer of OEH may make a written request to the landowner to consent to any other person specified in the written request to enter the biobank site for the purpose of carrying out the research or monitoring referred to in clause 10.2, whether or not that person will accompany the Minister, Chief Executive, an authorised officer or an officer of OEH. The landowner will not unreasonably withhold consent.	In Control	Not triggered	
Ownership of the land and registration of this agreement	13.4	If the landowner elects to identify the exact boundaries of the biobank site on the Deposited Plan for the land, the landowner must bear any additional costs of registration.	N/A	Not triggered	
Variation and termination	14.1	Subject to clause 14.2, this agreement can only be varied or terminated in accordance with the Act.	N/A	Not triggered	
Dispute resolution	16.1	Where there is a dispute, difference or claim (dispute), the party raising the dispute must notify the other party in writing of the nature of the dispute, including the factual and legal basis of the dispute.	N/A	Not triggered	

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Dispute resolution	16.2	Within 14 days of the written notice, the Chief Executive and the landowner, or nominated senior representatives of the parties, must confer to attempt to resolve the dispute, and if the dispute cannot be resolved within twenty-one (21) days of the written notice, the Chief Executive and the landowner will refer the matter to mediation.	N/A	Not triggered	
Dispute resolution	16.3	The parties will agree on the terms of appointment of the mediator and the terms of the mediation in writing within twenty-eight (28) days, failing which the mediation will be at an end and either party may commence court proceedings in respect of the dispute, difference or claim.	N/A	Not triggered	
Dispute resolution	16.4	If the matter has not been resolved within 28 days of the appointment of the mediator, the mediation process will be at an end and either part may commence court proceedings in respect of the dispute, difference or claim.	N/A	Not triggered	

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Notices	21.1.	Any notice, consent, information, application or request that must or may be given or made to a party is only given or made if it is in writing and delivered or posted to that party as its address set out (in the agreement), or faxed to that party at its fax number set out (in the agreement).	N/A	Not triggered	
Annexure A: Maps of biobank sites	Ref.	Requirement / Obligation			
Maps of Biobank site	Map A	Map A - Biobank site boundary map dated 01/03/2016.	In Control		
Maps of Biobank site	Map B	Map B - Vegetation zones, management zones and photo points map dated 16/05/2016.	In Control		
Maps of Biobank site	Map C	Map C - <i>Grevillea parviflora</i> subsp. <i>Parviflora</i> locations dated 09/05/2016.	In Control		
Maps of Biobank site	Map D	Map D - <i>Epacris purpurascens</i> var. <i>Purpurascens</i> locations dated 10/05/2016.	In Control		
Maps of Biobank site	Map E	Map E - Koala habitat polygon dated 13/05/2016	In Control		
Annexure C: Management actions and management plans	Ref.	Requirement / Obligation			

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<p>Standard Management Actions Grazing</p>	<p>Section 1</p>	<p>Stock must not be permitted to graze in any area, remove stock immediately - Ongoing from commencement date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Quarterly site visits for this reporting period, include: 20 Oct 2021, 16 Feb 2022, 17 Jun 2022, 13 Jul 2022, 04 Aug 2022.</p> <p>No stock observed in all management zones on each site visit. There has been minor damage to the top strand of the boundary fence with the neighbour to the south from falling branches during high wind. A contractor has been sourced to make repairs in Aug/Sept 2022.</p> <p>Grazing by stock animals has ceased on the property to the south since the change in ownership and there has been no known incursion into the site since the previous reporting period.</p>	
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<p>Standard Management Actions Weed Control</p>	<p>Section 1</p>	<p>Comply with Weed MP - Section 3 - Ongoing from commencement date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Weed control at MZ1, MZ2, MZ3 and Transmission Line (TL) easement and edges of MZ6 and MZ7 adjoining easement on each site visit using herbicide spot spraying, with a quick spray™ unit (in the TL) and hand-pulling of weed species listed in BioBanking Agreement (BBA) 215. It is noted that there has been limited access to MZ3 due to the ongoing above average rainfall. Without vehicle access there is limited capacity to spray this area with a quick spray unit and all weed control must be done by walking to the site with 15-20 kg knapsacks.</p> <p>Maintenance sweeps for key weed threats through MZ6 and MZ7. No access permitted to MZ4 and MZ5 due to the high cliffs and gorges, however no weeds observed in adjoining management zones during maintenance sweeps.</p> <p>Herbicides have been used on the BioBanking site during site visits to undertake management actions (i.e. weed control) in each respective management zone as listed in the BBA. A list of herbicides used at each visit is available (if required).</p> <p>Slashing in the TL was planned for July 2022 however this has been deferred until August/September 2022 subject to more favourable weather conditions.</p>	
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<p>Standard Management Actions Weed Control</p>	<p>Section 1</p>	<p>Review Weed Management Plan every 4 -6 years. Notify Chief Executive in writing within 14 days of commencement of review. Findings of the review must be submitted to Chief Executive within 3 months of commencing the review. Chief executive to determine if update is required. Landowner must submit updated plan within 3 months of this request. Update must cover matters as per 2.2. of Section 1. - Ongoing from first payment date</p>	<p>In Control</p>	<p>BioBanking Agreement 215 agreed on 1 February 2017, with the first payment date being 20 July 2017.</p> <p>Landcare were engaged to undertake the review on 23 June 2023.</p> <p>The BCT was notified of the commencement of the review on 4 July 2023.</p> <p>The review was submitted on 19 July 2023.</p>	
<p>Standard Management Actions Fire</p>	<p>Section 1</p>	<p>Comply with Fire MP - Ongoing from first payment date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>No ecological burns are planned in any zone until at least 2026 and then the site will be reconsidered for future ecological burns in a mosaic pattern across the site.</p>	

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<p>Standard Management Actions Fire</p>	<p>Section 1</p>	<p>Review Fire Management Plan every 4 - 6 years. Notify Chief Executive in writing within 14 days of commencement of review. Findings of the review must be submitted to Chief Executive within 3 months of commencing the review. Chief executive to determine if update is required. Landowner must submit updated plan within 3 months of this request. Update must cover matters as per 3.2. of Section 1. - Ongoing from first payment date</p>	<p>In Control</p>	<p>BioBanking Agreement 215 agreed on 1 February 2017, with the first payment date being 20 July 2017. Landcare were engaged to undertake the review on 23 June 2023. The BCT was notified of the commencement of the review on 4 July 2023. The review was submitted on 19 July 2023.</p>	
<p>Standard Management Actions Fire</p>	<p>Section 1</p>	<p>Do not light fires on the Biobank site other than for purposes of ecological burning of if permitted as a permissible activity as per Item 4, Clause 3.6. - Ongoing from commencement date</p>	<p>In Control</p>	<p>No ecological burns are planned in any zone until at least 2026 and then the site will be reconsidered for future ecological burns in a mosaic pattern across the site. Monitoring observations report no evidence of recent fire activity during site visit (Management report suggests last burn was in 2004). Acacia spp. in MZ 2 and MZ 7 continue to exhibit senescence. Fuel loads approx. 25 tonnes per hectare on average. No evidence of recent fire activity during all six site visits (BBA suggests last burn/wildfire was in 2004).</p>	

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<p>Standard Management Actions Human Disturbance</p>	<p>Section 1</p>	<p>No activities that will adversely effect biodiversity must be carried out except those permitted under Clause 3.6 - Ongoing from commencement date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>In August 2019, a breach report was prepared and submitted to the BCT in regard to trespass and damage to the boundary fence and the illegal felling of CPW species including Ironbark species.</p> <p>Comments as per the South32 Appin BioBanking Agreement Annual Report 2022:</p> <p>Signage and fencing as per the BBA are in good working order.</p> <p>No waste was observed on the site during the site visits during this reporting period.</p>	
<p>Standard Management Actions Human Disturbance</p>	<p>Section 1</p>	<p>Human activities that have negative effect on biodiversity are permitted if they are listed under Clause 6 or if they are undertaken as part of the management plans - Ongoing from commencement date</p>	<p>In Control</p>	<p>Trespass and unauthorised removal of trees in August 2019. Report was provided to the Biodiversity Conservation Trust as required.</p> <p>No other events occurred within FY23.</p>	

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Standard Management Actions Human Disturbance	Section 1	Must not store or dispose of waste - Ongoing from commencement date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Action Completed Satisfactorily - No stored waste observed during site inspection.</p> <p>No evidence of additional or new waste was observed during the site 6 monthly visits (inspected 16 February and 4 August 2022).</p>	
Standard Management Actions Human Disturbance	Section 1	Must take all reasonable steps to remove waste deposited by others, or which is otherwise present on the site - Ongoing from first payment date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>No waste has been observed on the site during quarterly site visits this year.</p> <p>Action Completed Satisfactorily - No stored waste observed during site inspection.</p>	
Standard Management Actions Human Disturbance	Section 1	Signage must be installed and maintained to deter human disturbance including dumping. Signage must be the biobanking signs available by OEH - Within 3 months of first payment date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Signage and fencing as per the BBA have been installed and are in good working order.</p> <p>Action Completed Satisfactorily.</p>	

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Standard Management Actions Human Disturbance	Section 1	Fencing of 3 km of the site. \$4500 allocated every three years to maintain fencing. Single sign to be installed at each of the two locked gates - Within 3 months of first payment date	In Control	Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023. Signage and fencing as per the BBA have been installed and are in good working order. Action Completed Satisfactorily.	
Standard Management Actions Human Disturbance	Section 1	Retain the management access track on the Cataract River side - Ongoing from commencement date	In Control	Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023. Existing access track retained. Action Completed Satisfactorily.	
Standard Management Actions Retention of regrowth and remnant Veg	Section 1	Native veg must not be cut down, felled, thinned, logged, killed, destroyed, poisoned, ringbarked, uprooted, burnt etc. Except in accordance with Fire Management Plan or Permissible Development under Clause 3.5 - Ongoing from commencement date	In Control	Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023. Several CPW canopy species were illegally felled in MZ1 in August 2019. Some sections of the trees were removed from the site, no other evidence of vegetation being killed, destroyed or poisoned onsite occurred during this reporting period. No evidence or observation of recent ringbarking or tree felling onsite (except for the reported incident) since commencement of the BBA). Action Completed Satisfactorily - No evidence of recent disturbance to native vegetation observed. Previously disturbed area recovering well. No evidence of fire activity.	

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Standard Management Actions Replanting or supp planting	Section 1	Planting required in the 0.5 Ha Management Zone 3 - 250 plants. Record date of planting - commencing from first payment date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>As per the Section 6.6 of the BBA, a planting program has been implemented as a "local planting day", with preparation on 15/05/18 and planting on 22/05/18 for the species listed in the planting schedule.</p> <p>Action Completed Satisfactorily.</p>	
Standard Management Actions Replanting or supp planting	Section 1	Protect plants from grazing for two years or until 50 cm high. Record the date when the plant height requirements are met. - commencing from first payment date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Plant guards have been maintained around plantings.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Standard Management Actions Replanting or supp planting</p>	<p>Section 1</p>	<p>Survey the plants for success - Conduct first survey 24 months after completion of planting, then every 12 months for 5 years</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Currently there is a 90% success rate in survivability of the canopy species planted. However, the seedlings are being significantly grazed by native and non-native herbivores on the site.</p> <p>Action Completed Satisfactorily.</p> <p>Comments as per Annual Report (submitted August 2023):</p> <p>As per the Section 6.6 of the BBA, a planting program was implemented as a "local planting day" on 22/05/18 for the species listed in the planting schedule within MZ3.</p> <p>Survivability is approx. 50-60% as of 22 June 2023 and this increase is likely attributed to the seedling becoming more visible as the grasses in the site cure and brown off, making smaller seedlings easier to identify. The seedlings continue to be grazed by native and non-native herbivores on the site.</p>	
<p>Standard Management Actions Replanting or supp planting</p>	<p>Section 1</p>	<p>Seeds and plants used for planting must be obtained from locally collected provenances, unless reasons to do otherwise. - Conduct first survey 24 months after completion of planting, then every 12 months for 5 years</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Illawarra Landcare confirmed by email on 26/9/19 that all plantings were sourced from Western and South Western Sydney.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Standard Management Actions Retention of Dead Timber</p>	<p>Section 1</p>	<p>Don't remove dead timber except for firewood for one household (landowner) or fencing repairs. - Ongoing from commencement date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Quarterly site visits. Specific site visit for illegal timber felling in MZ1 On 9 Aug 2019. CPW canopy species were illegally removed. Observations made during maintenance sweeps for all zones during annual and quarterly sites visits.</p> <p>No evidence of dead timber removal observed during inspection.</p>	
<p>Standard Management Actions Retention of Dead Timber</p>	<p>Section 1</p>	<p>Timber brought from outside must be documented - Ongoing from commencement date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>No additional timber has been introduced to the site since commencement of the BBA. Observations made during maintenance sweeps for all zones during annual and quarterly sites visits.</p> <p>No evidence of dead timber removal observed during inspection.</p> <p>Action Completed Satisfactorily.</p>	

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Standard Management Actions Erosion Control	Section 1	Take reasonable steps to prevent, control erosion - Ongoing from commencement date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>No areas identified across the site which currently require any supplementary erosion control or stabilisation. Observations made during maintenance sweeps for all zones during annual and quarterly sites visits.</p> <p>No evidence or erosion observed during site inspection.</p> <p>Action Completed Satisfactorily.</p>	
Standard Management Actions Erosion Control	Section 1	Don't remove rocks from the site - Ongoing from commencement date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>No rock removal has occurred on the site since the commencement of the BBA.</p> <p>No evidence of rock removal observed during inspection.</p> <p>Action Completed Satisfactorily.</p>	
Standard Management Actions Erosion Control	Section 1	Can bring rocks from outside the site but once onsite cant be removed. - Ongoing from commencement date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>No rock removal has occurred on the site since the commencement of the BBA.</p> <p>No evidence of rock removal observed during inspection.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Additional Management Actions Control of Feral and Overabundant Native Herbivores</p>	<p>Section 2</p>	<p>Comply with the Management Plan - Ongoing from first payment date</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit to be scheduled for after August 2023.</p> <p>Negligible feral or overabundant native herbivory in all areas except MZ3. Grazing in MZ3 is likely by wallabies, kangaroos and goats (no goat scats observed onsite to date). In accordance with the BBA annual inspection required for species traces. Opportunistic observations made during weed control and maintenance sweeps for all zones during either the annual and/or quarterly site visits.</p> <p>Action Completed Satisfactorily.</p>	
<p>Additional Management Actions Control of Feral and Overabundant Native Herbivores</p>	<p>Section 2</p>	<p>Review Management Plan every 4 -6 years. Notify Chief Executive in writing within 14 days of commencement of review. Findings of the review must be submitted to Chief Executive within 3 months of commencing the review. Chief executive to determine if update is required. Landowner must submit updated plan within 3 months of this request. Update must cover matters as per 3.2. of Section 1. - Ongoing from first payment date</p>	<p>In Control</p>	<p>BioBanking Agreement 215 agreed on 1 February 2017, with the first payment date being 20 July 2017.</p> <p>Landcare were engaged to undertake the review on 23 June 2023.</p> <p>The BCT was notified of the commencement of the review on 4 July 2023.</p> <p>The review was submitted on 19 July 2023.</p>	

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Additional Management Actions Vert Pest Management	Section 2	Comply with Vertebrate Pest MP - Ongoing from first payment date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Minimal rabbit scratching/scat mounds observed in transmission easement. No rabbit burrow/warrens found on property. Numerous (generally inactive) wombat burrows also did not show signs of rabbits in residence. Fox scats were observed in the transmission line easement (29 April 2019, 6 August 2020). No goat scats have been observed during quarterly site visits. However, there is potential for goats to access the site (and graze in MZ3) as goats have been be sighted in the same gorge at another site serviced by Landcare Australia at Douglas Park. Liaison with Greater Sydney Region LLS is currently in progress to include the site in the regions upcoming Spring and Autumn fox baiting program due the presence of fox scats at the site.</p> <p>Action Completed Satisfactorily.</p>	
Additional Management Actions Vert Pest Management	Section 2	<p>Review Pest Management Plan every 4-6 years. Notify Chief Executive in writing within 14 days of commencement of review. Findings of the review must be submitted to Chief Executive within 3 months of commencing the review. Chief executive to determine if update is required. Landowner must submit updated plan within 3 months of this request. Update must cover matters as per 3.2. of Section 1. - Ongoing from first payment date</p>	N/A	<p>BioBanking Agreement 215 agreed on 1 February 2017, with the first payment date being 20 July 2017.</p> <p>Landcare were engaged to undertake the review on 23 June 2023.</p> <p>The BCT was notified of the commencement of the review on 4 July 2023.</p> <p>The review was submitted on 19 July 2023.</p>	

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Additional Management Actions Nutrient control	Section 2	Fertilisers or pesticides not to be used except for weed or pest control - Ongoing from commencement date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No fertilizers have been used on the site since the commencement of the BBA.</p> <p>No evidence of fertiliser or pesticide use observed during site inspection. Herbicide use appears to be appropriate for implementation of management actions.</p> <p>Action Completed Satisfactorily.</p>	
Additional Management Actions Control of exotic fish	Section 2	Not relevant to this site - Ongoing from first payment date	N/A	Not relevant to this site	
Additional Management Actions Maintenance or reintroduction of natural flow regimes	Section 2	Don't impede natural flow regimes - Ongoing from commencement date	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No evidence of artificial structures being constructed to impede natural flow regimes observed during site inspection.</p> <p>No artificial structures installed to impede the natural flow regimes on the site. Natural flow regimes are maintained on the site in accordance with the BBA.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Standard Management Plan Weed Management Plan</p>	<p>Section 3</p>	<p>Spray/Slashing in Management Zones - Spray/Slashing 4 times per year (MZ1-3). Some moment zones only required once per year (MZ4, 5 & 6)</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Level and type of weed control reported by landowner is consistent with agreement.</p> <p>2023 weed management activities: -Weed control at MZ1, MZ2, MZ3 and Transmission Line (TL) easement and edges of MZ6 and MZ7 adjoining easement on each site visit using herbicide spot spraying, with a quick spray™ unit (in the TL) and hand-pulling of weed species listed in BioBanking Agreement (BBA) 215. - Maintenance sweeps for key weed threats through MZ6 and MZ7. No access permitted to MZ4 and MZ5 due to the high cliffs and gorges, however no weeds observed in adjoining management zones during maintenance sweeps. - Herbicides were used on the BioBanking site during site visits to undertake management actions (i.e. weed control) in each respective management zone as listed in the BBA. A list of herbicides used at each visit is available (if required). - Slashing in the TL is planned for Spring 2023 subject to favourable weather conditions and slasher availability.</p> <p>Action Completed Satisfactorily.</p>	
<p>Standard Management Plan Weed Management Plan</p>	<p>Section 3</p>	<p>Site inspections as weed treatments applied. Annual inspection and Monitoring Report - Annually from first payment date</p>	<p>In Control</p>	<p>Included in South32 BioBanking Agreement Annual Report. 2023 report due 19 August.</p>	

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Standard Management Plan Fire for Conservation	Section 3	Fires intervals between 7 and 30 years - Once every 12 to 30 years	In Control	Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023. No planned burning in any zones until 2026. Action Completed Satisfactorily.	
Standard Management Plan Fire for Conservation	Section 3	Exclude fire until 2026. Unplanned fires permitted. Must not burn >25% of the site at any one time. - Once every 12 to 30 years	In Control	Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023. No planned burning in any zones until 2026. Action Completed Satisfactorily.	
Standard Management Plan Fire for Conservation	Section 3	In MZ5 totally exclude fire other than wildfire - Once every 12 to 30 years	In Control	Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023. No evidence of recent fire activity during site visits (BBA suggest last burn/wildfire was in 2004). No evidence of recent fire activity observed during inspection. Action Completed Satisfactorily.	
Standard Management Plan Fire for Conservation	Section 3	Visual monitoring in 2026 as per MP table - 2026	N/A	Not required until 2026	

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Standard Management Plan Fire for Conservation	Section 3	Monitoring prior to and after burning as per table - 2026 or following a wildfire	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No evidence of recent fire activity during all visits (BBA suggest last burn/wildfire was in 2004).</p> <p>No evidence of recent fire activity observed during inspection.</p> <p>Action Completed Satisfactorily.</p>	
Standard Management Plan Fire for Conservation	Section 3	Periodic trittering along fence lines is permitted but must not affect canopy or mid storey - Every 5 years	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No evidence of recent fire activity during all visits (BBA suggest last burn/wildfire was in 2004).</p> <p>No evidence of recent fire activity observed during inspection.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Standard Management Plan Control of Feral and Overabundant Native Herbivores</p>	<p>Section 3</p>	<p>Monitoring of number and impacts on annual basis - No or negligible occurrence on the site</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No control required due to no or negligible impacts and no or low levels of occurrence.</p> <p>Tubestock planted in MZ3 to be protected with tree guards.</p> <p>Annual inspections of species traces and potential impacts by suitably qualified restoration ecologist or environmental scientist.</p> <p>Minimal rabbit activity observed. Heavy grazing of plantings (above tree guards) in MZ3 due to kangaroos and possibly goats – although goats haven't been observed on the site.</p> <p>Action Completed Satisfactorily.</p>	
<p>Standard Management Plan Control of Feral and Overabundant Native Herbivores</p>	<p>Section 3</p>	<p>Protect MZ3 Planting - Review annually</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No control required due to no or negligible impacts and no or low levels of occurrence.</p> <p>Tubestock planted in MZ3 protected with tree guards.</p> <p>Annual inspections of species traces and potential impacts by suitably qualified restoration ecologist or environmental scientist.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Standard Management Plan Control of Feral and Overabundant Native Herbivores</p>	<p>Section 3</p>	<p>Species traces and potential impacts - Annually</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>No control required due to no or negligible impacts and no or low levels of occurrence.</p> <p>Tubestock planted in MZ3 protected with tree guards.</p> <p>Annual inspections of species traces and potential impacts by suitably qualified restoration ecologist or environmental scientist.</p> <p>2022 Monitoring observations: Negligible feral or overabundant native herbivory in all areas except MZ3. Grazing in MZ3 is likely by wallabies, kangaroos and goats (no goat scats observed onsite to date). In accordance with the BBA annual inspection required for species traces. Opportunistic observations made during weed control and maintenance sweeps for all zones during either the annual and/or quarterly site visits.</p> <p>Action Completed Satisfactorily.</p>	
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<p>Standard Management Plan Vertebrate Pest Management Plan</p>	<p>Section 3</p>	<p>1080 baiting - If warranted (Consult OEH/LLS)</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Annual monitoring for traces and scats to record date, location and estimated number of pest species identified. 1080 baiting program for fox/dogs/rabbits to be implemented if required, in consultation with LLS.</p> <p>No evidence of vertebrate pest activity observed during site inspection. Monitoring identified some fox activity in MZ1, MZ2 and in the TL. No Goat scats have been observed during site visits.</p> <p>Following liaison with Greater Sydney Region Local Land Services the site is currently included in the regional Spring and Autumn fox baiting program due to the presence of fox scats and observations at the site.</p> <p>Action Completed Satisfactorily.</p>	
<p>Standard Management Plan Vertebrate Pest Management Plan</p>	<p>Section 3</p>	<p>Den fumigation or habitat removal - If warranted</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Annual monitoring for traces and scats to record date, location and estimated number of pest species identified. 1080 baiting program for fox/dogs/rabbits to be implemented if required, in consultation with LLS.</p> <p>No evidence of vertebrate pest activity observed during site inspection. Monitoring identified some fox activity.</p> <p>Action Completed Satisfactorily.</p>	

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<p>Standard Management Plan Vertebrate Pest Management Plan</p>	<p>Section 3</p>	<p>Qualitative observation for traces and scats - Annually</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Annual monitoring for traces and scats to record date, location and estimated number of pest species identified. 1080 baiting program for fox/dogs/rabbits to be implemented if required, in consultation with LLS.</p> <p>No evidence of vertebrate pest activity observed during site inspection. Monitoring identified some fox activity.</p> <p>Action Completed Satisfactorily.</p>	
<p>Annexure D: Monitoring, reporting and record keeping requirements</p>	<p>Ref.</p>	<p>Requirement / Obligation</p>			
<p>Monitoring</p>	<p>1.3</p>	<p>Photo Points - Within 12 months or commencement date and every 12 months thereafter</p>	<p>In Control</p>	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>The landowner must ensure that photographs are taken at photo-points at each of the locations and in the direction identified in the table titled 'Locations of photo points' shown in section 1.2, Annexure D of the biobanking agreement, within 12 months of the commencement date and then at least every 12 months thereafter.</p> <p>No photos were taken from PP10 for WHS reasons due its location in a steep gully. This is an acceptable minor variation.</p> <p>Action Completed Satisfactorily.</p>	

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Monitoring	1.3	Percentage of ground cover present on the biobank site - Annually	In Control	<p>Comments as per last annual audit by BCT (site visit 29/09/2022). The next audit will be scheduled for after August 2023.</p> <p>Quarterly site visits for this reporting period, include 20 October 2021, 16 February 2022, 17 June 2022, 13 July 2022, 04 August 2022. No stock incursion has allowed groundcover to be maintained and/or increase in density across the site over the previous 5 years due to the installation of the exclusion fencing (refer to photopoints for further detail) heavy rainfall in the region in 2021 and 2022 has significantly increased growth of existing groundcover (and weed species due the weed bank in the soils within the disturbed areas of the site).</p> <p>Action Completed Satisfactorily.</p>	
Monitoring	1.3	Number of stock and dates when stock have entered - Quarterly	In Control	<p>As per South32 Appin West Biobanking Agreement Annual Report 2023.</p> <p>No stock observed in all management zones on each site visit.</p> <p>Grazing by stock animals has recommenced on the property adjoining the southern boundary. There has been no incursion into the site since during the reporting period.</p>	

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Monitoring	1.3	Physical condition of fencing - control of stock - control of humans - control of ferals and overabundant herbivores - control of vertebrates pests - Quarterly	In Control	<p>As per South32 Appin BioBanking Agreement Annual Report 2023.</p> <p>Access for management purposes includes South32 and Landcare Australia (land management contractor) staff.</p> <p>There is no ability for stock or unauthorized motor vehicles to access the site with the current exclusion fencing in place.</p> <p>Routine inspections conducted at each site visit to ensure fencing is secure and that there have been no incursions. Any incursions and associated impacts would be reported to South32 and then escalated to the BCT as per BBA.</p>	
Monitoring	1.3	Records of human disturbance - Bi-annually	In Control	<p>As per South32 Appin BioBanking Agreement Annual Report 2023.</p> <p>Access for management purposes includes South32 and Landcare Australia (land management contractor) staff.</p> <p>There is no ability for stock or unauthorized motor vehicles to access the site with the current exclusion fencing in place.</p> <p>Routine inspections conducted at each site visit to ensure fencing is secure and that there have been no incursions. Any incursions and associated impacts would be reported to South32 and then escalated to the BCT as per BBA.</p> <p>There has been minor damage to the top strand of the boundary fence with the neighbour to the south from falling branches during high wind. A contractor was sourced to make repairs in Aug/Sept 2022.</p>	

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Monitoring	1.3	Evidence of erosion - Bi-annually	In Control	As per South32 Appin BioBanking Agreement Annual Report 2023. No areas identified across the site that currently require any supplementary erosion control or stabilisation. Observations made during maintenance sweeps for all zones during annual and quarterly sites visits.	
Monitoring	1.3	Evidence of waste - Bi-annually	In Control	As per South32 Appin BioBanking Agreement Annual Report 2023. No evidence of any new waste was observed during the site visits (inspected 09 November 2022 and 22 June 2023).	
Reporting	2	Landowner must complete and submit and annual report to the Chief Executive for approval using the annual reporting template.	In Control	Previous report submitted on 10 August 2022. 2023 Report due for submission on 19 August 2023.	