

# BARNETT & MAY

## Tritton Copper Mine

2024 Independent Environmental Audit

Prepared for

**Aeris Resources**

Client representative

**Dirk McNicoll**

Date

**13 January 2025**

Rev 1



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Prepared by — K. Holmes		Date 13 January 2025
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## Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
<b>A</b>	Draft for client Review	K. Holmes	R Peterson	K. Holmes	16/12/2024
<b>0</b>	Final	K. Holmes	K Holmes	K. Holmes	27/12/2024
<b>1</b>	Minor Edits	K. Holmes	K Holmes	K. Holmes	13/01/2025

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# 1. Introduction

The Tritton Copper Mine, The Tritton Copper Mine is located within the Bogan local government area, 104 kilometres from Cobar and 62 km from Nyngan in Western NSW. The site has been in operation since 1999 with two underground mines at Tritton and Girilambone, and the 1.8 million tonne per annum Tritton processing plant. The site is approved to prospect and mine cobalt, copper, galena, gold, iron minerals, lead, silver, sulfur and zinc within the 1400 hectares stipulated in Mining Lease 1544, issued by the NSW Minister for Mineral Resources. The mining operation was approved under Development Approval (DA) 41/98 (Modification 8, dated June 2022).

The purpose of the audit, that was undertaken in accordance with the **Barnett and May's** proposal (dated 24 February 2024), was to determine if the compliance obligations contained in the Project Approval (DA 41/98) Condition 8, Schedule 2, which states that by 30 September 2021, and every 3 years thereafter, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development., which state:

*C8 - "By 30 September 2021, and every 3 years thereafter, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:*

*i) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);*

*ii) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*

*iii) be carried out in consultation with the relevant agencies; iv) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and*

*v) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.*

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

The site inspection was undertaken by Ken Holmes (Accredited Lead Auditor) of Barnett & May on 10 and 11 October 2024.

The audit covered the period from 10 December 2021 to 10 October 2024 (the Audit Period).

## 1.1 Limitations of this Report

In preparing this Independent Environmental Audit Report, Barnett and May has assessed the activities appropriate and necessary to evaluate the compliance status against the conditions contained in the Auditee's Project Approval. Barnett and May has addressed the general technical matters which might reasonably be considered to be relevant to such an assessment.

The findings of this Independent Environmental Audit are based on observations of the site, interviews with personnel nominated by the Auditee and review of the documentation provided by the Auditee. Barnett and May has relied on the accuracy and completeness of the documentation and other information provided by the Auditee.

Barnett and May can only advise based on the information provided to them and therefore cannot dismiss the possibility that compliance or environmental performance issues, other than those presented in the report existed at the time of this Audit.

The audit findings presented in this report are professional opinions based solely upon Barnett and May's visual observations of the site, and upon Barnett and May's interpretation of the documentation reviewed, interviews and conversations with personnel nominated by the Auditee, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated. Opinions presented in this

report apply to the site's conditions and features as they existed at the time of Barnett and May's site visit in September 2024, and those reasonably foreseeable. They necessarily cannot apply to conditions and features which Barnett and May is unaware of and has not had the opportunity to evaluate. This report does not, and does not purport to, give legal advice on the actual or potential environmental liabilities of any individual or organisation.

## 1.2 The Tritton Copper Mine.

Aeris Resources began operations at Tritton underground mine in 2005. Operations feature an underground mining complex that feeds 1.8 million tonne per annum through a conventional processing plant. Copper concentrate produced at the operation is railed to the Port of Newcastle for export to customers internationally.


The Tritton Copper Project Approval (DA 41/98) was granted on 1 September 1999 under Section 91 of the NSW EP&A Act) by the NSW Minister for Planning and Infrastructure and has been modified eight times.

## 2. Definitions

Acronyms	Description
ACHMP	Aboriginal Cultural Heritage Management Plan
AER	Annual Environmental Review
AHIP	Aboriginal Heritage Impact Permit
AEMR	Annual Environmental Management Review
AR	Annual Review
AQGMP	Air Quality and Greenhouse Gas Management Plan
BMP	Biodiversity Management Plan
BOS	Biodiversity Off-set Strategy
CC	Construction Certificate
CCC	Community Consultative Committee
CHPP	Coal Handling Process Plant
DPI	(former) Department of Primary Industries
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
DECC	Department of Environment and Climate Change (now DPHI)
DPE	Department of Planning and Environment (Now known as DPHI)
DPHI	Department of Planning, Housing and Infrastructure (formerly the Department of Planning and Environment / Department of Planning, Infrastructure and Environment)
ECS	Environment and Community Superintendent
EMS	Environmental Management Strategy
EPA	NSW Environment Protection Authority
EP&A Act	NSW Environmental Planning and Assessment Act
EPBC	Environmental Protection and Biodiversity Conservation Act
EPL	Environmental Protection License
GMP	Groundwater Management Plan
IEA	Independent Environmental Audit
LW	Longwall
TCPL	Tritton Copper Pty Limited

Acronyms	Description
MOP	Mining Operations Plan
NOW	NSW Office of Water
NMP	Noise Management Plan
OC	Occupation Certificate
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
PA	Project Approval
PIRMP	Pollution Incident Response Management Plan
RAP	Registered Aboriginal Group
REF	Review of Environmental Factors
RMP	Rehabilitation Management Plan
SWAF	Surface Water Assessment Forms
SWB	Site Water Balance
SWMP	Surface Water Management Plan
SWVR	Surface Water Validation Report
TEOM	Tapered Element Oscillating Microbalance (Samplers)
TMP	Traffic Management Plan
WMP	Water Management Plan

### 3. Auditor Certification

Independent Audit Certification Form	
Development Name	Tritton Copper Mine
Application Number	Tritton Copper Project Approval DA 41/98
Description of Development	Copper Mine and Processing Plant
Development Address	Yarrandale Rd, Hermidale NSW 2831
Proponent	Tritton Resources Pty Ltd
Operator Address	Level 6, 120 Edward Street, Brisbane 4000 QLD
Title of Audit	Tritton Copper Mine 2024 Independent Environmental Audit
<p><i>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</i></p> <ul style="list-style-type: none"> <li><i>The audit has been undertaken in accordance with relevant approval condition(s) and in general accordance with the auditing standard AS/NZS ISO 19011:2011 and in general conformance with the DPE's Independent Audit Post Approval Requirements (June 2018).</i></li> <li><i>The findings of the audit are reported truthfully, accurately and completely;</i></li> <li><i>I have exercised due diligence and professional judgement in conducting the audit;</i></li> <li><i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i></li> <li><i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i></li> <li><i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></li> <li><i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i></li> <li><i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></li> </ul> <p><i>Note.</i></p> <p><i>a) The Independent Audit is an 'environmental audit' for the purposes of section 122B (2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead/Principal Auditor	Ken Holmes
Address	49 Coba Point, Berowra Waters, NSW
Email Address	ken@baeckea.com.au
Auditor Certification (if relevant)	Exemplar Global 14065
Date	13 January 2025

### 3.1 Audit Details

<b>Audit Title:</b>	<b>Tritton Copper Mine 2024 Independent Environmental Audit</b>
Site:	Tritton Copper Mine, Hermindale New South Wales
Client Contact:	Dirk McNicoll
Position:	Environment and Community Superintendent
Client:	Aeris Resources Pty Ltd
Client Address:	Level 6, 120 Edward Street, Brisbane 4000 QLD
Client Phone Number	07 3034 6200
Client Email:	dmcnicoll@aerisresources.com.au
Auditor:	Ken Holmes (Certified Lead Auditor)
Auditor's Telephone:	0438 046 261
Auditor's Email:	ken@baeckea.com.au
Date of Site Visit	10 October 2024
Site Visit Completion Date	11 October 2024
Audit Scope:	<p>The audit was undertaken as per the brief outlined in the Barnett and May proposal (dated 24 February 2024). As such, the audit provides an assessment of the compliance of the project with the conditions of the following approvals:</p> <ul style="list-style-type: none"> <li>• Tritton Copper Project Approval DA 41/98 (Mod 8)</li> <li>• Mining Lease Standard Conditions covering the following mining lease ML1544</li> </ul> <p>The scope of this Independent Environmental Audit complies with the requirements of the New South Wales Department of Planning, Industry and Environment (DPIE) Independent Audit Post Approval Guidelines May 2020.</p>

## 4. Audit process

### 4.1 Audit Guidelines

This audit report has also been prepared in accordance with the 'Independent Audit Guideline, May 2020 (Audit Guidelines) (DP&E, 2020). [Table 1](#) lists key requirements from the Audit Guidelines, the relevant Section of the Guidelines which references the requirement and indicates where each is addressed in this report.

*Table 1 - Post Approval Audit Guidelines*

Section	Independent Audit Report Requirements	Addressed
4.1	<b>Version Control</b>	
	1) the application number of the project;	Section 3
	2) each version or revision number of the report;	Page iii
	3) the date on which the report was prepared and issued to the Department; and	Page iii
	4) the title and name of the person who certified the Independent Audit Report.	Section 3.1
4.2	<b>Contents</b>	
4.2.1	<b>Introduction</b> – a brief overview of the audit including:	
	1) background of the project;	Section 1.2
	2) the audit team (including qualifications and experience);	Section 3.1
	3) the objectives of the audit;	Section 1
	4) the audit scope; and	Section 3.1
	5) the temporal period covered by the audit.	Section 1
4.2.2	<b>Audit Methodology</b>	
	1) documentation from the Planning Secretary agreeing to the auditor and any technical specialist(s);	Appendix C
	2) how the audit scope was developed;	Section 5
	3) a summary of the audit process adopted to determine the compliance status and assess if documents are adequate;	Section 4
	4) site personnel interviewed including their name and position title (and including if access was not granted or possible with any required personnel and why);	Section 4.5.3
	5) details of site inspections undertaken (including any areas where access was not granted or possible and why);	Section 4.5.2
	6) a summary of the consultation undertaken; and	Section 5
	7) meanings of compliance status descriptors used, as set out in this document.	Section 4.6
4.2.3	<b>Audit Findings</b>	
	1) a list of the approvals and documents audited;	Appendix A
	2) a summary of the assessment of compliance i.e. comparison between the total number of compliance requirements and any non-compliances identified during the reporting period. Graphics can be used to summarise project performance in relation to compliance requirements;	Section 6.1
	3) a summary of any notices, orders, penalty notices or prosecutions issued in relation to the consent during the audit period;	Section 7.3

Section	Independent Audit Report Requirements	Addressed
	<p>4) exception reporting of all non-compliances identified during the audit period. Details must include the relevant consent condition, the condition reference number, a unique non-compliance identification number, details of the non-compliance and the auditor's recommended actions that are proposed to be taken or have been taken to address the non-compliance;</p> <p>5) a brief discussion or table of the status of actions arising from previous audits and the progress or outcomes of each action. Details must include the source of the action, reference (condition number), action proposed, proposed completion date, the status (date completed, if relevant) and the action complete.</p> <p>6) a brief discussion of whether the Environmental Management Plans, Sub-plans and compliance documents are adequate, implemented and whether there are any opportunities for improvement;</p> <p>7) a discussion of other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance;</p> <p>8) documentation of any feedback received as a result of consultation undertaken with the Department, and other agencies or stakeholders including the community and Community Consultative Committee for the audit and the outcomes of this consultation;</p> <p>9) a summary of complaints, and the adequacy of the response to, and management of complaints;</p> <p>10) details of any incidents (including any enforcement action by any agency) and the adequacy of the response to, and management of such incidents;</p> <p>11) an assessment of the compliance between actual and predicted impacts documented in environmental impact assessment, including an assessment of the physical extent of the development in comparison with the approved boundary and any potential off-site impacts of the development required under the Environmental Planning and Assessment Act 1979;</p> <p>12) evidence collected through site inspections undertaken during the audit;</p> <p>13) evidence to support compliance assessment provided by the personnel interviewed during the audit;</p> <p>14) a brief discussion of any continual environmental management improvement opportunities identified as part of the audit; and</p> <p>15) key strengths of the development's environmental management and performance identified by the auditor.</p>	<p>Section 6.2</p> <p>Section 7.6</p> <p>Section 7.5</p> <p>Section 7.9</p> <p>Section 5</p> <p>Section 7.2</p> <p>Section 7.1</p> <p>Section 7.8</p> <p>Appendix A</p> <p>Appendix A</p> <p>Section 6.2</p> <p>Section 7.4</p>
4.2.4	Recommendations and opportunities for Improvement	Section 6.2

Section	Independent Audit Report Requirements	Addressed
4.2.5	Appendices 1) a completed Independent Audit Table with all relevant conditions of consent, identifying each requirement, compliance status assessed, documenting verified evidence and providing recommendations for any non-compliance that is identified;	Appendix A
	2) a copy of documentation from the Planning Secretary agreeing to the auditor and any technical specialist(s); 3) documentation detailing consultation with the Department, and other agencies or stakeholders including the community and Community Consultative Committee; 4) completed and signed Independent Audit Declaration Form(s); 5) any reports prepared by the agreed technical specialist(s), as required; and 6) site inspection photographs.	Appendix C  Appendix D  Section 3  Appendix F  Appendix B

## 4.2 Overview

The audit process and methodology are summarised in this section, and comprised the following key undertakings:

- Preliminary planning activities;
- Review of information and preparation of a compliance register (audit protocol / checklist);
- Site inspection and interviews:
- Opening meeting;
- Site inspection;
- Review of relevant records;
- Review of additional information provided after the site inspection; and
- Preparation of this audit report.

## 4.3 Preliminary activities

Off-site planning for the site audit comprised:

- Initial discussions with client representative, to organise the site inspection and access to audit documentation;
- Prepare the audit compliance checklist;
- Completion of a project specific Risk Assessment;
- Review of online information;
- Submission of a preliminary document / record request; and
- Consultation with relevant agencies.

### 4.3.1 Approval of audit teams

Peabody Energy sought the Secretary's endorsement for the auditor to undertake this Independent Environmental Audit. The Secretary approved the appointment of the Auditor on 30 September 2024 (Appendix C):

### 4.3.2 Consultation with Agencies

The Auditor consulted with the regulatory stakeholders as detailed in Section 5 below.

Emails were initially sent (via Email) to each of the above agencies advising them of the audit and the scope of the audit and inviting them to provide comments/requirements or specific environmental issues they required the audit to target. Where required (where no response was provided by the nominated stakeholder organisation, a follow up email was sent to repeat the invitation to provide input into the audit. Details of the responses from each group / organisation is provided in Section 5.

## 4.4 Information Review and Compliance Register

Prior to the site inspection the Auditor prepared a detailed audit checklist (spreadsheet) that was used to assess and track compliance. This spreadsheet formed the basis of the compliance register presented in Appendix A of this report.

## 4.5 Site audit

The site inspection component of the audit was undertaken on 10 and 11 October 2024.

### 4.5.1 Opening Meeting

Following site inductions, the opening meeting was held on-site. It was attended by the following personnel:

- Dirk McNicoll (Environmental Superintendent)
- Senior Environmental Advisor (Environmental Advisor)
- Ken Holmes (Lead Auditor) – Barnett and May.

Introductions were made, and the purpose and scope of the audit was outlined. An explanation of the audit process was communicated. That is, a site inspection, site interviews and detailed review of records in order to identify compliance with the approval conditions relevant to the current operations at the site.

### 4.5.2 Site Inspections

An initial tour of the site was undertaken by the Auditor. Subsequent detailed inspections of specific areas of the operation were subsequently undertaken. The site inspection included observation of:

- Site access and security;
- Ore processing plant;
- ROM and product stockpiles;
- Waste storage areas
- Landfill (EPA Licenced);
- Fuel and dangerous goods storage areas;
- Equipment maintenance area;
- Rehabilitation areas;
- Dust control infrastructure; and
- Surface water management infrastructure.

The Auditor was provided access to all areas of the site.

### 4.5.3 Site Interviews

Audit interviews comprised of a series of meetings with:

- Dirk McNicoll (Environmental Superintendent)
- Senior Environmental Advisor (Environmental Advisor)

### 4.5.4 Document review

Compliance related documents that were not available prior to, and during site discussions of, the audit, were requested to be provided following the audit. The Auditee's personnel assisted with the provision of documentation following the audit, through secure file transfer mechanisms. The key documents reviewed during this audit are listed in the Compliance Registers against specific conditions.

#### 4.5.5 Closing Meeting

A closing meeting was held on-site. It was attended by the following personnel:

- Dirk McNicoll (Environmental Superintendent)
- Senior Environmental Advisor (Environmental Advisor)
- Ken Holmes (Lead Auditor) – Barnett and May.

Preliminary audit findings were presented and tasks and timeline for completion of the audit agreed.

## 4.6 Reporting

The compliance register was completed using notes and observations recorded during the site inspection / interviews and review of appropriate documentation. The completed compliance register is presented in **Appendix B**. A summary of the non-compliances identified during this audit are provided in Table 5. The audit criteria used to determine compliance for this audit is defined in Table 2.

Table 2 - Compliance Assessment Matrix

Assessment	Criteria
<b>Compliance</b>	<p>Compliance</p> <p>The site complies with the requirements of applicable pre-operational Consent Conditions.</p> <p>A judgment made by an auditor that the activities undertaken, and the results achieved fulfil the specified requirements of the audit criteria. While further improvements may still be possible, the minimum requirements are being met.</p>
<b>Non-Compliance</b>	<p>Non-Compliance</p> <p>Clear evidence has been collected to demonstrate the requirement has not been complied with and is within the scope of the audit.</p> <p>Site displays little or no evidence of compliance with the requirements of the regulatory documentation.</p> <p>Note: Where the auditor has not been able to collect enough verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of enough verification, the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. As the condition cannot be verified it is treated as a non-compliance.</p>
<b>Not Triggered</b>	<p>Not Applicable / Not Triggered</p> <p>The respective condition / requirement was not activated within the scope of the audit.</p>
<b>Noted</b>	<p>A statement or fact, where no assessment of compliance is required.</p>

Risk levels for each non-compliance identified have been assessed in accordance with Table 2.

Table 3 - Risk Assessment Matrix

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

## 5. Stakeholder Consultation

Table 4 provides a summary of the Stakeholder Consultation undertaken by the Auditor.

Table 4 - Summary of Stakeholder Inputs

Department	Contact	Stakeholder Comments	Auditor Response
NSW Department of Planning, Housing and Infrastructure	Katrina O'Reilly	NSW Planning would like areas focused on to include:	Completed, please refer to the compliance table in Appendix A
		• Compliance with extractive limits and transport limits;	
		• Compliance with all commitments within all management plans such as monitoring and reporting requirements;	Completed, please refer to Section 7.5.
		• Identify any adaptive management actions implemented;	Completed, please refer to the compliance table in Appendix A
		• Water management on site and adherence to water performance measures;	Completed, please refer to the compliance table in Appendix A
		• Compliance with all requirements of the recent MOD in 2022;	Completed, please refer to the compliance table in Appendix A
		• Compliance with approved footprint;	Completed, please refer to Section 7.8.1.
		• Comparison of EA predictions vs actual impacts;	Completed, please refer to Section 7.8.
		• Evidence of Progressive rehabilitation and planting requirements in the Landscape Management Plan;	Completed, please refer to the compliance table in Appendix A
		• Appropriate Management and Monitoring of TSFs in accordance with EA and conditions of consent;	Completed, please refer to the compliance table in Appendix A
		• Evidence that all waste dumps are within heights limits such as non acid forming rock waste dump shall be a maximum of 30 metres in height from the land surface and	Completed, please refer to the compliance table in Appendix A
		• Complaints register, monitoring and management thereof.	Completed, please refer to Section 7.1.
		Agencies to be consulted are to include Bogan Council, Biodiversity, Conservation and Science Directorate within the Department, TfNSW, Local Aboriginal Lands Councils, Crown Lands Group within the Department, Water Group within the Department, Heritage NSW, EPA, and the NSW Resources Regulator.	All stakeholders specified by DPHI have been consulted during this IEA.

Department	Contact	Stakeholder Comments	Auditor Response
<b>Resource Regulator</b>	Jenny Ehmsen Principal Compliance Auditor	<p>Thank you for your email dated 12 September 2024 (our reference: AREQ0057751) requesting consultation on the independent audit to be undertaken of the Tritton Copper Mine which is covered by mining lease ML1544 (1992).</p> <p>The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site. From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice. It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.</p>	
<b>Transport for NSW</b>	Lachy Jones Development Assessment Case Officer	<p>Upon review of s5.2 Table 1 of the Development Consent (Mod 8) issued by the Minister of Planning (dated 2 June 2022), the endorsed requirement for the proponent to implement a Traffic Management Strategy and include the Driver Code of Conduct has not been received by TfNSW. It is requested that the audit seek to confirm whether the Traffic Management Strategy and Driver Code of Conduct are intended to be provided to TfNSW for review to initiate compliance with this requirement.</p>	Completed, please refer to the compliance table in Appendix A
<b>Community Consultative Committee</b>	Gary West (Independent Chair)	<p>Thank you for your email in regard to Independent Environmental Audit.</p> <p>The only significant incident that I can identify over the period is a report of contaminated water seeping through a dam wall to a dam monitoring bore on 7 December 2022 which was reported to the EPA and the Resource Regulator. This incident was reported to the CCC and the action taken to mitigate the seepage along with future methods to prevent future similar incidents.</p>	Noted

Department	Contact	Stakeholder Comments	Auditor Response
DCCEEW Water Group	Tim Baker	<p>NSW DCCEEW Water Group requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:</p> <ul style="list-style-type: none"> <li>• The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include: <ul style="list-style-type: none"> <li>○ Water Management Plans and related sub-plans eg. Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.</li> <li>○ Extraction Plans and related sub-plans eg. Water Management Plan, Subsidence Management Plan.</li> </ul> </li> <li>• The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting.</li> <li>• Water supply availability is clearly defined for the project.</li> <li>• Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018.</li> <li>• Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.</li> <li>• Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from.</li> <li>• Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous years, and 3) identifies exceedances and how these are managed/mitigated.</li> </ul>	Completed, please refer to the compliance table in Appendix A
Bogan Shire Council	Cathy Black	Council did not respond to the request for consultation.	Noted
Crown Lands	Dubbo Office	Crown Lands acknowledged the consultation request, however provided no input to the audit.	Noted

Department	Contact	Stakeholder Comments	Auditor Response
<b>NSW Heritage</b>	Corey O'Driscoll Practice Lead Major Projects	Heritage NSW has no comment on the project or scope of the audit. It is recommended that the Department of Planning, Housing and Infrastructure's Compliance Team be contacted (compliance@planning.nsw.gov.au) to determine if there is any non-compliance with Conditions of Consent for the project.	Noted
<b>Dam Safety NSW</b>	Alison Collaros Compliance Manager	Dams Safety NSW (DSNSW) is principally concerned with ensuring that declared dam owners comply with the requirements of the Dam Safety Act 2015 and Regulation 2019. These requirements relate to Dam Safety Management Systems, Operations & Maintenance, and Emergency Planning and preparedness. Our regulatory role doesn't extend to significantly into environmental performance.  We appreciate the opportunity for input, but have no comment to provide at this stage.	Noted
<b>Nyngan LALC</b>	Veneta Dutton CEO	Nyngan LALC, feel we have good working relationship with Tritton Copper Mines, we have participated in the Tritton Copper Mines Community Consultation Committee, we were consulted and informed about the damages that occurred during bush fire season. We have had a representative participate in the Cultural Survey.  We have been in discussions about Aboriginal art design on the front entrance to the site, Tritton Copper Mines have participated in our Community events such as NAIDOC week celebration and planning, as well as Community Hub community sessions.  We have been informed about the rehabilitation on the environment and effects to reduce water and electricity concerns	Noted
<b>NSW EPA</b>	Andrew Couldridge	The EPA did not respond to the request for consultation.	Noted

## 6. Statutory Compliance and Recommendations

Compliance with the Conditions of Consent and the Environment Protection Licence has been reviewed by assessing compliance against the various documentation related to project approval, as listed in section 2.2 of this report. The Compliance Register presented in Appendix A provides a detailed review of the compliance status of the site, including recommendations to address non-conformances.

### 6.1 Summary of Compliance Status

A summary of compliance with pre-operations statutory requirements is provided in Table 5 - Summary of Statutory Compliance. The number of conditions include sub-clauses within each approval document.

Table 5 - Summary of Statutory Compliance

Approval/ Licence	No. of Conditions	Compliant	Non- Compliant	Not Triggered	Noted
Project Approval DS 41/98 (Mod 8)	142	77	23	28	14
Mining Lease Standard Conditions	79	30	7	14	28
ML1544	32	23	2	2	5

### 6.2 Non-Compliances and other recommendations

Non-compliances identified during the site inspection, interviews and document reviews are recorded in detail in the Compliance Registers in **Appendix A** and are summarised in Table 6. Recommendations have been made to address all identified non-compliances.

Table 6 - Statutory Non-Compliances

No.	Condition	Observation	Recommendation	Risk Level
<b>Project Approval DA 41/98</b>				
2(a)	The Applicant shall meet the statutory requirements of all public authorities having responsibilities for environmental protection, pollution control, and land and water conservation approvals and licences in respect of the mine operation and associated works encompassed by DA No. 41/98.	<p>The EPL for the mine (Conditions O4.4, O4.5 and O4.6) specify the requirements for bulk fuel / liquids storage.</p> <p>The EPA, during their inspection in early 2023 reported that the bulk diesel facility and the storage of some bulk liquids within existing bunds, did not comply with all of the requirements of AS1940 and therefore did not satisfy all of the requirements specified in the EPL. The EPA issued a Post Inspection Letter to Tritton on 21 February 2023 describing the deficiencies and requesting rectification of the issues identified.</p> <p>Tritton commissioned an independent review of the fuel storage area, provided that report to the EPA and implemented the recommendations from that study.</p> <p>During the site inspection 200 litre drums and 1000 litre IBCs were observed that were stored in unbunded areas or stacked on the edge of bunded areas where leaks from those containers would not be contained.</p>	<p>Undertake a detailed survey of all fuel, oil, grease, chemical and liquid waste (including oils and greases) storage areas to determine the storage needs.</p> <p>Provide sufficient bunded storage that complies with the requirements of AS/NZ 1940.</p>	Medium
3J	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development	<p>Training materials covering elements of the approval were reviewed. Records of training from the audit period were sighted.</p> <p>It is noted that housekeeping, and in particular the storage of hydrocarbons and wastes do not meet minimum industry standards (refer to compliance findings below).</p> <p>It was also noted that hydrocarbon spills in (at least) the laydown area were of a size that would potentially trigger incident reporting to the EPA and DPHI.</p>	<p>Prepare detailed guidelines for the storage of hydrocarbons, chemicals and wastes, including housekeeping and maintenance requirements.</p> <p>Tritton should revise the PRIMP to provide clear guidance for the classification, management and reporting of hydrocarbon spills and leaks and ensure that those requirements are reflected in the EMS.</p> <p>Provide training for all operational personnel in the management of those materials.</p>	Administrative Non-Compliance
4	A copy of the MOP, excluding commercial in confidence information, shall be forwarded to the Council and Secretary within 14 days of acceptance by DRG.	No evidence was available to verify the submission of the Rehabilitation Management Plan to either Council or DPHI.	Provide a copy of the Rehabilitation Management Plan to DPHI and Council.	Administrative Non-Compliance

No.	Condition	Observation	Recommendation	Risk Level
5	<p>The Applicant shall ensure that suitably qualified personnel are appointed to:</p> <ul style="list-style-type: none"> <li>i. be responsible for the preparation of relevant environmental documentation;</li> <li>ii. be responsible for considering and advising on matters specified in the conditions of this consent and compliance with such matters;</li> <li>iii. be responsible for receiving and responding to any complaints;</li> <li>iv. facilitate an induction and training program for all persons involved with construction activities, mining and remedial activities (including surface drainage mitigation works); and</li> <li>v. have the authority and independence to require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts and failing the effectiveness of such steps, to stop work immediately if an adverse impact on the environment is likely to occur.</li> </ul>	<p>The Tritton Copper Mine, at the time of this IEA has a small environmental team including the Environmental Superintendent and a Senior Environmental advisor. The personnel in those positions had appropriate qualifications and experience. However, those personnel are shared across four projects and spend between 20% – 25% of their time working on the Tritton Mine.</p> <p>During the audit period, there were periods during which the positions of Environmental Superintendent and Senior Environmental Advisor were vacant, including a period of at least three months when both of those positions were vacant.</p> <p>It is the Auditor's opinion, based on the environmental resourcing available at the mine throughout the audit period, observations made during the audit site inspections and review of environmental documents and records, that the environmental and compliance performance of the mine has been impacted by the lack of environmental resources.</p> <p>Further the current resourcing level (four part time personnel) is insufficient to fulfil all of the requirements of the Approval and other statutory requirements.</p>	Undertake an urgent review of environmental resource requirements for the operation to ensure that sufficient resources are available to keep key documentation up to date, undertake regular (detailed) environmental inspections, provide environmental training and advise managers on environmental performance requirements and compliance.	Medium
6	The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation	<p>An Environmental Management Strategy was being prepared at the time of this IEA.</p> <p>The 2022 Independent Environmental Audit assessment of this Approval Condition referenced a Framework Environmental Management Plan (September 2012).</p> <p>The Auditor understands that the Framework EMP is no longer in use and that the EMS that is being prepared is to meet the requirements of Condition 6.</p>	Finalise the Environmental Management Strategy and ensure that it meets all of the requirements of Condition 6 of the Approval	Administrative Non-Compliance
6 (II)	<p>The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include the preparation of the following:</p> <p>II. a Contingency Strategy prepared in consultation with BCS for any threatened species that maybe affected by the construction and operation of the mine;</p>	The Flora and Fauna Management Plan does not contain a Contingency Strategy.	Finalise the Biodiversity & Land Management Plan and ensure that it meets all of the requirements of the Approval including the inclusion of a Contingency Strategy and that, that strategy is prepared in consultation with BCS.	Administrative Non-Compliance

No.	Condition	Observation	Recommendation	Risk Level
6 (IV)	<p>The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include the preparation of the following:</p> <p>IV. a Noise and Vibration Management Strategy in consultation with the EPA, including noise management procedures, monitoring protocols and measures to ensure compliance with the noise criteria and operating conditions in this consent; and</p>	<p>The noise criteria specified in the current Noise and Vibration Management Plan are not consistent with those specified in Condition 38.</p>	<p>Review and revise the Noise and Vibration Management Plan / strategy in consultation with TfNSW and Council.</p>	Administrative Non-Compliance
6 (V)	<p>The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include the preparation of the following:</p> <p>V. a Dust Management Strategy for the development, prepared in consultation with the EPA. The strategy must describe the air quality management system in detail and describe the measures that would be implemented to ensure compliance with condition 48 of schedule 2 of this consent.</p>	<p>Dust Management Plan does not define dust trigger levels (as required under Condition 48) or provide a contingency plan should exceedances in the dust trigger levels occur.</p>	<p>Review and revise the Dust Management Plan / strategy in consultation with the EPA.</p>	Administrative Non-Compliance
6A	<p>By the end of March each year, unless the Secretary agrees otherwise, the Applicant must review the environmental performance of the development for the previous calendar year to the satisfaction of the Secretary.</p>	<p>The annual Environmental Management Report for each reporting year of the audit period were reviewed.</p> <p>Each of the annual reports provided the information required by this Condition.</p> <p>The 2023 Annual Review was completed is August 2024, outside of the required reporting date.</p>	<p>Ensure that future Annual Reviews are completed and submitted to DPHI before the end of March unless otherwise approved by DPHI.</p>	Administrative Non-Compliance
6B	<p>The Applicant must review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 3 months of the:</p> <ul style="list-style-type: none"> <li>I. submission of an incident report under condition 7 of Schedule 2;</li> <li>II. submission of an audit report under condition 8 of Schedule 2; or</li> <li>III. any modification to the conditions of this consent.</li> </ul> <p>Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted to the Secretary for approval.</p>	<p>A review of management plans was not undertaken within three months of the 2021 Independent Environmental Audit or the approval of MOD 8 in June 2022.</p> <p>A plan for the review and revision of all management plans has been prepared and is being implemented.</p>	<p>Ensure that all management plans are reviewed and if necessary revised in accordance with the Management Plan Update Schedule prepared in October 2024.</p>	Administrative Non-Compliance

No.	Condition	Observation	Recommendation	Risk Level
8	Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.	The 2021 Independent Environmental Audit was commenced on 9 December 2021. A report was prepared and submitted to DPE on 31 March 2022. Following the review of the report by DPE, amendments to the report were requested (by DPE) and a final version issued on 8 August 2022.  The first version of the 2021 IEA report was issued outside of the reporting period required by the Approval.	Ensure that all future audits are undertaken in accordance with the timings specified in the Approval.	Administrative Non-Compliance
8-1	The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	All recommendations and subsequent commitments made by Tritton have not been actioned.  For example, in response to the lack of access to a water cart for dust suppression works during the last IEA, Tritton committed to developing a Trigger Action Response Plan (TARP) to address this issue. Table 7 in the Draft Dust Management Plan describes the TARPs developed. However, the do not cover the breakdown or unplanned maintenance of water carts	Review all recommendations from the 2021 Independent Environmental Audit and ensure that they are actioned and closed out.	Administrative Non-Compliance
13F (c)	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:  (c) be submitted to the Secretary for approval within six months of the determination of Modification 8;	The review of the plan from 2021 has not been completed.	Ensure that the revised Water Management Plan is submitted to DPHI for review and approval	Administrative Non-Compliance
23	Prior to the construction of the tailings dam, and following consultation with the RR and EPA, the Applicant shall prepare a Management and Monitoring Plan for the Tailings Dams to the satisfaction of the Secretary. The Plan shall be prepared by a suitably qualified person. The Plan shall include but not be limited to:  (i) A full list of chemicals and reagents and their concentrations to be released into the tailings dams and the expected dilutions of those chemicals and reagents after release;  (ii) A toxic profile of these chemicals and reagents (i.e. in tailings water);  (iii) An assessment of expected effects of the chemicals and reagents on the species of concern, particularly threatened species;	The 2018 IEA raised a Non-Compliance against this condition as the document did not address all requirements of this Condition and for lack of evidence of consultation with the RR and EPA. In addition, an approval from DPE (Secretary) was not sighted. It is noted that the 2018 IEA reviewed Rev4a though the OMM was updated to Rev5 in June 2018 which was not cited in the 2018 IEA.  It is noted that the Aeris Resources Response to Audit Recommendations offered to revise the TSF OMM to address the Non-Compliance. The updated version Rev6 was sighted in the 2019 IEA, however specific requirements on chemicals and reagents were not addressed in the updated version. Evidence of consultation with RR and EPA was also not sighted.	Revise the Tailings Dam Management and Monitoring Plan, consult with the Resource Regulator and the EPA and ensure that the plan is submitted to DPHI for review and approval.	Administrative Non-Compliance
24	The Applicant shall implement the Management and Monitoring Plan in accordance with its provisions.	A copy of the Management and Monitoring Plan was not available to the Auditor. Compliance with this Condition could not be verified	Ensure that the requirements of the Tailings Dam Management and Monitoring Plan are fully implemented.	Administrative Non-Compliance

No.	Condition	Observation	Recommendation	Risk Level
45	The Applicant shall prepare management and protection measures in consultation with the Heritage NSW and the relevant local Aboriginal groups for those Aboriginal sites within the development site within 50 metres of any proposed area of disturbance, that have been identified to date and for any other sites that may be identified in the future.	Section 8 of the Draft Heritage Management Plan describes the measures to be implemented to protect heritage items and sites. No evidence was available to verify that these measures were prepared in consultation with the nominated parties.	Finalise the preparation of the Heritage Management Plan and ensure that Heritage NSW and all relevant Aboriginal parties are consulted.	Administrative Non-Compliance
50	Prior to undertaking any blasting activities, the Applicant shall prepare and submit a blasting protocol to the Secretary and EPA prior to the commencement of operations.	A Blasting protocol has not been prepared.	Prepare a blasting protocol for all blasting (including sub-surface blasting).	Administrative Non-Compliance
<b>STANDARD MINING LEASE CONDITIONS</b>				
D3-15(1)	(1) The holder of a mining lease must do the following before the end of the initial period— a) prepare a rehabilitation management plan, and	The Initial Period ended on 1 August 2022. The first version of the Rehabilitation Management Plan (Rev 1.1) was, according to the revision table in the plan, published (and submitted to the RR) on 15 June 2023. The completion of the RMP occurred after the end of the Initial Period.	Ensure all future versions of the Rehabilitation Documents are prepared and/or submitted to the RR in accordance with the approved timelines.	Administrative Non-Compliance
	b) prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and	The Initial Period ended on 1 August 2022. The RR in their email of 1 December 2022 stating that the RR would not grant an extension of time for the submission of the Rehabilitation Objectives, Forward Program or Spatial Data. The Submission of the completion criteria statement occurred after the end of the Initial Period.	Ensure all future versions of the Rehabilitation Documents are prepared and/or submitted to the RR in accordance with the approved timelines.	Administrative Non-Compliance
	c) prepare a forward program and give it to the Secretary.	The Initial Period ended on 1 August 2022. The RR in their email of 1 December 2022 stating that the RR would not grant an extension of time for the submission of the Rehabilitation Objectives, Forward Program or Spatial Data. The Submission of the first forward program occurred after the end of the Initial Period.	Ensure all future versions of the Rehabilitation Documents are prepared and/or submitted to the RR in accordance with the approved timelines.	Administrative Non-Compliance

No.	Condition	Observation	Recommendation	Risk Level
D3-15(3)	(3) A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary	The last version of the completion criteria statement is produced in the Rehabilitation Management Plan.  No evidence was available to verify that the completion criteria statement was submitted with the Forward Program.	Ensure all future revisions of the completion criteria statement are submitted to the RR in conjunction with the Forward Program.	Administrative Non-Compliance
D3-16	(3) If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published— (a) for a rehabilitation management plan—within 14 days after it is prepared or amended, or	The RR issued a formal warning to Tritton following its investigation relating to the failure to make the Remediation Management Plan Publicly available.	Ensure all future revisions of all remediation documentation required is made available on the project website within the timelines specified	Administrative Non-Compliance
D4-18	(1) The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with— (a) a condition of the mining lease	During this audit period a number of submission dates for key documents was missed. Those non-compliances were not reported to the RR. It is noted that TGO responded formally to the RR's commencement of investigation, however that response was in relation to advise provided by the RR.	Track compliance against the Mining Lease Conditions and proactively report any non-compliances to the RR within seven days of becoming aware of those non-compliances.	Administrative Non-Compliance
D4-19	(1) The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary can communicate in relation to the mining lease for the purposes of the Act.  (2) The holder of the mining lease must give written notice to the Secretary of— (a) the full name and contact details of the nominated person—within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and  (b) any change in nomination or in the nominated person's contact details—within 28 days after the change occurs.	Clause 19 in Schedule 8A requires the lease holder to Nominate a Contact Person (NCP) with whom the RR can communicate with in relation to the mining lease(s) for the purposes of the Mining Act 1992.  According to RR records, the Tritton Copper Mine failed to provide details of the nominated contact.	Ensure that the RR is advised of any future changes in the nominated contact person.	Administrative Non-Compliance

No.	Condition	Observation	Recommendation	Risk Level
<b>Mining Lease 1544</b>				
28	The lease holder must prepare a Tailings Management Plan in accordance with the "Strategic Framework for Tailings Management" produced by the Ministerial Council on Minerals and the Minerals Council of Australia. This Plan must detail all measures required for effective storage and disposal of tailings and be appended to the Mining Operations Plan (MOP) required to be lodged in accordance with Condition No. 2. For reporting and other purposes the Tailings Management Plan is considered to form part of the Mining Operations Plan (MOP).	Mine Closure Plan has not been revised/updated as per gap analysis. The 2018 and 2021 IEAs raised noncompliances relating to the content of the plan and need to update the plan.	This requirement has now been superseded by the 2022 changes to the Mining Act.	<b>Administrative Non-Compliance</b>
31	The lease holder must employ a suitably qualified and experienced Environmental Officer to be on site during the term of the mining lease. This Officer is to be responsible and accountable for all environmental and rehabilitation requirements under the mining lease. The appointment of an Environmental Officer is subject to the approval of the Director- General.	<p>The Tritton Copper Mine, at the time of this IEA has a small environmental team including the Environmental Superintendent and a Senior Environmental advisor. The personnel in those positions had appropriate qualifications and experience. However, those personnel are shared across four projects and spend between 20% – 25% of their time working on the Tritton Mine.</p> <p>During the audit period, there were periods during which the positions of Environmental Superintendent and Senior Environmental Advisor were vacant, including a period of at least three months when both of those positions were vacant.</p> <p>It is the Auditor's opinion, based on the environmental resourcing available at the mine throughout the audit period, observations made during the audit site inspections and review of environmental documents and records, that the environmental and compliance performance of the mine has been impacted by the lack of environmental resources.</p> <p>Further the current resourcing level (four part time personnel) is insufficient to fulfil all of the requirements of the Approval and other statutory requirements.</p>	Undertake an urgent review of environmental resource requirements for the operation to ensure that sufficient resources are available to keep key documentation up to date, undertake regular (detailed) environmental inspections, provide environmental training and advise managers on environmental performance requirements and compliance.	<b>Medium</b>

## 7. Independent Audit Post Approval Requirements

This audit focused on the compliance requirements established by the Conditions of Approval. While the scope of the audit, as specified in the Conditions of Consent do not refer specifically to the DPIE Independent Audit Post Approval Requirements (DPIE, May 2020), for completeness the Audit has, where possible, assessed the environmental performance of the project. This section of the report covers the specific requirements contained in the DPIE Guidelines.

### 7.1 Summary of Complaints

A complaints register is located on the company website. No complaints were recorded over the Audit Period.

#### 7.1.1 Complaints Management and Reporting

A complaints register is available on the Website, however that register is (appropriately) a high-level summary of the complaints received.

### 7.2 Summary of Environmental Incidents

Tritton Copper maintains an incident register. Incidents that management are aware of are reported in accordance with Condition 6, Schedule 7 of the Project Approval, and are reported annually in section 13 of the Annual Review.

The Auditor was provided with an extract from the incident register / database and reviewed the incident available records provided by Tritton. Those incidents are summarised in Table 8. One incident (the bushfire reported in December 2023) was reported to DPHI. No other incidents were reported. A review of the incidents recorded did not identify any other reportable incidents.

#### 1.1.1 Incident Management and Reporting

Section 6.2 of the draft Environmental Management Strategy outlines the requirements of the incident management system. Sections 3 and 4 of the PIRMP provides further detail on incident reporting. It is noted that the EMS does not reference the incident reporting information in the PIRMP and the PIRMP does not require any reporting of significant incidents to DPHI.

Nine incidents were recorded for the Audit Period and were reported in the Annual Reviews. While all of these incidents were reported to the EPA, only four were reported to DPE / DPHI. Metropolitan assessment of the unreported incidents is that they did not meet the threshold as causing or having the potential to cause material environmental harm. In the case of three incidents, that were not reported to DPHI, the EPA issued Prevention Notices or Penalty Infringement Notices.

It is the Auditor's view that any incident that is reported to the EPA as a potentially reportable incident should also be reported to DPHI under Schedule 7 Condition 6 of the Approval. A non-compliance has been recorded against that condition, refer to Section 6.2 above.

#### **Recommendation for improvement:**

While some spill incidents were managed appropriately, there was clear visual evidence that spills and leaks have occurred around workshop storage areas and the laydown area. No of those incidents appears to have been reported internally. Preventative and Corrective Actions.

It is therefore recommended that Tritton prepare detailed guidelines for the storage of hydrocarbons, chemicals and wastes, including housekeeping and maintenance requirements. In addition, Tritton should revise the PRIMP to provide clear guidance for the classification, management and reporting of hydrocarbon spills and leaks and ensure that those requirements are reflected in the EMS. Tritton should then provide training for all operational personnel in the management of those materials.

Table 7 - Summary of Incidents

Event Date	Category	Description	Actions Taken	Detailed Observation
25/01/2021	Land Disturbance	Disturbance of a Tritton topsoil stockpile.	-	During a routine inspection it was identified that Tritton topsoil stockpile T19 had been disturbed.
26/02/2021	Spill	Solution overflow from Heap Leach Pad 1.	-	During a routine environmental inspection following a recent rainfall event it was evident that solution from Heap Leach Pad overflowed from the containment bund.
26/07/2021	Land Disturbance	Topsoil disturbance	-	Girilambone topsoil stockpile 1b had a small amount of material disturbance.
24/08/2021	Waste	Hydrocarbons found in General waste bins	reported to maintenance supervisor, separate hydrocarbons from bins into appropriate containers	While conducting the monthly environmental inspection, hydrocarbon were found in two general waste bins
09/09/2021	Spill	Hydrocarbon spill	Photos taken, reported to Environmental advisor	Waste oil was identified within the Tritton containment dam (TCD1). The source of the contamination appears to be the waste oil overflow from the oil/water separator located at the heavy vehicle workshop.
17/09/2021	Spill	Drill cuttings spilled on Okeh Rd / Railway Rd	On return to Okeh property gate the operator noticed the substantial spill there. It was immediately reported to the driller who immediately reported and proceeded to shovel the waste into plastic RC bags. Night shift drill crews allocated to clean up.	At 1:30 pm a sucker truck carrying drill cuttings from the Constellation project area for disposal at Murrawombie, had an incomplete seal and spilled approximately 1000-1500l of drill cuttings along its approximately 40km journey
10/10/2021	Flora/Fauna	Multiple Spider nests located through Rescue Station	Environment to conduct site assessment and spray for spiders and other insects. With the increase of spider bites reported recently, this could be a way of minimising requirements for Medical treatment.	While Cleaning Rescue Station, multiple spiders and spider nests have been found through. When sprayed with insect spray additional spiders have moved from nests.

Event Date	Category	Description	Actions Taken	Detailed Observation
25/10/2021	Spill	Engine being sent from site leaked during transport to Dubbo en-route to Newcastle.		<p>An engine was requested to be sent off site by maintenance to Newcastle on Friday 22nd Oct. The warehouse team informed maintenance that it was leaking oil and had to be cleaned and rectified prior to travelling. Supply was told there was no sump on it so it shouldn't leak. A member from maintenance came and gave it a clean and nipped up a bolt and said it was safe to travel. The engine was put on the transport.</p> <p>On Monday the 25th site was contacted by WPE management that the engine had leaked all over the truck and down the side of the truck.</p>
29/10/2021	Spill	Hydrocarbon spill		A sump plug came lose from an LV whilst being transported to the LV workshop at the Tritton site.
11/11/2021	Spill	Waste oil and water spilled and drained from skip bin.	Contaminated soil cleaned up and disposed of in bunded contaminated waste area.	When emptying mixed general waste from an IBC into a general waste bin a volume of waste oil and water spilled and drained from skip bin.
29/01/2022	Spill	Diesel spill of approximately 20 L at Tritton fuel bay	<ul style="list-style-type: none"> <li>-Emergency stop was activated to stop the flow of fuel</li> <li>-Spill mineral was applied to absorb the hydrocarbon. This was removed once hydrocarbons had been absorbed.</li> <li>-Used material to be replaced in spill kit at fuel farm</li> </ul>	<ul style="list-style-type: none"> <li>-Operator was refueling LV at fuel bay.</li> <li>-The handle lock was applied inadvertently.</li> <li>-The operator removed the bowser nozzle from the fill point. The operator did not have the knowledge of how to disengage the trigger lock.</li> <li>-Approximately 20 L of Diesel spilled on the ground.</li> <li>-Spill was contained within the fuel bay area</li> </ul>
21/06/2022	Land Disturbance	Vehicles driving over bush instead of using formed road		Vehicles were found taking a short cut and not using the all weather road to access the Budgerygar raise bore site. This is in breach of our environmental licence. Road has now been barricaded and all workers educated on using correct road

Event Date	Category	Description	Actions Taken	Detailed Observation
07/08/2022	Spill	An IBC set up at the rear of the wash house with detergent in it has a leak in the tap/hose connection. Someone has attempted to catch the leak with a bucket which is now full and overflowing.	Reported to Tania Burls. Tania sourced a new bucket and has replaced the full one however, the full bucket is still sitting out beside the IBC awaiting removal.	An IBC set up at the rear of the wash house with detergent in it has a leak in the tap/hose connection. Someone has attempted to catch the leak with a bucket which is now full and overflowing. Spoke to a cleaner about it but they did not know who is responsible for the set up or dealing with the spill.
19/01/2023	Spill	Drill rig - Head Traverse Hydraulic Line failure leading to a hydraulic oil spill.	The rig was shut down and hydraulic taps isolated to limit spillage. Soaker pads were used to mop up the spilled oil and a catch tray was placed underneath the affected area of the rig.	Hydraulic hose failed just behind the coupling/joiner. Oil was sprayed onto the rig and leaked to the ground. The failure was located behind the rigs control box and as such posed no threat to workers. An estimated 30L in total was spilled with an estimated 90 to 95% recovered through mop up operations and use of a catch tray.
28/02/2023	Flora/Fauna	Small snake spotted in the warehouse yard.	People kept away from the area. Snake caught and then subsequently released off site down the road	Small Brown snake spotted in the warehouse yard. Person who spotted it contact the area snake handler while watching the snake. The snake was caught and removed from site and released
12/04/2023	Flora/Fauna	Kangaroo found dead at the TSF	Kangaroo was removed from TSF	During an inspection of the TSF a dead kangaroo was found in some freshly discharged tailings
05/05/2023	Spill	Spillage of Wash-up liquid soap (ALLPRO) from a storage IBC onto the ground.	Notified Training department and the residue of the spill was cleaned up.	Spillage of Wash-up liquid soap(ALLPRO) from a storage IBC onto the ground.
26/07/2023	Spill	Minor fuel spill	Spill cleaned up	A minor diesel fuel leak occurred while washing an exploration vehicle LV803. One of the field staff who was tasked with washing the vehicle noticed fuel leaking out from around the fuel tank inlet while the vehicle was on the wash ramp. To stop the flow of fuel the crew reversed off the ramp back to flat ground which stopped the fuel from leaking from the fuel tank inlet. in total approximately 2-3 litres of fuel has leaked onto the ground at the wash bay. On closer inspection the fuel cap was not seated correctly on the fuel inlet.

Event Date	Category	Description	Actions Taken	Detailed Observation
30/01/2024	Flora/Fauna	Kangaroo deceased in the tailings storage facility (TSF)	Reported the incident	During routine inspection, a Kangaroo was found bogged in the TSF
05/02/2024	Spill	Wiggins pump pulled from stand spilled emulsion roughly 30 liters.		A trained and competent operator hook the Macleans rig to the emulsion pump, had his mind on his next job and drove off with the pump still hooked up after tank was full.
08/12/2023	Cultural Heritage	A bushfire causing the loss of vegetation (estimated 621 ha) and inadvertent damage to Aboriginal heritage sites	Assistance given to NSW Rural Fire Service Refer to event 72305 for post fire monitoring	A bushfire occurred on 8 December within the Tritton Copper Mine Mining Lease (ML). The fire did not directly impact the development area, however it did impact an area within ML 1544. The fire affected area (Figure 1 and Figure 2) was inspected 11 and 12 December and damage to Aboriginal heritage items (scarred trees) was identified. The fire affected area has been inspected by the NSW Rural Fire Service and is suspected to be caused by a lightning strike. Tritton will engage a suitably qualified consultant to complete a condition assessment of the affected Aboriginal heritage sites. Following the condition assessment recommendations will be undertaken and the Cultural Heritage Management Plan will be updated if required. Please be aware that Tritton has also notified the NSW Resources Regulator, NSW Department of Planning and Environment and the Nyngan Local Aboriginal Land Council. This incident will be noted in the 2023 Annual Review.
08/05/2024	Flora/Fauna	LV405 Hit bird whilst driving to Dubbo Airport	Removed bird remainders from bumper as best as possible. Continued driving to Dubbo airport. Notified HR (Department Car).	Whilst driving out form Narromine bird flew into pathway of vehicle and hit bumper with some force. Upon inspection bumper was significantly damaged.

## 7.3 Summary of Notices

The following notices, orders, penalty notices or prosecutions were issued in relation to the consent during the audit period:

- **DPHI:** No notices issued
- **Environment Protection Authority:** Following a site inspection on 31 January 2023, the EPA issued an Advisory Letter" to Tritton relating to deficiencies in the storage of flammable and hazardous materials. The letter requested that Tritton investigate whether the bulk diesel storage facilities complied with the requirements of AS1940-2017. Tritton commissioned an independent consultant who reviewed the facilities and provided recommendations to bring the storage facility into compliance with the Standard. Tritton provided the EPA with a details of the consultants findings and recommendations. No further action was taken by the EPA.
- **Resource Regulator:** Tritton received notice of a commencement of investigation from the NSW Resources Regulator during the reporting period (LETT0008309) for alleged non-compliance with ML 1544. The notice identified three matters:
  - Clause 13(4) in Schedule 8A of the Mining Regulation 2016 requires the lease holder to submit to the Secretary, a forward program prepared in accordance with Clause 13(1). The due date was 2 August 2022 with a grace period until 28 February 2023. The FWP was received 10 May 2023.
  - Clause 16 of Schedule 8A requires the lease holder to make the Rehabilitation Management Plan (RMP) publicly available in a prominent position on the lease holder's website. The RMP had not been uploaded to the project website.
  - Clause 19 in Schedule 8A requires the lease holder to nominate a contact person with whom the RR can communicate with in relation to the mining lease for the purposes of the Mining Act 1992. The Regulator did not have a record of this having been done for the Tritton Copper Mine.

As a result of the investigation, Tritton received an Official Caution (NCG0005616).

## 7.4 Project Environmental Management System

The Tritton Copper Mine operates in accordance with the Environmental Management Strategy. The Environmental Management Strategy that was prepared as a requirement of the Planning Approval describes the environmental management approach implemented at the Mine. The EMS, as documented does not meet the requirements of ISO 14001.

Based on the Auditor's observations during the site inspection, the level of compliance identified in this audit indicates the system is not consistently being implemented in accordance with the Environmental Management Strategy. There appears to be a lack of understanding in relation to hydrocarbon and chemical storage and waste management and disposal. The environmental personnel associated with the operation and appropriately qualified and experienced, however they are split amongst at least three operational sites. Therefore the day to day, environmental surveillance and supervision is not optimal.

## 7.5 Implementation of the Operational Environmental Management Plan and Sub-plans

The Conditions of Approval requires the preparation and implementation of a range of management plans and strategies. No plans were available on the website. Management reported that all of the plans required by the Approval were being revised. Table 8 provides an overview of the progress of those reviews.

*Table 8 - Review Status of Management Plans*

TASK NAME	STATUS
Environmental Management Strategy	In Progress
Management Plan Template	Complete
Heritage Management Plan	Overdue
Biodiversity & Land Management Plan	Overdue
Water Management Plan	In Progress
Natural Hazards Management Plan	In Progress
Waste Management Plan	Not Started
Hydrocarbon and Chemical Management Plan	Not Started
Rehabilitation Management Strategy	Not Started
Air Quality & Greenhouse Gas Management Plan	Not Started
Pollution Incident Response Management Plan	Not Started
Noise and Vibration Management Plan	Not Started

During this IEA the Auditor was provided with copies of all of the plans in draft form. Most of those draft plans were based on the previous (generally 2021 or prior) versions of the plans. Therefore, the review of implementation of the management plans was based on potentially superseded documentation.

The review of the implementation of the plans has therefore been high-level. It was found, however that other than the storage of flammable and hazardous materials, Tritton were operating in general accordance with the draft plans.

## 7.6 Status of Previous IEA Findings

Table 11 lists the status of implementation of the audit recommendations associated with the Approval, relevant licenses and permits identified during the 2021 Audit.

Table 9 - Status of 2018 Audit Findings

Condition	Detail	2021 Audit Assessment / Recommendation	2024 Audit Assessment	Status
Project Approval DA 41/98				
DA 48 EPL O3.1	The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	Dust release was observed during site inspection from heavy vehicle movement in the mine operational area. Dust management measures (water cart) was not observed on site. Operate water cart during truck movements around site. If the truck is under maintenance, have adequate back up plan implemented.	In their response to the 2021 finding Tritton committed to developing a Trigger Action Response Plan (TARP) to ensure appropriate dust management measures are implemented in the event of a breakdown and unplanned maintenance. No TARPs have been included in the current version of the Dust Management Plan or the Draft version of the revised plan.	Open
ML 28	The lease holder must prepare a Mine Closure Plan in accordance with the "Strategic Framework for Mine Closure" produced by the Minerals Council of Australia and the Australian and New Zealand Minerals and Energy Council. This Plan must detail all aspects of mine closure and be appended to the Mining Operations Plan (MOP) required to be lodged in accordance with Condition No.2. For reporting and other purposes the Mine Closure Plan is considered to form part of the Mining Operations Plan (MOP) .	Mine Closure Plan has not been revised/updated as per gap analysis. Previous IEA (2018) had raised an observation to update MCP to refer to the correct Strategic Framework for MCP as required. Update the Mine Closure Plan referring to the correct requirements and addressing the gap analysis by Okane.	This condition has been superseded by changes to the Mining Act in 2022.	Closed
DA 1(ii) DA 8	The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	A number of non-compliances were raised in the 2018 IEA and in this report. This NC will be closed out when other NCs are closed out. Include a clear timeline and measures of progress for all responses to audit recommendations to review at subsequent IEA.	All recommendations from the 2021 IEA have not been closed out.	Open

Condition	Detail	2021 Audit Assessment / Recommendation	2024 Audit Assessment	Status
DA 5 (v)	<p>The Applicant shall ensure that suitably qualified personnel are appointed to:</p> <p>V. have the authority and independence to require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts and failing the effectiveness of such steps, to stop work immediately if an adverse impact on the environment is likely to occur.</p>	<p>The authority and independence required in this condition is not clearly stated in the EMP (section 2) or the Position Description of Environmental Coordinator. EMP is not clear about stop work authorities.</p> <p>Review and update Framework EMP to make sure the nominated personnel have adequate authority.</p>	<p>During the audit period, there were periods during which the positions of Environmental Superintendent and Senior Environmental Advisor were vacant, including a period of at least three months when both of those positions were vacant.</p> <p>It is the Auditor's opinion, based on the environmental resourcing available at the mine throughout the audit period, observations made during the audit site inspections and review of environmental documents and records, that the environmental and compliance performance of the mine has been impacted by the lack of environmental resources</p>	Open
DA 6(iii)	<p>The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include, the preparation of the following:</p> <p>III. a Traffic Management Strategy prepared in consultation with TfNSW and Council, including a Driver's Code of Conduct;</p>	<p>Consultation with RMS on updated Traffic Management Plan not sighted.</p> <p>Provide evidence of consultation with RMS for Traffic Management Plan update.</p>	<p>The current version of the Traffic Management Plan does not include a Drivers Code of Conduct.</p>	Open
DA 6(v)	<p>The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include, the preparation of the following:</p> <p>V. a Dust Management Strategy for the development, prepared in consultation with the EPA. The strategy must describe the air quality management system in detail and describe the measures that would be implemented to ensure compliance with condition 48 of schedule 2 of this consent.</p>	<p>Consultation with EPA on 2015 Dust Management Plan not sighted. This plan is overdue for review (biennially).</p> <p>Provide evidence of consultation with EPA in preparing the DMP. Review and update DMP as required, in consultation with EPA.</p>	<p>The current version of the Dust Management Plan is out of date, however Tritton are currently revising that plan.</p>	Open
DA 6(ix)	<p>The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include, the preparation of the following:</p> <p>IX. the recommendations of the Preliminary Hazard Analysis prepared by McCracken Consulting, dated December 1998;</p>	<p>No specific reference to the Preliminary Hazard Analysis was found in the Framework EMP and sub-plans. The 2018 IEA had raised an observation to address this in next revision of the plans.</p> <p>Ensure Preliminary Hazard Analysis recommendations are addressed in the next revision of the Framework EMP and sub-plans.</p>	<p>Section 4 and Table A6.1 of the Preliminary Hazard Analysis present the findings of the hazard analysis and recommended risk mitigation measures.</p> <p>Those measures have been generally covered in each of the existing plans.</p>	Closed

Condition	Detail	2021 Audit Assessment / Recommendation	2024 Audit Assessment	Status
DA 6B	<p>The Applicant must review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 3 months of the:</p> <ul style="list-style-type: none"> <li>I. submission of an incident report under condition 7 of Schedule 2;</li> <li>II. submission of an audit report under condition 8 of Schedule 2; or</li> <li>III. any modification to the conditions of this consent.</li> </ul> <p>Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted to the Secretary for approval.</p>	<p>The EMP has not been reviewed within 3 months of submission of previous audit report or after modification of DA.</p> <p>Review all strategies, plans and programs within 3 months of this audit report.</p>	<p>A review of management plans was not undertaken within three months of the 2021 Independent Environmental Audit or the approval of MOD 8 in June 2022.</p> <p>A plan for the review and revision of all management plans has been prepared and is being implemented.</p>	Open
DA 23	<p>Prior to the construction of the tailings dam, and following consultation with the RR and EPA, the Applicant shall prepare a Management and Monitoring Plan for the Tailings Dams to the satisfaction of the Secretary.</p> <p>The Plan shall be prepared by a suitably qualified person and be submitted to the Department one month prior to the commencement of the works.</p>	<p>TSF OMM: Specific requirements on chemicals and reagents are not addressed in the updated version. Evidence of consultation in this regard with RR and EPA not sighted.</p> <p>Update Tailings Dam1 OMM Manual to address requirements of condition 23 including consultation with regulators.</p>	<p>The Tailings Management Plan has not been revised.</p>	Open
DA 37A	<p>Prior to exporting any waste rock as permitted by condition 33A, the Applicant shall prepare and implement a code of conduct for the transportation of waste rock and tailings on public roads, including procedures to ensure that drivers implement safe driving practices. The code of conduct must be prepared in consultation with RMS and Council, and to the satisfaction of the Secretary.</p>	<p>Evidence of consultation with Council not sighted in preparing Drivers' code of conduct.</p> <p>Provide evidence of consultation with Council in preparing the Drivers' Code of Conduct.</p>	<p>The current version of the Traffic Management Plan does not include a Drivers Code of Conduct.</p>	Open

Condition	Detail	2021 Audit Assessment / Recommendation	2024 Audit Assessment	Status
DA 52	<p>A final hazard analysis of the proposed development. The analysis should be prepared in accordance with the department of Urban Affairs and Planning's Hazardous industry Planning Advisory Paper No. 6, 'Guidelines for Hazard Analysis'.</p> <p>The analysis shall in particular address the issues relating to (i) the freeboard capacity and overflow frequency for the TSF as raised in recommendation No. 9 of the preliminary hazard analysis and (ii) the hazards associated with the blasting as identified in recommendations 2 and 11 of the preliminary hazard analysis.</p>	<p>Final hazard analysis was not available to verify. Prepare a final hazard analysis as per HIPAP No 6.</p>	A final Hazard Analysis has been prepared.	Closed
DA 53 (a)	<p>a. A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety off all people outside of the development who may be at risk from the development. The plan shall be in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines". The plan should address the matters raised in recommendation No 5 of the preliminary hazard analysis</p>	<p>Emergency Management Plan does not specifically refer to the HIPAP No1 or the preliminary hazard analysis as required in this condition.</p> <p>Update Emergency Plan as per HIPAP No 1 and Preliminary Hazard Analysis.</p>	An Emergency Management Plan has been prepared. The plan generally complies with the requirements of this Condition.	Closed

Condition	Detail	2021 Audit Assessment / Recommendation	2024 Audit Assessment	Status
DA 53 (b)	<p>b. A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. This document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and shall be available for inspection by the Secretary upon request. The Safety Management System shall be developed in accordance with the Departments Hazardous Industry Planning Advisory Paper No. 9 "Safety Management". The safety management system should take into account recommendations 2 and 8 of the preliminary hazard analysis.</p>	<p>Safety Management System (SMS) documentation does not specifically refer to the HIPAP No9 or the preliminary hazard analysis as required in this condition.</p> <p>Update HSEMS policies and SMS/HS&amp;EMS as per the HIPAP No 9 and Preliminary Hazard Analysis.</p>	<p>Tritton operates under a comprehensive HS&amp;EMS system that includes a range of Safety Management Procedures.</p>	Closed
EPL O4.4	<p><b>Bunding Conditions</b></p> <p>All areas storing chemical reagents and or hydrocarbon materials on the premises must be built to meet the following:-</p> <p>a) In the case of bulk storage tanks, a bund floor and wall be constructed of impervious materials. The bunded area must be of sufficient capacity to contain 110% of the volume of the largest tank where a group of tanks are installed. Bund walls must be not less than 250 millimetres in height.</p> <p>b) In the case of drum or container storage areas, a bund floor and wall be constructed of impervious materials. The bunded area must be of sufficient capacity to contain 10% of the total storage capacity of the area. Bund walls must be not less than 250 millimetres in height.</p> <p>c) Unless approved by the EPA, any pipework from the enclosed tank(s) and/or pump(s) must be directed over the bund wall and not through it. The bund must not be emptied by means of a drain valve.</p>	<p>Safety Management System (SMS) documentation does not specifically refer to the HIPAP No9 or the preliminary hazard analysis as required in this condition.</p> <p>Store all chemicals and fuel drums within bunds and ensure the bunds have adequate containment volume.</p> <p>Ensure containers are correctly labelled. Store waste materials with hydrocarbons in accordance with AS 1940. And ensure they are classified and disposed of in accordance with EPA Waste Classification Guidelines.</p>	<p>During the site inspection undertaken for this IEA, the storage of chemicals and fuels was also identified as an issue.</p>	Open

## 7.7 Specialist Auditor Reports

No specialist auditor reports were prepared as part of this audit.

## 7.8 Operational Environmental Impacts

The high-level assessment of actual impacts against those predicted in the EIS is provided in Table 12.

*Table 10 - Predicted vs Actual Impacts*

Category	Predicted Impact	Actual Impacts to Date
Dust	Some Dust will invariably be generated as a result of the operations; however, the extent of the impact would be comparable with natural dust levels generated on windy days.	No significant dust issues were identified during the IEA. Dust impacts are generally in line with the predictions in the EIS.
Surface Water	The impact on surface water will be minimal and downstream water resources will not be impacted by the mine operations.	No surface water impacts were identified.
Groundwater	The groundwater beneath the Tritton mine is low quality. TSF should not impact water quality.	No groundwater (quality) impacts have been identified.
Soil Erosion	No significant adverse impacts on soil resources will occur	No significant soil erosion has been identified on the mine.
Noise	No significant impacts on the closest sensitive receivers were predicated.	No significant operational noise impacts were identified.
Blasting	No blasting impacts on the closest sensitive receivers were predicated.	No blasting impacts were identified.
Ecology	The ecological impacts predicted included: <ul style="list-style-type: none"><li>• Clearing of native vegetation</li><li>• Fauna fatalities due to additional road traffic</li><li>• Toxicity of tailings on native fauna.</li></ul>	Clearing of the development is consistent with the approval. While fauna fatalities have been recorded, the impact on wildlife has been minimal.
Archaeology	There should be no unacceptable impacts on archeological sites within the area.	There are no known impacts on heritage sites outside of the mining footprint.
Traffic	There will be additional traffic associated with the development; however the total traffic impacts would be low.	No significant traffic impacts were identified.

### 7.8.1 Extent of Project Operations

The original Environmental Assessment and modifications defined the proposed project boundaries. A review of current aerial imagery (Google Maps) and the Auditor's observations during the site inspection found that the mining operations are confined to the approved site boundaries.

## 7.9 Other Matters

No other matters have been identified during this Independent Environmental Audit.

# **APPENDIX A1**

**TRITTON COPPER MINE**

**2024 INDEPENDENT ENVIRONMENTAL AUDIT**

## **COMPLIANCE TABLE**

## **PLANNING APPROVAL DA41/98**

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
1	General	The Applicant shall carry out the development: (i) generally, in accordance with the EIS; and				The surface works conforms with the site layout shown on Figure 1 in Appendix 1 of the planning approval (DA 41/98).  A copy of the original EIS was not available, either on the mine website or on the Planning Portal. This IEA has identified non—compliances against the Conditions of Approval, those non-compliances may also indicate that the operation, especially waste management related may not meet the general requirements of the EIS. Those non-compliances are presented in detail below.	Noted	
		(ii) in accordance with the conditions of this consent				The assessment of compliance in relation to this approval has been undertaken against the requirements of the consolidated approval and is presented in detail below.	Noted	
		(iii) generally, in accordance with the development layout; and					Compliant	
		(iv) in accordance with all written directions of the Secretary		Environmental Superintendent – I don't believe there have been directions (issued by DPHI). There has been correspondence and feedback on submissions.		No written directions have been received from DPHI.	Not Triggered	
1A	General	The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s listed in condition 1(i). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 1(i), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.					Noted	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
2(a)	Statutory and other requirements	The Applicant shall meet the statutory requirements of all public authorities having responsibilities for environmental protection, pollution control, and land and water conservation approvals and licences in respect of the mine operation and associated works encompassed by DA No. 41/98.	Letter from the EPA (D Rindfleish) to Tritton Resources Pty Ltd (S Ramsy) titled "Environment Protection Licence 11254 ADVISORY LETTER – Follow-up from compliance inspection January 2023", dated 21 February 2023. Email from Aeris Resources (Q Bruwer) to the EPA (B Emerton) titled "Response to EPA Inspection Report/Findings (Ref: DOC23/73186)", dated 28 April 2023. 2023 Annual Review	Environmental Superintendent – The only communication from the RR or EPA identified was an "Advisory Letter" received from the EPA Inspection held in early 2023. The last communication is from 1 May 2023, but we have no record of further communication from EPA and nor was the EPL ever updated. Otherwise, there are non-compliances noted in the EPL Annual Returns. There has been no specific responses to these. The Annual Returns for the reporting period provided.	Photographs 1 shows the bulk diesel storage (Tanks 1 and 2). Photographs 2 to 5 show examples of bulk liquids storage. Note the storage of drums and 1000 litre IBCs located on the edge of bunded areas and in unbunded areas. Liquid Wastes stored in the laydown area were not bunded and in some cases, in open top containers (Photographs 9 and 10).	The EPL for the mine (Conditions O4.4, O4.5 and O4.6) specify the requirements for bulk fuel / liquids storage. The EPA, during their inspection in early 2023 reported that the bulk diesel facility and the storage of some bulk liquids within existing bunds, did not comply with all of the requirements of AS1940 and therefore did not satisfy all of the requirements specified in the EPL. The EPA issued a Post Inspection Letter to Tritton on 21 February 2023 describing the deficiencies and requesting rectification of the issues identified. Tritton commissioned an independent review of the fuel storage area, provided that report to the EPA and implemented the recommendations from that study. During the site inspection 200 litre drums and 1000 litre IBCs were observed that were stored in unbunded areas or stacked on the edge of bunded areas where leaks from those containers would not be contained. During the 2023 reporting year the Resource Regulator issued an Official Caution to Tritton for failing to submit the Forward Program, make the Rehabilitation Management Plan publicly available and for failing to notify the Resource Regulator of the details for a contact person.	<b>Non-Compliance</b>	Undertake a detailed survey of all fuel, oil, grease, chemical and liquid waste (including oils and greases) storage areas to determine the storage needs. Provide sufficient bunded storage that complies with the requirements of AS/NZ 1940.
2(b)	Statutory and other requirements	The Applicant shall comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from reports submitted in accordance with the conditions of this consent, within such time as the Secretary may agree.	Has DPHI issued any directions during this audit period. If yes, please provide copies.	Environmental Superintendent – I don't believe there have been directions (issued by DPHI). There has been some correspondence and feedback on submissions.		No written directions have been received from DPHI.	Not Triggered	
3	Duration and Scope	The Application may carry out mining operations on site until 21 December 2028.					Noted	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
3A	Evidence of Consultation	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document for approval; and</p> <p>(b) provide details of the consultation undertaken to the Secretary, including:</p> <p>(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>				Refer to specific conditions below	Noted	
3B	Staging, Combining and Updating Strategies, Plans and Programs	<p>With the approval of the Secretary, the Applicant may:</p> <p>(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);</p> <p>(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and</p> <p>(d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by other consents subject to common, shared or related ownership or management.</p>		Environmental Superintendent – no plans, programs or strategies have been prepared in stages.		No plans, programs or strategies have been prepared in stages.	Not Triggered	
3C	Staging, Combining and Updating Strategies, Plans and Programs	If the Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.		Environmental Superintendent – no plans, programs or strategies have been prepared that do not address all of the requirements of the Approval.		No plans, programs or strategies have been prepared that do not address all of the requirements of the Approval.	Not Triggered	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
3D	Staging, Combining and Updating Strategies, Plans and Programs	If the Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.		Environmental Superintendent – no plans, programs or strategies have been prepared that do not address all of the requirements of the Approval.		No plans, programs or strategies have been prepared that do not address all of the requirements of the Approval.	Not Triggered	
3E	Application of Existing Strategies, Plans or Programs	Prior to the approval of management plans under this consent, the Applicant must continue to implement any equivalent or similar management plan/s required under existing consents, to the satisfaction of the Secretary.					Noted	
3F	Protection of Public Infrastructure	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and	Incident Register Complaints Register	Environmental Superintendent – No damage to public infrastructure has occurred during the audit period.	No evidence of damage to roads or other public infrastructure was found during the site inspection.	No evidence of damage to public infrastructure during the audit period was identified.	Not Triggered	
		(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development		Environmental Superintendent – No public infrastructure was relocated during the audit period.	No evidence of damage to roads or other public infrastructure was found during the site inspection.	No public infrastructure was relocated during the audit period.	Not Triggered	
3G	Demolition	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001), or its latest version.		Environmental Superintendent – No demolition was undertaken during the audit period.	No evidence of demolition works were found during the site inspection.	No demolition was undertaken during the audit period.	Not Triggered	
3H	Structural Adequacy	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development must be constructed in accordance with the relevant requirements of the BCA.		Environmental Superintendent – No new structures were constructed during the audit period.	No evidence of new construction was found during the site inspection.	No new structures were constructed during the audit period.	Not Triggered	
3I	Operation of Plant and Equipment	All plant and equipment used on site, or to monitor the performance of the development must be maintained in a proper and efficient condition; and operated in a proper and efficient manner.	Plant Work Order Sheet UTH40 (Sandvik Haul Truck), dated 24 September 2024. Plant Work Order Sheet UTH40 (Sandvik Haul Truck), dated 10 October 2024. Plant Work Order Sheet ULD32 (Cat R2900 UG Loader), dated 31 October 2024. Plant Work Order Sheet ULD32 (Cat R2900 UG Loader), dated 23 October 2024. Repairs following damage.		Maintenance workshops for both heavy and light vehicles were sighted.	Maintenance facilities were inspected. Detailed records of inspections and maintenance were sighted.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
3J	Compliance	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Training PowerPoint Presentations including Module 9 Environment from the site worker induction training. Daily Pre-Start presentations (covering January to August 2024). Cardholder Competency Report (covering contractors and employees)	Environmental Superintendent – The Chemical and Hydrocarbon Management Plan is being updated as part of the current management plan updates.		<p>Training materials covering elements of the approval were reviewed. Records of training from the audit period were sighted.</p> <p>It is noted that housekeeping, and in particular the storage of hydrocarbons and wastes do not meet minimum industry standards (refer to compliance findings below).</p> <p>It was also noted that hydrocarbon spills in (at least) the laydown area were of a size that would potentially trigger incident reporting to the EPA and DPHI.</p>	<b>Non-Compliance</b>	<p>Prepare detailed guidelines for the storage of hydrocarbons, chemicals and wastes, including housekeeping and maintenance requirements.</p> <p>Tritton should revise the PRIMP to provide clear guidance for the classification, management and reporting of hydrocarbon spills and leaks and ensure that those requirements are reflected in the EMS.</p> <p>Provide training for all operational personnel in the management of those materials.</p>
3K	Applicability of Guidelines	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of inclusion (or later update) of the condition.					Noted	
3L	Applicability of Guidelines	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.					Noted	
3M	Crown Land	Within 12 months of the determination of Modification 8, the Applicant must commence consultation with DPE Crown Lands in relation to: (a) entering into a compensation agreement under the Mining Act 1992; and	Letter from Tritton Operations (S Ramsy) to Crownlands (D Barber) titled “Agreement to Enter Compensation Agreement with NSW Department of Crown Lands ad NSW Local Land Services”, dated 9 September 2022.			MOD 8 was approved in June 2022, an in principle agreement between the parties was reached in September 2022.	Compliant	
		(b) permitting free and uninterrupted passage of stock through parts of the site covered by Travelling Stock Reserves.	Draft Tripartite S265 Agreement – ML1544 Tritton Resources Pty Ltd – Minister and LLS – 24 March 2022.	Environmental Superintendent – the Tritton Mine does not impact the travelling stock route.		Tritton proposed to allow stock to travel through Mining Lease 1544 via Lot 7320 (DP1160810) to rejoin Lot 7321 south of the TSF.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
4	Mining Operations Plans	The Applicant shall prepare and implement a Mining Operations Plan or Rehabilitation Management Plan for the project in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992. This plan must:	Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.			The Rehabilitation Management Plan has been prepared and is available on the Tritton website.	Compliant	
		I. be prepared in accordance with any relevant RR guideline;	Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.			<p>The Rehabilitation Management Plan was prepared in accordance with the:</p> <ul style="list-style-type: none"> <li>• Form and Way: Rehabilitation Management Plan for Large Mines (July 2021).</li> <li>• Form and Way: Rehabilitation Objectives, Rehabilitation Completion Criteria and</li> <li>• Final Landform and Rehabilitation Plan for Large Mines (July 2021).</li> <li>• Guideline 1: Rehabilitation Risk Assessment (July 2021).</li> <li>• Guideline 2: Rehabilitation Records (July 2021).</li> <li>• Guideline 3: Rehabilitation Controls (July 2021).</li> <li>• Guideline 5: Rehabilitation Objectives and Rehabilitation Completion Criteria (July 2021).</li> </ul>	Compliant	
		II. demonstrate consistency with the conditions of this consent and any other statutory approvals;	Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.			The Rehabilitation Management Plan is consistent with the requirements of the Planning Approval and the requirements of the Mining Act.	Compliant	
		III. demonstrate consistency with the Environmental Management Plan required by Condition 6;	Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.				Compliant	
		IV. provide the basis for implementing mining operations, environmental management, and ongoing monitoring and reporting (i.e. Annual Review); and	Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.			The Rehabilitation Management Plan provides an adequate basis for environmental management, and ongoing monitoring and reporting.	Compliant	
		V. identify a schedule of proposed mine development for the period covered by the plan and include: <ul style="list-style-type: none"> <li>• the area proposed to be impacted by mining activity and resource recovery mining methods and remediation measures including rehabilitation</li> <li>• areas of environmental, heritage or archaeological sensitivity and proposals to appropriately minimise surface impact</li> <li>• water management, and</li> <li>• proposals to appropriately minimise surface impacts</li> </ul>	Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.			Section 6 of the plan provides the schedule of proposed mine development and rehabilitation.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
4	Mining Operations Plans	A copy of the MOP, excluding commercial in confidence information, shall be forwarded to the Council and Secretary within 14 days of acceptance by DRG.				No evidence was available to verify the submission of the Rehabilitation Management Plan to either Council or DPHI.	Non-Compliance	Provide a copy of the Rehabilitation Management Plan to DPHI and Council.
5	Environmental Management Services	<p>The Applicant shall ensure that suitably qualified personnel are appointed to:</p> <p>I. be responsible for the preparation of relevant environmental documentation;</p>	<p><a href="http://www.burtonenviro.com/au/experience/">www.burtonenviro.com/au/experience/</a></p> <p>Rehabilitation Management Plan for the Tritton Copper Mine, Revision 2, dated 15 June 2023.</p>	Environmental Superintendent – Burton Environmental has been commissioned to revise the Environmental Management Plan and sub-plans.		<p>The updating of the EMS and subplans was underway at the time of this IEA. Those reviews were being overseen by the Tritton’s Environmental Superintendent. The review and updating of the plans was being undertaken by Buron Environmental.</p> <p>The Rehabilitation Management Plan was prepared by RW Corkery Consultants.</p> <p>The resources undertaking the review and revision of the documentation are suitably qualified and experienced.</p>	Compliant	
5	Environmental Management Services	<p>II. be responsible for considering and advising on matters specified in the conditions of this consent and compliance with such matters;</p> <p>III. be responsible for receiving and responding to any complaints;</p> <p>IV. facilitate an induction and training program for all persons involved with construction activities, mining and remedial activities (including surface drainage mitigation works); and</p> <p>V. have the authority and independence to require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts and failing the effectiveness of such steps, to stop work immediately if an adverse impact on the environment is likely to occur.</p>	<p>CVs for the two current members of the environment team (Environmental Superintendent and Senior Environmental Advisor).</p> <p>Position Descriptions:</p> <ul style="list-style-type: none"> <li>Environmental Superintendent</li> <li>Senior Environmental Advisor</li> <li>Environmental Officer</li> <li>Environmental Technician</li> </ul> <p>Email from Tritton (D McNicoll) to the Auditor titled “Environmental Resourcing”, dated 26 November 2024.</p>	Environmental Superintendent – There are currently four personnel in the environment team, the Environmental Superintendent, the Senior Environmental Advisor, Environmental Officer and Environmental Technician. The Environmental Superintendent, the Senior Environmental Advisor have been working at the mine since January 2024 and May 2024 respectively.	During the site inspection it was apparent that the current level of environmental resourcing available to the Tritton Copper Mine was no adequate. This was reflected in the fuel, chemical and waste management issues observed and discussed in detail below.	<p>The Tritton Copper Mine, at the time of this IEA has a small environmental team including the Environmental Superintendent and a Senior Environmental advisor. The personnel in those positions had appropriate qualifications and experience. However, those personnel are shared across four projects and spend between 20% – 25% of their time working on the Tritton Mine.</p> <p>During the audit period, there were periods during which the positions of Environmental Superintendent and Senior Environmental Advisor were vacant, including a period of at least three months when both of those positions were vacant.</p> <p>It is the Auditor’s opinion, based on the environmental resourcing available at the mine throughout the audit period, observations made during the audit site inspections and review of environmental documents and records, that the environmental and compliance performance of the mine has been impacted by the lack of environmental resources.</p> <p>Further the current resourcing level (four part time personnel) is insufficient to fulfil all of the requirements of the Approval and other statutory requirements.</p>	Non-Compliance	Undertake an urgent review of environmental resource requirements for the operation to ensure that sufficient resources are available to keep key documentation up to date, undertake regular (detailed) environmental inspections, provide environmental training and to advise managers on environmental performance requirements and compliance.

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
6	Management Plans	The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include, the preparation of the following:	Environmental Management Strategy (Draft) Mandatory Independent Environmental Audit, Tritton Mine, prepared by GHD, dated 8 August 2022.	Environmental Superintendent – The requirement for an "EMP" has been previously met through provision of the Dust Management Plan, Flora and Fauna Management Plan, Noise and Vibration Management Plan and Traffic Management Plan. No EMP exists per se. An Environmental Management Strategy (EMS) (overarching / framework system document) is in development.		An Environmental Management Strategy was being prepared at the time of this IEA.  The 2022 Independent Environmental Audit assessment of this Approval Condition referenced a Framework Environmental Management Plan (September 2012).  The Auditor understands that the Framework EMP is no longer in use and that the EMS that is being prepared is to meet the requirements of Condition 6.	<b>Non-Compliance</b>	Finalise the Environmental Management Strategy and ensure that it meets all of the requirements of Condition 6 of the Approval.
		I. deleted						
		II. a Contingency Strategy prepared in consultation with BCS for any threatened species that maybe affected by the construction and operation of the mine;	Flora and Fauna Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 2.2, dated 14 July 2022.	Environmental Superintendent – The current (2021) Flora and Fauna Management Plan. A Biodiversity & Land Management Plan Draft is being prepared as part of current update program.		The Flora and Fauna Management Plan does not contain a Contingency Strategy.	<b>Non-Compliance</b>	Finalise the Biodiversity & Land Management Plan and ensure that it meets all of the requirements of the Approval including the inclusion of a Contingency Strategy and that, that strategy is prepared in consultation with BCS.
		III. a Traffic Management Strategy prepared in consultation with TfNSW and Council, including a Driver's Code of Conduct;	Traffic Management Plan Revision 5, dated 1 June 2023.	Environmental Superintendent – Current (2023) Traffic Management Plan. The Biodiversity & Land Management Plan is being drafted and will include the requirements of the Traffic Management Strategy.		The existing Traffic Management Plan does not include a Drivers Code of Conduct.	<b>Non-Compliance</b>	Finalise the Biodiversity & Land Management Plan and ensure that it meets all of the requirements of the Approval including the inclusion of a Traffic Management Strategy, including a Drivers' Code of Conduct and that, that strategy is prepared in consultation with TfNSW and Council.
		IV. a Noise and Vibration Management Strategy in consultation with the EPA, including noise management procedures, monitoring protocols and measures to ensure compliance with the noise criteria and operating conditions in this consent; and	Noise and Vibration Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 2, dated September 2021.			The noise criteria specified in the current Noise and Vibration Management Plan are not consistent with those specified in Condition 38.	<b>Non-Compliance</b>	Review and revise the Noise and Vibration Management Plan / strategy in consultation with TfNSW and Council.

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
6	Management Plans	V. a Dust Management Strategy for the development, prepared in consultation with the EPA. The strategy must describe the air quality management system in detail and describe the measures that would be implemented to ensure compliance with condition 48 of schedule 2 of this consent.	Dust Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 2, dated December 2021.			Dust Management Plan does not define dust trigger levels (as required under Condition 48) or provide a contingency plan should exceedances in the dust trigger levels occur.	Non-Compliance	Review and revise the Dust Management Plan / strategy in consultation with the EPA.
		The Plan (EMP) shall also include but not be limited to: VI. details of the mine infrastructure and facilities to be developed;	Environmental Management Strategy (Draft) Mandatory Independent Environmental Audit, Tritton Mine, prepared by GHD, dated 8 August 2022.	Environmental Superintendent – The requirement for an "EMP" has been previously met through provision of the Dust Management Plan, Flora and Fauna Management Plan, Noise and Vibration Management Plan and Traffic Management Plan. No EMP exists per se. An Environmental Management Strategy (EMS) (overarching / framework system document) is in development.		An Environmental Management Strategy was being prepared at the time of this IEA. The 2022 Independent Environmental Audit assessment of this Approval Condition referenced a Framework Environmental Management Plan (September 2012). The Auditor understands that the Framework EMP is no longer in use and that the EMS that is being prepared is to meet the requirements of Condition 6.	Non-Compliance	Finalise the Environmental Management Strategy and ensure that it meets all of the requirements of Condition 6 of the Approval.
		VII. where relevant, monitoring procedures relating to water quality, groundwater flows, air quality, noise and vibration, and the tailings storage facility;	Water management Plan Tritton Copper Mine (ML1544), Revision 1 Dated 26 October 2021 Dust Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 2, dated December 2021. Noise and Vibration Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 2, dated September 2021.	Environmental Superintendent – Respective management plans contain monitoring requirements. Current (2023) Water Management Plan is available.		The surface water monitoring and the TSF and groundwater monitoring program are described in Sections 7.6 and 8.6 of the Water Management Plan respectively. Dust monitoring is described in Section 4.6 of the Dust Management Plan. Noise and Vibration Monitoring is briefly described in Section 5 of the Noise and Vibration Management Plan.	Compliant	
		III. management and protection measures for all recorded Aboriginal archaeological sites within the development site;	Heritage Management Plan (Draft)	Environmental Superintendent – A draft Cultural Heritage Management Plan from 2022 being treated as the current version. Heritage Management Plan in draft as part of current update program.		Section 9 of the Draft Heritage Management Plan describes the heritage monitoring program.	Compliant	
		IX. the recommendations of the Preliminary Hazard Analysis prepared by McCracken Consulting, dated December 1998;	Preliminary Hazard Analysis, Appendix 6 of the EIS. Final Hazard Analysis Tritton Mine (ML1544) Revision 1, dated 9 September 2022.			Section 4 and Table A6.1 of the Preliminary Hazard Analysis present the findings of the hazard analysis and recommended risk mitigation measures. Those measures have been generally covered in each of the existing plans.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
6	Management Plans	X. management measures for any fauna and flora species listed under the Threatened Species Conservation Act 1995 that occur on the site.	Flora and Fauna Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 2.2, dated 14 July 2022.	Environmental Superintendent – The current (2021) Flora and Fauna Management Plan. A Biodiversity & Land Management Plan Draft is being prepared as part of current update program.		The Flora and Fauna Management Plan identifies listed species and presents mitigation measures.	Compliant	
		The EMP shall be prepared to the satisfaction of the Secretary in consultation with relevant agencies and shall be submitted at least 1 (one) month prior to the commencement of construction, or within such period as otherwise agreed to by the Secretary.				Compliance with this condition was verified during previous IEAs.	Not Triggered	
6A.	Annual Review	<p>By the end of March each year, unless the Secretary agrees otherwise, the Applicant must review the environmental performance of the development for the previous calendar year to the satisfaction of the Secretary. This review must:</p> <ol style="list-style-type: none"> <li>describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the current calendar year;</li> <li>include a comprehensive review of the monitoring results and complaints records of the development over the past year, which includes a comparison of these results against the: <ul style="list-style-type: none"> <li>relevant statutory requirements, limits or performance measures/criteria;</li> <li>monitoring results of previous years; and</li> <li>relevant predictions in the EIS;</li> </ul> </li> <li>identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>identify any trends in the monitoring data over the life of the development;</li> <li>identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</li> <li>describe what measures will be implemented over the next year to improve the environmental performance of the development.</li> </ol>	<p>Annual Environmental Management Report (AMER) Tritton Reporting Year ending: 31 December 2021, dated 25 February 2022.</p> <p>Annual Environmental Management Report (AMER) Tritton Reporting Year ending: 31 December 2022, dated 31 March 2023.</p> <p>Annual Review Tritton Reporting Year ending: 31 December 2023, 1 August 2024.</p>			<p>Annual Environmental Management Report for each reporting year of the audit period were reviewed.</p> <p>Each of the annual reports provided the information required by this Condition.</p> <p>The 2023 Annual Review was completed is August 2024, outside of the required reporting date.</p>	Non-Compliance	Ensure that future Annual Reviews are completed and submitted to DPHI before the end of March unless otherwise approved by DPHI.

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
6B	Revision of Strategies, Plans and Programs	<p>The Applicant must review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 3 months of the:</p> <ol style="list-style-type: none"> <li>submission of an incident report under condition 7 of Schedule 2;</li> <li>submission of an audit report under condition 8 of Schedule 2; or</li> <li>any modification to the conditions of this consent.</li> </ol> <p>Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted to the Secretary for approval.</p>	Management Plan Update Schedule Oct 2024.	Environment Superintendent - Currently there is a program to update documents underway, but many are out of date.		<p>A review of management plans was not undertaken within three months of the 2021 Independent Environmental Audit or the approval of MOD 8 in June 2022.</p> <p>A plan for the review and revision of all management plans has been prepared and is being implemented.</p>	Non-Compliance	Ensure that all management plans are reviewed and if necessary revised in accordance with the Management Plan Update Schedule prepared in October 2024.
7	Incident Notification	<p>The Applicant must immediately notify the Department and any other relevant agencies after it becomes aware of an incident. The notification must identify the development (including the development application number and name) and set out the location and nature of the incident.</p>	<p>Incident Register (Extract).</p> <p>Letter from Tritton (S Martin) to DHPI (K O'Reilly) titled "Notification – Bushfire causing inadvertent damage to Aboriginal Heritage Sites", dated 13 December 2023.</p> <p>Pollution Incident Response Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 1, dated 16 August 2021.</p>	<p>Environment Superintendent - Environmental incidents are recorded on INX InControl</p> <p>Tritton Bushfire incident was reported to the regulators.</p>		<p>Tritton management were made aware of one reportable incident during this audit period. That incident was reported to DPHI.</p>	Compliant	
7A	Non-Compliance Notifications	<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p>	<p>Report on Potential Water Take Non-Compliance with 80WA716044 (WAL31090 and WAL31041), dated 23 July 2024.</p>	<p>Environment Superintendent - Non-compliances noted in 2023 Tritton AR.</p> <p>The water take non-compliance was reported to the NRAR.</p>		<p>The following non-compliances were not reported to DPE / DPHI:</p> <ul style="list-style-type: none"> <li>Water take issue – Condition 13D</li> <li>EPA Notice – Condition 2(a)</li> </ul>	Non-Compliance	Ensure that all non-compliances against the approval are notified to DPHI within seven days of the non-compliance being discovered.

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
8	Independent Environmental Audit	<p>By 30 September 2021, and every 3 years thereafter, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <ul style="list-style-type: none"> <li>I. be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);</li> <li>II. be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</li> <li>III. be carried out in consultation with the relevant agencies;</li> <li>IV. assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and</li> <li>V. recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.</li> </ul>	Email from Tritton (D McNicoll) to the Auditor, titled "Aeris Resources – Tritton Copper Mine 2024 IEA Proposal -Barnett and May", dated 29 March 2024.			<p>Tritton Copper commissioned the Auditor on 29 March 2024.</p> <p>This audit has been undertaken in accordance with Independent Audit Post Approval requirements (DPE May 2020).</p>	Compliant	
		<p>Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.</p>	<p>Mandatory Independent Environmental Audit, Tritton Mine, prepared by GHD, dated 8 August 2022.</p>			<p>The 2021 Independent Environmental Audit was commenced on 9 December 2021. A report was prepared and submitted to DPE on 31 March 2022. Following the review of the report by DPE, amendments to the report were requested (by DPE) and a final version issued on 8 August 2022.</p> <p>The first version of the 2021 IEA report was issued outside of the reporting period required by the Approval.</p>	Non-Compliance	<p>Ensure that all future audits are undertaken in accordance with the timings specified in the Approval.</p>
		<p>The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	<p>Mandatory Independent Environmental Audit, Tritton Mine, prepared by GHD, dated 8 August 2022.</p> <p>Draft Dust Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 1, dated December 2022.</p>			<p>All recommendations and subsequent commitments made by Tritton have not been actioned.</p> <p>E.G, in response to the lack of access to a water cart for dust suppression during the last IEA, Tritton committed to developing a Trigger Action Response Plan (TARP) to address this issue. Table 7 in the Draft Dust Management Plan describes the TARPs developed. However, the do not cover the breakdown or unplanned maintenance of water carts.</p> <p>Refer to Section 7.6 Above for details of the status of each recommendation.</p>	Non-Compliance	<p>Review all recommendations from the 2021 Independent Environmental Audit and ensure that they are actioned and closed out.</p>

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
8	Independent Environmental Audit	The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.					Noted	
8A	Access to Information	<p>Within three months of the determination of Modification 8, until the completion of all rehabilitation required under this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website:</p> <p>(i) the document/s listed in condition 1(i);</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;</p> <p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) a summary of the current progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) the Annual Reviews of the development;</p> <p>(x) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; and</p> <p>(xi) any other matter required by the Secretary; and</p>	<a href="https://www.aerisresources.com.au/as-sets/tritton-copper-operations/environmental-report/">https://www.aerisresources.com.au/as-sets/tritton-copper-operations/environmental-report/</a>			<p>The following documents were not available on the Tritton Website at the time of the IEA site inspection:</p> <ul style="list-style-type: none"> <li>• The original EIS. Note: the EIS and most of the IEA associated with the Modifications is not currently available on the Planning Portal.</li> <li>• Neither the Environmental Management Strategy nor any of the Management Plans or Strategies.</li> <li>• The 2018 (and previous) Independent Environmental Audit reports.</li> <li>• Tritton's responses to the previous Independent Audit Findings for any previous audit.</li> <li>• Annual Reviews prior to 2023</li> <li>• Dust Monitoring Reports</li> <li>• Noise and Vibration Monitoring Reports</li> </ul>	Non-Compliance	Ensure that all documents required by Condition 8A are uploaded to the website and are kept up to date.
		(b) keep such information up to date, to the satisfaction of the Secretary.	<a href="https://www.aerisresources.com.au/as-sets/tritton-copper-operations/environmental-report/">https://www.aerisresources.com.au/as-sets/tritton-copper-operations/environmental-report/</a>				Noted	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
9	Tailings Storage Facility	The Tailings Storage Facility shall be designed, operated, monitored and maintained and finally stabilised so as to: a) be in accordance with the documents referred to in the EIS;	Annual Safety Standards Report, Tritton Tailings – 857, prepared by Dams Safety NSW, dated 14 March 2024. Annual Safety Standards Report, Tritton Tailings – 857, prepared by Dams Safety NSW, dated 16 March 2023. Tritton and Girilambone Operations Monthly Monitoring Reports covering the audit period.		The TSF was inspected, no evidence of leakage or structural issues associated with erosion were observed.	All required TSF / groundwater monitoring has been undertaken. Annual inspections by the NSW Dam Safety has not identified any material issues associated with the dam integrity or operations.	Compliant	
		b) be otherwise in accordance with the EIS, the supplementary document prepared in response to Government submissions, and the document titled “Nord Australex Nominees/Straits Mining Joint Venture – Tailings Storage Facility Preliminary Design Report”.	Annual Safety Standards Report, Tritton Tailings – 857, prepared by Dams Safety NSW, dated 14 March 2024. Annual Safety Standards Report, Tritton Tailings – 857, prepared by Dams Safety NSW, dated 16 March 2023. Tritton and Girilambone Operations Monthly Monitoring Reports covering the audit period.		The TSF was inspected, no evidence of leakage or structural issues associated with erosion were observed.	All required TSF / groundwater monitoring has been undertaken. Annual inspections by the NSW Dam Safety has not identified any material issues associated with the dam integrity or operations.	Compliant	
		c) ensure that water received in the facility is evaporated, retained or reused and that there is no overflow of tailings water to the environment unless approved by the EPA; and.		Environmental Superintendent – no water discharges from the TSF have occurred during tis audit period.	The TSF was inspected, no evidence of water discharges were observed.	No evidence of water discharges during this audit period was identified.	Compliant	
		d) ensure that there is no excessive seepage or leakage from the facility, and that any leakage or seepage is managed in accordance with the requirements of EPA and the RR.	Annual Safety Standards Report, Tritton Tailings – 857, prepared by Dams Safety NSW, dated 14 March 2024. Annual Safety Standards Report, Tritton Tailings – 857, prepared by Dams Safety NSW, dated 16 March 2023. Tritton and Girilambone Operations Monthly Monitoring Reports covering the audit period.		The TSF was inspected, no evidence of leakage or structural issues associated with erosion were observed.	All required TSF / groundwater monitoring has been undertaken. Annual inspections by the NSW Dam Safety has not identified any material issues associated with the dam integrity or operations.	Compliant	
10	Tailings Storage Facility	Prior to the construction of the TSF, and prior to raising the Facility above 10 meters in height (to a maximum height of 14.5), the Applicant must submit detailed design plans to the RR and the NSW Dams Safety Committee for approval	2015 Independent Environmental Audit	Environmental Superintendent – the operations of the TSF have not changed during this audit period.		Compliance with this condition was verified during previous IEAs.	Compliant	
11	Tailings Storage Facility	Construction of the TSF shall be supervised at all times and certified by the Applicant's dam design engineer.	2015 Independent Environmental Audit	Environmental Superintendent – the operations of the TSF have not changed during this audit period.		Compliance with this condition was verified during previous IEAs.	Compliant	
12	Tailings Storage Facility	Piezometers (monitoring bores) are to be installed to monitor the Tailings Storage Facility prior to any tailings being placed in the Tailings Storage Facility. The location and standard of the piezometers must be determined in consultation with the DPI Water’s Regional Hydrogeologist.	Tritton and Girilambone Operations Monthly Monitoring Reports covering the audit period.	Environmental Superintendent – all piezometers required for monitoring the TSF are operational.	The TSF was inspected, examples of piezometers associated with the TSF were sighted.	Compliance with this condition was verified during previous IEAs. All piezometers required for monitoring the TSF are operational. All required TSF / groundwater monitoring has been undertaken.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
13	Tailings Storage Facility	Standing water levels in the piezometers are to be measured prior to any tailings being placed in the Tailings Storage Facility and then at 6 monthly intervals. Sampling and a complete water analysis for each piezometer must be undertaken prior to any tailings being placed in the Tailings Storage Facility and thence annually. Results of measurements and sample analysis are to be interpreted and reported in the Annual Reviews (Annual Review).	Tritton and Girilambone Operations Monthly Monitoring Reports covering the audit period. Groundwater Assessment Tritton Mine, prepared by GHD, dated 2 October 2024.	Environmental Superintendent – all piezometers required for monitoring the TSF are operational.	The TSF was inspected, examples of piezometers associated with the TSF were sighted.	Compliance with this condition was verified during previous IEAs. All piezometers required for monitoring the TSF are operational. All required TSF / groundwater monitoring has been undertaken.	Compliant	
13A	Tailings Storage Facility	The Applicant must: i) ensure any water in the excavated cells drains away from the embankment walls of the Tailings Storage Facility; ii) minimise the amount of time that excavated and stockpiled tailings are stored on site; iii) keep records of the amount of tailings that is extracted and exported from the site each year; and iv) ensure that receipt and handling of waste on the site is undertaken in accordance with the requirements of the relevant Environment Protection Licence.		Environmental Superintendent – no tailings have been extracted or exported from the TSF during this audit period.		No tailings have been extracted or exported from the TSF during this audit period.	Not Triggered	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
13B	Tailings Storage Facility	<p>Prior to commencing any works associated with Modification 6, unless the Secretary agrees otherwise, the Applicant must prepare a Tailings Extraction Management Plan for the development, to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> <li>I. be prepared by a suitably qualified expert approved by the Department and prepared in consultation with the EPA and the NSW Dams Safety Committee;</li> <li>II. include:</li> <li>III. details of the tailings extraction process, including extraction, deposition, drying, storage, loading and on-site haulage activities;</li> <li>IV. details of the location and extent of the tailings stockpile area, the depth and permeability of the liner and the access points to this area;</li> <li>V. an overview of the water and air quality management systems at the tailings storage facility;</li> <li>VI. a description of the measures that would be implemented to achieve the requirements of condition 13A of Schedule 2 of this consent;</li> <li>VII. a trigger action response plan for dust management; and</li> <li>VIII. a program to monitor and report on the effectiveness of the implementation of the measures in this plan.</li> </ul>		Environmental Superintendent – no tailings have been extracted or exported from the TSF during this audit period.		No tailings have been extracted or exported from the TSF during this audit period.	Not Triggered	
		The Applicant must implement the approved Tailings Extraction Management Plan.		Environmental Superintendent – no tailings have been extracted or exported from the TSF during this audit period.		No tailings have been extracted or exported from the TSF during this audit period.	Not Triggered	
13C	Tailings Storage Facility	<p>Prior to disposing drill cuttings in the Tailings Storage Facility, the Applicant must prepare a Disposal Management Plan, to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced person/s;</li> <li>(b) be prepared in consultation with the EPA and Dam Safety NSW;</li> <li>(c) include details of the process to dispose of drill cuttings in the Tailings Storage Facility, including measures to ensure that emplacement poses negligible risk to embankment stability; and</li> <li>(d) include a program to monitor and report on the effectiveness of the implementation of the measures in this plan.</li> </ul>	Disposal Management Plan Tritton Mine (ML1544), Dated April 2023.			<p>The former Environmental Superintendent prepared the Disposal Management Plan.</p> <p>Evidence of consultation is provided in the Appendices to the plan.</p> <p>The requirements under sub-clauses (c) and (d) have been addressed in the plan.</p>	Compliant	

Tritton Copper Operations DA 41/98 Modification 8									
Cond.	Short Title	Condition		Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
13C	Tailings Storage Facility	The Applicant must implement the approved Disposal Management Plan as approved by the Secretary.		Annual Review Tritton Reporting Year ending: 31 December 2023, 1 August 2024.	Environmental Superintendent - No drill cuttings were disposed of during 2023		No drill cuttings were disposed of during 2023.	Compliant	
13C (sic)	Water Supply	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.		Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).	Environmental Superintendent - the Water Management Plan is currently being revised along with the Water Balance.  There have been no water supply problems during this audit period.		The water balance for the mine predicts that there is sufficient water available for the current operations.	Compliant	
13D	Water Supply	The Applicant must report on water extracted from the development each year (direct and indirect) in the Annual Review, including water taken under each water licence.		Annual Environmental Management Report (AMER) Tritton Reporting Year ending: 31 December 2021, dated 25 February 2022.  Annual Environmental Management Report (AMER) Tritton Reporting Year ending: 31 December 2022, dated 31 March 2023.  Annual Review Tritton Reporting Year ending: 31 December 2023, 1 August 2024.		Annual Reviews	Section 7.1 of the Annual Review provides details of water take under each of the Water Access Licenses and all other sources.	Compliant	
13E	Water Management Measures	The Applicant must ensure that the development complies with the performance measures in Table 1.		Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			Each of the performance measures in Table 1 have been addressed in the Water Management Plan.  During this IEA no evidence was found that these performance criteria were not, in general achieved.	Compliant	
	Table 1	Feature	Performance Measure						
		General	• Design, install, operate and maintain water management infrastructure in a proper and efficient manner • Minimise risks to the receiving environment and downstream water users						
		Aquifers	• Negligible impacts to fractured rock aquifers caused by the development beyond those predicted in the EIS, including: - negligible impact to other groundwater users; and - no exceedance of the minimal impact considerations in the NSW Aquifer Interference Policy						
		Surface Water Resources	• Negligible impacts to surface water resources caused by the development beyond those predicted in the EIS;						
		Waste Rock Emplacement	• Minimise the potential for acid mine drainage						
		Groundwater dependant Ecosystems	• Negligible impacts to groundwater dependent ecosystems						

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
13F	Water Management Plan	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			The Water Management Plan was being revised at the time of this IEA. The current plan (Rev 1, 26 October 2021) has been reviewed as it is the plan that is currently in use.	Compliant	
		(a) be prepared by a suitably qualified and experienced person/s;	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			The Plan was prepared by RW Corkey & Co.	Compliant	
		(b) be prepared in consultation with DPE Water and the EPA;	Letter from DPE Water (E Rogers) to Tritton (Q Bruwer) titled "Tritton Copper Mine (DA41/98-PA-3) – Water Management Plan", dated 7 February 2023. Letter from EPA (D Rindfleish) to Tritton (D Woods) titled "No Comment on Planning Request", dated 19 December 2022.			The EPA and DPE (Water) were consulted during the preparation of the plan.	Compliant	
		(c) be submitted to the Secretary for approval within six months of the determination of Modification 8;	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			The review of the plan from 2021 has not been completed.	Non-Compliance	Ensure that the revised Water Management Plan is submitted to DPHI for review and approval.
		(d) describe the measures to be implemented to ensure compliance with the water management performance measures (see Table 1);	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			The water management performance measures contained in Table 1 of the approval are included in the plan.	Compliant	
		include a: (i) <b>Site Water Balance</b> that includes details of: <ul style="list-style-type: none"> <li>• predicted annual inflows and outflows;</li> <li>• sources and security of water supply for the life of the development (including authorised entitlements and licences);</li> <li>• water storage capacity;</li> <li>• water use and management on the site, including any water transfers or sharing with neighbouring mines and opportunities to improve the efficiency of site water use and minimise the use of clean water on the site;</li> <li>• reporting procedures, including the annual preparation of an updated site water balance;</li> </ul>	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved). Water Balance Model Development Tritton and Girilambone Sites, prepared by AERIS Resources, dated 18 July 2024.			A water balance was provided in the 2021 Water Management Plan. The Water Balance was revised in 2024.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
13F	Water Management Plan	<p>(ii) Surface Water Management Plan that includes:</p> <ul style="list-style-type: none"> <li>• baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development</li> <li>• a detailed description of the surface water management system, including the separation of water captured on the site and uses associated with the: <ul style="list-style-type: none"> <li>– clean water capture and diversion system;</li> <li>– dirty water system (including sediment detention basins); and</li> <li>– mine water capture system;</li> </ul> </li> <li>• detailed plans, design objectives and performance criteria for water management infrastructure, including: <ul style="list-style-type: none"> <li>– water run-off diversions and catch drains;</li> <li>– clean water storages, mine water storages and sediment dams;</li> <li>– emplacement areas, including the waste rock emplacement and Tailings Storage Facility;</li> </ul> </li> <li>• a program to monitor and evaluate: <ul style="list-style-type: none"> <li>– compliance with the relevant performance measures listed in Table 1;</li> <li>– controlled and uncontrolled discharges and seepage/leachate from the site;</li> <li>– surface water inflows, outflows and storage volumes, to inform the Site Water Balance;</li> <li>– the effectiveness of the surface water management system, including contingency measures to be implemented during a potential failure of the water management system infrastructure; and</li> </ul> </li> <li>• reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results; and</li> <li>• a TARP to respond to any exceedances of the performance measures or performance criteria, and repair, mitigate and/or offset any adverse impacts of the development;</li> </ul>	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			The October 2021 version of the plan generally satisfied the requirements of this Condition.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
13F	Water Management Plan	<p>(iii) Groundwater Management Plan that includes:</p> <ul style="list-style-type: none"> <li>• detailed baseline data of groundwater levels, yield and quality for groundwater resources potentially impacted by the development;</li> <li>• a detailed description of the groundwater management system;</li> <li>• groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts associated with the development, on: <ul style="list-style-type: none"> <li>– regional and local aquifers (alluvial and hardrock); and</li> <li>– groundwater supply for other water users such as licensed privately-owned groundwater bores;</li> </ul> </li> <li>• a program to monitor and evaluate: <ul style="list-style-type: none"> <li>– compliance with the relevant performance measures listed in Table 1 and the performance criteria in this plan;</li> <li>– inputs and outputs from water storages (groundwater, surface water and atmospheric water);</li> <li>– groundwater inflows, outflows and storage volumes, to inform the Site Water Balance; and</li> <li>– the effectiveness of the groundwater management system;</li> </ul> </li> <li>• reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results;</li> <li>• a trigger action response plan to respond to any exceedances of the groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development; and</li> <li>• a program to periodically validate the groundwater model for the development, and at least annual comparison of monitoring results with modelled predictions; and</li> <li>• a protocol to report on the measures, monitoring results and performance criteria identified above, in the Annual Review referred to in condition 6A of Part A.</li> </ul>	Water Management Plan Tritton Copper Mine (ML1544), revision 1, dated 26 October 2021 (revised in 202/23 however not finalised or approved).			The October 2021 version of the plan generally satisfied the requirements of this Condition.	Compliant	
13G	Water	The Applicant must implement the Water Management Plan as approved by the Secretary				Based on the observations made during the site inspection and the review of water monitoring results the Auditor considers that the Water Management Plan is being implemented.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
17	Water	Soil stripping and stockpiling procedures for use in future site rehabilitation are to be carried out as outlined in Section 4.4.2 of the EIS in consultation with EPA.	2021 Independent Environmental Audit.			Compliance with this Condition was assessed during previous audits. No topsoil stripping and stockpiling was undertaken during this audit period.	Not Triggered	
18	Mullock Management	All potentially acid producing mullock materials shall be stockpiled in controlled discharge areas such that there is no discharge of leachate beyond the designed water management system.		Environmental Superintendent - PAF is temporarily stored on the ROM at Tritton. Otherwise, any PAS is preferentially taken back underground.	The PAS storage area is located within ROM stockpile. Drainage from that area is captured within the site surface water management system.	Drainage from the PAS storage area is captured within the site surface water management system.	Compliant	
19	Mullock Management	Prior to the construction and the commencement of mining operations, and during the operational life of the mine, the Applicant shall conduct regular investigations to determine whether potentially acid-producing mullock will be mined.	Waste Rock Characterisation and Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 1.1, dated September 2021.			The procedure for managing waste rock, including the process for identifying and managing PAF is detailed in the Waste Rock Characterisation and Management Plan section 6.	Compliant	
20	Mullock Management	Should investigations reveal the existence of potentially acid producing mullock, the Applicant shall: <ul style="list-style-type: none"> <li>prepare an acid mine drainage strategy in consultation with the EPA; and</li> </ul>	Waste Rock Characterisation and Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), Northeast Mine (ML1383) and Avoca Tank Project (ML1818), Revision 1.1, dated September 2021. 2021 Independent Environmental Audit.			A Waste Rock Characterisation and Management Plan has been prepared. It was reported in the 2019 IEA that the EPA stated that they did not review and comment on management plans.	Compliant	
		<ul style="list-style-type: none"> <li>encapsulate the material with non-acid forming material if it is to be located in the mullock stockpile area or be left underground.</li> </ul>			The PAS storage area is located within ROM stockpile.	The PAS storage area is located within ROM stockpile. PAS is disposed of underground.	Compliant	
20A	Mullock Management	The non-acid forming rock waste dump shall be a maximum of 20 metres in height from the land surface.	Email from Tritton Trainee Surveyor (S Bartley) to Tritton Environmental Superintendent (D McNicoll) titled "Height of Tritton Waste Rock Stockpile", dated 15 October 2024.		Photograph 19.	The most recent survey of the stockpile by Tritton surveyors found that the stockpile height is 19.7m at its highest point.	Compliant	
21	Flora and Fauna	The Applicant shall consult with the BCS when implementing the recommendations detailed in section 4.6.1.1 and 4.6.2.1 of the EIS, including the placement of a fence around the Tailings Storage Facility prior to tailings production.	2021 Independent Environmental Audit.		The fence around TSF was observed during site audit	EIS sections 4.6.1 relates to Flora (Introduction and Proposed Safeguards) and 4.6.2 relates to Fauna (Proposed Safeguards). Consultation was verified in the last IEA.	Compliant	
22	Flora and Fauna	The Applicant shall ensure that, following the production of tailings, there is an alternative and permanent source of potable water for wildlife. Details should be included in the Contingency Strategy required by Condition 6(ii).	Please provide details and a photograph		Photograph 21.	An Environmental Pond has been established adjacent to the TSF. Raw water levels are checked during weekly inspections and the pond is replenished from the water line established from the Bogan River.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
23	Flora and Fauna	Prior to the construction of the tailings dam, and following consultation with the RR and EPA, the Applicant shall prepare a Management and Monitoring Plan for the Tailings Dams to the satisfaction of the Secretary. The Plan shall be prepared by a suitably qualified person and be submitted to the Department one month prior to the commencement of the works. The Plan shall include but not be limited to:		Environmental Superintendent – this plan has not been revised during this audit period. There is the TSF OMM and there was a management plan (circa 10 years old) for Tailings. The requirements for this condition will be captured between The TSF OMM, but also Tailings is being incorporated into the next revision of the Waste Management Plan. This will also cover any mitigation measures and monitoring requirements.		<p>The 2018 IEA raised a Non-Compliance against this condition as the document did not address all requirements of this Condition and for lack of evidence of consultation with the RR and EPA. In addition, an approval from DPE (Secretary) was not sighted. It is noted that the 2018 IEA reviewed Rev4a though the OMM was updated to Rev5 in June 2018 which was not cited in the 2018 IEA.</p> <p>It is noted that the Aeris Resources Response to Audit Recommendations offered to revise the TSF OMM to address the Non-Compliance. The updated version Rev6 was sighted in the 2019 IEA, however specific requirements on chemicals and reagents were not addressed in the updated version. Evidence of consultation with RR and EPA was also not sighted.</p>	Non-Compliance	Revise the Tailings Dam Management and Monitoring Plan, consult with the Resource Regulator and the EPA and ensure that the plan is submitted to DPHI for review and approval.
		(i) A full list of chemicals and reagents and their concentrations to be released into the tailings dams and the expected dilutions of those chemicals and reagents after release;						
		(ii) A toxic profile of these chemicals and reagents (i.e. in tailings water);						
		(iii) An assessment of expected effects of the chemicals and reagents on the species of concern, particularly threatened species;						
		(iv) Ameliorative measures and contingency planning measures to ensure adverse impacts on wildlife are minimised;						
		(v) Provisions for on-going monitoring of the chemical and reagent concentrations of the tailings dam and wildlife use of the dam; and						
		(vi) The monitoring component of the plan shall also include provision for the monitoring of wildlife usage of the alternative water supply required by Condition 22.						
24	Flora and Fauna	The Applicant shall implement the Management and Monitoring Plan in accordance with its provisions.				A copy of the Management and Monitoring Plan was not available to the Auditor. Compliance with this Condition could not be verified.	Non-Compliance	Ensure that the requirements of the Tailings Dam Management and Monitoring Plan are fully implemented.

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Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
25	Flora and Fauna	Prior to any tree clearing for the Tailings Storage Facility, the Applicant shall inspect the area for potential bat roost trees and nest hollows. Identified trees should be retained where possible, or if lost, any bat colonies should be relocated in consultation with OEH. The locations of trees with hollows and any other significant threatened fauna attributes should be identified and presented in the contingency plan required by Condition 6(ii) of this consent	2018 Independent Environmental Audit			Compliance with this Condition was verified during precious IEAs. No clearing works were undertaken at the TSF during this audit period.	Not Triggered	
26	Flora and Fauna	All hollowed vegetation, stumps and logs removed during the construction of the Tailings Storage Facility shall be relocated to the designated areas of compensatory planting identified in Figure 2.12 of the EIS	2018 Independent Environmental Audit			Compliance with this Condition was verified during precious IEAs. No clearing works were undertaken at the TSF during this audit period.	Not Triggered	
27	Flora and Fauna	In relation to the Kultarr, the Applicant shall; Put in place pre-start monitoring. Any Kultarr located should be relocated to suitable habitat as near as possible to the capture site. This habitat shall be defined by a suitably qualified person; and				No clearing works were undertaken during this audit period.	Not Triggered	
		Any captured Kultarr to be relocated shall be held for a period no longer than 10 days in suitable conditions.		Environmental Superintendent – no Kultarr have been captured during this audit period.		No Kultarr have been captured during this audit period.	Not Triggered	
28	Flora and Fauna	The Applicant shall, where practicable, ensure that the identified communities containing the species Pterostylis cobarensis are protected from mining and mining related disturbance by means of a buffer area at least 20 m wide	2021 Independent Environmental Audit			The Flora and Fauna Management Plan states that one threatened flora species, Cobar Greenhood Orchid (Pterostylis cobarensis) has been previously recorded within ML1544 (GCNRC 1998): “A small Pterostylis cobarensis population was found in a regenerating Green mallee community on a ridge about one kilometre south of the TSF”. Cobar Greenhood Orchid is listed as Vulnerable under the TSC Act and the EPBC Act and in Table 1 of the FFMP 2019. Section 6.1.2, under Management Strategy, states that four subpopulations of Greenhood Orchid were recorded within ML1544 during surveys undertaken in October 1998 at a site approximately 1km southeast of the TSF. This distance is considered adequate to provide the buffer required under this condition. Table 8 of the FFMP notes management measures including targeted survey frequency (to be only during Oct-Nov during flowering season).	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
29	Landscape Plan	The Applicant shall submit a Landscape Plan to Council prior to the issuing of a Construction Certificate. The Plan shall be prepared by a suitably qualified person and shall address, but not be limited to, the following matters:	2021 Independent Environmental Audit			Compliance with this Condition was verified during the 2021 IEA.	Compliant	
		Details on screen planting around the Tailings Storage Facility, with particular attention to minimising the visibility of the facility from Yarrandale Road; and	2021 Independent Environmental Audit			Compliance with this Condition was verified during the 2021 IEA.	Compliant	
		Details on the proposed landscaping treatment of the mine processing area, Tailings Storage Facility and office area.	2021 Independent Environmental Audit			Compliance with this Condition was verified during the 2021 IEA.	Compliant	
30	Landscape Plan	All landscaping and tree planting works referred to in Condition 29 shall be completed as far as practicable within 12 (twelve) months of the commencement of operations.	2021 Independent Environmental Audit			Compliance with this Condition was verified during the 2021 IEA.	Compliant	
31	Landscape Plan	All disturbed areas are to be revegetated as soon as practicable on completion of construction using species and fertilisers in combinations and at such rates acceptable to the BCS's Nyngan Catchment Advisory Officer.	2021 Independent Environmental Audit			Compliance with this Condition was verified during the 2021 IEA.	Compliant	
32	External Appearance of Buildings and Structures	The Applicant shall ensure that the external colour and texture of all structures shall, where practical, blend into the natural surroundings of the locality.	2021 Independent Environmental Audit		No changes to any structures or construction of new structures were observed during this IEA	No changes to any structures or construction of new structures were observed during this IEA	Compliant	
33	Transportation and Traffic	All heavy vehicle movements associated with the development shall use the Barrier Highway and the sealed section of Yarrandale Road for site ingress and egress, i.e. with the exception of any movement of equipment and supplies between the Girilambone Mine and the Tritton Project Site, and the transportation of waste rock and tailings.	Traffic Management Plan Revision 5, dated 1 June 2023. Complaints Register			No traffic related complaints were received during this audit period. The Traffic Management Plan specifies the heavy vehicle routes to be used for the project.	Compliant	
33A	Transportation and Traffic	The Applicant may: a. transport up to 30,000 tonnes of waste rock from the site in any calendar year; and b. receive up to 1 million tonnes of ore material in any calendar year.	Email from Tritton Senior Mine Geologist (M Quinn) to Tritton Environmental Superintendent (D McNicoll) titled "Tritton IEA audit RFI's – Ore & Waste", dated 11November 2024.			2022 Total Ore delivered to Tritton 532,810 tonnes 2023 Total Ore delivered to Tritton 499,954 tonnes No waste rock was either imported or exported from Tritton during this audit period.	Compliant	
33B	Transportation and Traffic	The Applicant shall ensure: a. all vehicles exporting waste rock enter and exit the site via the haul road entrance/Yarrandale Road intersection (see Appendix 1); and b. transportation of waste rock only occurs between 7.00 am and 10.00 pm.	Email from Tritton Senior Mine Geologist (M Quinn) to Tritton Environmental Superintendent (D McNicoll) titled "Tritton IEA audit RFI's – Ore & Waste", dated 11November 2024.			Internal Tritton correspondence stated: No waste rock was either imported or exported from Tritton during this audit period.	Not Triggered	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
34	Transportation and Traffic	Prior to the commencement of construction of the mine or as otherwise agreed to by the RMS and Council, the Applicant shall at its own cost:	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		i. seal the length of Yarrandale Road to a width of 7 metres, from the end of the existing seal to the Tritton project site; [4.8.1]	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		ii. upgrade the intersection of Yarrandale Road and the Barrier Highway to an intersection type AUR for westbound traffic on the Barrier Highway, and the intersections for both northbound and southbound traffic on Yarrandale Road to intersections type BAL 4.8.35 for use by articulated vehicles in accordance with the RMS Road Design Guidelines;	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		iii. in consultation with the RMS, ensure that there is an adequate bitumen area to accommodate the sweep path generated by the vehicles that will regularly use the site during both the construction and operational phase;	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		iv. prior to carrying out any concentrate transport operations (other than during daylight hours), provide adequate overhead night time lighting for the intersection of the Barrier Highway and Yarrandale Road to the approval of the RMS and Council;	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		v. construct the turnout to the Tritton site from Yarrandale Road to an intersection type AUL in accordance with the RMS's Road Design Guide (1991). This area shall include a suitable deceleration length applicable to all proposed transport modes;	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		vi. in accordance with the RMS's Road Design Guide (1991) provide an appropriate intersection for right turn movements into the Girilambone Mine Site to the satisfaction of Council; [1.5.2 (f)]	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	

vii.

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
34	Transportation and Traffic	iii. to the approval of the RMS and Council, erect appropriate warning signs on both approaches to both the turnout to the Tritton site and on both approaches to the Yarrandale Road intersection. At a minimum, the signs shall comprise a TRUCK sign (Entering or Crossing) sign type W5-22C and with a DISTANCE sign, sign type W8-5C located beneath it. The distance sign is to show a distance of 200 metres; and	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
		ix. provide GIVE WAY signs, sign type R1-3B on the access road facing traffic about to enter Yarrandale Road, and on Yarrandale Road facing traffic about to enter the Barrier Highway.	2018 Independent Environmental Audit			Compliance with this Condition was verified during the 2018 IEA. There works were completed prior to this audit period.	Compliant	
35	Transportation and Traffic	Any road works undertaken on or adjacent to the Highway formation are to be advised and controlled in accordance with the requirements set down by Australian Standard AS1742 and the RMS's "Traffic Control at Worksites, Version 2 October 1998".		Environmental Superintendent – no road works were undertaken during this audit period.		No road works were undertaken during this audit period.	Not Triggered	
36	Transportation and Traffic	The Applicant shall ensure that the vehicles engaged in the transport of concentrates: <ul style="list-style-type: none"> <li>comply with the design requirements and vehicle specifications for this type of vehicle; and</li> </ul>				The Haulage Contract (TRL_KPC_2018_013 for Concentrate Haulage from Tritton Mine to Hermidale Rail Siding, requires contractors to be accredited under the National Heavy Vehicle Accreditation Scheme. Within Schedule 3 Scope of Works in the contract, clause 2. a) Concentrate Haulage details the vehicle specifications and haulage requirements and cleaning requirements.	Compliant	
		<ul style="list-style-type: none"> <li>are adequately covered so as to prevent any materials falling from the truck and trailer onto the road pavement.</li> </ul>			All heavy vehicles observed entering and leaving the site were appropriately covered.	Traffic Management Plan includes this requirement and is part of driver induction for the site. AEMR section 4.4.5 describes the process of Concentrate Handling and Transport. During the audit, all concentrate trucks leaving the site were appropriately covered.	Compliant	
37	Transportation and Traffic	The Applicant shall, in liaison with the local bus operators, ensure that any heavy vehicle haulage is to avoid school bus times when and if school buses travel along Yarrandale Road. [4.7.1]		Environmental Superintendent - no school buses used Yarrandale Road during this audit period.		No school buses used Yarrandale Road during this audit period.	Not Triggered	

Tritton Copper Operations DA 41/98 Modification 8										
Cond.	Short Title	Condition		Documents Reviewed		Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
37A	Transportation and Traffic	Prior to exporting any waste rock as permitted by condition 33A, the Applicant shall prepare and implement a code of conduct for the transportation of waste rock and tailings on public roads, including procedures to ensure that drivers implement safe driving practices. The code of conduct must be prepared in consultation with RMS and Council, and to the satisfaction of the Secretary.		TRL-ENV-FRM-020 Driver's Code of Conduct.docx				A Transportation Code of Conduct was sighted during this audit.	Compliant	
38	Noise	The Applicant shall ensure that the LA10 (15 minute) noise levels due to the normal operation of the mine, when measured or computed at any residence (other than any premises under the control of the Applicant), shall not exceed:		Complaints Register Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, September 2022. Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, October 2023. Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, September 2024.				No noise complaints were recorded during the audit period. Annual noise monitoring is undertaken by Mueller Acoustical. No noise exceedances were recorded during the audit period.	Compliant	
	Table 2	Location	Day LAeq(15min) dB(A)	Evening LAeq(15min) dB(A)	Night LAeq(15min) dB(A)	Night LAMax dB(A)				
		All privately-owned residences	40	35	35	52				
		Noise	Should a noise complaint be received from any nearby residence, the Applicant shall investigate the complaint and implement appropriate mitigation measures as required. Any such complaints and subsequent actions undertaken by the Applicant shall be addressed in the Annual Review required by Condition 6A.		Complaints Register				No noise complaints were recorded during the audit period.	Not Triggered
38A	Noise	Noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017).		Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, September 2022. Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, October 2023. Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, September 2024				Annual noise monitoring is undertaken by Mueller Acoustical. The noise monitoring was undertaken in accordance with the relevant procedures.	Compliant	
38B	Noise	The noise criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the							Noted	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
		Applicant has advised the Department in writing of the terms of this agreement.						
39	Noise Operating Conditions	The Applicant must: (a) take all reasonable steps to minimise noise from construction and operational activities, including low frequency noise and other audible characteristics, as well as road noise associated with the development; and (b) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions.	Complaints Register Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, September 2022. Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, October 2023. Noise Monitoring Assessment Tritton Copper Operation, Hermidale, NSW. Prepared by Muller Acoustical, September 2024.			No noise complaints were recorded during the audit period. Annual noise monitoring is undertaken by Mueller Acoustical. No noise exceedances were recorded during the audit period.	Compliant	
40	Surface Blasting	All aboveground blasting shall be carried out between 9:00am and 6:00pm Monday to Friday. Blasting shall only be allowed on public holidays in special circumstances and with the prior approval of the EPA. [16.10]		Environmental Superintendent – no surface blasting was undertaken during this audit period.		No surface blasting was undertaken during this audit period.	Not Triggered	
41	Surface Blasting	The Applicant shall ensure that no private or company vehicles are utilising Yarrandale Road within 400 metres of the entrance to the Tritton Project Site when surface blasting is being undertaken.		Environmental Superintendent – no surface blasting was undertaken during this audit period.		No surface blasting was undertaken during this audit period.	Not Triggered	
42	Surface Blasting	The Applicant shall ensure that air blast overpressure and vibration monitoring and control is generally carried out in accordance with relevant Australian Standards in consultation with the EPA.		Environmental Superintendent – no surface blasting was undertaken during this audit period.		No surface blasting was undertaken during this audit period.	Not Triggered	
43	Surface Blasting	The Applicant shall monitor all surface blasts and blasts within 200 metres of the mine portal and record the overpressure and peak particle velocity at locations agreed by EPA and the RR.		Environmental Superintendent – no surface blasting was undertaken during this audit period.		No surface blasting was undertaken during this audit period.	Not Triggered	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
44	Heritage	The Applicant shall ensure that all Aboriginal archaeological sites that have been identified within the development site are avoided and not disturbed. This shall include the site referred to as H/G-OS-2.	Draft Heritage Management Plan		Indigenous Heritage site (Scar Tree) was inspected. The site was identifiable by a stake located neat the tree. The site was a considerable distance from the areas disturbed by mining.	All known heritage sites are identified in the Draft Heritage Management Plan.  No evidence of disturbance of those sites was identified during this IEA.	Compliant	
45	Heritage	The Applicant shall prepare management and protection measures in consultation with the Heritage NSW and the relevant local Aboriginal groups for those Aboriginal sites within the development site within 50 metres of any proposed area of disturbance, that have been identified to date and for any other sites that may be identified in the future.	Draft Heritage Management Plan			Section 8 of the Draft Heritage Management Plan describes the measures to be implemented to protect heritage items and sites.  No evidence was available to verify that these measures were prepared in consultation with the nominated parties.	Non-Compliance	Finalise the preparation of the Heritage Management Plan and ensure that Heritage NSW and all relevant Aboriginal parties are consulted.
		These protective measures are to include the procedures recommended in the Archaeological Report of the EIS prepared by J Kelton.	Draft Heritage Management Plan			Section 8 of the Draft Heritage Management Plan describes the measures to be implemented to protect heritage items and sites.	Compliant	
46	Heritage	In the event that Aboriginal artifacts are identified within the development site during earthworks, construction or operation of the mine, the Applicant shall contact the OEH and cease work in the relevant location pending investigation and assessment of its heritage value by Heritage NSW and the relevant local Aboriginal groups.		Environmental Superintendent – no unexpected heritage finds occurred during this audit period.  No earth works were undertaken during this audit period.		Compliance with this Condition was verified during precious IEAs.  No new earth works were undertaken during this audit period.	Not Triggered	
47	Heritage	The Applicant shall place temporary fencing or flagging around those Aboriginal sites identified within 50 metres of the proposed areas of disturbance to prevent the possibility of accidental damage during the mine's construction phase in accordance with the relevant recommendations of the Archaeological Report of the EIS prepared by J Kelton.	2018 Independent Environmental Audit			Compliance with this Condition was verified during precious IEAs.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
48	Air Quality	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>i. minimise the off-site dust emissions of the development;</li> <li>ii. minimise any visible air pollution generated by the development;</li> <li>iii. minimise surface disturbance on the site;</li> <li>iv. ensure that trucks transporting tailings cover their loads during transportation at all times; and</li> <li>v. define dust trigger levels and identify a plan to respond to any exceedances of the trigger levels.</li> </ul>	<p>Complaints Register</p> <p>Dust Monitoring data from 1 October 2021 to 1 October 2024.</p>		<p>All vehicles entering and leaving the site were appropriately covered.</p> <p>No significant dust emissions were observed.</p> <p>Water Carts were in operation during the site inspection (photograph 17).</p>	<p>No dust complaints were received during this audit period.</p> <p>All reasonable and feasible dust controls were in place at the time of this audit.</p> <p>No dust level exceedances were recorded during this audit period.</p>	Compliant	
49	Air Quality	Deposited dust sampling shall occur at any nearby property as required by the EPA following the request of a resident and at any other locations determined by the EPA with the results submitted to the EPA.		Environmental Superintendent – no requests for monitoring dust at any residence was received during this audit period.		No requests for monitoring dust at any residence was received during this audit period.	Not Triggered	
50	Blasting Protocol	<p>Prior to undertaking any blasting activities, the Applicant shall prepare and submit a blasting protocol to the Secretary and EPA prior to the commencement of operations. The protocol shall include;</p> <ul style="list-style-type: none"> <li>• a means for notifying any property owners within 5 km of the site of the proposed blasting program; [16.10] (b)and,</li> </ul>				A Blasting protocol has not been prepared.	Non-Compliance	Prepare a blasting protocol for all blasting (including sub-surface blasting).
		<ul style="list-style-type: none"> <li>• the proposed methods for keeping any records of complaints to enable remedial action to be undertaken to prevent recurrence.</li> </ul>					Compliant	
	Hazards and Safety	<p>Note: Conditions 51 to 53 relate to offsite risk to people, property and the biophysical environment. The safety of all persons and operations on site is the responsibility of the RR under the Work Health and Safety (Mines and Petroleum Sites) Act 2013 and Dangerous Goods Act.</p>					Noted	
		<p>The Applicant may choose to meet these Conditions by demonstrating to the Department that the plans and systems developed to meet the requirements of the mining lease also meet the requirements set out in the Hazardous Industry Planning Advisory Papers as appropriate.</p>					Noted	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
51	Pre-Construction Studies	At least one month prior to the commencement of construction of the proposed development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Secretary may agree, the Applicant shall prepare and submit for the approval of the Secretary a final hazard analysis as set out below. Construction, other than of preliminary works, shall not commence until approval has been given by the Secretary.	2018 Independent Environmental Audit			This is a pre-construction condition, not relevant in this audit period.	Not Triggered	
	Final Hazard Analysis	Note: the purpose of the final hazard analysis is to demonstrate that there have been no changes during design that would materially affect the findings of the preliminary hazard analysis, in addition to showing that any recommendations from the latter have been appropriately implemented					Noted	
52	Final Hazard Analysis	<p>A final hazard analysis of the proposed development. The analysis should be prepared in accordance with the department of Urban Affairs and Planning's Hazardous industry Planning Advisory Paper No. 6, 'Guidelines for Hazard Analysis'.</p> <p>The analysis shall in particular address the issues relating to (i) the freeboard capacity and overflow frequency for the TSF as raised in recommendation No. 9 of the preliminary hazard analysis and (ii) the hazards associated with the blasting as identified in recommendations 2 and 11 of the preliminary hazard analysis.</p>	Final Hazard Analysis Tritton Mine (ML1544) Revision 1, dated 9 September 2022.			The Final Hazard Analysis has been prepared.	Compliant	

Tritton Copper Operations DA 41/98 Modification 8								
Cond.	Short Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
53	Pre-Commissioning Studies	No later than two months prior to the commencement of commissioning of the proposed development, or within such period as the Secretary may agree, the applicant shall prepare and submit for approval of the Secretary the studies set out under subsections (a) and (b) (the pre-commissioning studies). Commissioning shall not commence until the Director has given approval:	2018 Independent Environmental Audit			This is a pre-construction condition, not relevant in this audit period.	Not Triggered	
53	Emergency Plan	a. A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety off all people outside of the development who may be at risk from the development. The plan shall be in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines". The plan should address the matters raised in recommendation No 5 of the preliminary hazard analysis	Emergency Management Plan Revision 5, dated 2 October 2023.			An Emergency Management Plan has been prepared. The plan generally complies with the requirements of this Condition.	Compliant	
53	Safety Management System	b. A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. This document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and shall be available for inspection by the Secretary upon request. The Safety Management System shall be developed in accordance with the Departments Hazardous Industry Planning Advisory Paper No. 9 "Safety Management". The safety management system should take into account recommendations 2 and 8 of the preliminary hazard analysis.	HS&EMS Procedures			Tritton operates under a comprehensive HS&EMS system that includes a range of Safety Management Procedures.	Compliant	

2024 Independent Environmental Audit

Standard Conditions of Mining Lease

Audit Table

Appendix A2

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D1-C4	<b>Protection of the environment and rehabilitation</b>	(1) The holder of a mining lease must take all reasonable measures to prevent, or if that is not reasonably practicable, to minimise, harm to the environment caused by activities under the mining lease.	Documents as noted in this audit report.		Reasonable and feasible measures observed during the audit site inspection.	All reasonable and feasible measures were observed during the audit site inspection with documented evidence provided to demonstrate their effective implementation.	Noted	
	Must prevent or minimise harm to environment	(2) In this clause—harm to the environment has the same meaning as in the <i>Protection of the Environment Operations Act 1997</i> .					Noted	
D1-C5	<b>Protection of the environment and rehabilitation</b>  Rehabilitation to occur as soon as reasonably practicable after disturbance	The holder of a mining lease must rehabilitate land and water in the mining area that is disturbed by activities under the mining lease as soon as reasonably practicable after the disturbance occurs.	2023 Tritton Copper Mine Rehabilitation Monitoring Report, December 2023.	Environmental Superintendent - Progressive rehabilitation is documented in the 2023 Rehabilitation Monitoring Report.	Rehabilitated areas, including around the TSF was inspected (Photograph 22).	To date all areas of the Tritton mine site remains active mining areas and only minor rehabilitation of the embankments of the TSF has commenced.	Complies	
D1-C6	<b>Protection of the environment and rehabilitation</b>  Rehabilitation must achieve final land use	(1) The holder of a mining lease must ensure that rehabilitation of the mining area achieves the final land use for the mining area.				The mine is still operational.	Not Triggered	
		(2) The holder of the mining lease must ensure any planning approval has been obtained that is necessary to enable the holder to comply with subclause (1).				DA 41/98 (Modification 8) is in place.	Complies	
		(3) The holder of the mining lease must identify and record any reasonably foreseeable hazard that presents a risk to the holder’s ability to comply with subclause (1)  Note— Clause 7 requires a rehabilitation risk assessment to be conducted whenever a hazard is identified under this subclause.	Rehabilitation Management Plan, Revision 2, dated February 2024.			A rehabilitation risk assessment has been completed and is contained in Section 3 of the Rehabilitation Management Plan.	Complies	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D1-C6	<b>Protection of the environment and rehabilitation</b>  Rehabilitation must achieve final land use	(4) In this clause—final land use for the mining area means the final landform and land uses to be achieved for the mining area—  a. as set out in the rehabilitation objectives statement and rehabilitation completion criteria statement, and					Noted	
		b. for a large mine—as spatially depicted in the final landform and rehabilitation plan, and				Tritton Copper Mine is classified as a large mine.	Noted	
		c. if the final land use for the mining area is required by a condition of development consent for activities under the mining lease—as stated in the condition.					Noted	
		Planning Approval Means a) a development consent within the meaning of the <i>Environmental Planning and Assessment Act 1979</i> , or b) an approval under that Act, Division 5.1.					Noted	
D2-7	<b>Risk Assessment</b>  Rehabilitation risk assessment	(1) The holder of a mining lease must conduct a risk assessment (a <b><i>rehabilitation risk assessment</i></b> ) that— a) identifies, assesses, and evaluates the risks that need to be addressed to achieve the following in relation to the mining lease— (i) the rehabilitation objectives, (ii) the rehabilitation completion criteria (iii) for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan, and	Rehabilitation Management Plan, Revision 2, dated February 2024.			A rehabilitation risk assessment has been completed and is contained in Section 3 of the Draft Rehabilitation Management Plan.	Complies	
		b) identifies the measures that need to be implemented to eliminate, minimise or mitigate the risks.	Rehabilitation Management Plan, Revision 2, dated February 2024.			A rehabilitation risk assessment has been completed. The risk assessment identified risk mitigation measures.	Complies	
		(2) The holder of the mining lease must implement the measures identified.	Rehabilitation Management Plan, Revision 2, dated February 2024.			Based on the observations made during this audit, and rehabilitation documentation provided, the Auditor is satisfied that the rehabilitation risks relevant to the establishment and operation of the mine are being implemented.	Complies	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D2-7	<b>Risk Assessment</b> Rehabilitation risk assessment	(3) The holder of a mining lease must conduct a rehabilitation risk assessment—  (a) for a large mine—before preparing a rehabilitation management plan, and  (b) for a small mine—before preparing the rehabilitation outcome documents for the mine, and  (c) whenever a hazard is identified under clause 6(3)—as soon as reasonably practicable after it is identified, and  (d) whenever given a written direction to do so by the Secretary	Rehabilitation Management Plan, Revision 2, dated February 2024.			A rehabilitation risk assessment was undertaken before the preparation of the Rehabilitation Management Plan.	Complies	
D3-8	<b>Records, Reporting and Notification</b>  Application of Division 3	(1) This Division does not apply to a mining lease unless—  a) the security deposit required under the mining lease is greater than the minimum deposit prescribed under the Act, section 261BF in relation to that type of mining lease, or  b) the Secretary gives a written direction to the holder of the mining lease that this Division, or a provision of this Division, applies to the mining lease.	Rehabilitation Cost Estimate, dated 7 September 2023.			The security deposit for TGO was assessed in September 2023 at \$19,494,379.80. This Division therefore applies to Tritton Copper.	Noted	
D3-9	<b>Rehabilitation Documents</b>  General requirements for documents	A document required to be prepared under this Division must—  (a) be in a form approved by the Secretary, and  (b) include any matter required to be included by the form, and  (c) if required to be given to the Secretary—be given in a way approved by the Secretary.	Tritton Copper Mine Forward Program Monday 1 July 2024 to Wednesday 30 June 2027.  Approved Rehabilitation Objectives Statement Tritton Copper Mine, Tuesday October 2024.  Approved Final Landform Plan – Tritton Copper Mine Site (Figure 7 from the Rehabilitation Management Plan).	Environmental Superintendent - All the documents that require approval including the ROBJ, FLRP, ARR & FWP have been submitted and approved.		The Rehabilitation Documents have been prepared in accordance with the RR approved form.	Complies	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D3 C10	Rehabilitation management plans for large mines	(1) The holder of a mining lease relating to a large mine must prepare a plan (a rehabilitation management plan) for the mining lease that includes the following—	Rehabilitation Management Plan, Revision 2, dated February 2024.			The Rehabilitation Management Plan has been prepared.	Complies	
		(a) a description of how the holder proposes to manage all aspects of the rehabilitation of the mining area	Rehabilitation Management Plan, Revision 2, dated February 2024.			Section 6 of the Rehabilitation Management Plan describes how the holder proposes to manage all aspects of the rehabilitation of the mining area.	Complies	
		(b) a description of the steps and actions the holder proposes to take to comply with the conditions of the mining lease that relate to rehabilitation,	Rehabilitation Management Plan, Revision 2, dated February 2024.			Section 6.2 of the Rehabilitation Management Plan describes how the holder proposes to manage all aspects of the rehabilitation of the mining area.	Complies	
		(c) a summary of rehabilitation risk assessments conducted by the holder,	Rehabilitation Management Plan, Revision 2, dated February 2024.			Section 3 of the Rehabilitation Management Plan presents the outcomes of the rehabilitation risk assessment.	Complies	
		(d) the risk control measures identified in the rehabilitation risk assessments,	Rehabilitation Management Plan, Revision 2, dated February 2024.			Section 3 of the Rehabilitation Management Plan presents the critical controls determined during the rehabilitation risk assessment.	Complies	
		(e) the rehabilitation outcome documents for the mining lease	Rehabilitation Management Plan, Revision 2, dated February 2024.			Section 4 of the Rehabilitation Management Plan presents the rehabilitation outcomes.	Complies	
		(f) a statement of the performance outcomes for the matters addressed by the rehabilitation outcome documents and the ways in which those outcomes are to be measured and monitored.	Rehabilitation Management Plan, Revision 2, dated February 2024.			Section 8 of the Rehabilitation Management Plan describes the rehabilitation monitoring program.	Complies	
		(2) If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must include a proposed version of the document.	Email from RR (M Newton) to GO (M Bland) titled “Tritton Copper Mine Approval of Rehabilitation Objectives Statement ROBJ0001302”, dated 23 January 2024. Email from RR (M Newton) to GO (D Pritchard) titled “Tritton Copper Mine Final Landform and Rehabilitation Plan Approved FLRP0001227”, dated 23 January 2024.			The Rehabilitation outcomes documents have been approved by the RR and are included in the current version of the RMP.	Noted	
		(3) A rehabilitation management plan is not required to be given to the Secretary for approval.					Noted	
		(4) The holder of the mining lease— (a) must implement the matters set out in the rehabilitation management plan, and (b) if the forward program specifies timeframes for the implementation of the matters—must implement the matters within those timeframes				Based on the observations made during this audit, and rehabilitation documentation provided, the Auditor is satisfied that the rehabilitation management plan is being implemented as it related to the operation of the mine.	Complies	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D3 C11	Rehabilitation Documents  Amendment of Rehabilitation Plans	The holder of a mining lease must amend the rehabilitation management plan for the mining lease as follows—  a) to substitute the proposed version of a rehabilitation outcome document with the version approved by the Secretary—within 30 days after the document is approved	Rehabilitation Management Plan, Revision 2, dated February 2024.	Environmental Superintendent - The RMP was originally prepared in December 2022 prior to the RR approving the ROBJ and FLRP. When these documents were approved the RMP was updated to reflect these approved documents.		The Rehabilitation Management Plan, has been revised to take into account the approved ROBJ and FLRP.	Complies	
		b) as a consequence of an amendment made under clause 14 to a rehabilitation outcome document—within 30 days after the amendment is made,				No amendments to any rehabilitation documents have been required under Clause 14.	Not Triggered	
		c) to reflect any changes to the risk control measures in the prepared plan that are identified in a rehabilitation risk assessment—as soon as practicable after the rehabilitation risk assessment is conducted,		Environmental Superintendent – the rehabilitation risk assessment has not been revised during this audit period.		No additional rehabilitation risks have been identified since the preparation of the original version.	Not Triggered	
		d) whenever given a written direction to do so by the Secretary—in accordance with the direction.		Environmental Superintendent – The RR has not written directions to TGO to amend any rehabilitation documents.		The RR has not written directions to TGO to amend any rehabilitation documents.	Not Triggered	
D3 C12	Rehabilitation Documents  Rehabilitation outcome documents	(1) The holder of a mining lease must prepare the following documents (the <b>rehabilitation outcome documents</b> ) for the mining lease and give them to the Secretary for approval—  (a) the <b>rehabilitation objectives statement</b> , which sets out the rehabilitation objectives required to achieve the final land use for the mining area	Approved Rehabilitation Objectives Statement Tritton Copper Mine, Tuesday October 2024.			The Rehabilitation Objectives Statement has been prepared and approved by the RR.	Complies	
		(b) the rehabilitation completion criteria statement, which sets out criteria, the completion of which will demonstrate the achievement of the rehabilitation objectives,	Rehabilitation Management Plan, Revision 2, dated February 2024.			The approved rehabilitation completion criteria are provided in Section 4 of the Rehabilitation Management Plan.		
		(c) for a large mine, the final landform and rehabilitation plan, showing aspatial depiction of the final land use.	Approved Final Landform Plan – Tritton Copper Mine Site (Figure 7 from the Rehabilitation Management Plan).			The approved final landform plans are provided in Section 2 of the Rehabilitation Management Plan.	Complies	
		(d) If the final land use for the mining area is required by a condition of development consent for activities under the mining lease, the holder of the mining lease must ensure the rehabilitation outcome documents are consistent with that condition.	DA 41/98			The planning approval does not specify the final land uses for the mining area.	Not Triggered	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D3 C13	Rehabilitation Documents  Forward program and annual rehabilitation report	(1) The holder of a mining lease must prepare a program (a forward program) for the mining lease that includes the following—  a) a schedule of mining activities for the mining area for the next 3 years,	Tritton Copper Mine Forward Program Monday 1 July 2024 to Wednesday 30 June 2027.			The forward program has been prepared and contains a schedule of mining activities for the next three years.	Complies	
		b) a summary of the spatial progression of rehabilitation through its various phases for the next 3 years,	Tritton Copper Mine Forward Program Monday 1 July 2024 to Wednesday 30 June 2027.			The forward program has been prepared and contains a description of progression of rehabilitation planned for the next three years.	Complies	
		c) A requirement that the rehabilitation of land and water disturbed by mining activities under the mining lease must occur as soon as reasonably practicable after the disturbance occurs.	Tritton Copper Mine Forward Program Monday 1 July 2024 to Wednesday 30 June 2027.			The forward program states that as mining works are underway that no significant rehabilitation works are planned for the next three years.	Noted	
		(2) The holder of a mining lease must prepare a report (an annual rehabilitation report) for the mining lease that includes—  (a) a description of the rehabilitation undertaken over the annual reporting period,	Tritton Copper Mine Annual Rehabilitation Report Saturday 1 July 2023 to Saturday 30 June 2024			The Annual Rehabilitation Report for the last reporting period has been prepared and describes the rehabilitation works undertaken during the reporting period.	Complies	
		(b) a report demonstrating the progress made through the phases of rehabilitation provided for in the forward program applying to the reporting period,	Tritton Copper Mine Annual Rehabilitation Report Saturday 1 July 2023 to Saturday 30 June 2024			The Annual Rehabilitation Report for the last reporting period has been prepared and is aligned with the forward program.	Complies	
		(c) a report demonstrating progress made towards the achievement of the following—  (i) the objectives set out in the rehabilitation objectives statement, (ii) the criteria set out in the rehabilitation completion criteria statement, (iii) for large mines—the final land use as spatially depicted in the final landform and rehabilitation plan.	Tritton Copper Mine Annual Rehabilitation Report Saturday 1 July 2023 to Saturday 30 June 2024			The Annual Rehabilitation Report for the last reporting period has been prepared and describes the status of rehabilitation and progress towards achievement of the rehabilitation objectives.  Note that as that as mining works are underway that no significant rehabilitation works are planned for the next three years.	Complies	
		(3) If a rehabilitation outcome document has not been approved by the Secretary, the holder of the mining lease must rely on a proposed version of the document.					Noted	
		(4) The holder of the mining lease must give the forward program and annual rehabilitation report to the Secretary.		Environmental Superintendent – the Forward Program and Annual Rehabilitation have been submitted to RR via the portal.		The Forward Program and Annual Rehabilitation have been submitted to RR via the portal.	Complies	
		(5) In this clause—annual reporting period means each period of 12 months commencing on—  (a) the date on which the mining lease is granted, or (b) if the Secretary approves another date in relation to the mining lease—the other date.					Noted	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D3 C14	<b>Rehabilitation Documents</b>  Amendment of rehabilitation outcome documents and forward program	(1) This clause applies to— (a) a rehabilitation outcome document if the Secretary has approved it, and					Noted	
		(b) a forward program if it has been given to the Secretary.					Noted	
		(2) The holder of a mining lease must not amend a document to which this clause applies that relates to the mining lease unless— (a) the Secretary gives the holder a written direction to do so, or		Environmental Superintendent -The RR has not required any changes to any rehabilitation outcome document			Not Triggered	
		(b) the Secretary, on written application by the holder, gives a written approval of the amendment		Environmental Superintendent -The RR has not required any changes to any rehabilitation outcome document			Not Triggered	
		(3) The holder of the mining lease must amend the document in accordance with the Secretary’s direction or approval.		Environmental Superintendent -The RR has not required any changes to any rehabilitation outcome document			Not Triggered	
		(4) Nothing in this clause prevents the holder of a mining lease preparing a draft amendment for submission to the Secretary for approval					Noted	
D3- 15	<b>Rehabilitation Documents</b>  Times at which documents must be prepared and given	(1) The holder of a mining lease must do the following before the end of the initial period— a) prepare a rehabilitation management plan, and	Email from the RR (M Greally) to RW Corkey (N Warren) titled “117-Aeris Resources RMPs”, dated 1 December 2022. Email from the RW Corkey (M Bland) to the RR (M Newton) to titled “Co-Status of Rehabilitation Management Plans in preparation by RWC”, dated 5 August 2022. Commencement of Investigation Reference LETT0008309, dated 10 July 2023. Rehabilitation Management Plan, Revision 2, dated February 2024.			The Initial Period ended on 1 August 2022. The first version of the Rehabilitation Management Plan (Rev 1.1) was, according to the revision table in the plan, published (and submitted to the RR) on 15 June 2023. The completion of the RMP occurred after the end of the Initial Period.	Non-Compliance	Ensure all future versions of the Rehabilitation Documents are prepared and/or submitted to the RR in accordance with the approved timelines.
		b) prepare rehabilitation outcome documents and give them, other than the rehabilitation completion criteria statement, to the Secretary for approval, and				The Initial Period ended on 1 August 2022. The RR in their email of 1 December 2022 stating that the RR would not grant an extension of time for the submission of the Rehabilitation Objectives, Forward Program or Spatial Data. The Submission of the completion criteria statement occurred after the end of the Initial Period.	Non-Compliance	Ensure all future versions of the Rehabilitation Documents are prepared and/or submitted to the RR in accordance with the approved timelines.
		c) prepare a forward program and give it to the Secretary.				The Initial Period ended on 1 August 2022. The RR in their email of 1 December 2022 stating that the RR would not grant an extension of time for the submission of the Rehabilitation Objectives, Forward Program or Spatial Data. The Submission of the first forward program occurred after the end of the Initial Period.	Non-Compliance	Ensure all future versions of the Rehabilitation Documents are prepared and/or submitted to the RR in accordance with the approved timelines.

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D3-15	<b>Rehabilitation Documents</b>  Times at which documents must be prepared and given	(2) The holder of the mining lease must prepare a forward program and annual rehabilitation report and give them to the Secretary before—  a) 60 days after the last day of each annual reporting period, commencing with the annual reporting period in which the forward program was given to Secretary under subclause (1)(c), or	Email from the RR to Tritton (Q Bruwer) titled “Tritton Copper Mine Forward Program Submission FWP0001174”, dated 22 November 2023.  Email from the RR to RW Corkery (M Fake) titled “Tritton Copper Mine Amend Reporting/Submission Dates Application ARD0001184”, dated 12 December 2023.  Email from the RR to RW Corkery (M Fake) titled “Tritton Copper Mine Amend Reporting/Submission Dates Approval ARD0001184”, dated 15 December 2023  Email from the RR to RW Corkery (M Fake) titled “Tritton Copper Mine Annual Rehabilitation Report submission Dates Application ARR0001311”, dated 30 August 2024  Email from the RR to RW Corkery (M Fake) titled “Tritton Copper Mine Forward Program submission FWP0001458”, dated 30 August 2024.  <a href="https://www.minererehabilitationportal.nsw.gov.au/gisportal/#/welcome">https://www.minererehabilitationportal.nsw.gov.au/gisportal/#/welcome</a>			Tritton applied to the RR in December 2023 requesting an extension of time for the submission of the revised ROBJ and FLRP. The RR approved the extension of time.  The current versions of the Approved Remediation Documents were submitted on time.	Complies	
		b) a later date approved by the Secretary.	Email from the RR to RW Corkery (M Fake) titled “Tritton Copper Mine Amend Reporting/Submission Dates Approval ARD0001184”, dated 15 December 2023			The RR approved a change in submission dates.	Noted	
		(3) A rehabilitation completion criteria statement relating to completion of rehabilitation during a period covered by a forward program must be given to the Secretary for approval when the forward program is required to be given to the Secretary.	Rehabilitation Management Plan, Revision 2, dated February 2024.			The last version of the completion criteria statement is produced in the Rehabilitation Management Plan.  No evidence was available to verify that the completion criteria statement was submitted with the Forward Program.	Non-Compliance	Ensure all future revisions of the completion criteria statement are submitted to the RR in conjunction with the Forward Program.
		(4) The holder of the mining lease must prepare updated rehabilitation outcome documents for the mining lease and give them to the Secretary for approval before—  (a) 60 days after a development consent is modified following an application referred to in clause 20(1)(b), or				Modification 8 was approved in June 2022.	Not Triggered	
		(b) a later date approved by the Secretary					Not Triggered	
		(5) A rehabilitation completion criteria statement is not required to be given to the Secretary under subclause (4) unless a rehabilitation completion criteria statement has already been given to the Secretary under subclause (3).					Noted	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D3-15	<b>Rehabilitation Documents</b>  Times at which documents must be prepared and given	(6) The Secretary may, by written notice, direct the holder of a mining lease to prepare, or give to the Secretary, a document required to be prepared under this Division at a time other than that specified in this clause.	.	Environmental Superintendent - the RR has not requested the preparation of any document required to be prepared under this Division at a time other than that specified in this clause during this audit period		The RR has not requested the preparation of any document required to be prepared under this Division at a time other than that specified in this clause during this audit period	Not Triggered	
		(7) The holder of the mining lease must comply with the direction.					Noted	
		(8) In this clause—initial period means the period commencing when the mining lease is granted and ending—  (a) 30 days, or other period approved by the Secretary, after this Division first applies to the mining lease, or					Noted	
		(b) if this Division applies to the mining lease because of an increase in the required security deposit—  (i) when the surface of the mining area is disturbed by activities under the mining lease, or  (ii) at a later date approved by the Secretary.					Noted	
D3-16	<b>Rehabilitation Documents</b>  Certain documents to be publicly available	(1) This clause applies to the following documents—  a) a rehabilitation management plan, b) a forward program, c) an annual rehabilitation report					Noted	
		(2) The holder of a mining lease must make a document to which this clause applies publicly available by—  (a) publishing it on its website in a prominent position, or	Website: <a href="https://www.aerisresources.com.au/assets/tritton-copper-operations/tritton-approvals-documents/">https://www.aerisresources.com.au/assets/tritton-copper-operations/tritton-approvals-documents/</a>			The required documents were available on the website.	Complies	
		(b) if the holder does not have a website—providing a copy of it to a person—  (i) on the written request of a person, (ii) without charge, and (iii) within 14 days after the request is received.	Website: <a href="https://www.aerisresources.com.au/assets/tritton-copper-operations/tritton-approvals-documents/">https://www.aerisresources.com.au/assets/tritton-copper-operations/tritton-approvals-documents/</a>				Not Triggered	
		(3) If a document is published on the website of the holder of the mining lease, the holder must ensure that it is published—  (a) for a rehabilitation management plan—within 14 days after it is prepared or amended, or	Notice from the RR: Commencement of Investigation, dated 10 July 2023.			The RR issued a formal warning to Tritton following its investigation relating to the failure to make the Remediation Management Plan Publicly available.	Non-Compliance	Ensure all future revisions of all remediation documentation required by the mining lease is made available on the project website within the timelines specified.
		(b) for a forward program or an annual rehabilitation report—within 14 days after it is given to the Secretary or amended,	Website: <a href="https://www.aerisresources.com.au/assets/tritton-copper-operations/tritton-approvals-documents/">https://www.aerisresources.com.au/assets/tritton-copper-operations/tritton-approvals-documents/</a>			Management reported that all documents were loaded onto the website within the timelines required by this approval.	Complies	
		(4) Personal information under the Privacy and Personal Information Protection Act 1998 is not required to be included in a document made available to a person under this clause.					Noted	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D4-17	<b>Records, Reporting and Notification</b>  Records demonstrating compliance	The holder of a mining lease must create and maintain records of all actions taken that demonstrate compliance with each of the conditions set out in this Part.  <b>Note</b> — The Act, sections 163D and 163E provide for the form in which records must be kept and the period for which they must be retained.				The documentation required under these conditions was consistently available during this IEA.	Complies	
D4-C18	<b>Records, Reporting and Notification</b>  Report on non-compliance	(1) The holder of a mining lease must provide the Minister with a written report detailing any non-compliance with-  (a) a condition of the mining lease, or				During this audit period a number of submission dates for key documents was missed. Those non-compliances were not reported to the RR. It is noted that TGO responded formally to the RR’s commencement of investigation, however that response was in relation to advise provided by the RR.	<b>Non-Compliance</b>	Ensure that TGO tracks compliance against the Mining Lease Conditions and proactively reports any non-compliances to the RR within seven days of becoming aware of those non-compliances.
		(b) a requirement of the Act or this Regulation relating to activities under the mining lease.		Environmental Superintendent – TGO is not aware of any non-compliance against the Mining Act or Regulations relating to this audit period.		Management Reported that Tritton is not aware of any non-compliance against the Mining Act or Regulations relating to this audit period.	Not Triggered	
		(2) The holder of the mining lease must provide the report within 7 days after becoming aware of the non-compliance					Noted	
		(3) The holder of the mining lease must ensure the report—  a) identifies the condition of the mining lease, or the requirement of the Act or this Regulation, to which the non-compliance relates, and					Noted	
		b) describes the non-compliance and specifies the date or dates on which, or the period during which, the non-compliance occurred, and					Noted	
		c) describes the causes or likely causes of the non-compliance, and					Noted	
		d) describes the action that has been taken, or will be taken, to mitigate the effects, and to prevent any recurrence, of the non-compliance.					Noted	

Mining Lease Standard Conditions								
Cond.	Title	Condition	Documents Reviewed	Interviews	Inspections / Observations	Assessment	Compliance Finding	Recommendations
D4-C19	<b>Records, Reporting and Notification</b>  Nominated contact person	(1) The holder of a mining lease must nominate a natural person to be the contact person with whom the Secretary can communicate in relation to the mining lease for the purposes of the Act.  (2) The holder of the mining lease must give written notice to the Secretary of—  (a) the full name and contact details of the nominated person—within 28 days after the date on which the standard conditions apply to the mining lease under clause 31A of this Regulation, and  (b) any change in nomination or in the nominated person’s contact details—within 28 days after the change occurs.  (3) The holder of the mining lease must ensure that the contact details for the nominated person include the person’s phone number and postal and email addresses.	Resource Regulator notice of Investigation Outcome, reference LETT00083090, dated 10 July 2023.			Clause 19 in Schedule 8A requires the lease holder to Nominate a Contact Person (NCP) with whom the RR can communicate with in relation to the mining lease(s) for the purposes of the Mining Act 1992.  According to RR records, the Tritton Copper Mine failed to provide details of the nominated contact.	<b>Non-Compliance</b>	Ensure that the RR is advised of any future changes in the nominated contact person.
D5-C20	<b>Applications relating to development consent</b>  Additional requirements—application for or to modify development consent	(1) The holder of a mining lease must give written notice to the Secretary within 10 days after—  (a) making an application for development consent that relates to the mining area, or					Not Triggered	
		(b) making an application for modification of a development consent—  (i) under the <i>Environmental Planning and Assessment Act 1979</i> , section 4.55(2), and  (ii) that proposes to modify a condition of the consent that relates to rehabilitation of the mining area in a way that may affect an obligation under the mining lease relating to rehabilitation of the mining area.					Not Triggered	
		(2) This clause does not apply if the development is State significant development.					Noted	

## Compliance Register Mining Lease ML1684 (Granted 2013)

Cond.	Detail	Evidence Reference	Assessment
1	Notice to Landholders	Closed out in previous IEAs	Not Triggered
2	Environmental Harm	2021 IEA / Appendix A1	Complied
3	Operation in accordance with MOP	2021 IEA / Appendix A1	Complied
4	Prepare and issue AEMR	2021 and 2022 AR	Complied
5	Environmental Incident Reports	2021 IEA / Appendix A1	Non-compliance
6	Additional Environmental Reports	2021 IEA / Appendix A1	Not Triggered
7	Rehabilitate land (progressive rehab)	2021 and 2022 AEMR	Complied
9	Working Requirements	Audit Observations	Complied
10	Blasting	2021 and 2022 AR	Complied
11	Safety (blasting)	2021 and 2022 AR	Complied
12	Prevention of Soil erosion (prospecting)	-	Noted
13	No damage to public infrastructure	2021 IEA / Appendix A1	Complied
14	Roads and Tracks (repair and maintenance)	2021 IEA / Appendix A1	Complied
15	Clearing trees and vegetation	2021 IEA / Appendix A1	Not Triggered
16	Use of Cyanide	Approved under MO09_0155	Complied
17	Resource Recovery	2021 IEA / Appendix A1	Complied
18	Indemnity	-	Noted
19	Security	2021 IEA	Complied
22	Prescribed Dam	Approved under MO09_0155	Complied
23	Suspension of Operations	-	Not Triggered
24	Cooperation Agreement	-	Not Triggered

**Compliance Register Mining Lease ML1821 (Granted 19 November 2021)**

<b>Cond.</b>	<b>Detail</b>	<b>Evidence Reference</b>	<b>Assessment</b>
<b>1</b>	Notice to Landholders	Lease covers mine owned land	Not Triggered
<b>2</b>	Security	2021 IEA / Appendix A1	Complied
<b>3</b>	Cooperation Agreement	-	Not Triggered
<b>4</b>	Dam Safety	2021 IEA / Appendix A1	Complied

# Tritton Copper Mine 2024 Independent Environmental Audit

## Photographs

### Appendix B



Photograph 1 – Bulk fuel storage / Refueling area



Photograph 2– oil storage bund adjacent to maintenance store



Photograph 3 - Bulk Liquids Storage behind the heavy plant maintenance workshop.



Photograph 4 - Oil and grease storage adjacement to workshops



Photograph 5 – Oil and Chemical Storage area adjacement to maintenance store



Photograph 6- Landfill



Photograph 7 – Wastes in landfill (oily rags, aerosol containers, general refuse)



Photograph 8– Wastes in landfill (paint / chemical drums, poly pipe)



Photograph 9 – waste grease in open drums in laydown area



Photograph 10 – Waste oil and other waste liquids, uncontained in laydown area



Photograph 7 – batteries (used) in laydown area



Photograph 8 – Oil contaminated soils in laydown area



Photograph 9 – Waste Oil (drained from derelict plant) and soil contamination



Photograph 12 – Waste oil in bund adjacent to maintenace store



Photograph 14 – oil storage bund adjacent to workshops



Photograph 15 – Oily water collection sump behind heavy plant maintenance workshop



Photograph 16 – Gas cyclinder storage



Photograph 17 – Water cart in operation



Photograph 18 – Site entrance signage



Photograph 19 – Waste rock stockpile



Photograph 20 – Sewage Treatment System



Photograph 21 Environmental Pond (Fauna Water Supply)



Photograph 22 – Rehabilitation of the TSF

# DPIE Auditor Approval

## Appendix C

NSW Planning ref: DA41/98-PA-22

Mr

Dirk

McNicol

Environmental Superintendent

TRITTON RESOURCES PTY LTD

TRITTON

MINE

2440

YARRANDALE

ROAD

GIRILAMBONE 2831

30/09/2024

Sent via the Major Projects Portal only

**Subject: Tritton Copper – Independent Environmental Audit 2021-2024 team endorsement request**

Dear Mr McNicol

Reference is made to your post approval matter, DA41/98-PA-22, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit of Tritton Copper, submitted as required by Part A Condition 8 of DA41/98 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 12 September 2024.

NSW Planning has reviewed the independent auditor nomination and based on the information you have provided is satisfied that the proposed person is suitably qualified, experienced, and independent. Consequently, as nominee of the Planning Secretary, I approve the appointment of Mr Ken Holmes of Barnett and May Pty Ltd to undertake the IEA and prepare the IEA report.

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

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

- be carried out in consultation with the relevant agencies;
- assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
- recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.

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

Should you wish to discuss the matter further, please contact me on 0429400261 or email [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read "K. O'Reilly".

Katrina O'Reilly  
Team Leader - Compliance  
Compliance  
As nominee of the Planning Secretary

# Stakeholder Consultation

## Appendix D

**From:** [Katrina O'Reilly](#)  
**To:** [Ken Holmes](#); [Rob Sherry](#)  
**Cc:** [Michael Wood](#)  
**Subject:** RE: Tritton Copper Mine - 2024 Independent Environmental Audit - Consultation Request DPHI  
**Date:** Monday, 30 September 2024 9:07:58 AM  
**Attachments:** [image001.png](#)

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Good morning Ken,

I have just endorsed you as the auditor. NSW Planning would like areas focused on to include:

Compliance with extractive limits and transport limits;  
Compliance with all commitments within all management plans such as monitoring and reporting requirements;  
Identify any adaptive management actions implemented;  
Water management on site and adherence to water performance measures;  
Compliance with all requirements of the recent MOD in 2022;  
Compliance with approved footprint;  
Comparison of EA predictions vs actual impacts;  
Evidence of Progressive rehabilitation and planting requirements in the Landscape Management Plan;  
Appropriate Management and Monitoring of TSFs in accordance with EA and conditions of consent;  
Evidence that all waste dumps are within heights limits such as *non acid forming rock waste dump shall be a maximum of 30 metres in height from the land surface and*  
Complaints register, monitoring and management thereof.

Agencies to be consulted are to include:

Bogan Council  
Biodiversity, Conservation and Science Directorate within the Department  
TfNSW  
Local Aboriginal Lands Councils  
Crown Lands Group within the Department  
Water Group within the Department  
Heritage NSW  
EPA  
NSW Resources Regulator

Regards  
Katrina

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**From:** Ken Holmes <Ken@baeckea.com.au>  
**Sent:** Thursday, September 12, 2024 1:09 PM  
**To:** Rob Sherry <Rob.Sherry@planning.nsw.gov.au>  
**Cc:** Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>; Michael Wood <Michael.Wood@environment.nsw.gov.au>

**Subject:** RE: Tritton Copper Mine - 2024 Independent Environmental Audit - Consultation  
Request DPHI

Rob,

I have contacted the Proponent, and I understand that their Environment Manager (Dirk McNicol) is relatively new to the role. He was not aware of the requirement to seek approval for the appointment of the Auditor. I have, today, provided him with your contact details and fresh copies of my cv and auditor declaration. I expect he will contact you shortly.

Regards,

**Ken Holmes**  
**Principal Environmental Consultant**  
**Director**

Barnett & May

**P** +61 (0)438 046 261

**E** [ken@baeckea.com.au](mailto:ken@baeckea.com.au)

**A** PO Box 365 Belrose NSW 2085

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**From:** Rob Sherry <[Rob.Sherry@planning.nsw.gov.au](mailto:Rob.Sherry@planning.nsw.gov.au)>

**Sent:** Thursday, 12 September 2024 1:03 PM

**To:** Ken Holmes <[Ken@baeckea.com.au](mailto:Ken@baeckea.com.au)>

**Cc:** Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>; Michael Wood  
<[Michael.Wood@environment.nsw.gov.au](mailto:Michael.Wood@environment.nsw.gov.au)>

**Subject:** RE: Tritton Copper Mine - 2024 Independent Environmental Audit - Consultation  
Request DPHI

Good afternoon Mr Holmes

Thank you for your enquiry.

I have checked the Major Projects Portal and see that Planning has previously endorsed the following auditors (for the 2021 audit):

1. 14 July 2021 – N. Alexander; A Panikkar; and B Bracken (our ref: DA41/98-PA-2)
2. 30 November 2021 – D Scott (Our ref: DA41/98-PA-5)

I could not however, locate a Secretary's endorsement for yourself to conduct the upcoming audit.

Prior to providing a scope response to your enquiry, could you please provide a copy of the Secretary's endorsement to confirm your appointment.

Cheers

Rob

**Rob Sherry**  
**Team Leader Compliance**

NSW Planning | Department of Planning, Housing and Infrastructure  
**T** 02 9274 6306 | **M** 0429 782 853 | **E** [rob.sherry@planning.nsw.gov.au](mailto:rob.sherry@planning.nsw.gov.au)  
Locked Bag 5022 | PARRAMATTA NSW 2124  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



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

*Please note that I work flexibly. I'm sending this message now because it's a good time for me, but I don't expect that you will read, respond to or action it outside of your own regular hours.*

*If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).*

*The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).*

**Our Vision:** Together, we create thriving environments, communities and economies.

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**From:** Ken Holmes <[Ken@baeckea.com.au](mailto:Ken@baeckea.com.au)>  
**Sent:** Thursday, September 12, 2024 12:20 PM  
**To:** Rob Sherry <[Rob.Sherry@planning.nsw.gov.au](mailto:Rob.Sherry@planning.nsw.gov.au)>  
**Cc:** Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>  
**Subject:** FW: Tritton Copper Mine - 2024 Independent Environmental Audit - Consultation Request DPHI

Rob,

I originally sent this consultation request to Katrina (who was nominated by Tritton Copper as the relevant DPHI representative) and received Katrina's out of office reply that directed me to you.

The NSW planning approval DA 41/98 (Modification 8, dated June 2022) for the Tritton Copper Mine requires that the project proponent commission three yearly Independent Environmental Audits throughout the operational phase of the Mine. I have been commissioned by the to

undertake the 2024 audit as required under the approvals. The audit is scheduled for to commence at the end of September and will be undertaken in accordance with the Project Approval Conditions that require:

*Schedule 2 Condition 8:*

*By 30 September 2021, and every 3 years thereafter, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:*

- i) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);*
- ii) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- iii) be carried out in consultation with the relevant agencies;*
- iv) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent;*  
*and*
- v) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.*

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

The Proponent has provided me with your contact details as the appropriate stakeholder representative. I would therefore appreciate if you could provide me with any information, comments or concerns that DPHI may have regarding the environmental performance of the construction project over the past three (3) years and provide details of any specific issues you suggest that the Auditor consider.

Please do not hesitate to contact me if you require any additional information.

Thanks and Regards,

**Ken Holmes**  
**Principal Environmental Auditor**  
**Director**

**Barnett & May**

**P +61 (0)438 046 261**

**E [ken@baeckea.com.au](mailto:ken@baeckea.com.au)**

**A PO Box 365 Belrose NSW 2085**



Mr Ken Holmes  
Barnett & May  
PO Box 365  
Belrose NSW 2085  
By Email: [ken@baeckea.com.au](mailto:ken@baeckea.com.au)

12 September 2024

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Re: Tritton Copper Mine – Independent Environmental Audit

Dear Mr Holmes,

Thank you for your email dated 12 September 2024 (our reference: AREQ0057751) requesting consultation on the independent audit to be undertaken of the Tritton Copper Mine which is covered by mining lease ML1544 (1992).

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

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

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

Sincerely

Jenny Ehmsen  
Principal Compliance Auditor  
NSW Resources Regulator

**NSW Department of Climate Change, Energy, the Environment and Water**

Our ref: OUT24/14611

Ken Holmes  
Barnett & May  
[ken@baeckea.com.au](mailto:ken@baeckea.com.au)

24 September 2024

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Subject: Triton Copper Mine (DA41/98) - Independent Environmental Audit 2024

Dear Ken,

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

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

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

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

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

**NSW Department of Climate Change, Energy, the Environment and Water**

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

Should you have any further queries in relation to this submission please do not hesitate to contact DCCEE - Water Assessments at [water.assessments@dpie.nsw.gov.au](mailto:water.assessments@dpie.nsw.gov.au)

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Z. Baker".

Tim Baker  
Senior Project Officer  
Water Assessments  
NSW Department of Climate Change, Energy, the Environment and Water

Ken Holmes  
Principal Environmental Auditor  
Director  
Barnett & May  
ken@baeckea.com.au

Our ref: HMS ID 7500

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**Post Approval Advice (Environmental Audit) – State Significant Development**

Proposal: Tritton Copper Mine  
Major Project reference: DA 41/98  
Received: 1 October 2024

Dear Ken,

Thank you for your email dated 1 October 2024 seeking comment from the Heritage NSW on the 2024 Independent Environmental Audit for the above State Significant Development project.

Heritage NSW has no comment on the project or scope of the audit. It is recommended that the Department of Planning, Housing and Infrastructure's Compliance Team be contacted ([compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)) to determine if there is any non-compliance with Conditions of Consent for the project.

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

Yours sincerely

*Corey O'Driscoll*

Corey O'Driscoll  
A/Practice Lead  
Major Projects  
Heritage NSW  
Department of Climate Change, Energy, the Environment and Water  
As Delegate under *National Parks and Wildlife Act 1974*  
31 October 2024

**From:** [Nyngan LALC](#)  
**To:** [Ken Holmes](#)  
**Subject:** RE: Tritton Copper Mine - 2024 Independent Environmental Audit - Consultation Request Nyngan LALC  
**Date:** Wednesday, 2 October 2024 1:26:01 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hello Ken,

Nyngan LALC, feel we have good working relationship with Tritton Copper Mines, we have participated in the Tritton Copper Mines Community Consultation Committee, we were consulted and informed about the damages that occurred during bush fire season. We have had a representative participate in the Cultural Survey.

We have been in discussions about Aboriginal art design on the front entrance to the site, Tritton Copper Mines have participated in our Community events such as NAIDOC week celebration and planning, as well as Community Hub community sessions.

We have been informed about the rehabilitation on the environment and effects to reduce water and electricity concerns

Kind Regards

Veneta Dutton  
**Chief Executive Officer**



☎ 02 6832 2639  
☎ 0427 502 771  
✉ [ceo@nynganlalc.au](mailto:ceo@nynganlalc.au)  
📍 102 Pangee Street  
PO BOX 43  
Nyngan NSW, 2825

**Please note: Office hours Monday to Friday 9.00 am to 3.00 pm.**





*I acknowledge the Traditional Custodians of this land where I live and work upon and the deep spiritual connection to the land & water and acknowledge the path our Elders have walked and the present & emerging Elders are walking.*

This message (which includes any attachments) is intended only for the addressee and may contain privileged or confidential information. If you are not the intended recipient you must not use, disclose copy or distribute this communication. If you have received this message in error please delete the email and any attachments and notify the sender as soon as possible. There is no warranty that this email is error or virus free. If this is a private communication it does not represent the views of the NSW Aboriginal Land Council.

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**From:** Ken Holmes <Ken@baeckea.com.au>

**Sent:** Wednesday, 2 October 2024 1:12 PM

**To:** Nyngan LALC <ceo@nynganlalc.au>

**Subject:** Tritton Copper Mine - 2024 Independent Environmental Audit - Consultation Request  
Nyngan LALC

Veneta,

The NSW planning approval DA 41/98 (Modification 8, dated June 2022) for the Tritton Copper Mine requires that the project proponent commission three yearly Independent Environmental Audits throughout the operational phase of the Mine. I have been commissioned by the to undertake the 2024 audit as required under the approvals. The audit is scheduled for to commence in early October and will be undertaken in accordance with the Project Approval Conditions that requires that I consult with your LALC.

The Tritton mine has provided me with your contact details as the appropriate stakeholder representative. I would therefore appreciate if you could provide me with any information, comments or concerns that you may have regarding the management of cultural heritage by the mine over the past three (3) years.

Please do not hesitate to contact me if you require any additional information.

Thanks and Regards,

**Ken Holmes**  
**Principal Environmental Auditor**  
**Director**

Barnett & May

**P** +61 (0)438 046 261

**E** [ken@baeckea.com.au](mailto:ken@baeckea.com.au)

**A** PO Box 365 Belrose NSW 2085

# Lead Auditor CV

## Appendix E

# KEN HOLMES

## Senior Principal Environmental Consultant



### Contact

Email [ken@baeckea.com.au](mailto:ken@baeckea.com.au)

Mobile +61 0438 046 261

### Qualifications & professional affiliations

- Bachelor of Science (Industrial Chemistry)
- Master of Applied Science (Waste Management)
- Master of Business Administration (MBA)
- Accredited Lead Environmental Auditor (Exemplar Global #: 14065)

Ken Holmes is an acknowledged industry leader in environmental auditing, environmental management and project approvals. His career spans over 30 years and includes experience across Australia, Africa, Europe and South-east Asia.

Ken's extensive Environmental Audit, Infrastructure Planning and Approvals experience includes that preparation of environmental impact statements for major projects, pre-construction approvals, and operations environmental management experience.

He has led large scale projects on major road, rail, renewable energy, mining and water infrastructure projects across Australia. The projects presented below are a sample of the range and complexity of projects that Ken has delivered.

### Project experience

#### Environmental Auditing (Audits completed in the recent years)

**Project Energy Connect (2024 – on-going).** Ken is currently undertaking the independent environmental audits of construction phase of this major (900km) electricity infrastructure project that consists of high voltage power line and associated infrastructure construction between Wagga Wagga and South Australia.

**Victoria Cross Over Station Development IEA (2023 – on-going)** Construction phase bi-annual independent audits - Ken has commenced a program of (six) environmental compliance audits of this landmark construction project in the North Sydney CBD. The audit program covered two separate Planning Approvals (for adjacent office tower construction sites). The audits cover the conditions of the project's Planning Approval requiring bi-annual independent environmental audit of compliance against the DP&E (NSW) Conditions of Approval. The project is part of the development of Sydney's commuter rail network expansion.

**Hunter Power Project (Construction Phase IEA 2022 – on-going)** - Ken has been commissioned to undertake the construction phase independent environmental audits on the Hunter Power Project. The Hunter Power Project is the construction of a new gas fired power station located in the Hunter Valley in NSW. The conditions of approval for the project requires bi-annual independent environmental audit of compliance against:

- o DP&E Conditions of Approval / Development Approvals;
- o Commonwealth Approvals;;

The independent environmental audit are being undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

As auditor, Ken's role covers all technical areas including construction management, waste, greenhouse gas, surface water management, air quality and noise management.

**Kurri Kurri Lateral Pipeline (Construction Phase IEA 2023 - 2025)-** Ken has been commissioned to undertake the construction phase independent environmental audits on the Kurri Kurri gas pipeline project located in the Hunter Valley in NSW. The conditions of approval for the project requires bi-annual independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Commonwealth Approvals;

The independent environmental audit are being undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

As auditor, Ken's role covers all technical areas including construction management, waste, greenhouse gas, surface water management, air quality and noise management.

Dargues Gold Mine IEA (2023)- Ken led the independent environmental audit of environmental compliance audit of the this gold mining project located near Braidwood in southern NSW. The conditions of approval for the mine requires a two-yearly independent environmental audit of compliance against:

- o DP&E Conditions of Approval / Development Approvals;
- o Water Licences;
- o Environment Protection Licences;
- o Mining Leases;

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning audit guidelines.

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in air quality and noise management.

Martin Place Over Station Development (2020 – 2023) Construction phase annual independent audits) - Ken undertook the (six) environmental compliance audits of this landmark construction project in the Sydney CBD. The audit program covered two separate Planning Approvals (for adjacent office tower construction sites). The audits covered the conditions of each project's Planning Approval requiring annual independent environmental audit of compliance against the DP&E (NSW) Conditions of Approval. The project is part of the development of Sydney's commuter rail network expansion.

Mt Thorley / Warkworth Mine IEA (2023)- Ken led the multi-disciplinary team that completed the 2023 independent environmental audit of environmental compliance audit of this large mining complex located in the Hunter Valley, NSW. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Commonwealth Approvals;
- Water Licences;
- Environment Protection Licences;
- Mining Leases;

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in air quality and noise management.

Hera Gold Mine (2019 and 2023)- Ken led the independent

environmental audits for the environmental compliance audit of the Hera Gold Mine in western NSW. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Commonwealth Approvals;
- Water Licences;
- Environment Protection Licences;
- Mining Leases; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in surface water management, air quality and noise management.

Bingo Industries Eastern Creek Resource Recovery Facility and Landfill (2022) - Ken led the environmental compliance audit of Bingo's Resource Recovery Facility and Landfill located in western Sydney. The conditions of project's Planning Approval requires a three-yearly independent environmental audit of compliance against:

- DP&E (NSW) Conditions of Approval / Development Approvals;

Environment Protection Licence.

The Audit also included an odour audit and surface water audits undertaken by specialists within the audit team.

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines and the EPBC element of the audit against the DAWE Audit Guidelines.

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in air quality and noise management.

McArthur River Mine (Northern Territory) (2022) - Ken is currently leading the environmental compliance audit of McArthur River Mine in the Cape of Carpentaria, NT. EPBC Approval requires an annual independent environmental audit of compliance against that Approval.

The independent environmental audit is being undertaken in accordance with AS/NZS ISO 19011:2014 and the DAWE Audit Guidelines.

Moolarben Coal Mine (2019 and 2022) - Ken led the environmental compliance audits of Moolarben Coal Mine located near Mudgee in Western NSW. The conditions of project's Planning Approval requires a three-yearly independent environmental audit of compliance against:

- EPBC Approval
- DP&E (NSW) Conditions of Approval / Development Approvals;
- Water Licences;

Environment Protection Licence; and all Mining Leases.

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines and the EPBC element of the audit against the DAWE Audit Guidelines.

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in surface water management, air quality and noise management.

**Tomingley Gold Mine (2021 and 2024)** - Ken was the lead auditor for the environmental compliance audit of the Tomingley Gold Mine in western NSW. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Water Licences;
- Environment Protection Licence;
- Mining Leases; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Tritton Copper Mine (2018 and 2024)** - Ken was the lead auditor for the environmental compliance audit of the Tritton Copper Mine in western NSW. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Water Licences;
- Environment Protection Licence;
- Mining Leases; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Bingo Industries Mortdale Resource Recovery Facility (2022)** - Ken undertook the environmental compliance audit of waste recycling plant and transfer station located in Mortdale, NSW. The conditions of project's Planning Approval requires a three-yearly independent environmental audit of compliance against:

- DP&E (NSW) Conditions of Approval / Development Approvals;
- Environment Protection Licence.

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines and the EPBC element of the audit against the DAWE Audit Guidelines.

**Client: Port Waratah Coal Loader (2018, 2021 and 2024)**- Ken was the lead auditor for the last two independent environmental compliance audits of the Port Waratah Coal Loader located on Kooragang Island near Newcastle. The conditions of approval for the facility Barnett & May

requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Water Licences;
- Environment Protection Licence; and the
- EIS (Statement of Commitments).

These independent environmental audit were undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in surface water, air quality and noise management.

**North Parkes Mine (2021 and 2024)**- Ken was the lead auditor for the environmental compliance audit of the Tritton Gold Mine in western NSW. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Water Licences;
- Environment Protection Licence;
- Mining Leases; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Metropolitan Coal Mine (2018, 2021 and 2024)**

Ken was the independent environmental auditor for the last two independent environmental compliance audits of the Metropolitan Coal Mine south of Sydney, NSW. These conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Commonwealth Approvals;
- Water Licences;
- Environment Protection Licences;
- Mining Leases; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines

In addition to his role as lead auditor managing a multidisciplinary team, Ken covered the role as technical expert in surface water management (covering the mine infrastructure areas), air quality and noise management.

**Stratford and Duralie Coal Mines – (2020)** Ken was the lead auditor for the environmental compliance audit of Ashton Coal Mine in the Hunter Valley. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Water Licences;
- Environment Protection Licence;
- Mining Leases and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in

accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Ashton Coal Mine (2020)** - Ken was the lead auditor for the environmental compliance audit of Ashton Coal Mine in the Hunter Valley. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- EPBC Approvals;
- Water Licences;
- Environment Protection Licence;
- Mining Leases; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Newcastle Coal Infrastructure Group (2019 and 2022)** - Ken was the lead auditor for the environmental compliance audits of the NCIG Coal Loader located on Kooragang Island near Newcastle. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- EPBC Approvals;
- Water Licences;
- Environment Protection Licence; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Kables Sand Quarry EPBC Audit (2019)** – Ken was the auditor for the EPBC audit of Hansons Kables Sand Quarry located in the Blue Mountains in NSW. The audit was a requirement of the project EPBC approval and was undertaken in accordance with the DAWE Audit Guidelines.

**Bendicks Recycling Mayfield (2019)**- Ken was the lead auditor for the environmental compliance audit of the Benedicks waste facility in Newcastle. The conditions of approval for the mine requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Environment Protection Licence; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Oberon Quarries (2019)** - Ken was the lead auditor for the environmental compliance audit of this Gravel Quarry located in near Oberon in western NSW. The conditions of approval for the quarry requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Environment Protection Licence; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the

Department of Planning and NSW EPA audit guidelines.

**Sibelco Dunes Sand Mine (2018 / 2019)** – Ken was the auditor for the environmental compliance audit of the Sibelco Sand located near Nelson Bay in NSW. The conditions of approval for the mine required an independent environmental audit of against:

- DP&E Conditions of Approval / Development Approvals;
- EIS predication against actual impacts.

The Approval required that the audit be conducted within 12 months of completion of mining and focussed on mine site rehabilitation.

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines

**Ardglen Quarry (Daracon) (2018)** - Ken was the lead auditor for the environmental compliance audit of the Ardglen Gravel Quarry located in the upper Hunter Valley. The conditions of approval for the quarry requires a three-yearly independent environmental audit of compliance against:

- DP&E Conditions of Approval / Development Approvals;
- Environment Protection Licence; and the
- EIS (Statement of Commitments).

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**Holcim Hume Quarry (2017/8)** - Ken was auditor for the environmental compliance audit of Holcim' hard rock quarry located near Queanbeyan in NSW. Ken undertook the compliance audits of the quarry's Conditions of Approval. The conditions of approval required a detailed assessment of compliance against:

- DP&E Conditions of Approval / Development Approvals
- Water Licences
- Environment Protection Licences.

The independent environmental audit was undertaken in accordance with AS/NZS ISO 19011:2014 and the Department of Planning and NSW EPA audit guidelines.

**PGH Bricks (2017/8)** - Ken was the lead auditor for the environmental compliance audits of PGH's NSW, QLD, Vic and SA quarries. Ken undertook the compliance audits of the quarries as required by the Conditions of Approval for each site. The conditions of approval required a detailed assessment of compliance against:

- DP&E Conditions of Approval / Development Approvals (for non-NSW sites)
- Mining (and Exploration) Leases
- Environment Protection Licences (or equivalent)

**Enviroking (2017/8)** - Ken was the lead auditor for an independent environmental audit undertaken in accordance with AS/NZS ISO 19011:2014 "Guidelines for auditing management systems" for the liquid waste facility. The audit reviewed Enviroking's compliance with conditions of approval, made recommendations to address non-compliances and identified opportunities for improvement in the project's environmental management and performance.

**Ken has also undertaken environmental management system and statutory compliance audits for a wide range of industries and projects including:**

- Cowal Gold Mine
- Manildra Limited / Castlereagh Coal
- Bougainville Copper Limited (Bougainville, PNG)
- News Limited
- Fairfax News Papers
- Norske Skog
- Alcoa
- Ok Tedi Mining (PNG)
- Albright & Wilson
- Seafood Specialities
- Rio Tinto
- Hunter Water
- Department of Foreign Affairs and Trade
- Sydney Water
- Transport for NSW
- Mount Isa Mines
- Scott Transport
- Roads and Traffic Authority (now Roads and Maritime Services)
- AbiGroup (now LendLease)
- Leighton Contractors (now CPB Contractors)
- John Holland Group
- Queensland Transport
- PMP (Printing)
- Straits Resources
- Mount Isa Mines
- Philips (electronics)
- Bonlac Foods
- BHP

Ken has also led a wide range of Acquisition / Due Diligence audits for private sector clients in Australia, PNG, Africa, South Pacific, New Zealand, China, Singapore, Indonesia, Thailand.

## **Project Approvals**

**Central Station Re-development – Transport for NSW** - Ken led the team responsible for gaining the environmental approvals (preparation of EMPs /construction licences etc.) for the Sydney Central Station project. In this role, Ken was responsible for the interpretation of the Approval requirements (Minister's Conditions of Approval) and the provision of strategic advice on the approvals, licencing, construction environmental management and stakeholder management.

**Sydney Metro – Transport for NSW** - Transport for NSW (TfNSW) commissioned two demolition contractors to demolish a number of multistorey buildings within the Sydney CBD in preparation for the construction of the Sydney Metro project. Ken led the team responsible for the preparation of environmental management plans for these works (TfNSW was not comfortable that the demolition contractors had the appropriate skills to prepare the required plans and gain the required approvals for the works). Ken worked with the demolition contractors to streamline their internal management processes and to add the requisite environmental management functions within both their corporate and project management systems.

**M2 Widening Project Approvals (Roads and Maritime Services)** – Ken (Project Manager) led the environmental

approvals team for the preparation of the Environmental Impact Assessment and construction approvals (preparation of EMPs /construction licence etc.) for the M2 widening project.

The management and minimisation of vegetation clearing on this project (along with the minimisation of impacts on residents a high priority. Ken oversaw all the specialist studies that supported the preparation of the Environmental Impact Assessment and subsequent Environmental Management Plans, including:

- Ecological survey;
- Tree reports;
- Noise and vibration impact assessments;
- Contamination assessments;
- Traffic impact assessments; and
- Ground and surface water impact assessments.

**Sydney Light Rail – Acciona / Transport for NSW** - Ken led the team responsible for leading the construction approvals program and setting up the environmental management system for this significant brown fields infrastructure construction project. His responsibilities included:

- Establishing the project Environmental Management System;
- Interpreting the Conditions of Approval and the Project Deed and advising the Acciona management team on all aspects of compliance with those key approval and contractual documents;
- Gaining the construction environmental approvals (preparation of EMPs /construction licences etc.) for the Sydney Light Rail project. In this role, Ken provided strategic advice on the approvals, licencing, construction environmental management and stakeholder management. He was also responsible for all internal (Acciona / KMH) document quality control.
- Selecting, commissioning and supervising the wide range of specialist environment service providers including ecological survey, tree reports, and pre-construction vegetation clearance reports.
- Advising the design and construction teams on tree clearing and management and integration of construction requirements into the flora and fauna management plans.

Ken also led the consultation with the NSW Government regulators and supported and mentored the Acciona Construction Environmental Manager. In addition, Ken personally led the community and business reference group consultation process on behalf of the design and construction joint venture, successfully gaining signoff from these consultation bodies on the environmental plans and strategies.

**Environmental Management Representative (ER)** - The role of Independent Environmental Representative on major infrastructure projects in NSW was established in 1998 and continues to be a requirement of the Conditions of Approval for all major infrastructure projects in NSW. The appointees are nominated by the project proponent or construction consortium but are approved by and report to the Director General of the Department of Planning and Environment (DPE).

- The scope of the ER's role is broad range and includes:
  - Interpreting and advising on requirements of the Project Approval.
  - Reviewing and assessing the performance of the project against the Conditions of Approval, Project Deed and other relevant project related approvals. In that role, the ER reviews and approves all environmental related plans (EMPs), audits the implementation of environmental management plans and strategies, verifies (through audit and surveillance) compliance with the relevant project approval and project deed requirements, monitors and reports on regulatory compliance and provides reports to the Department and the project proponent on these matters.
  - Reports on compliance related issues to the public and investigates environmental and compliance issues, complaints and incidents.
  - Review and approval of vegetation clearing and other high (environmentally) impact activities.

Ken has fulfilled the role of Independent Representative on seven major infrastructure projects:

- Hunter Expressway (Motorway construction, Hunter Valley) - (2011 – 2013)
- Integral Energy 9JA Project (Transmission Line Construction Western Sydney) - (2006-2007)
- Westlink M7 (40km Motorway project, Western Sydney) - (2003-2005)
- Towra Beach Nourishment Project (Wet land protection, dredging project, Botany Bay) - (2004)
- Warragamba Dam Auxiliary Spillway Project– (1998 – 2013)
- Cronulla Sewage Treatment Plant Upgrade – (1998 – 2000)
- Liverpool Sewage Treatment Plant Upgrade – (2000)

**Upper Hunter Valley Alliance (UHVA) – Leighton Contractors /ARTC** - Ken led the team responsible for the provision of the environmental approvals (preparation of EMPs /construction licences etc.) on this major ARTC rail infrastructure program in the Hunter Valley of New South Wales. Ken's team on this project provided the entire environment and community and stakeholder team as a Sub-Alliance partner. In this role, Ken provides strategic advice on the approvals, licencing, construction environmental management and stakeholder management. His responsibilities included:

- Establishing the project Environmental Management System;
- Interpreting the Conditions of Approval and the Project Deed and advising the Leighton management team on all aspects of compliance with those key approval and contractual documents;
- Gaining the construction environmental approvals (preparation of EMPs /construction licences etc.) for range of projects delivered by the Alliance. In this role, Ken provided strategic advice on the approvals, licencing, construction environmental management and stakeholder management. He was also responsible for all internal document quality control.
- Selecting, commissioning and supervising the wide range of specialist environment service providers

- including ecological survey, tree reports, and pre-construction vegetation clearance reports.
- Advising the design and construction teams on tree clearing and management and integration of construction requirements into the flora and fauna management plans.

#### **Other relevant Infrastructure Projects led by Ken include:**

- Joint Defence Headquarter Construction Project (ACT) – Environment Approvals Manager
- Melbourne Desalination Plant Project – EMP preparation
- Ballina Bypass (Pacific Highway construction project) - Environment Approvals Manager
- Northern Hume Alliance (Hume Highway Duplication) - Environment Approvals and Community Manager
- Anvil Hill Coal Mine (Hunter Valley) - Environment Approvals Manager
- Shannon Creek Dam Construction Project - Environment Approvals and Community Manager
- Liverpool to Ashfield Pipeline Project (Sydney Water) - Environmental Approvals Manager
- Networks Alliance (Sydney Water –water and sewage mains renewals project) – KMH Management Representative
- Technical Reviewer and Economic Impact Analyst – DEC Construction Noise Management Guidelines (2006)
- Northwest Transit Way - Environment Approvals Manager
- Lane Cove Tunnel - Environment Advisor to Approvals and Construction Team
- North Connex – Environmental Management Plan preparation, consistency assessments and preparation of Environmental Impact Assessments to support variations to the project approvals
- Sydney Desal Plant -Internal QA Reviewer
- Keepit Dam Safety Upgrade – Project Director
- Cordeaux Water Treatment Plant – Lead Consultant and Project Manager

#### **Investigative / Expert Roles**

**Minter Ellison – Expert Opinion / Report (2018/9)** - Ken was commissioned by Minter Ellison on behalf of their client (a consortium of major construction contractors) to provide an expert opinion regarding the interpretation of impact of changes to the Conditions of Approval for a major Sydney linear infrastructure project on environmental investigation and reporting obligations and project cost impacts. This expert opinion was commissioned to support the resolution of a contractual dispute between the consortium and their client.

**Environment Protection Authority — Investigation of Illegal Land Clearing and Waste Disposal Activities (April 2015 – July 2017)** - Ken was the lead auditor for the investigations undertaken by the KMH team commissioned by the NSW Environment Protection Authority (EPA) to investigate an alleged illegal vegetation clearing and waste disposal operations located in the Hunter Valley, Hawkesbury River Basin and Arcadia (north western Sydney). Ken developed and supervised the implementation site investigation strategies that included a series of investigative processes designed to identify the location and extent of vegetation clearing, and to determine the depth and volumes

of buried construction and demolition wastes.

#### **Environment Protection Authority — Expert Reports Illegal Land Clearing and Waste Disposal Activities (2018)**

- Ken was commissioned by the NSW Environment Protection Authority (EPA) to provide expert opinion regarding the alleged illegal vegetation clearing and waste disposal at a site in the Hawkesbury River Basin and Arcadia (north western Sydney).

Ken was subsequently briefed to provide expert opinion in the legal actions taken by the EPA in these matters.

**Qenos Mandatory Environmental Audit** - Ken was commissioned as the Expert Independent Environmental Auditor (Lead Auditor) for the Qenos Mandatory Audit. As a result of a series of environmental incidents, Qenos were required by the NSW EPA to commission an independent auditor to determine if the plant is capable of being operated and maintained and if the plant is being competently operated and maintained, in order to minimise the risk of environmental incidents and better protect the environment.

In doing this, the audit Assessed the:

- o adequacy of Risk Assessment procedures and practices
- o adequacy of maintenance and operational Systems
- o physical condition and reliability of the Plant
- o adequacy and suitability of environmental risk management
- o adequacy and suitability of performance monitoring equipment
- o processes and procedures for identifying and rectifying plant and equipment issues.

Incidents and assessed of the adequacy the investigations and responses to those incidents.

**Orica Port Botany Ground Water Remediation Project – Expert Auditor** - Ken was the lead auditor for the independent compliance audit of the Orica groundwater remediation project. These annual audits were a condition of licence established by the (then) Department of Environment and Climate Change and the Department of Planning.

#### **Other**

**Kelian Equatorial Mining (Kalimantan, Indonesia)** - Ken led a specialist environmental and social impact audit team that was established by Rio Tinto (and approved by the Government) to investigate and report on the environmental and social impacts associated with alluvial mining operations

(downstream) from the Rio Tinto (major owner) operated gold mine located in the remote, mountainous region of Kalimantan. The audit team included Government representatives and was undertaken to address the concerns of local village communities that were being impacted socially and economically.

**Bougainville Copper Limited (Bougainville, PNG)** - Ken led two specialist projects for Bougainville Copper Limited. Including Investigation of the Loloho Port Facility on Bougainville Island. Ken lead the investigation team commissioned to identify and plan for the clean-up of hazardous chemicals left after BCL evacuated Bougainville at the commencement of the civil war in 1990. The investigation covered gases, PCBs, and minerals processing chemicals. The second project was clean up and destruction of chlorine and other compressed gases located at the Loloho Port facility on Bougainville Island.

Ken subsequently lead a team dispatched to Bougainville to chemically destroy 1 tonne of chlorine and other toxic gases. The team built a treatment plant on site and successfully removed the toxic gas threat.

#### **Waste Management**

##### **Review of Energy to Waste Technologies – Client Confidential (Australian Based Waste Management Company)**

Ken participated (as technical reviewer) in the preparation of a technical review of energy to waste technologies for a major waste management group operating in Australia. The purpose of the review has to provide the client with a detailed assessment of all available and emerging energy to waste technologies available including determining the barriers to implementation within the Australian market, political and social framework.

##### **Shredder Waste Disposal Assessment – Sims Metal**

Metal shredders produce a complex waste stream consisting of a mixture of plastic, rubber, metal and other materials that is costly to dispose of. Ken led the KMH team that researched the options for management of this waste stream and prepared recommendations for the development of waste treatment and disposal options (including energy extraction) for Sims Metal.