



# Mandatory Independent Environmental Audit

**Tritton Mine**

Aeris Resources Limited

08 August 2022

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# Executive summary

Aeris Resources engaged GHD Pty Ltd (GHD) to undertake an Independent Environmental Audit (IEA) of the operations of its Tritton Copper Mine located on Yarrandale Road, Hermidale in central New South Wales (NSW).

The Tritton Copper Mine is located within the Bogan local government area, 104 kilometres from Cobar and 62 km from Nyngan. 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 audit comprised review of documentation, a site inspection on 9 December 2021, interview with site personnel, consultation with agencies and reporting of findings (this report). The audit was undertaken in accordance with the brief outlined in the GHD Proposal (dated 23 April 2021) and carried out in accordance with the requirements of ISO 19011:2018 Guidelines for auditing management systems and the Independent Audit Guideline (Department of Planning and Environment, 2015). Environmental performance of the project was reviewed by assessing compliance with the requirements and conditions of the following regulatory approvals:

- Mining Lease 1544
- Consolidated Consent – Development Application (DA) 41/98 (Modification 6, dated 30 Jan 2019)
- Environmental Protection Licence (EPL) No. 11254

The IEA was required as per Condition 8, Schedule 2, of the DA 41/98 for the mine, 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.* The previous IEA was undertaken in 2018. This audit covered the period from 1 Dec 2018 to 9 Dec 2021.

Aeris Resources cooperated throughout the audit including the planning and organisation of site inspection to work around travel limitations imposed by COVID-19 restrictions as well as wet weather and localised flooding which required the audit to be postponed.

At the time of audit Aeris Resources demonstrated a good level of compliance. Positive measures that were observed during the audit that demonstrated compliance with requirements of the approvals included:

- Site monitoring and record keeping of environmental performance measures as required were being undertaken diligently
- The mine operational area appeared to be neat and managed well
- Areas surrounding the TSF were kept in an environmentally responsible manner with access to local wildlife and livestock.

Issues and opportunities for improvement were noted relating to:

- Unresolved audit findings from the 2018 audit
- Rehabilitation and revegetation of areas surrounding TSF that had been impacted by recent heavy rainfall
- Dust management around the mine operational area during heavy vehicle activity
- Storage of containers of potentially hazardous substances without adequate bunding
- Management of drainage pump-out system
- Material recovery from the waste landfill
- Outstanding reviews of management plans.

A number of management plans have been prepared for the mine's operations including programs and plans developed in accordance with the DA, ML and EPL. As per condition 6B of the DA 41/98, strategies, plans and programs need to be reviewed following the submission of an incident report, an audit report, or a modification to the DA. Not all plans have been reviewed or revised after the previous IEA.

This report is subject to, and must be read in conjunction with, the limitations set out in section 1.5 and the assumptions and qualifications contained therein and details provided in the Appendices of the report.

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# 1. Introduction

## 1.1 Project Background

Aeris Resources Limited (Aeris Resources) operates the Tritton Copper Mine, located on Yarrandale Road, Hermidale, New South Wales (NSW) 2831. The Tritton Copper Mine is located within the Bogan local government area, 104 kilometres from Cobar and 62 km from Nyngan. The mining complex includes two underground mines at Tritton and Girilambone, and the 1.8 million tonne per annum Tritton processing plant. The Project Approval 41/98 was granted on 1 September 1999 under Section 91 of the NSW Environmental Planning and Assessment Act by the NSW Minister for Urban Affairs and Planning and has been modified six times since that time (as at the time of this audit). 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 operation has an Environmental Protection Licence for up to 2 million tonnes total extraction capacity.

Aeris Resources operate Tritton Copper Mine in accordance with the following approvals:

- DA 41/98
- Mining Lease (ML) 1544
- Environment Protection Licence (EPL) 11254
- Water Extraction Licence 80BL245969.

## 1.2 Purpose of this report

GHD Pty Ltd (GHD) was engaged by Aeris Resources to undertake an Independent Environmental Audit (IEA) of the Tritton Copper Mine's compliance with the requirements of the abovementioned approvals. The IEA was required in accordance with condition 8, schedule 2 of the Consolidated Consent to Development Application (DA41/98, Modification 6, dated 30 January 2019) for the mine. It is understood that, as at the time of completing this audit report, a Modification 7 has been issued on 12 October 2021, issued with respect to modification application dated 07 August 2021 and a further Modification 8 request has been developed in December 2021. These set of requirements were not available at the time of commencing this audit. The Girilambone site is not included in this audit.

In line with condition 8, schedule 2 of the DA41/98, an external IEA is to be undertaken every three years. The previous IEA was undertaken in November 2018 by pitt&sherry. This present audit was commissioned in July 2021 and covered the period from 01 December 2018 to 09 December 2021.

This report details the audit methods as applied to this audit, presents the audit findings and provides corrective actions and recommendations based on the findings that if implemented, will facilitate improved compliance with relevant approval requirements.

## 1.3 Scope of Audit

As per Condition 8, schedule 2 of the DA41/98 Modification 6:

*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 recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.*

The audit was undertaken as per the brief outlined in the GHD Proposal (dated 12 Apr 2021). The audit provides an assessment of the environmental performance of the project by way of compliance with the requirements and conditions of the following regulatory approvals and provides recommendations to improve the environmental performance of the project:

- Consolidated Consent to Development Application 41/98 (Mod 6, dated 30 Jan 2019)
- Environmental Protection Licence (EPL) No. 11254 (08 Jun 2021)
- Mining Lease 1544

## **1.4 Audit Team**

The audit team comprised:

- Dr Avanish Panikkar (GHD Project Manager), Lead Auditor
- Demelza Scott (GHD Project Director), audit peer reviewer
- Nathan Alexander, support auditor

The audit team was approved by Department of Planning, Industry and Environment (DPIE) via letters dated 14 Jul 2021 and 30 Nov 2021 to undertake this audit. Details of the audit team and letter of DPIE endorsement are included in Appendix A of this report.

## **1.5 Limitations**

This report has been prepared by GHD for Aeris Resources Limited and may only be used and relied on by Aeris Resources Limited for the purpose agreed between GHD and Aeris Resources Limited as set out in section 1.2 of this report.

GHD otherwise disclaims responsibility to any person/entity other than Aeris Resources Limited arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report (refer section 2 of this report). GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by Aeris Resources Limited / Tritton Mine personnel and others who provided information to GHD (including Government authorities)], which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information.



The opinions, conclusions and any recommendations in this report are based on information obtained from, and testing undertaken at or in connection with, specific sample points. Site conditions at other parts of the site may be different from the site conditions found at the specific sample points.

Investigations undertaken in respect of this report are constrained by the particular site conditions, such as the location of accessible parts of the mine site, services and vegetation. As a result, not all relevant site features and conditions may have been identified in this report.

Site conditions (including vegetation, site structures the presence of hazardous substances and/or site contamination) may change after the date of this Report. GHD does not accept responsibility arising from, or in connection with, any change to the site conditions. GHD is also not responsible for updating this report if the site conditions change.

## 2. Audit Methods

The audit was carried out in accordance with the requirements of ISO 19011:2018 'Guidelines for auditing management systems' and the 'Independent Audit Guideline' (Department of Planning and Environment, 2015), as per instructions received from DPIE in letter dated 14 July 2021 approving the audit team. In particular, the GHD team conducted the audit considering the following:

- The key principles of auditing including the requirement of auditors to conduct themselves in an ethical manner, report truthfully and accurately, be diligent and have the appropriate competency to conduct the audit, be independent, and apply an evidence-based approach to conducting the audit.
- The audit objectives, scope and criteria were based on the Mining Lease ML1544, Conditions of approval DA41/98 and EPL11254 (the requirements). The scope of the audit was limited to compliance with the conditions therein, the environmental performance of the development, and the adequacy of strategies, plans or programs under the approval.
- An appropriate audit team was selected with skills and experience in environmental auditing to ensure that an adequate assessment of compliance with the requirements could be made.
- Relevant documentation was reviewed prior to the audit to make an initial determination of conformity of the system to the requirements, and to prepare an audit checklist containing appropriate questions to address during the site audit.
- Audit opening and closing meetings were conducted with the auditee to explain the format of the audit upfront and to highlight preliminary audit findings at the conclusion of the site audit.
- During the site inspection, audit interviews were conducted with Tritton Mine personnel and additional documentary evidence was discussed. An inspection of the site was conducted on 9 Dec 2021 around the accessible areas of the audit site and specifically at select locations to verify relevant compliance aspects of the audit.
- Verifiable evidence was collected and recorded throughout the audit and evaluated against the requirements to determine compliance status. All evidence was recorded on the Compliance Tables (Appendix D).
- A complete and accurate report was prepared and distributed to provide a record of the audit and its findings.

As per the DPIE letter, the audit report is to include the following:

1. Consultation with the relevant agencies
2. A compliance table indicating the compliance status of each condition of approval and any relevant EPL
3. Not use the term "partial compliance"
4. Recommend actions in response to non-compliances
5. Review the adequacy of plans and programs required under this consent and
6. Identify opportunities for improved environmental management and performance.

### 2.1 Document Review

GHD reviewed available documentation prior to site visit and required outstanding information was noted in the compliance register to be discussed at site audit and further review. Generally, the documentation included, among others:

- Mining Operations Plan
- Environmental Impact Statement
- Framework Environmental Management Plan and sub-plans as required
- Tailings Storage Facility Operation and Maintenance Manual
- Monitoring / annual review reports
- Correspondence relating to submission and approval of plans and programs
- Site procedures and management of site operations

Dean Woods and Anna Currall assisted with provision of documentation during the audit process, via email or secure file transfer system (*hightail*). Documentation reviewed are noted in the Compliance Register (Appendix D).

## 2.2 Consultation with Agencies

The following key stakeholders were consulted at the start of the audit process as required per Condition 8(b) of DA41/98:

- Bogan Shire Council
- DPIE
- NSW Resource Regulator (NSW RR)
- NSW Department of Primary Industries (DPI)
- WaterNSW (Environmental Assessments)

A letter was sent on 20 October 2021 to each of the abovementioned agencies advising of the upcoming audit, GHD's role in conducting the audit and requesting comments on the project performance as it related to their agency. A sample letter is included in Appendix B. GHD received written comments from Bogan Shire Council, DPIE and NSW RR as included in Appendix B and Table 1 as noted below.

Table 1 Agency Consultation Responses

Comment Received	Audit Response
<b>DPIE, received via email on 20 Oct 2021 from Georgia Dragicevic</b>	
Thank you for consulting the Department. Please ensure the audit is undertaken in accordance with the consent, paying attention to noise and traffic management.	Noted. The audit was undertaken against DA 41/98 as noted in Appendix D and Sections 3 and 4. Particular reference to noise (DA conditions 6(iv) 38) and traffic management (DA conditions 6(iii), 33-37) are included in Appendix D and summarised in sections 3.1.1 and 3.1.3.
<b>NSW Resource Regulator, received as letter attached to email on 1 Nov 2021 from Jenny Ehmsen, Principal Compliance Auditor</b>	
Thank you for your email and letter dated 19 October 2021 requesting consultation on the independent audit to be undertaken of the Tritton Copper Mine which is covered by Mining Lease 1544 (ML1544). The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.	Noted
– Review relevant mining leases and exploration licences as agreed with Resources Regulator;	ML1544 and conditions pertaining to Exploration Licences 4038 and 4962 reviewed within audit scope. The Exploration Licences themselves were not included in the audit scope however reviewed against pertaining ML condition 32.
– Undertake an assessment of compliance against the conditions of title related to environmental management;	Audit reviewed compliance against conditions as per the ML, DA and EPL approvals and environmental management was also reviewed during site inspection. Refer to section 3.1 for discussion on environmental performance and Appendix D for compliance with specific conditions.
– Verify that there is a current Mining Operations Plan (MOP) in place, and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP;	Current MOP is valid till 2022, Evidence of approval from DOI Division of Resources and Energy (29 April 2016) sighted as noted against ML condition 2 and DA condition 4.
– Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:	A review of 2016-2022 MOP has been undertaken within the scope of this audit against ML condition 2 and DA condition 4.
– Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s);	MOP has been reviewed against relevant conditions (DA and ML) in this audit. 2020 Tritton Copper Rehabilitation monitoring report (DnA Environmental, Jan 2021) sighted provides assessment of progressive rehabilitation. Section 4 of the MOP details requirements, including DA 41/98, for progressive rehabilitation and final land use. There is general agreement between the requirements and the Strategy.
– Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval;	MOP has been reviewed against relevant conditions (DA and ML) in this audit. The approved MOP is deemed appropriate with regards to rehabilitation objectives and completion criteria as relevant to the proposed final land use. Appendix 5 of the MOP provides a Mine Closure Plan, prepared in accordance with the requirements which states that grazing will be the primary post-mining landuse, compatible with surrounding areas.
– Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records;	Implementation of the rehabilitation monitoring programs has been reviewed. The rehabilitation monitoring report by DnA Environmental includes recommendations and management actions to address identified deficiencies in ecological and floristic diversity. Aeris demonstrated that they are continuing to implement recommendations from the monitoring report. Areas of protective measures

Comment Received	Audit Response
	to revegetation from environmental issues were noted along TSF embankment (see Photo 7, Appendix E).
<ul style="list-style-type: none"> <li>- Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation;</li> </ul>	A specific rehabilitation care and maintenance program has not been developed as the mine is still in active operation. There is evidence, as per sighted documentation and per site observations, that site rehabilitation and monitoring is undertaken. Section 8 of AEMRs report rehabilitation progress and annual rehabilitation monitoring is undertaken by external consultant. Aeris advised that a rehabilitation care and maintenance program would be developed closer to mine closure timeline.
<ul style="list-style-type: none"> <li>- Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection;</li> </ul>	As per documentation reviewed in this audit against various ML and DA conditions, and as per site observations, the mining operations are considered to be conducted as per the MOP.
<ul style="list-style-type: none"> <li>- Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and</li> </ul>	MOP has been reviewed against relevant conditions (DA and ML) in this audit. 2020 Tritton Copper Rehabilitation monitoring report (DnA Environmental, Jan 2021) sighted. As per site observations, rehabilitation attempts are in progress as per MOP and reported in AEMRs. It is noted that all areas within the mine site are still in active operation. Recent rains had initially assisted in site revegetation efforts, however, recent heavy rainfall has also caused localised erosion and damage on the TSF embankment northern wall. The 2020 Rehabilitation Monitoring Report by external consultant DnA Environmental indicates current performance of rehabilitation with mixed results, some KPIs being met while making recommendations to a few issues such as soil chemistry and composition of local native grassland communities. As such, rehabilitation progress is a work in progress to be consistent with the approved MOP (noting the current MOP is dated 2016 and is due to be updated by end of 2022).
<ul style="list-style-type: none"> <li>- Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.</li> </ul>	Site audit observations - localised erosion and impact on rehabilitation on the TSF wall noted. Rehabilitation monitoring report by DnA Environmental includes recommendations and management actions, which Aeris demonstrated are being addressed. NSW RR letter dated 12 Jun 2018 as Inspection Outcome had provided observations and recommendations on progress on revegetation management. Areas of protective measures to rectify revegetation issues from environmental issues were noted along TSF embankment (see Photo 7, Appendix E).
In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.	Site audit observations and site discussions - efforts for rehabilitation is continuing. While attempts are being made to address rehabilitation issues including review of the revegetation species selection, this audit has not viewed the results to be evidence of industry best 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.	Aeris Resources to send final report to all relevant authorities.
<b>Bogan Shire Council, received as letter attached to email on 11 Nov 2021 from Cathy Black, Director Development and Environmental Services</b>	
I refer to your letter dated 19 October 2021 inviting Bogan Shire Council to comment on Tritton Resources Pty Ltd's performance prior to GHD undertaking an Independent Environmental Audit	Note

Comment Received	Audit Response
When undertaking the Environmental Audit could you please provide clarification on the following sections of the Aeris Tritton Operations Annual Environmental Management Report (AEMR):	-
Section 4.5 Waste Rock Management In regards to routine sampling for Potentially Acid Forming material, how often was this sampling carried out in the reporting period? What were the results of the Net Acid Producing Potential and Net Acid Generation Tests?	Waste rock samples are taken quarterly. A summary of 2021 and 2020 test results shows: – Net acid producing potential (NAPP) (ranging from -132 to 381, average 15.55) – Net acid generation (NAG) (ranging from 2.4 to 53.2, average 6.325)
Section 6.2.2 Environmental Performance This section identifies that there was “a lack of revegetation success” in 2019 on the TSF western embankment wall due to drought conditions. Please provide an update on the status of the revegetation on the western TSF embankment since reasonable rainfall has been received.	As per 2020 AEMR section 6.2.2, lack of revegetation success continued due to continuation of drought. Rains during 2020 has assisted with some plant growth as noted in the site visit. Rains more recent to the audit period had caused localised flooding around the TSF and erosion issues and had some impact to revegetation however, as per site discussions, Aeris is undertaking measures to rectify this. Recent rains had initially assisted in site revegetation efforts as noted (see Appendix E Photos 18 and 20).
Section 6.5.1 Environmental Management Please confirm that the incident reporting system is being used as no spills over 20 litres were recorded throughout the reporting period.	Incident reports are captured in INX system. The 2018 AEMR reported five spills and the 2019 AEMR reported two spills. As per available information, there were no spills to report in 2020-2021.
Section 6.7.4 Further Improvements Have any pre-clearance surveys been conducted in the 2021 reporting period.	Yes, four surface disturbance notices were completed in 2021 which required pre-clearance surveys.
Section 6.8.1 Environmental Management Confirm implementation of the Weed Management Plan	Section 6.8 of AEMRs provide details of implementation of the Weed Management Plan. Tritton Environmental Site Inspection sheets sighted, which include review for weed infestations. No weed control measures had been flagged in the sighted inspection records.
Section 6.12.3 Reportable Incidents Please advise conservation methods used for the scarred tree which was harmed during the reporting period.	The damaged scarred tree has been left where it fell. The site is identified, and monitoring provisions are in place for maintaining the registered Aboriginal sites on mine land. As assessed against DA condition 7, in a letter dated 23 Feb 2021, DPIE Biodiversity and Conservation Division stated that a regulatory response to alleged person responsible acting independently of Aeris Resources, thus the matter was closed. This has been assessed against ML condition 19 as well (Appendix D).
In regards to the Environmental Planning and Assessment Act 1979 on page 1 of the AEMR the following details are incorrect: Section 122B is now Section 9.38 Section 122E is now Section 9.42	Noted, to be incorporated in 2021 AEMR.
Bogan Shire Council have been advised of one complaint on May 7 2021, in relation to the clearing conducted for the new overhead power line extension from Hermidale to the water storage dam. The nature of the complaint was in relation to retained timber outside the clearing zone, which was described as unsightly and a fire hazard. Whilst it would appear that a concurrence notice has been issued by Transport for NSW for the works, Tritton’s Senior Environmental Advisor, Dean Woods,	Essential energy was consulted by Aeris. As the timber was deemed fire hazard, it was mulched and removed. Initial advice to Jackson Williams-Hedges at Council from Dean Woods (7 May 2021) via email sighted. Consultation email to Jackson Williams-Hedges and Cathy Black dated 16/11/2021 from Dean Woods providing measures undertaken/proposed to manage the timber visual impact and potential fire risk sighted.

Comment Received	Audit Response
<p>stated "Once we have gathered feedback and confirmed the vegetation clearing guidance and any special conditions, we will be in a better position to plan some mitigating measures for the concerns about visual impact and potential fire risks. I will provide Council with this feedback as soon as possible". Council has not yet received further correspondence detailing the outcome of this complaint.</p>	

## 2.3 Site Audit and Inspection

The site inspection component of the audit was undertaken on 9 December 2021.

### 2.3.1 Site Meetings

The audit team attended the necessary site inductions, thereafter an opening meeting was held on-site at Tritton Copper Mine office. The list of participants is below:

- Dean Woods (Environmental Coordinator)
- David Hume (General Manager)
- Anna Currall (Environmental Specialist)
- Dr Avanish Panikkar (Lead Auditor) and
- Nathan Alexander (Support Auditor).

Following introductions, the purpose and scope of the audit was outlined. Status of preliminary documentation review undertaken to-date was discussed. 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.

Audit interview comprised of discussions with Dean Woods and Anna Currall throughout the day guided by the audit criteria which addressed the conditions of the Project Approval, ML and EPL. Where possible, documents and data collected during the audit were reviewed whilst on site. A number of documents were provided to the audit team prior to the onsite component of the audit. Additional documents that were not available during the onsite component were provided following the audit.

Audit closing meeting was attended by the same personnel that attended the opening meeting (as above). The closing meeting discussed any outstanding matters, presented preliminary findings and outlined the process for finalising the audit report.

### 2.3.2 Site Inspection

The site inspection was conducted by GHD auditors Avanish Panikkar and Nathan Alexander, accompanied by Aeris Resources representatives Dean Woods and Anna Currall. The inspections included a general site tour and inspections of the below specific areas of interest, throughout recording of observations and discussing any issues noted:

- Hydrocarbon and chemical storage areas
- Accessible areas of workshop and related facilities
- Tailings Storage Facility (TSF) including rehabilitation areas and borewell locations
- Landfill
- Permanent water source (Environmental Pond) for native wildlife
- Heritage protection area
- Biodiversity offset areas

Conditions on the day of the site inspection was sunny and clear, with a high temperature of 24.3°C and moderate south-westerly winds around approximately 20km/h.

Photographs and observations from the site inspection are provided in Appendix E.

All information obtained during the audit process was verified by the audit team where possible e.g., statements made by site personnel were verified by viewing documentation and/or visual observations made during the site inspection.



## 2.4 Reporting

This report presents the findings of the Tritton Copper Mine 2021 Independent Environmental Audit required by DA41/98 Condition 8. This report responds to the scope of the audit as outlined in Table 2.

*Table 2 Audit scope requirements*

<b>Requirement</b>	<b>Reference</b>
Be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2015)	Section 3 and Appendix D of this report
Be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary	Appendix A of this report
Be carried out in consultation with the relevant agencies	Section 2.2 of this report
Assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent	Appendix D of this report
Recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent	Section 4 of this report

## 3. Audit Findings

Aeris Resources Project Approval required the audit to:

- Assess the environmental performance of the project
- Assess whether the project is complying with the requirements in this consent, and any other relevant approvals, or licence
- Review the adequacy of any strategy/plan/program required under this approval.

The environmental performance of Tritton Copper Mine has been reviewed by assessing compliance with the Project Approval, ML and EPL as listed in Section 1.3 of this report. The following sections summarise the audit findings with a detailed review of the compliance status of the site, including recommendations to address non-conformances is provided in the Compliance Registers in Appendix D.

### 3.1 Overall Environmental Performance

Overall, environmental performance and site management at Tritton Mine site is assessed to be satisfactory.

A range of positive measures were observed during the audit that demonstrated compliance with many of the requirements of the DA, ML and EPL. Site monitoring and record keeping of environmental performance measures as required were being undertaken diligently. The mine operational area appeared to be neat and managed well. Areas surrounding the TSF were kept in an environmentally responsible manner with access to local wildlife and livestock. A comparison of MOD 6 (scope of this audit) and MOD 8 (June 2022) indicated no change to the physical extent of the overall development in comparison to the site EIS prepared by R. W. Corkery & Co Pty Ltd (Jun 1998). No potential off-site impacts of the development, other than those reported in annual reports, were identified during the audit. The reported impacts were consistent with the impacts predicted in the EIS as assessed in Appendix D.

Areas for improvement were identified with regards to the following aspects of operations at Tritton Copper Mine:

- Rehabilitation and revegetation of areas surrounding TSF that had been impacted by recent heavy rainfall
- Dust management around the mine operational area during heavy vehicle activity
- Storage of containers of potentially hazardous substances without adequate bunding
- Management of drainage pump-out system
- Material recovery from the waste landfill

#### 3.1.1 Noise and Vibration

During the site visit, while the site was in full operation, Aeris Resources are managing their operations to avoid excessive noise or vibration impacts on neighbours. As per available data, viewed via noise monitoring reports and professional assessment of data, noise and vibration attributed to operation of the mine site is within limits.

#### 3.1.2 Soil, Water and Hydrology

Much of the mining site area was found to be impacted by stormwater from recent heavy rains which impacted the auditors' ability to inspect some areas of the mine during the site audit. Evidence was sighted of attempts to pump out the accumulated stormwater to clear the area. Erosion was observed on the northern side of the Tailings Storage Facility embankment which has impacted rehabilitation works. Aeris representative mentioned that this was being monitored and managed. This is noted as an Observation and needs to be corrected in consultation with relevant agencies as required. The auditors recommend that, if required, a specialist consultant be engaged to advise and assist with the site rehabilitation works.

Potential for soil and water pollution was noted (Non-compliance 20) arising from an inoperable drain pump at sump near the workshop area (see photo 6 in Appendix E) and storage of fuel and other containers without proper bunding at various locations within the site, such as one of the stormwater pump near the TSF (see photos 3, 7 and 8 in Appendix E).

Aeris Resources has a comprehensive groundwater monitoring and reporting program.

### 3.1.3 Traffic and Access

Traffic and access at the site were found to be satisfactory. Documented speed limits are enforced within the mine site area. Speed limits are sign posted around the mine site trafficable areas in accordance with the Traffic Management Plan. Light vehicle parking was seen in designated areas.

### 3.1.4 Air Quality

Generally, air quality at the mine site area is not impacted by site operations. However, dust emissions from truck movements were observed that had the potential to leave the premises (Non-compliance 1, see photo 11 in Appendix E). A water cart, though documented as a management measure, was not found to be in operation at the time of the audit. Aeris advised that one water cart was not operating as it was being serviced and that one other water cart was in operation; however, this was not observed. During the site audit, wind-blown dust was noted on the surface of the tailings dam (see photo 10, Appendix E). There were however no air quality related complaints on record for the audit period. Dust monitoring is being undertaken and reported in EPL annual returns as required.

### 3.1.5 Waste / Soil Management

Management of processing waste (waste rock and tailings) is viewed as satisfactory at the site. Processes and procedures have been developed and implemented to manage waste rock. Detailed reporting of waste rock management is included in AEMRs.

Opportunities for improvement are noted in terms of the landfill, where copious amounts of recyclable materials were sighted to be 'landfilled' that could be recovered for recycling (see photo 13, Appendix E). The AEMR notes that the landfill was compacted and covered during September 2013 and the life span of the landfill is assessed to be 4-5 years. This has not been reassessed during the three years of audit period.

### 3.1.6 Complaints and Incident Management

The Tritton Mine website has a whistleblower number and email address for comments and complaints from general public. Incidents are recorded in a cloud-based database that is retrievable.

As per Annual Reports and site discussions, no complaints were recorded during the audit period to have been received by Tritton Copper Mine. It is noted that Bogan Shire Council had received one complaint, as noted in Table 1 Agency Consultation Responses.

A total of 31 of incidents were recorded since the last IEA. A review of an extract of the online incident management system indicated these to be minor site incidents such as spills, with immediate action and detailed description of outcome noted – a system of managing the incidents to closure is evident in the maintenance of this register. As per sighted register extract, seven incidents remain open with no immediate actions prescribed. No incidents resulted in any enforcement action by any agency.

### 3.1.7 Summary of Notices

This audit reviewed public registers and records for agency notices/orders, penalty notices and prosecutions issued during the audit period. No notices or prosecutions were noted. An advisory letter issued by DPIE with reference to National Parks and Wildlife Act 1974 for 'alleged harm of a registered scarred tree' was sighted which was later closed out (reviewed against DA41/98 condition 7 in Appendix D).

## 3.2 Adequacy of Plan/Program

The audit assessed the adequacy of strategies and management plans prepared for the mine. Adequacy was determined based on inclusion of content in relevant conditions and the Guideline for Preparation of Environmental Management Plans (DIPNR 2004), suitability of the plans for the site operations and effectiveness in managing environmental impact of the mine.

As per condition 6B of the DA 41/98, strategies, plans and programs need to be reviewed following the submission of an incident report or an audit report, or a modification to the DA. Not all plans have been reviewed or revised after the previous IEA. This has been noted as a non-compliance. A number of the management plans assessed were found to be overdue for review including:

- Mine Closure Plan
- Framework EMP
- Dust Management Plan
- Waste Rock Characterisation and Management Plan
- Cultural Heritage Management Plan
- Safety Management System

Details are noted as observations or administrative non-compliance in this audit (Appendix D and Section 4).

According to the Project Approval, the Final Hazard Analysis, Emergency Plan and Safety Management System need to be prepared with reference to the Department's Hazardous Industry Planning Advisory Papers. These were found to either not exist, have not been updated recently or have not been prepared with reference to the required guidelines.

The scope of this audit included review of various strategies, plans and programs as required by the DA conditions. Evidence of consultation with authorities and agencies in preparing various strategies, plans and programs were not available to be sighted. These have been assessed at Not Verified which may lead to Non-Compliance if they cannot be provided. If this is the case, these documents need to be revised in consultation with relevant agencies as noted throughout Appendix D Compliance Tables and summarised in Section 4 of this report.

This audit found opportunities for improvement in document control measures such as for Flora and Fauna Management Plan Ver 2 Vol 3 (2021) where there are two document numbers on the cover page (TRL-HSET-MP-ENV-004 and TRL-HSET-MP-ENV-003) and notes last review/issue date in September 2019. The Auditors were advised this plan functions as the Contingency Plan required by DA condition 6(ii) however it is not clarified in the document that it serves the purpose and meets the requirements for the Contingency Plan.

### 3.2.1 Environmental Management System

A specific EMS has not been developed for the site. The site's approach to Environmental Management is described in the Framework EMP as reviewed against DA41/98 conditions 5 and 6. The audit found opportunities for improvement with regards to the FEMP and sub-plans as noted in the Appendix D Compliance Tables.

### 3.2.2 Annual Reporting

Section 5 of the AEMRs include a summary table of review comments received from various entities on preceding AEMRs and action taken to address the comments. It is noted that the AEMRs do not report on progress made in implementing an Action Plan developed as an outcome of the most recent Independent Audit. This audit has included a recommendation (refer Corrective Action 3, Table 9) to address this.

## 3.3 Implementation of 2018 IEA recommendations

The recommendations made in the 2018 IEA and the status of recommendations as at 9 December 2021 are provided in Table 3 below.

Table 3 Follow up on 2018 Audit Findings

Schedule / Condition Reference	2018 IEA Recommendations	2021 Audit Follow Up
<b>Non-Compliances</b>		
DA 4(v)	Evidence of distribution of the MOP to relevant agencies should be maintained.	Evidence of distribution and/or approval of MOP by relevant agencies (DOI, DRE, Council) sighted. <b>Compliant.</b>
DA 6(ii)	Review and update the Land Management Plan and Flora and Fauna Management Plans to ensure that the potential or actual presence of any threatened species is accurately addressed.  Prepare a contingency strategy in consultation with OEH.	FFMP has been updated as required. Contingency strategy has not been sighted in this audit. Aeris responded that the FFMP serves the purpose of contingency strategy. The auditors' view is that the FFMP is considered to satisfy the requirement for Contingency Strategy in the details it includes.
DA 6(iii)	Revise the TMP and attach relevant consultation with RMS.	Evidence of consultation with RMS in updating TMP not sighted. <b>Non-compliant.</b>
DA 6(v)	Evidence of consultation with relevant agencies should be noted in the next revision of the plans and copies of relevant correspondence retained for future audits.	Dust Management Plan has not been updated and no evidence of consultation with agencies noted. <b>Non-compliant.</b>
DA 6A	Review and Revise the EMP and related Plans in accordance with this Condition.	This is assessed as <b>Administrative Non-compliance</b> against DA condition 6B of DA Mod6 which require all strategies, plans and programs to be reviewed within 3 months of submission of an audit report and any modifications to the DA conditions of consent.
DA 9	Ensure TSF is maintained for tailings storage only- plastic materials and drums should not be placed in the TSF and existing wastes deposited with the TSF be removed if safe to do so.	TSF was observed, during site audit inspection, not to have plastic materials and drums randomly placed. Drums are only used to support pipeline and no waste materials were sighted to be deposited. <b>Compliant.</b>
DA 21	Evidence of consultation with OEH should be noted in the plan and copies of relevant correspondence maintained for reference in future audits.	Correspondence with OEH noted in updating the FFMP. <b>Compliant.</b>
DA 23 DA 23(i) – 23(vi)	The TSF Manual should be revised to address requirements of this condition, in consultation with DRE and EPA.	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. <b>Non-compliant.</b>
DA 27(a)	Update pre-start procedure /check list to include observations for the presence of Kultarrs.	A review by OEH sighted dated Jun 2019 and an updated FFMP (2021) section 6 includes detailed pre-start monitoring procedures for threatened fauna including Kultarr. <b>Compliant.</b>
EPL L2.7	Update the Waste Management Plan to specify the proper disposal procedures for all waste types and provide updated information	The 2018 IEA observed that Wastes other than tailings (drums, pallets, bore cores and boxes, metal) were observed to have been dumped into

Schedule / Condition Reference	2018 IEA Recommendations	2021 Audit Follow Up
	and training to relevant personnel (and contractors).	the TSF. This was found to be rectified, in this audit. However the 2018 IEA recommendation to update WMP has not been undertaken.
EPL O1.1	Update the Waste Management Plan to specify the proper disposal procedures for all waste types and provide updated information and training to relevant personnel (and contractors).	The 2018 IEA observations in relation to the disposal of waste materials in contravention of Condition L2.7 resulted in the recommendation to update WMP. This plan has not been updated though the practice of waste disposal in TSF was found to have been rectified. Training records of operational personnel was not available to assess competency of relevant personnel and contractors. <b>Not Verified.</b>
EPI O4.4(b)	Ensure drums are fully stored within bunds and the bunds have adequate containment volume.  Ensure containers are used with correct labelling.  Waste materials with hydrocarbons should be stored and disposed of appropriately.  Ensure the matters raised by EPA and DPE following 2017 AEMR review inspection are closed out in a timely manner in consultation with EPA and DPE.	This audit found some containers to be in the same situation (see Appendix D of this report). The drainage pit and pump in a bunded area near the maintenance yard was found to be inoperable. Ground contamination was noted in storage yard that appeared to be from contaminated water. During site visit, a diesel tank was spotted near TSF for stormwater dewatering pump, without bunds or trays. <b>Non-compliant.</b>
EPL O4.6	Ensure stacked drums are fully stored within bunds and the bunds have adequate spill / leak discharge capture volume.	Stacked drums were found to be within adequate bunds in this audit. <b>Compliant.</b>
EPL M3.1	Ensure all sample collection and handling is undertaken in accordance with EPA Approved Methods.	Water Management Plan section 6.2 refers to EPL 11254 and AS/NZS 5667.1:1998 - Water Quality Sampling Standard and the ANZECC guidelines. A review of monitoring program by Arcadis (consultant) sighted, in which the Section 6 reviewed the sample collection methods (Appendix B) against best practice procedures endorsed by NSW EPA. The detailed review made recommendations for some edits however advises that the current methods are in line with best practice procedures as per US EPA (Approved Methods). <b>Compliant.</b>
<b>Observations</b>		
DA 5(v)	It is recommended that the role of Environmental Coordinator or the direct supervising role of Resident Manager is included in the Emergency Management team with adequate authority and independence as required by this condition.	The authority and independence required in this condition is not clearly stated in the EMP (section 2) or the Position Description of Environmental Coordinator. This has been raised as an <b>Administrative Non-compliance.</b>

Schedule / Condition Reference	2018 IEA Recommendations	2021 Audit Follow Up
DA 6(iv)	Revise the Noise and Vibration Management Plan including updating the section 4. While EPA has decided not to review the plans, TRL should send the plan to EPA for information as required by this Condition.	Noise and Vibration Management Plan has been updated in 2019. Correspondence with EPA sighted. <b>Compliant.</b>
DA 6(vi)	Clearly Reference the relevant section within the MOP that describes the mine infrastructure and facilities within the Framework Environmental Management Plan	Framework EMP has not been revised. This <b>Observation</b> remains with reference to NC12 in this audit.
DA 6(ix)	If the PHA recommendations are addressed in the EMP and sub-plans, it should be clarified in the next revision of the plans.	No specific reference to the PHA was found in the EMP and sub-plans. This has been assessed as <b>Administrative Non-Compliance.</b>
DA 17	Ensure section numbering is corrected in future AEMRs	<b>Compliant.</b>
DA 20	Evidence of consultation with EPA should be noted in the plan and copies of relevant correspondence maintained for reference in future audits. While EPA has decided not to review the plans, TRL should send the plan to EPA for information as required by this Condition.	This condition was <b>not triggered</b> during this audit period as documentation had not been revised.
DA 29	Issue the revised Landscape management plan to Council.	Landscape Plan was revised and submitted to the council, thus the 2018 IEA Observation can be closed. However, a new <b>Observation</b> is raised in this audit as the it is not clear who revised the Plan.
DA 31	Acceptance should be sought from OEH Nyngan Catchment Advisory Officer on the plant species and fertilisers as required by this condition.	Aeris had contacted OEH and was advised to contact Local Land Services department. Correspondence was sighted. <b>Compliant.</b>
DA 33	Revise TMP to include access details	TMP has been revised and Rev4 dated Aug 2021 sighted to include required details. <b>Compliant.</b>
DA 38(i)	The noise monitoring undertaken to date is at the rural property boundary, not the actual property residence. It is recommended that <u>consideration</u> be given to undertaking a series of attended noise monitoring at the actual residence and correlating the noise levels associated with the mine operations at the residence with actual noise levels measured at the mine with the intention of calibrating a noise model. This approach would provide the mine with a tool that would allow noise monitoring to be undertaken at the mine and noise impacts at the residence to be calculated that could eliminate the issue of elevate background noise levels and simplify the assessment of compliance against this Condition.	Aeris Resources have considered this but decided to continue monitoring noise at the boundary rather than the premises. Given that the monitoring has occurred at the closest point to the mine on the property, that the area is quite flat (thus eliminating noise reflectivity or changes to 'line-of-sight'), and that mine noise was noted as inaudible throughout all measurements in Noise Monitoring Assessment, Aeris Resources have adopted a conservative approach to assessing compliance of noise against the criteria in the approval.  This audit has raised an <b>Observation</b> to correct the site map in the MAC noise assessment report.
EPL L2.4	1. The quantity of waste reported to have been disposed of into the landfill is inconsistent. It is recommended that the volume of waste disposed of is determined	This condition requires that for Inert Waste Class II landfill, waste that is not physically, chemically or biologically treated or processed waste that is assessed as inert can only be landfilled. As per

Schedule / Condition Reference	2018 IEA Recommendations	2021 Audit Follow Up
	<p>annually and that reports to the EPA (and other Agencies) and the AEMR are consistent).</p> <p>2. Ensure that the EPL Conditions are correctly referenced in future AEMRs and other reports.</p> <p>3. Correct information regarding compaction and covering, quantity of waste landfilled and what the landfill can receive should be included in future AEMRs.</p> <p>4. Waste Management Plan should be reviewed and revised.</p>	<p>reports, site discussions and site observations, the waste that is landfilled is not treated or processed. Therefore, it is assessed as <b>Compliant</b>.</p> <p>Waste quantity landfilled is being assessed and reported in AEMR section 4.8 in tonnes and notes that compaction and covering occurred in Sept 2013.</p> <p>AEMR section 4.8 refers to EPL condition as <i>EPL11254 Condition L2 – Waste</i>.</p> <p>It is noted that the WMP has not been revised since the 2018 IEA.</p>
EPL M5.2	Aeris Resources / Tritton Mine website should clearly indicate the public complaints line number.	A whistleblower phone number and email address are noted on the company website. <b>Compliant</b> .
EPL R1.1	Ensure all sections of the Annual Returns are completed and reviewed prior to submission.	EPL Annual Returns have all sections completed. <b>Compliant</b> .
ML 28	<p>Update MOP to refer to the latest Mine Closure Plan.</p> <p>The Mine Closure Plan should refer to the correct Strategic Framework for Mine Closure as required by ML1544</p>	<p>The compliance register included in the MCP, in Appendix H, refers to Strategic Framework for Tailings Management in relation to ML1547 (the condition noted is as per ML1544) and not the Strategic Framework for Mine Closure. It is noted that the MCP generally includes the elements required by the Framework.</p> <p>There was a gap analysis undertaken on the MCP which prescribed several actions to update MCP. A detailed timeframe for this update (MCP General Update to occur during August 2021) and other aspects has been sighted. This has not been undertaken as per evidence sighted at this audit. This audit has raised an <b>Administrative Non-compliance</b>.</p>
ML 31	Seek formal approval from DPE for the appointment of the Environmental Advisor.	The formal approval for appointment of the Environmental Advisor has not been provided by DPE during this audit period. The auditor sighted Aeris Resources' letter to DPIE dated December 2018. This audit raises an <b>Observation</b> in this regard and recommends Aeris Resources to continue follow up with DPE/NSW RR for confirmation of appointment on record.



### 3.4 Audit Findings Summary

The assessment criteria used to determine compliance, as per Independent Audit Guideline (DPE 2015) is outlined in Table 4.

Table 4 Compliance Assessment Criteria

Assessment	Criteria
Compliant	The site complies with the requirements of applicable regulatory instruments (DA/Licence/Permit) and associated environmental requirements. 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.
Not Verified	Where the auditor has not been able to collect sufficient 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 sufficient 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. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
Non-Compliant	Clear evidence has been collected to demonstrate the particular requirement has not been complied with and is within the scope of the audit. Site displays little or no evidence of compliance with the requirements of the regulatory documentation.
Administrative non-compliance	A technical non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g., report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g., exceedance of a noise limit) or where a requirement had not been met at all (e.g., noise management plan not prepared and submitted for approval).
Observation	Observation (Minor non-compliance) Evidence of controls being partially in place, but with some gaps evident. May have an understanding of requirement but cannot verify its implementation.
Not Triggered	Not Applicable / Not Triggered The respective condition / requirement was not activated within the scope of the audit.
Noted	A statement or fact, where no assessment of compliance is required.

Risk levels for any non-compliances were identified consistent with Table 5.

Table 5 Risk levels for non-compliances

Risk Level	Description
High	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium	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>
Low	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>
Administrative non-compliance	Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g., submitting a report to government later than required under approval conditions).

A summary of compliance with statutory requirements is provided in Table 6 with details summarised in Tables 7 and 8. The number of conditions include sub-clauses within each approval document.

Table 6 Summary of Statutory Compliance

Approval / Licence	Compliant	Non-Compliant	Administrative Non-compliance	Not Verified	Observation	Noted	Not Applicable or Not Triggered
<b>Consolidated Consent (DA 41/98)</b>	51	9	3	1	3	7	25
<b>EPL No. 11254</b>	33	2	0	0	3	8	11
<b>Mining Lease 1544</b>	19	0	1	0	3	12	15
<b>TOTAL</b>	102	11	4	1	9	27	52

Table 7 Summary of Non-Compliances

NC Identifier	Condition	Non-Compliance	Risk Level
1	DA 48 EPL O3.1	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.	Yellow
2	ML 28	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.	Blue
3	DA 1(ii) DA 8	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.	Yellow
4	DA 5 (v)	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.	Blue
5	DA 6(iii)	Consultation with RMS on updated Traffic Management Plan not sighted.	Yellow
6	DA 6(v)	Consultation with EPA on 2015 Dust Management Plan not sighted. This plan is overdue for review (biennially)	Yellow
7	DA 6(ix)	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.	Blue
8	DA 6B	The EMP has not been reviewed within 3 months of submission of previous audit report or after modification of DA.	Blue
9	DA 23	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.	Yellow
10	DA 37A	Evidence of consultation with Council not sighted in preparing Drivers' code of conduct.	Yellow
11	DA 52	Final hazard analysis was not available to verify.	Yellow
12	DA 53 (a)	Emergency Management Plan does not specifically refer to the HIPAP No1 or the preliminary hazard analysis as required in this condition.	Yellow
13	DA 53 (b)	Safety Management System documentation does not specifically refer to the HIPAP No9 or the preliminary hazard analysis as required in this condition.	Yellow
14	EPL O4.4	This audit found some containers to be placed without proper bunding or labelling (see Appendix D of this report). The drainage pit and pump in a bunded area near the maintenance yard was found to be inoperable. Ground contamination was noted in storage yard that appeared to be from contaminated water.	Orange

NC Identifier	Condition	Non-Compliance	Risk Level
		A diesel tank was spotted near TSF for stormwater dewatering pump, without bunds or trays.	

**Table 8 Summary of Observations**

Observation Identifier	Condition	Observation
1	ML 12(a)	Localised erosion was observed during site audit around TSF which has impacted previous rehabilitation works which needs to be rectified.
2	ML 13	NSW RR conducted a Targeted Assessment Program (TAP) at the mine site. The letter issued with findings includes ten recommendations to be undertaken. It is noted that these are not directions for immediate action.
3	ML 31	Confirmation of the Director General's approval has not been provided to the appointment of Environmental Officer. This was raised as an observation in the 2018 IEA.
4	EPL L3.1 DA 38	Orientation of Map (giving location of noise monitoring location with respect to mine site) in MAC Noise Monitoring Assessment Report is incorrect.
5	EPL M2.1 EPL M2.2	Some of the monitoring wells were not sampled – with an explanation in EPL Annual Returns that the wells were dry. This was raised as an NC in the 2018 IEA. Action has been raised as an EPL variation to alter sampling frequency. This is yet to be confirmed.
6	DA 6(vii)	The Framework EMP (2012) section 10 states that at a minimum, the FEMP will be reviewed biennially. This is overdue for a review.
7	DA 29	Landscape plan has been revised however the document does not specify who prepared it, to assess if it has been prepared by a suitably qualified person.
8	DA 44	As per section 17.3 of CHMP, it should be reviewed biannually, or on a more regular basis as required. This has not happened.

## 4. Recommendations

Detailed audit findings are presented in Appendix D. Section 4.1 and 0 summarises the corrective actions and recommendations from the audit.

### 4.1 Corrective Actions

Corrective actions are required to correct matters of compliance identified by the audit. The review of compliance with DA 48/91, ML 1544 and EPL 11254 identified 14 non-compliances across 16 conditions. The corrective actions in Table 9 are prescribed to address the non-compliances identified in Section 0 and Appendix D of this report.

*Table 9 Summary of Corrective Actions*

CA No.	Condition	Corrective Action
1	EPL O3.1 DA 48	Operate water cart during truck movements around site. If the truck is under maintenance, have adequate back up plan implemented.
2	ML 28	Update the Mine Closure Plan referring to the correct requirements and addressing the gap analysis by Okane.
3	DA 1(ii) DA 8	Include a clear timeline and measures of progress for all responses to audit recommendations to review at subsequent IEA. In the Tritton response document, discuss progress made in implementing the Action Plan developed as an outcome of the most recent Independent Audit. Discuss progress made in implementing the Action Plan in section 10 of future AEMRs.
4	DA 5 (v)	Review and update the Framework EMP to reflect current position titles and position descriptions. Review and update Framework EMP to make sure the nominated personnel have adequate authority.
5	DA 6(iii)	Provide evidence of consultation with RMS for Traffic Management Plan update.
6	DA 6(v)	Provide evidence of consultation with EPA in preparing the DMP. Review and update DMP as required, in consultation with EPA.
7	DA 6(ix) DA 6B	Review all strategies, plans and programs within 3 months of this audit report. Ensure Preliminary Hazard Analysis recommendations are addressed in the next revision of the Framework EMP and sub-plans.
8	DA 23	Update Tailings Dam1 OMM Manual to address requirements of condition 23 including consultation with regulators.
9	DA 37A	Provide evidence of consultation with Council in preparing the Drivers' Code of Conduct.
10	DA 52	Prepare a final hazard analysis as per HIPAP No 6.
11	DA 53 (a)	Update Emergency Plan as per HIPAP No 1 and Preliminary Hazard Analysis.
12	DA 53 (b)	Update HSEMS policies and SMS/HS&EMS as per the HIPAP No9 and Preliminary Hazard Analysis
13	EPL O4.4	Store all chemical and fuel drums within bunds and ensure the bunds have adequate containment volume.
14	EPL O4.4	Ensure containers are correctly labelled.
15	EPL O4.4	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.

## 4.2 Recommendations

Recommendations seek to address matters of concern raised by agencies that were not found to have been corrected, lack of adequate documented information or matters that may lead to a non-compliance or observations raised where elements of the proponent's systems and plans were not found to be adequate. The rationale is noted in the audit compliance tables (Appendix D) and mentioned in Sections 3.1 and 0 of this report to assist.

*Table 10 Summary of Recommendations*

Obs Identifier	Condition	Recommendation
1	ML 12(a)	Discuss and agree with NSW RR on measures to be implemented to rectify erosion around the TSF.
2	ML 13	Ensure the Rehabilitation Compliance Report includes how recommendations from NSW RR are addressed. Consider engaging a mine rehabilitation specialist to assist with implementing the requirements regarding site rehabilitation especially around the TSF.
3	ML 31	Follow up with DPIE/NSW RR re: confirmation of approval of appointment of Dean Woods as Environmental Officer.
4	DA 38 EPL L3.1	Ensure the map orientation is corrected in the 2022 MAC Noise Monitoring Assessment Report.
6	DA 6(vii)	Update FEMP, sub-plans and all procedures as required per condition 6B.
7	DA 29	Landscape plan should be reviewed, and if necessary, revised by a suitably qualified person e.g. ecologist.
8	DA 44	Review Cultural Heritage Management Plan as per section 17.3 of the plan.

# Appendices

# **Appendix A**

**ENDORSEMENT OF AUDIT TEAM**



Mr Dean Woods  
Environmental Adviser  
2440 Yarrandale Road  
GIRILAMBONE, NSW 2831

14/07/2021

Dear Woods

**Tritton Copper Mine Project (DA 41/98)  
Independent Environmental Audit 2021**

I refer to your request of 13 July 2021 seeking approval of the audit team for the upcoming Independent Environmental Audit of Tritton Copper Mine Project (the development), in accordance with Schedule 2, Condition 8 of the development consent DA 41/98, as modified (the consent).

Having considered the qualifications and experience of Messrs Nathan Alexander, Avanish Panikkar and Ben Bracken, the Secretary endorses the appointment of Messrs Alexander, Panikkar and Bracken to undertake the audit in accordance with Schedule 2, Condition 8 of the consent. This approval is conditional on Messrs Alexander, Panikkar and Bracken being independent of the development.

The audit is to be conducted in accordance with the Independent Audit Guideline dated October 2015 and you may wish to consider the AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing. A copy of the guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report is to include the following:

1. consultation with the relevant agencies;
2. a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
3. not use the term “partial compliance”;
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within three months of commencing of this audit, Tritton is to submit a copy of the audit report to the Secretary, and any other agency that requests it, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Secretary, it is recommended that Tritton review the report to ensure it complies with the relevant consent condition.



Should you need to discuss the above, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to [Georgia.Dragicevic@planning.nsw.gov.au](mailto:Georgia.Dragicevic@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly', enclosed in a thin black rectangular border.

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



Mr Dean Woods  
Environmental Adviser  
2440 Yarrandale Road  
GIRILAMBONE, NSW 2831

30/11/2021

Dear Mr Woods

**Tritton Copper Mine Project (DA 41/98)  
Independent Environmental Audit 2021**

I refer to your request of 26 November 2021 seeking approval of Ms Demelza Scott as the alternative lead auditor for the upcoming Independent Environmental Audit of Tritton Copper Mine Project (the development), in accordance with Schedule 2, Condition 8 of the development consent DA 41/98, as modified (the consent).

Having considered the qualifications and experience of Ms Scott, the Secretary endorses the appointment of Ms Scott to undertake the audit in accordance with Schedule 2, Condition 8 of the consent. This approval is conditional on Ms Scott being independent of the development.

The audit is to be conducted in accordance with the Independent Audit Guideline dated October 2015 and you may wish to consider the AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing. A copy of the guideline can be located at <http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy>.

The audit report is to include the following:

1. consultation with the relevant agencies;
2. a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
3. not use the term “partial compliance”;
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within three months of commencing of this audit, Tritton is to submit a copy of the audit report to the Secretary, and any other agency that requests it, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Secretary, it is recommended that Tritton review the report to ensure it complies with the relevant consent condition.

Should you need to discuss the above, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to [Georgia.Dragicevic@planning.nsw.gov.au](mailto:Georgia.Dragicevic@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly', enclosed in a thin black rectangular border.

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

# **Appendix B**

**AGENCY CONSULTATION**

Your ref: -n/a-  
Our ref: 12550981

20 October 2021

Matthew Corradin  
A/Regional Manager  
Regulatory Operations  
NSW EPA

via email: [matt.corradin@epa.nsw.gov.au](mailto:matt.corradin@epa.nsw.gov.au)

## **TRITTON MINE - INDEPENDENT ENVIRONMENTAL AUDIT IN ACCORDANCE WITH CONDITION 8, SCHEDULE 2 OF THE PROJECT DEVELOPMENT APPROVAL**

Dear Matthew

GHD Pty Ltd has been engaged by Tritton Resources Pty Ltd (owned by Aeris Resources Limited) to undertake an independent environmental audit of the Tritton Mine, Yarrandale Road, Hermidale, in accordance with the below Development Consent:

- Project Development Approval (DPE) No 41/98 MOD6
- Environmental Protection Licence No 11254
- Mining Lease 1544 and
- Water Licence 80WA702816

The scope of the Audit is to:

- Assess the environmental performance of the project
- Assess whether it is complying with the requirements in the consent or other (including any assessment, plan or program required under these approvals)
- Review the adequacy of strategies, plans or programs required under the consents, and
- Recommend appropriate measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents.

Tritton Resources Pty Ltd has auditable obligations under the Project Development Approval and the Mining Lease. I am writing to you to invite comments from NSW EPA in regard to these obligations and the EPL.

It would be appreciated if you could provide your comments in regard to the performance of Tritton Resources Pty Ltd at Tritton Mine, Yarrandale Road, Hermidale in meeting these obligations under the following areas:

- Compliance with requirements
- Progress to meeting requirements
- Details of incidents of non-compliance

- Adequacy of actions taken
- Adequacy of the requirements of the licence.

I also invite you to comment on Tritton Resources Pty Ltd's performance with other requirements relevant to this project, as you may deem appropriate.

The site visit for the audit is scheduled to be conducted on 2-3 December 2021, pending travel approvals. We would be available for a short teleconference, prior to the audit, in the week of 22 November to discuss your feedback so that we may adequately address any concerns during the audit.

Upon receipt of this letter, please advise GHD of the primary contact within your organisation that will be coordinating this request. It would be appreciated if you could submit your written comments by COB 11 November 2021.

All correspondence in relation to this matter should be directed to Avanish Panikkar, GHD Lead Auditor on 02 9239 7667 or [avanish.panikkar@ghd.com](mailto:avanish.panikkar@ghd.com).

Regards



**Avanish Panikkar**  
Technical Project Manager, Lead Auditor

02 9239 7667  
[avanish.panikkar@ghd.com](mailto:avanish.panikkar@ghd.com)

11 November 2021

Mr Avanish Panikkar  
Technical Project Manager, Lead Auditor  
GHD  
20 Smith Street, Level 6  
Parramatta NSW 2150

Via email: [avanish.panikkar@ghd.com](mailto:avanish.panikkar@ghd.com)

Dear Avanish,

**Re: TRITTON MINE – INDEPENDENT ENVIRONMENTAL AUDIT IN ACCORDANCE WITH CONDITION 8, SECTION 2 OF THE PROJECT DEVELOPMENT APPROVAL**

I refer to your letter dated 19 October 2021 inviting Bogan Shire Council to comment on Tritton Resources Pty Ltd’s performance prior to GHD undertaking an independent Environmental Audit.

When undertaking the Environmental Audit could you please provide clarification on the following sections of the Aeris Tritton Operations Annual Environmental Management Report (AEMR):

Section 4.5 Waste Rock Management

In regards to routine sampling for Potentially Acid Forming material, how often was this sampling carried out in the reporting period?

What were the results of the Net Acid Producing Potential and Net Acid Generation Tests?

Section 6.2.2 Environmental Performance

This section identifies that there was “*a lack of revegetation success*” in 2019 on the TSF western embankment wall due to drought conditions.

Please provide an update on the status of the revegetation on the western TSF embankment since reasonable rainfall has been received.

Section 6.5.1 Environmental Management

Please confirm that the incident reporting system is being used as no spills over 20 litres were recorded throughout the reporting period.

Section 6.7.4 Further Improvements

Have any pre-clearance surveys been conducted in the 2021 reporting period.

Section 6.8.1 Environmental Management

Confirm implementation of the Weed Management Plan.

Section 6.12.3 Reportable Incidents

Please advise conservation methods used for the scarred tree which was harmed during the reporting period.

In regards to the Environmental Planning and Assessment Act 1979 on page 1 of the AEMR the following details are incorrect:

Section 122B is now Section 9.38

Section 122E is now Section 9.42

Bogan Shire Council have been advised of one complaint on May 7 2021, in relation to the clearing conducted for the new overhead power line extension from Hermidale to the water storage dam. The nature of the complaint was in relation to retained timber outside the clearing zone, which was described as unsightly and a fire hazard. Whilst it would appear that a concurrence notice has been issued by Transport for NSW for the works, Trittons Senior Environmental Advisor, Dean Woods, stated “Once we have gathered feedback and confirmed the vegetation clearing guidance and any special conditions we will be in a better position to plan some mitigating measures for the concerns about visual impact and potential fire risks. I will provide Council with this feedback as soon as possible”. Council has not yet received further correspondence detailing the outcome of this complaint.

Should you require any further information, please contact the undersigned on (02) 6835 9000 during business hours.

Regards



Cathy Black

*Director Development and Environmental Services  
Bogan Shire Council*



MAAG0012537

Mr Avanish Panikkar  
GHD  
Level 6  
20 Smith Street  
Parramatta NSW 2150

By email: [avanish.panikkar@ghd.com](mailto:avanish.panikkar@ghd.com)

Dear Mr Panikkar

**Subject: Tritton Copper Mine – Independent Environmental Audit**

Thank you for your email and letter dated 19 October 2021 requesting consultation on the independent audit to be undertaken of the Tritton Copper Mine which is covered by Mining Lease 1544 (ML1544).

The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.

- Review relevant mining leases and exploration licences as agreed with Resources Regulator;
- Undertake an assessment of compliance against the conditions of title related to environmental management;
- Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP;
- Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:
  - Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s);
  - Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval;
- Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and

completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records;

- Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation;
- Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection;
- Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval; and
- Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.

In addition to the above, 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.

Yours sincerely

**Jenny Ehmsen**  
Principal Compliance Auditor

1 November 2021

**From:** [Georgia Dragicevic](#)  
**To:** [Avanish Panikkar](#)  
**Subject:** RE: Tritton Mine (Aeris Resources) Hermidale - Mandatory IEA - agency input - DPIE Compliance  
**Date:** Wednesday, 20 October 2021 7:14:02 PM  
**Attachments:** [image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)  
[image002.png](#)

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You don't often get email from [georgia.dragicevic@planning.nsw.gov.au](mailto:georgia.dragicevic@planning.nsw.gov.au). [Learn why this is important](#)

Avanish,

Thank you for consulting the Department. Please ensure the audit is undertaken in accordance with the consent, paying attention to noise and traffic management.

Thank you kindly,  
Georgia

---

**From:** Avanish Panikkar <[Avanish.Panikkar@ghd.com](mailto:Avanish.Panikkar@ghd.com)>  
**Sent:** Wednesday, 20 October 2021 11:22 AM  
**To:** Georgia Dragicevic <[Georgia.Dragicevic@planning.nsw.gov.au](mailto:Georgia.Dragicevic@planning.nsw.gov.au)>  
**Subject:** RE: Tritton Mine (Aeris Resources) Hermidale - Mandatory IEA - agency input - DPIE Compliance

Dear Georgia

GHD has been engaged to undertake a Mandatory Independent Environmental Audit at the Tritton Mine, Hermidale. DPIE has endorsed the audit team, led by myself. Please find attached a letter requesting agency input into the audit that is self-explanatory. Please let me know your comments or if you need any other information in this regard.

Regards  
Avanish

---

## **Dr Avanish K Panikkar**

**Ph.D., M.Eng.Sc., B.Tech (hons); CEnvP, M.EIANZ; M.AWA**  
**Accredited Principal Env. Auditor (ExemplarGlobal #113142)**  
**IPART Approved Auditor; JAZ-ANZ Technical Expert**  
**Senior Water Engineer – Technical Project Manager**

## **GHD**

**Proudly employee-owned | [ghd.com](http://ghd.com)**

Level 6, 20 Smith St, Parramatta NSW 2150 Australia

D +61 2 9239 7667 | E [avanish.panikkar@ghd.com](mailto:avanish.panikkar@ghd.com)



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**GHD acknowledges the Traditional Owners of Country throughout Australia. We pay respect to their continuing culture and Elders past, present and emerging.**  
[Click here](#) to learn about our **Reconciliation Action Plan**.

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# **Appendix C**

**INDEPENDENT AUDIT SUBMISSION  
FORM**

## Independent Audit Report Declaration Form

Independent Audit Report Declaration Form	
Project Name	Tritton Copper Mine
Consent Number	Consolidated Consent DA41/98 Mod 6, Mining Lease ML1544, EPL 11254
Description of Project	Aeris Resources own and operate Tritton Underground Copper mine
Project Address	Yarrandale Road, Hermidale NSW 2831
Proponent	Aeries Resources Limited
Title of Audit	Mandatory Independent Environmental Audit - Tritton Mine
Date	08 Aug 2022

I declare 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. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

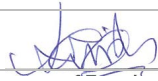
Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

---

Name of Auditor    Avanish Panikkar

Signature



Qualification

Exemplar Global #113142, CEnvP#1472., Ph.D., M.Eng.Sc., B.Tech Hons.

Company

GHD Pty Ltd

Company Address

Level 6, 20 Smith St, Parramatta NSW 2150

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# **Appendix D**

## **AUDIT COMPLIANCE TABLES**



		Compliance	Audit Finding	Objective Evidence	Recommendation	NC Risk
Condition no	Condition Text					
	<b>Notice to Landholders</b>					
1	Within a period of three months from the date of grant/renewal of this lease or within such time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted /renewed and whether the lease includes the surface. The notice must be accompanied by an adequate plan and description of the lease area.	Note	The mining lease was granted on 22 December 2003, as such this condition is not relevant in the audit period.			
	If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the area.	Note	The mining lease was granted on 22 December 2003, as such this condition is not relevant in the audit period.			
	<b>Mining, Rehabilitation, Environmental Management Process (MREMP)</b>					
2	<b>Mining Operations Plan</b>					
(1)	Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for:-	Compliant	<p>The MOP for March 2016-2022 was submitted to Department of Industry (DoI) as required under ML1544, in February 2016 and was approved in April 2016.</p> <p>The Notice of Approval states that the MOP approved by Department of Resources and Energy (DRE) is limited to:                      * the rehabilitation objectives and completion criteria; and                      * the schedule of rehabilitation activities proposed for the MOP period.</p> <p>Sections 2 and 3 of MOP detail the mining operations and environmental management at site.                      Sections 6-11 of MOP detail ongoing monitoring of various aspects at the site.                      Based on the MOP as sighted and site operations observed, the mining operations are conducted generally in line with the MOP.</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>Letter from General Manager of Tritton Resources Ltd dated 1 Feb 2016 to DoI Division of Resources and Energy</p> <p>Letter from DRE dated 29 April 2016, titled Mining authorisation number 1544, Mining Act 1992, Tritton Resources Pty Ltd Approval of Mining Operations Plan - Notice of Approval</p> <p>Site audit observations and discussions</p>		
	(a) ongoing mining operations and environmental management; and					
	(b) ongoing monitoring of the project					
(2)	The Plan must be prepared in accordance with the Director-General's guidelines current at the time of lodgement.	Compliant	<p>As per section 1, the MOP has been prepared as per ESG3: Mining Operations Plan (MOP) Guidelines, Sept 2013 (sighted in this audit). The ESG3 guidelines are referenced in various places in the MOP including section 11 (Review and Implementation of the MOP). The current MOP has been approved as per sighted evidence.</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>Letter from DRE dated 29 April 2016, titled Mining authorisation number 1544, Mining Act 1992, Tritton Resources Pty Ltd Approval of Mining Operations Plan - Notice of Approval</p> <p>Email from DOI, sent by Daniel Adams Inspector Environment, dated 29 April 2016, approving MOP.</p> <p>ESG3: Mining Operations Plan (MOP) Guidelines, September 2013 (available on NSW Govt website)</p>		

(3)	A Plan must be lodged with the Director-General:-	Compliant	<p>As per available evidence sighted, the MOP was submitted prior to the commence date of this MOP and reviewed by DRE and DOI, approved in April 2016. As per available information, there were no specific direction from the D-G to update the MOP during the audit period. This condition had been assessed as compliant in the previous IEA and there has been no change to the MOP during this audit period.</p> <p>It is noted that the current MOP is valid till 31 Dec 2022 prior to which a new MOP need to be lodged (outside this audit period). Section 11.1 of the MOP states that the MOP will be reviewed following the receipt of any approvals under the EP&amp;A Act or at least 2 months prior to expiry. This has not been triggered during this audit period.</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>Letter from General Manager of Tritton Resources Ltd dated 1 Feb 2016 to DoI Division of Resources and Energy</p> <p>Letter from DRE dated 29 April 2016, titled Mining authorisation number 1544, Mining Act 1992, Tritton Resources Pty Ltd Approval of Mining Operations Plan - Notice of Approval</p> <p>Email from DOI, sent by Daniel Adams Inspector Environment, dated 29 April 2016, approving MOP.</p> <p>Site audit discussions with Dean Woods</p>			
(a)	Prior to the commencement of mining operations (includes mining purposes)						
(b)	Subsequently as appropriate prior to the expiry of any current Plan: and						
(c)	in accordance with any direction issued by the Director-General.						
(4)	The Plan must present a schedule of proposed mine development for a period of up to seven (7) years and contain diagrams and documentation which identify:-		<p>The MOP includes various appendices and attachments related to management of various environmental aspects. The MOP includes various diagrams (e.g. Figure A - Tritton Copper Mine Site Layout) and Tables denoting schedules detailing mine development (e.g. Table 5 material production, Plan3A-3G showing Mining and Rehabilitation plans) for seven (7) years (Mar 2016 - Dec 2022).</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>including MOP Appendix 5: Mine Closure Plan</p> <p>and Appendix 6: TRL Weed Management Plan 2012</p> <p>Remedial Action Plan: Tailings</p>			
(a)	area(s) proposed to be disturbed under the Plan;				Section 2 of the MOP detail Proposed Mining Activities including areas to be disturbed and proposed mine site assets.		
(b)	mining and rehabilitation method(s) to be used and their sequence;				Section 2.3.9 mentions that, due to nature of operations at the Mine, there will be limited opportunities for progressive rehabilitation during the term of the MOP. Sections 4, 6 and 7 of MOP provide mining and rehabilitation methods and plans for seven years.		
(c)	areas to be used for disposal of tailings/waste;				Section 2.3 provides details of management of waste rock, processing residues, tailings and waste. Processing of tailings waste (used in Paste Fill Plant or pumped to the Tailings Storage Facility) is noted in section 2.3.5. Appendix 6 includes Remedial Action Plan for Tailings Storage Facility which is the area used for disposal of tailings waste.		
(d)	existing and proposed infrastructure;				Section 2.2 of MOP provides Asset Register of existing infrastructure and section 2.3.5 provides proposed processing infrastructure.		
(e)	existing flora and fauna on the site;				Section 3.2.7 of the MOP refers to field surveys and management of identified species, and refers to a series of flora and fauna field surveys undertaken since 1996 that identified existing species, the most recent activity being in February 2010 which identified a total of 94 flora and 125 fauna species.		

		Compliant		<p>Storage Facility (ML1544) 2013</p> <p>Waste Rock Characterisation and Management Plan, Jan 2016</p> <p>Waste Management Plan</p> <p>Water Management Plan Sept 2021</p> <p>Erosion and Sediment Control Plan (updated Aug 2018)</p> <p>TRL Flora and Fauna Management Plan 2012 (updated Sept 2019)</p>		
(f)	progressive rehabilitation schedules;		<p>Section 2.3.9 mentions that, due to nature of operations at the Mine, there will be limited opportunities for progressive rehabilitation during the term of the MOP. Sections 4, 6 and 7 of MOP provide rehabilitation plans. Section 7 details Rehabilitation Implementation including status at the start of current MOP and proposed activities in various domains within the area. A strategy for progressive rehabilitation that is "considered feasible to be completed or commenced during the MOP term" is provided for the various domains. Table 16 notes Rehabilitation Performance Indicators and Completion Criteria and Table 18 presents a summary of the rehabilitation that would be implemented during the term of this MOP.</p>			
(g)	areas of particular environmental, ecological and cultural sensitivity and measures to protect these areas;		<p>Section 3.2 of MOP describes Environmental Risk Management for various criteria including flora and fauna, aboriginal/non-aboriginal heritage, public safety, visual amenity, contaminated/polluted land, Air Quality etc. This includes existing environmental, ecological and cultural sensitive aspects and risk-managed preservation measures.</p> <p>Pre-mining Environment, Pre-MOP Natural Environment and Pre-mining Built Environment are depicted in Plans 1A, 1B and 1C.</p>	AEMRs 2018, 2019, 2020		
(h)	water management systems (including erosion and sediment controls);		<p>Section 3.2.5 of MOP, Water Management Plan, Erosion and Sediment Control Plan provides details of water management at site.</p>			
(i)	proposed resource recovery; and		<p>While a specific section is not attributed to resource recovery in the MOP, reuse of materials and waste management is included in section 2.3.6 and the Waste Management Plan. Reuse of NAF waste rock for the rehabilitation of TSF as relevant etc is noted as a Rehabilitation Performance Indicator (Table 16 of MOP).</p>			
(j)	where the mine will cease extraction during the term of the Plan, a closure plan including final rehabilitation objectives/methods and post mining landuse/vegetation.		<p>Mining extraction operations will continue through the term of the current MOP.</p> <p>Appendix 5 of MOP is Mine Closure Plan which can be implemented in case the mine ceases extraction during the term of the plan.</p>			
(5)	The Plan when lodged will be reviewed by the Department of Mineral Resources.	Note		<p>Letter from DRE dated 29 April 2016, titled Mining authorisation number 1544, Mining Act 1992, Tritton Resources Pty Ltd Approval of Mining Operations Plan - Notice of Approval</p> <p>Email from DOI, sent by Daniel Adams Inspector Environment, dated 29 April 2016, approving MOP.</p>		
(6)	The Director-General may within two (2) months of the lodgement of the Plan, require modification and re-lodgement.	Not Triggered	Evidence of lodging and review of MOP sighted.			
(7)	If a requirement in accordance with clause (6) is not issued within two months of the lodgement of a Plan, the lease holder may proceed with the implementation of the Plan.	Note				
(8)	During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the review process outlined in clauses (5) - (7) above.	Not Triggered				

3	<b>Annual Environmental Management Report (AEMR) - Annual Review</b>				
(1)	Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.	Compliant	AEMRs for 2018, 2019 and 2020 sighted. Evidence of submission to Council, DPI, DPIE and EPA sighted as per this requirement. Letter dated 17/03/2020 signed by Katrina O'Reilly stating the 2019 AEMR is satisfactory, with comments "As a separate matter following on from the review of the AEMR" on 201ML exceedance on water allocation to be responded to by 24/03/2020. The response letter dated 17/03/2020 was submitted on 24/03/2020 as sighted. Letter dated 22/3/2021 signed by Georgia Dragicevic stating the 2020 AEMR is satisfactory, with comments to amend the report contents including mine-specific noise data in the 2021 AEMR.	AEMRs 2018, 2019, 2020; Letters of Notice of Satisfactory AEMR from NSW RR (dated 02/05/2019 signed by Ben Gazi) Submission Emails to DPIE, Council, DPI and EPA: 2018- 28/02/2019 2019- 28/02/2020 2020- 24/02/2021 DPIE review response letters of the AEMRs; Aeris response to Katrina O'Reilly dated 17/03/2020 and email to Paul.Rutherford@planning with written explanation of circumstances leading to apparent exceedance.	
(2)	The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of;		As per section 2, the AEMRs are prepared in accordance with NSW DPIE Annual Review Guidelines Oct 2015 (sighted as available on DPIE website). AEMRs contain an assessment of performance during the reporting period (12 months) against various parameters and section 12 summarises activities proposed for the next reporting period.	AEMRs 2018-2020 Post-approval requirements for State significant mining developments - Annual Review Guideline, NSW DPIE October 2015.	
(a)	the accepted Mining Operations Plan;	Compliant	The AEMRs include reference to MOP in various sections of the report such as on disturbance to areas identified in the MOP. Section 4.6 reports ore and product stockpiles against what is stated in the MOP. Section 12 of the AEMR refers to activities proposed for the subsequent reporting period as per MOP.	AEMRs 2018-2020; MOP dated March 2016 and its appendices Letter from DRE dated 29 April 2016, titled Mining authorisation number 1544, Mining Act 1992, Tritton Resources Pty Ltd Approval of Mining Operations Plan - Notice of Approval (Ref OUT16/16904 MCV16-165)	
(b)	development consent requirements and conditions;		The AEMRs contain information to address DA requirements in various sections		
(c)	Environmental Protection Authority and Department of Land and Water Conservation licences and approvals;		The AEMRs section 6 contain assessment of Environmental Performance with regards to requirements of EPL and Water Licence. Any relevant EPL requirement is also mentioned in reporting of non-compliances (section 11).	AEMRs 2018, 2019, 2020	
(d)	any other statutory environmental requirements;		Noted. There were no other statutory environmental requirements during this audit period.		
(e)	details of any variations to environmental approvals applicable to the lease area; and		EPL as current has been addressed in the AEMRs section 6.		
(f)	where relevant, progress towards final rehabilitation objectives.		Section 8 of AEMRs report rehabilitation progress. The final rehabilitation objectives have not been triggered during this audit period.		
(3)	After considering the AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.	Note			

(4)	The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies and the local council.	Note				
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	<b>Working Requirement</b>					
<b>4</b>	The lease holder must:-					
(a)	ensure that at least 60 competent people are efficiently employed on the lease area on each week day except Saturday or any week day that is a public holiday,	Not Triggered	Instrument of variation sighted, that varies the ML1544 to omit condition 4, with effect from 8 Oct 2018. Nevertheless, as per correspondence sighted from Tritton Mines HR Coordinator, there were 310 personnel at Tritton mine (14 Aug 2019), currently 296 (14 Sept 2021).	Letter (instrument of variation) dated 10 September 2018, signed by David Humphries, Acting Director Titles Assessment at Resource Operations, DPE, as delegate for the Minister for Resources. Email from Tritton HR Coordinator Leigh Dundate to Dean Woods (14 Aug 2019) and screenshot of Teams message from Zoe Angove (14 Sept 2021).		
	OR					
(b)	expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$1,050,000 during each year of the term of this lease.					
	The Minister may at any time or times after the period of 2 years from the date of grant/renewal of this lease, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.					
<b>5</b>	<b>Control of Operations</b>					
(a)	If an Environmental Officer of the Department of Mineral Resources believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:-	Not Triggered				
(i)	cease working the lease; or					
(ii)	cease that part of the operation not complying with the Act or conditions					
	until in the opinion of the Environmental Officer the situation is rectified.					
(b)	The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction.					
(c)	A direction referred to in this condition may be served on the Mine Manager.					
	<b>Reports</b>					
<b>6</b>	The lease holder shall provide, within a period of twenty eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year a progress report(s) to the satisfaction of the Director-General containing the following:-	Compliant	The AEMRs include the required monitoring results, interpretations and conclusions regarding mine operations. Exploration undertaken is described in section 4.2 of the AEMR (including details of expenditure) and also briefly referenced in different sections within the AEMRs, such as sections 6.12 and 6.13 on Heritage. No separate section on geological findings is included however details are mentioned in various sections of AEMR such as 4.2 Exploration and 4.5 Waste Rock Management.	AEMRs 2018, 2019, 2020		
(a)	Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;					
(b)	Details of expenditure incurred in conducting that exploration;					
(c)	A summary of all geological findings acquired through mining or development evaluation activities;					
(d)	Particulars of exploration proposed to be conducted in the next twelve month period;				Section 12 of the AEMR details activities proposed in the next AEMR period (12 month). The 2018 AEMR section 12 includes exploration activities proposed.	
(e)	All plans, maps, sections, and other data necessary to satisfactorily interpret the report(s).	AEMR Figure 3 provides locations of Tritton Mining and Exploration Leases				

<b>7</b>	<b>Licence to Use Reports</b>				
(a)	The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.	Note			
(b)	The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act 1992	Note			
<b>8</b>	<b>Confidentiality</b>				
(a)	All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:	Compliant	Exploration reports with the required details are only included in the AEMRs and are not publicly available. Brief notes on brownfield exploration is included in the Annual Reports available on Aeris Resources website.	AEMRs 2016-2020, Email dated 15 Apr 2021 to NSWRR submitting 2020-2021 Exploration Report. <a href="https://www.aerisresources.com.au/investor-centre/#asx-announcements">https://www.aerisresources.com.au/investor-centre/#asx-announcements</a> ANNUAL REPORT 2020: <a href="https://clients3.weblink.com.au/pdf/AI">https://clients3.weblink.com.au/pdf/AI</a>	
(i)	the lease holder has agreed that specified reports may be made non-confidential.				
(ii)	reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.				
(b)	Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title, or any subsequent flow-on title, has terminated.	Note			
(c)	The Director -General may extend the period of confidentiality.	Note			
	<b>Terms of the non-exclusive licence</b>				
<b>9</b>	The terms of the non-exclusive copyright licence granted under condition 7(a) are:	Note			
(a)	the Minister may sub-licence others to publish, print adapt and reproduce but not on-licence reports.				
(b)	the Minister and any sub-licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.				
(c)	the lease holder does not warrant ownership of all copyright works in the report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.				
(d)	there is no royalty payable by the Minister for the licence.				
(e)	if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months notice.				

<b>10</b>	<b>Blasting</b>				
(a)	Ground Vibration				
	The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over the period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Environmental Protection Authority.	Not Triggered	This is an underground mine. There was no blasting undertaken during the audit period.	site audit discussion - Dean Woods AEMR 2018-2019-2020	
(b)	Blast Overpressure				
	The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over the period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Environmental Protection Authority.	Not Triggered	This is an underground mine. There was no blasting undertaken during the audit period.	site audit discussion - Dean Woods AEMR 2018-2019-2020	
	<b>Safety</b>				
<b>11</b>	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes, shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.	Compliant	No abandoned shafts relevant to this audit period and as per site discussions, all drills holes and excavations have been protected. Processes for this and monitoring/sampling of drill holes are detailed in various sections, as relevant, in the AEMRs and in section 8, Rehabilitation. There are regular safety audits undertaken by Aeris personnel. INX InControl system is used to capture site inspection details, screenshot sighted. As per section 6.16 of the AEMR, gas detectors are used on site on diamond drill rigs as a frontline safety/ environmental identification tool.	Site audit discussion - Dean Woods; AEMR 2018-2019-2020; Principal Hazard Management Framework; Management Plans provided, including: Fatigue (TCM-HSET-MP-008 Rev1 Mar 2015), Fire & Explosion (TRL-HSET-WHS-011 Ver1 Vol2 Dec 2018), Ground Control MP(Ver 05, Mar 2020), Heat Stress MP (TRL-HSET-HMP-WHS-002 V2 Vol1), Inrush Hazard MP (TRL-HSET-WHS-009 Ver2 Apr 2018), Risk MP (TRL-HSET-RPT-001 Ver3 Vol1 Nov 2017), ROM Pad MP (TRL-HSET-MP-010 Rev 3, Dec 2018) & Working at Heights MP (TRL-HSET-HMP-WHS-004 Jan 2018, V1 Vol2)	



12	<b>Rehabilitation</b>					
(a)	Land disturbed must be rehabilitated to a stable and permanent form suitable for a subsequent land use acceptable to the Director-General and in accordance with the Mining Operations Plan so that:-	Observation	No rehabilitation has been undertaken outside of the TSF during the audit period. There has been no site expansion for surface facilities. The 2020 rehabilitation monitoring report by DnA Environmental stated that 'The rehabilitation site(s) on the Tritton TSF has demonstrated poor ecological function and floristic diversity compared to the local native grasslands, and exotic annual plants provided most of the live ground cover this year and were therefore weedier than desired'. Localised erosion was observed during site audit around the TSF which has impacted previous rehabilitation works which need to be rectified. Not all rehabilitated areas could be visited in this audit due to stormwater retention from recent rains. NSW RR conducted a Targeted Assessment Program (TAP) at the mine site. The letter issued with findings includes ten recommendations to be undertaken. Addressing these recommendations is in progress and captured in INX system.	Letter from NSW Resource Regulator, Ref ASMT0008650 dated 19 Oct 2020; 2020 Tritton Copper Mine Rehabilitation Monitoring Report prepared by DnA Environmental dated January 2021; Aeris Tritton Operations Fourth IMER Report - Exploration Licence 4962 Mar 2020- Mar 2021; Annual Environmental and Rehabilitation Compliance Report 2021; Site observations and discussion with Dean Woods.	Discuss and agree with NSW RR on measures to be implemented to rectify erosion around the TSF.	Obs1
	there is no adverse environmental effect outside the disturbed area and that the land is properly drained and protected from soil erosion.					
	the state of the land is compatible with the surrounding land and land use requirements.					
	the landforms, soils, hydrology and flora require no greater maintenance than that in the surrounding land.					
	in cases where revegetation is required and native vegetation has been removed or damaged, the original species must be re-established with close reference to the flora survey included in the Mining Operations Plan. If the original vegetation was not native, any re-established vegetation must be appropriate to the area and at an acceptable density.					
	the land does not pose a threat to public safety.		Site is not accessible to public	Site observations and discussions		
13	The lease holder must comply with any direction given by the Director-General regarding the stabilisation and revegetation of any mine residues, tailings or overburden dumps situated on the lease area..	Observation	NSW RR conducted a Targeted Assessment Program (TAP) at the mine site. The letter issued with findings includes ten recommendations to be undertaken. It is noted that these are not directions for immediate action.	Site inspection reports from NSW RR; site observation Letter from NSW Resource Regulator, Ref ASMT0008650 dated 19 Oct 2020 Annual Environmental and Rehabilitation Compliance Report 2021	Ensure the Rehabilitation Compliance Report includes how recommendations from NSW RR are addressed.	Obs2
	<b>Prevention of Soil Erosion and Pollution</b>					
14	Operations must be carried out in a manner that does not cause or aggravate <b>air pollution, water pollution</b> (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purposes of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	Compliant	Section 6.2 in AEMRs provide discussion on Erosion and Sediment management related to mining activities. Section 3.2.5 in the MOP refer to Environmental Risk Management related to erosion and sediment control. The Auditors are not aware of any specific instructions by DPE in this regard. Localised erosion was observed on the northern side of the TSF that occurred during recent heavy rains.	AEMRs 2018, 2019, 2020; Site observations and discussions Dust Management Plan Water Management Plan Sept 21		
	<b>Transmission lines, Communication lines and Pipelines</b>					
15	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, or pipeline or any other utility on the area without prior written approval of the Director-General and subject to any conditions he may stipulate.	Compliant	Dean Woods mentioned that a new pipeline and a new powerline had been established under local council DA. Council approval sighted. Dean Woods mentioned that there had been no interference identified as per this condition.	Site discussions with Dean Woods Letter from Bogan Shire Council dated 15 Jan 2020 ref DA10/2019/021/001		

<b>16</b>	<b>Fences, Gates</b>				
(a)	Activities on the lease must not interfere with or damage fences without the prior written approval of the owner thereof or the Minister and subject to any conditions the Minister may stipulate.	Not Triggered	The Auditors are not aware of any negative impacts on fencing of neighbouring properties.	Site observations and discussions	
(b)	Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.	Not Triggered	Mining Operations do not require access to land owned by third parties.	Site observations and discussions	
<b>17</b>	<b>Roads</b>				
(a)	Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.	Compliant	Mining Operation Plan and Traffic Management Plan have been prepared. The access road to the site had been upgraded by TRL in accordance with the Project Approval. As per site observations and discussions, site operations do not impact roads other than as per MOP and TMP.	Mining Operations Plan Traffic MP (August 2021) Site observations and discussions.	
(b)	The lease holder must pay to the local council, the Department of Land and Water Conservation or the Roads and Traffic Authority the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.	Not Triggered			
<b>18</b>	Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Land and Water Conservation.	Not Triggered	There have been no new access tracks developed or temporary access tracks rehabilitated in the area during the audit period.	site audit observations and discussions.	
<b>19</b>	<b>Trees and Timber</b>				
(a)	The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden.	Not Triggered	No trees were cleared in the lease area by Aeris Resources. The auditor was made aware of an incident of removal of a registered scar tree outside of the lease area by a private landholder. We understand that, in a letter dated 23 February 2021, DPIE Biodiversity and Conservation Division stated that a regulatory response to alleged person had been undertaken and they were independent of Aeris Resources.	Site audit discussions with Dean Woods	
(b)	The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the Native Vegetation Conservation Act 1997.				
(c)	The lease holder must have any necessary licence from the Forestry Commission of New South Wales before using timber from any Crown land within the lease area				

<b>21</b>	<b>Resource Recovery</b>					
(a)	Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.	Not Triggered	The mine was active during the entire Audit Period. No notices have been issued by the Director-General relating to this condition.	Site audit discussions with Dean Woods		
(b)	The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.					
(c)	The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.					
(d)	No notice shall be issued by the Director-General unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.					
(e)	The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the Mining Act, 1992.					
(f)	After considering the Warden's report the minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.					
	<b>Indemnity</b>					
<b>22</b>	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licenced or compelled to do.	Note				

<b>23</b>	<b>Security</b>					
(a)	Security, lodged by instalments at the times indicated below, must be lodged with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of his obligations under this lease. If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of this lease if he fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.	Not Triggered	These conditions are not relevant in this audit period.			
(i)	an amount of \$50,000 must be lodged prior to the grant of the lease;					
(ii)	additional amounts of \$950,000 prior to the commencement of construction, and					
(iii)	\$500,000 prior to the commencement of mining, and					
(iv)	a further \$500,000 twelve months after the commencement of mining.					
(b)	The lease holder must provide the security required by sub-clause (a) hereof in one of the following forms:-	Not Triggered	There were no variations that triggered additional security to be provided. Sub-clause 23a) occurred prior to this audit period.			
(i)	cash					
(ii)	a security certificate in such form and given by such surety as may from time to time be approved by the Minister.					
<b>24</b>	<b>Firearms</b>					
	Firearms must not be brought onto the lease area without the consent of the landholder.	Compliant	Dean Woods confirmed that no firearms are permitted to the site and there had been no incidents pertaining to this condition.	Site discussions		
<b>25</b>	<b>Travelling Stock Reserves</b>					
	The lease holder must permit the free and uninterrupted passage of stock through that part of the lease area covered by Travelling Stock Reserve Nos 9606 and 60000 and must conduct operations in a manner that does not cause danger to travelling stock.	Compliant	There are areas around TSF that are noted as TSR - the Environmental Pond is located within this and wildlife was spotted in the area. Most of the area was found to be impacted by stormwater.	Site observations		

<b>26</b>	<b>Trigonometrical Stations and Survey marks</b>					
26 (a)	The marks in connection with any trigonometrical station, Permanent Mark or State Survey Mark (under the Survey Co-ordination Act, 1949) erected on or near the lease area shall not be interfered with and the unrestricted right of access to such a station by authorised persons and also the right to clear sight lines to the surrounding stations is reserved at all times.	<b>Compliant</b>	Based on site discussions and observations, survey marks have been maintained with unrestricted access to authorised personnel.	site discussions and observations - see photos		
(b)	The lease holder shall take all necessary precautions to preserve the trigonometrical, Permanent Mark or State Survey Mark (under the Survey Co-ordination Act, 1949) and the cairn, mast and vanes which might be erected on the lease area.					
(c)	In the event of operations interfering with or damaging any trigonometrical station, Permanent Mark or State Survey Mark (under the Survey Coordination Act 1949) erected on or near the lease area, or if required to do so by the Minister, the lease holder shall relocate any such trigonometrical station, Permanent Mark or State Survey Mark (under the Survey Coordination Act 1949) to the satisfaction of, and in a position required by, the Department of Land and Water Conservation, the Land Information Centre, Bathurst and the Minister. Upon completion of operations if required to do so by the Minister, and subject to such conditions as the minister may impose, the lease holder shall relocate such trigonometrical station, Permanent Mark or State Survey Mark (under the Survey Coordination Act 1949) to its original position.	Not Triggered	As mentioned by D Woods, no site activities damaged or interfered with any stations and survey marks.	site discussions and observations - see photos		
<b>27</b>	<b>Mine Safety Management System</b>					
	Prior to the commencement of operations and as required by the Director- General the lease holder must prepare a Mine Safety Management Plan to ensure the Mines Inspection General Rule 2000 is adhered to.	<b>Compliant</b>	The Health Safety and Environment Management System Framework version 1 volume 3 dated 17 March 2017 was sighted. Mines Inspection General Rule 2000 Division 2 Clause 9 details the requirements for a Mine Safety Management Plan. As per sighted documentation, the HSE Management System Framework includes various policies and procedures that satisfy the requirements. As per section 4.15 Management Review the framework shall be reviewed at least annually. A formal framework review is not evident. The HSE Management System Review should be reviewed and evidence noted in the document (refer DA condition 53 (b)).	Aeris Tritton Operations Health Safety and Environment Management System Framework TRL-HSEMS-001 Management Plans provided, including: Fatigue (TCM-HSET-MP-008 Rev1 Mar 2015), Fire & Explosion (TRL-HSET-WHS-011 Ver1 Vol2 Dec 2018), Ground Control MP(Ver 05, Mar 2020), Heat Stress MP (TRL-HSET-HMP-WHS-002 V2 Vol1), Inrush Hazard MP (TRL-HSET-WHS-009 Ver2 Apr 2018), Risk MP (TRL-HSET-RPT-001 Ver3 Vol1 Nov 2017), ROM Pad MP (TRL-HSET-MP-010 Rev 3, Dec 2018) & Working at Heights MP (TRL-HSET-		

28	<b>Mine Closure Plan</b>					
	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) .	Administrative Non-Compliance	Mine Closure Plan Rev 1 June 2011 has been sighted by the Auditors (Appendix 5 of MOP). The compliance register included therein, in Appendix H, refers to Strategic Framework for Tailings Management in relation to ML1547 (the condition noted is as per ML1544) and not the Strategic Framework for Mine Closure. It is noted that the MCP generally includes the elements required by the Framework. There was a gap analysis undertaken on the MCP which prescribed several actions to update MCP. A detailed timeframe for this update (MCP General Update to occur during August 2021) and other aspects has been sighted. The MCP is scheduled to be updated in 2022 following the completion of work packages 3 and 4 and partial completion of work pages 7 and 8. This has not been completed as per evidence sighted at this audit. Aeris advised that the MCP is planned to be updated however this had not been undertaken at the time of audit. The 2018 IEA by pitt&sherry had raised an observation to update MCP to refer to the correct Strategic Framework for Mine Closure as required.	Mine Closure Plan as appended to MOP; 2018 IEA report by pitt&sherry; Tritton Operations MCP Gap Analysis by Okane ref 0956-009-01 (March 2021) and Action Plan Rev_0 ref 1956-008-05; Tritton Copper Operations Closure Planning Execution Schedule 2021 (Gantt chart prepared by Okane); Strategic Framework for Mine Closure 2000 (as available online ISBN 0 642 72138 6)	Update the MCP referring to the correct requirements and addressing the gap analysis by Okane.	NC2
	<b>Waste Rock Characterisation and Management Plan</b>					
29	The lease holder must prepare a Waste Rock and Management Plan detailing all measures required for effective storage and disposal of waste rock. This Plan is to be appended to the Mining Operations Plan (MOP) required to be lodged in accordance with Condition No. 2. For reporting and other purposes the Waste Rock Characterisation and Management Plan is considered to form part of the Mining Operations Plan (MOP) .	Compliant	MOP Appendix 6 includes various Management Plans. The Waste Rock and Management Plan has been sighted by the Auditors. Section 6 details the processes for storage and disposal of waste rock. Section 7 of the plan says the WRCMP will be reviewed biennially or on a more regular basis as required. The plan has not been revised from 2016.	Waste Rock Characterisation and Management Plan, Rev 1.1, dt Jan 2016		
1.4	<b>Tailings Management Plan</b>					
30	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 the 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) .	Compliant	Mine Closure Plan Rev 1 June 2011 has been sighted by the Auditors (Appendix 5 of MOP). The compliance register included therein, in Appendix H, refers to Strategic Framework for Tailings Management in relation to ML1547 (the condition noted is as per ML1544).  Tailings management is generally addressed in the Tailings Dam Operations and Maintenance Manual (OMM). Dean Woods stated that the Tailings Dam 1 Operations & Maintenance Manual functions as the Tailings Management Plan. The Manual includes processes for deposition, storage and disposal (excavation) of tailings.  The Tailings dam surveillance review provides details of design and construction activities at the TSF including historical activities from 2004.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016  Mining Closure Plan Rev1 dt Aug 2014  Tailings Dam1 Operations and Maintenance Manual & DSC Emergency Action Plans Rev6 Feb 2021  2020 Calendar Year Surveillance Review Tailings Dam1 ref PER2020-0510AC rev1 by CMW Geosciences, dated 6 June 2021		

1.5	<b>Environmental Officer</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.	Observation	Dean Woods occupies the position of Senior Environmental Adviser. An observation from the 2018 IEA to seek formal approval from DPE is noted. Aeris resources provided evidence of correspondence that was submitted to DPE in December 2018 however a confirmation of the D-G's approval has not been provided during this audit period.	Letter dated 17 Dec 2018 to DPIE/ NSWRR from John Miller, GM Tritton Mines, with CV of Dean Woods. Email from Dean Woods to NSWRR email address with this letter and CV dated 17 Dec 2018.	Follow up with DPIE/NSW RR re: confirmation of approval of appointment of Dean Woods as Environmental Officer.	Obs3
1.6	<b>Additional Rehabilitation and Reporting</b>					
32	The lease holder must rehabilitate to the satisfaction of the Director-General any areas disturbed by operations carried out under the Exploration Licences Nos. 4038 and 4962 and must lodge any reports required in connection with these licences	Compliant	Rehabilitation compliance report refers to EL4962 however EL4038 reports not included. Aeris resources regional exploration manager Chris Raymond clarified that EL4038 was relinquished / absorbed into ML1544 in 2004. Any rehabilitation liability has then been absorbed into ML1544, and from an administrative perspective have been treated under the ML. NSW RR had conducted a Targeted Assessment Program (TAP) at the mine site. The letter issued with findings includes 10 recommendations to be undertaken mostly related to documentation and rehabilitation on site. The Rehabilitation Monitoring Report dated January 2021 does not specifically address the findings and recommendations from the October NSW RR TAP ( <i>rehabilitate to the satisfaction of the D-G</i> ). However Dean Woods explained that the recommendations are being addressed and captured in their INX system.	Letter from NSW Resource Regulator, Ref ASMT0008650 dated 19 Oct 2020; 2020 Tritton Copper Mine Rehabilitation Monitoring Report prepared by DnA Environmental dated January 2021; 2021 Annual Environmental and Rehabilitation Compliance Report (EL4962); Aeris Tritton Operations Fourth IMER Report - EL 4962 Mar 2020- Mar 2021; Email from Chris Raymond (9/3/22) with spatial position of EL4038		

SCHEDULE 2		Compliance	Audit Finding	Objective Evidence	Recommendation	NC Risk
Condition no	Condition Text					
<b>GENERAL</b>						
1	The Applicant shall carry out the development:					
	(i) generally in accordance with the EIS; and	Compliant	As per reviewed information, it is surmised that the development is carried out in general accordance with the EIS, in terms of site operations, processes, monitoring and reporting thereof.	Tritton Copper Project EIS prepared by R W Corkery & Co Pty Ltd, dated June 1998. AEMRs 2018, 2019, 2020 Site observations and discussions EPL Annual Returns		
	(ii) in accordance with the conditions of this consent	Non-compliant	It is noted that a number of non-compliances were recorded in the previous IEA report. Aeris' responses to the audit recommendations and proposed timetable has been noted. However it is noted, throughout this audit report, that some of the non-compliances are yet to be closed out such as EPL M5.2.	Independent Environmental Audit report by pitt&sherry 16 Nov 2018. Aeris Resources attachment - Responses to audit recommendations and proposed timetable	include a clear timeline and measures of progress for all responses to audit recommendations to review at subsequent IEA. Discuss progress made in implementing the Action Plan in AEMRs.	NC3
1A.	If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. However, the conditions of this consent shall prevail over all other documents to the extent of any inconsistency.	Note				
<b>STATUTORY AND OTHER REQUIREMENTS</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.	Compliant	This audit is reviewing compliance to relevant statutory requirements of relevant public authorities - specifically Mining Lease 1544, EPL 11254 and this DA41/98. Other than the observations and non-compliances noted, Aeris has met statutory requirements as noted.  Recommendations from surveillance / Targeted Assessment Programs by NSW RR provided via letters were sighted. A TAP by NSW RR in Oct 2020 raised ten recommendations to be implemented. DPIE NSW Resources Regulator Compliance Audit Program report for overall Tritton Mine (including other sites not covered in this IEA) dated August 2019 sighted. One Non-Compliance, nine Observations and three suggestions for improvement were noted in the report. The final published report (as sighted) also includes responses by Aeris (Dean Woods) to the actions/observations.	Letter from NSW Resource Regulator, Ref ASMT008650 dated 19 Oct 2020  Compliance Audit Program report (ref DOC19/704246, DPIE - NSW RR, August 2019)  Audit discussions, AEMRs		
2(b)	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.	Compliant	This audit found no specific requirements that would trigger this condition except as below. The DPIE letter dated 17/03/2020 with review of the 2019 AEMR, referred to this condition while making requests for written explanation on an apparent exceedance of water utilisation and for a full copy of current EMP including water management plans and water balance components. AEMR 2020 Table 11 refers to action taken as a written explanation being provided to the Department. The response letter dated 17/03/2020 was submitted on 24/03/2020 as sighted.	Site audit discussions AEMRs 2018-2019-2020 DPIE Letter dated 17/03/2020 signed by Katrina O'Reilly on AEMR 2019 review Aeris response to Katrina O'Reilly dated 17/03/2020 and email to Paul.Rutherford@planning with written explanation of circumstances leading to apparent exceedance.		
<b>DURATION AND SCOPE OF CONSENT</b>						
3	The Application may carry out mining operations on site until 21 December 2024. Note: This consent will continue to comply to all other aspects – other than the right to conduct mining operations – until the rehabilitation of the site and any additional undertakings have been carried out satisfactorily.	Note	The timeline is in progress.	Site is operational.		



	MINING OPERATIONS PLAN/S (MOP/s)				
4	The Applicant shall submit and have accepted by DRG, a Mining Operations Plan (MOP) in accordance with current guidelines issued by DRG. The Plan should cover mining operations for a period to be determined by DRG.	Compliant	<p>The MOP for March 2016-2022 was submitted to Department of Industry (DoI) as required under the Mining Lease, ML1544, in February 2016 and was approved in April 2016.</p> <p>The Notice of Approval states that the MOP approved by Department of Resources and Energy (DRE) is limited to:  * the rehabilitation objectives and completion criteria; and  * the schedule of rehabilitation activities proposed for the MOP period.</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>MOP Submission letter from the General Manager of Tritton Resources Ltd dated 1 Feb 2016 to DoI Division of Resources and Energy.</p> <p>Letter from DRE dated 29 April 2016, titled Mining authorisation number 1544, Mining Act 1992, Tritton Resources Pty Ltd Approval of Mining Operations Plan - Notice of Approval</p> <p>Email from DOI, sent by Daniel Adams Inspector Environment, dated 29 April 2016, approving MOP.</p> <p>Email from Bogan Shire Council advising that they have a copy of the MOP (dated 7 Jan 2022 by Cathy Black).</p>	
The MOP shall:					
(i)	be prepared in accordance with DRG ESG3: Mining Operations Plan (MOP) Guidelines, September 2013' or its most recent equivalent;	Compliant	Section 1.1.2 of the MOP states that "This MOP has been prepared in accordance with the guideline ESG3: Mining Operations Plan (MOP) Guidelines, September 2013 and provides detailed information on mining, processing and rehabilitation operations within the Mine Site". This audit has reviewed the MOP and finds that the format of the MOP generally complies with the requirements of the Guidelines.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016 ESG3: Mining Operations Plan (MOP) Guidelines	
(ii)	demonstrate consistency with the conditions of this consent and any other statutory approvals;	Compliant	The relevant Conditions of Consent and section of the MOP addressing those Conditions are provided in Tables 1 and 2 of the MOP. The ESG3 Sept 2013 Guidelines require that the MOP be consistent with, specifically, the Mining Lease, Development Consent and other relevant statutory approvals. The MOP follows the requirements of the Mining Lease and DA41-98 as reviewed in this audit.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016	
(iii)	demonstrate consistency with the Environmental Management Plan required by Condition 6;	Compliant	<p>TRL Framework EMP has been sighted by the Auditors which is consistent with the MOP.</p> <p>Section 3.2 of the MOP refers to Environmental Risk Management and associated management plans.</p> <p>The MOP includes, in section 3, Environmental Risk Management measures for:  * Erosion and Sediment Control;  * Flora and Fauna;  * Air Quality; and  * Operational Noise, Vibration and Air Blast.</p> <p>Environmental Issues Management (as above), monitoring and reporting, and rehabilitation measures are consistent between MOP and EMP.</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>TRL Framework Environmental Management Plan Sept 2012</p>	
(iv)	provide the basis for implementing mining operations, environmental management, and ongoing monitoring and reporting (i.e. Annual Review); and	Compliant	<p>The MOP section 2 refers to implementing the mining operations, section 3 refers to Environmental Issues Management and section 10 covers the reporting process on AEMR for each reporting period.</p> <p>The Framework EMP as sighted by the Auditors, section 9 details the reporting basis for AEMRs in accordance with the Department of Mineral Resource's Guidelines to the Mining, Rehabilitation and Environmental Management Process (version 3, Jan 2006).</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>TRL Framework Environmental Management Plan Sept 2012</p>	

(v)	<p>identify a schedule of proposed mine development for the period covered by the plan and include:</p> <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>	Compliant	<p>Section 1.1.1 indicates the earlier versions of the MOP and time frames covered by those documents.</p> <ul style="list-style-type: none"> <li>* First MOP - 1 Jan 2003 to 31 Dec 2010</li> <li>* Second MOP - 1 Jan 2011 to 29 Feb 2016</li> <li>* Third (current) MOP - 1 Mar 2016 to 31 Dec 2022</li> </ul> <p>Sections 2 of the MOP provides proposed mining activities over the current MOP term. Section 2.2 Figure A and Table 3 indicates the areas proposed to be impacted by mining activities and major assets in each Domain.</p> <p>Section 3 includes details of aboriginal and non-aboriginal heritage items identified in the area and the management thereof. Various environmentally sensitive matters are discussed in this section, and in Table 20 under "environmental risk management". Section 3 also includes discussion on surface and groundwater quality impacts and management, with reference to water management plan 2016.</p> <p>Section 13 of the MOP shows various plans that show the changes to the area impacted by mining activity from pre-MOP natural environment to post-mining land use, mining methods and remediation measures including rehabilitation.</p> <p>The Cultural Heritage Management Plan also details the heritage management aspects of the mine.</p>	<p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016</p> <p>Cultural Heritage Management Plan, Rev 1, dated 23 Jan 2015</p>		
	<p>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.</p>	Compliant	<p>2018 IEA report by pitt&amp;sherry raised a Non-Compliance for lack of evidence on submission to Council and DPIE within required timeframe. Submission dated 1 Feb 2016 sighted. Departmental approval of MOP noted.</p> <p>Evidence of submission to Council sighted.</p>	<p>2018 IEA report by pitt&amp;sherry  Email from Daniel Adams NSW DoI - DRE on 29 April 2016 (Approval of MOP)  Letter from Aeris to Daniel Adams on 1 eb 2016 submitting MOP March 2016 - Dec 2022.  Email from Cathy Black, BSC, noting receipt of MOP.</p>		

ENVIRONMENTAL MANAGEMENT SERVICES					
5	The Applicant shall ensure that suitably qualified personnel are appointed to:	Administrative Non-Compliance	Section 2 of the Framework EMP provides overall roles and responsibilities for environmental management at Triton Mines. The role of Environmental Coordinator addresses this requirement. This role reports to the Resident Manager (this role is currently titled Senior Environmental Advisor). Environmental Advisor is supported by Environmental Officer (currently titled Environmental Specialist). Position Description for both roles (last reviewed 9 September 2007) were sighted by the Auditors. As reviewed against mining lease 1544 condition 31, the role of Senior Environmental Advisor is occupied by Dean Woods and the Environmental Specialist is Anna Currall. As per viewed personnel descriptions (CVs, LinkedIn), Dean has over 10 years experience in mining industry including implementation of environmental management systems. Anna has over 10 years experience in environmental projects including water quality, mining, contamination assessment and data management.	TRL Framework EMP Sept 2012  Position Description for Environmental Officer  Position Description for Environmental Coordinator  Letter dated 17 Dec 2018 to DPIE/ NSWRR from John Miller, GM Triton Mines, with CV of Dean Woods. Email from Dean Woods to NSWRR email address with this letter and CV dated 17 Dec 2018.	Review and update the Framework EMP to reflect current position titles and position descriptions.  Review and update Framework EMP to make sure the nominated personnel have adequate authority.
(i)	be responsible for the preparation of relevant environmental documentation;				
(ii)	be responsible for considering and advising on matters specified in the conditions of this consent and compliance with such matters;				
(iii)	be responsible for receiving and responding to any complaints;				
(iv)	facilitate an induction and training program for all persons involved with construction activities, mining and remedial activities (including surface drainage mitigation works); and				
(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.	The authority and independence required in this condition is not clearly stated in the EMP (section 2) or the Position Description of Environmental Coordinator, however the role is expected to 'assist in the management of systems that ensure a safe working environment at the mine' and the required actions. EMP section 2 very briefly presents the responsibilities and accountabilities of various personnel including Environmental Advisor (not per current position terminology). Documentation is not clear. In discussions with the Senior Environmental Advisor and Environmental Specialist they felt that they had sufficient authorisation to stop work to avoid or minimise adverse environmental impacts.	Position Description for Environmental Coordinator  TRL Framework EMP 2012		

NC4

ENVIRONMENTAL MANAGEMENT PLANS						
6	The Applicant shall prepare an Environmental Management Plan (EMP) for the mining operation, which shall include, the preparation of the following:	Compliant	<p>EMP sighted, consisting of a Framework EMP and the following management plans (attached to the MOP):</p> <ul style="list-style-type: none"> <li>* Bush Fire management Plan;</li> <li>* Contaminated Land Management Plan;</li> <li>* Dust Management Plan;</li> <li>* Flora Fauna Management Plan;</li> <li>* Hazardous Substance and Dangerous Goods Management Plan;</li> <li>* Heritage Management Plan;</li> <li>* Land Management Plan;</li> <li>* Rehabilitation Management Plan</li> <li>* Surface Water and Groundwater Management Plans</li> <li>* Waste Rock Characterisation and Management Plan; and</li> <li>* Weed Management Plan.</li> </ul> <p>Environmental Management Requirements are also referenced in the MOP.</p> <p>The Annual Environmental Management Reports (AEMR) report on Environmental Management and Performance including:</p> <ul style="list-style-type: none"> <li>* Erosion and Sediment (section 3.2)</li> <li>* Threatened Flora and Fauna (sections 3.6 and 3.7)</li> <li>* Operational Noise (section 3.10)</li> <li>* Air quality (section 3.1)</li> </ul>	<p>TRL Framework EMP Sept 2012 Management Plans</p> <p>Mining Operations Plan, Prepared by R. W. Corkery &amp; Co Pty Limited, Report No 440/11 dated February 2016 including attached Management Plans</p> <p>AEMRs 2018, 2019, 2020</p>		
(i)	an Erosion and Sediment Control Strategy prepared in consultation with the RR and the EPA and including details of all control measures to be implemented during both the construction and operational phases of the mine (including the construction of the water pipeline from the Girilambone Mine to the Tritton site);	Compliant	<p>Erosion and Sediment Control Plan was sighted by the Auditors. Previous IEA had verified consultation with EPA that EPA will not review ESCP and that the Plan should meet the requirements of the blue book and prevent pollution of waters. This was assessed as compliant in the 2018 IEA. The ESCP includes details of control measures such as water erosion, management material selection etc.</p> <p>Correspondence with RR (as DRE) was sighted for earlier version of ESCP as email correspondence with Dan Adams, DoI on 9 Nov 2015. Correspondence with the RR was sighted for the 2018 updated ESCP.</p>	<p>TSF ESCP Rev 0 dated Aug 2018, prepared by CMWGeosciences</p> <p>Water Management Plan (update submitted to DPIE 06 Dec 2021)</p> <p>2018 IEA by pitt&amp;sherry</p> <p>Email to Dan Adams from Nathan Jones with amended ESCP dated 6 Nov 2015 with reply email dated 9 Nov 2015.</p> <p>NSW RR Inspection Outcome letter dated 12 Jun 2018</p> <p>Consultation with NSW RR for the 2018 TSF ESCP - email dated 28 Aug 2018.</p>		
(ii)	a Contingency Strategy prepared in consultation with OEH for any threatened species that maybe affected by the construction and operation of the mine;	Compliant	<p>A specific Contingency Strategy was not sighted. Abris Resources advised that the Flora and Fauna Management Plan is the Contingency Strategy, though the document does not clarify that. Despite this, the FFMP was reviewed and does include operational risks to fauna, threatened flora species management, management of threatened and migratory fauna species etc. Consultation with OEH was sighted on the FFMP.</p>	<p>TRL Flora and Fauna Management Plan 2021</p> <p>Land Management Plan Rev 1.1 dated January 2016 (attached to MOP)</p> <p>Emergency Management Plan Ver3, dated August 2021</p> <p>OEH review of 2019 FFMP dated 7 Jun 2019</p>		
(iii)	a Traffic Management Strategy prepared in consultation with the RMS;	Non-compliant	<p>Updated Traffic Management Plan sighted.</p> <p>No evidence of consultation with RMS was available to verify. This was a non-compliance raised in the previous 2018 IEA as well.</p>	<p>Traffic Management Plan (TRL-HSET-MP-005), rev 4 dated 03 Aug 2021;</p> <p>2018 IEA by pitt&amp;sherry.</p>	Provide evidence of consultation with RMS for Traffic Management Plan update	NC5
(iv)	a Noise and Vibration Management Strategy in consultation with the EPA including noise management procedures, monitoring protocols and measures for mitigating impacts that can be implemented where necessary throughout the life of the development under normal meteorological conditions; and	Compliant	<p>Reviewed NVMP sighted, which includes brief procedures for noise and vibration controls. Section 5 of NVMP provides controls for noise management procedures, monitoring protocols and measures to mitigate impacts.</p> <p>Consultation with EPA was verified in previous IEA (2018) as letter dated 21 March 2016, stating EPA does not review or comments on plans, programs and strategies prepared to meet statutory obligations unless there was a specific reason.</p>	<p>Noise and Vibration Management Plan (TRL-HSET-MP-ENV-001) rev2 Jan 2016 last review April 2019</p> <p>Letter from EPA dated 21 March 2016, signed by Jessica Creed</p> <p>2018 IEA report by pitt&amp;sherry</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.	Non-compliant	<p>Dust management plan rev 2 sighted as confirmed in 2018 IEA. Evidence of consultation with EPA not sighted.</p> <p>Section 4 of the plan details the air quality management measures as required to satisfy condition 48.</p> <p>Section 5 of the plan states that the DMP will be reviewed biennially. The plan is overdue for a review.</p>	<p>Dust Management Plan Rev 2, August 2015</p>	<p>Provide evidence of consultation with EPA in preparing the DMP.</p> <p>Review and update DMP as required, in consultation with EPA.</p>	NC6
The Plan shall also include but not be limited to						

(vi)	details of the mine infrastructure and facilities to be developed;	Compliant	The MOP section 2 details the mine infrastructure and provides assets register. Section 8 of Framework EMP includes mine infrastructure and facilities. The MOP and the Framework EMP have various environmental management plans, sighted in this audit, with regard to this condition referring to the mine management area as relevant.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016  Framework EMP 2012, various plans as required by this condition.		
(vii)	where relevant, monitoring procedures relating to water quality, groundwater flows, air quality, noise and vibration, and the tailings storage facility;	Observation	Section 8 of the Framework EMP refers to monitoring and management of rehabilitated sites. Further details are in various sub-plans. Water Quality and Groundwater monitoring is covered in Water Management Plan ML1544. Air Quality monitoring is covered in TRL Dust Management Plan with particular reference to AS NZS 3580 10 1-2003 Methods for sampling and analysis of ambient air - Determination of particulate matter. Noise and Vibration monitoring procedures are given in Noise and Vibration Management Plan 2016. Tailings storage facility monitoring is detailed in TSF Operations Manual. The Framework EMP (2012) section 10 states that at a minimum, the FEMP will be reviewed biennially. This is overdue for a review.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016 - section 3 Environmental Issues Management  and Appendix 6: Remedial Action Plan: Tailings Storage Facility (ML1544) 2013 Water Management Plan 2016 (updated version submitted to DPIE Sept 2021) Erosion and Sediment Control Plan (updated Aug 2018) Dust Management Plan (Aug 2015)  Framework EMP Sept 2012 (Straits Tritton Mines)	Refer to NC7	Obs6
(viii)	management and protection measures for all recorded Aboriginal archaeological sites within the development site;	Compliant	The CHMP includes relevant regulations and requirements as well as methods of audit and maintenance of aboriginal sites within the mine site.	Cultural Heritage Management Plan Rev 1, dated Jan 2015		
(ix)	the recommendations of the Preliminary Hazard Analysis prepared by McCracken Consulting, dated December 1998;	Administrative Non-Compliance	No specific reference to the PHA was found in the EMP and sub-plans. Previous IEA (2018) had raised an Observation: <i>If the PHA recommendations are addressed in the EMP and sub-plans, it should be clarified in the next revision of the plans.</i>	2018 IEA report by pitt&sherry. Framework EMP and sub plans noted under condition 6.	Ensure the PHA recommendations are addressed in the next revision of the FEMP and sub-plans.	NC7
(x)	management measures for any fauna and flora species listed under the Threatened Species Conservation Act 1995 that occur on the site.	Compliant	Updated Flora and Fauna Management Plan section 2 refers to Biodiversity Conservation Act 2016, which replaced the Threatened Species Conservation Act 1995. The EPBC Act 1999 is also referenced. Management measures and operational risks are detailed in the plan. Section 6 of FFMP details management strategy for threatened flora and fauna.	Flora and Fauna Management Plan Sept 2019 updated 2021 2018 IEA report by pitt&sherry.		
	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.	Not Triggered	This condition is not relevant during this audit period			
	(Note: The Applicant may prepare the EMP required by this condition in conjunction with the MOP/s required by Condition 5 provided the MOP/s specifically addresses the matters listed in this condition).	Note				

ANNUAL REVIEW						
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. This review must:</p> <p>i) 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;</p> <p>ii) 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:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> relevant statutory requirements, limits or performance measures/criteria;</li> <li><input type="checkbox"/> monitoring results of previous years; and</li> <li><input type="checkbox"/> relevant predictions in the EIS;</li> </ul> <p>iii) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>iv) identify any trends in the monitoring data over the life of the development;</p> <p>v) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>vi) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p> <p>Note: The Post Approval Requirements for State Significant Developments - Annual Review Guideline 2015, NSW Government, October 2015 (or its latest version) provides a reporting framework to integrate the reporting requirements of the Annual Review required by the Department under the development consent and the Annual Environment Management Report required under the Mining Lease.</p>	Compliant	<p>The AEMRs sighted include the details required by this condition. As per the 2020 AEMR review letter by DPIE, the 2021 AEMR is to include a status update for all outstanding actions from the 2018 IEA. This letter also required to review and if required, revise, the EMP and seek approval in light of EPL variation application to amend surface and ground water monitoring frequencies. (it is noted that the 2021 AEMR is yet to be prepared at the time of the current IEA).</p> <p>i) AEMR section 4 details the operations, materials management and improvements during the reporting year, section 8 details rehabilitation</p> <p>ii) AEMR section 6 details review of monitoring results, incidents and improvements etc; section 11 details incidents and NCs</p> <p>iii) AEMR section 5 refers to previous year's actions.</p> <p>iv) AEMR section 6 provides assessment of environmental management during the reporting year.</p> <p>v) AEMR section 6 includes environmental management measures to minimise impacts from the development, incidents and improvement measures / remedial action plan details (e.g. for potential groundwater impacts from TSF)</p> <p>vi) AEMR section 12 summarises activities for next review period.</p> <p>AEMR section 6 includes reference to IEA findings and actions within specific sub-sections. A summary of all actions in addressing IEA findings is not found.</p>	<p>AEMR 2018, 2019, 2020</p> <p>Submission Emails to DPIE, Council, DPI and EPA: 2018- 28/02/2019 2019- 28/02/2020 2020- 24/02/2021</p> <p>DPIE review response letters of the AEMRs (e.g. letter dated 17/03/2020 signed by Katrina O'Reilly stating the 2019 AEMR is satisfactory, with comments on exceedance on water allocation to be responded to by 24/03/2020; letter dated 22/3/2021 signed by Georgia Dragicevic stating the 2020 AEMR is satisfactory, with comments to amend the report contents including mine-specific noise data in the 2021 AEMR)</p>		
REVISION OF STRATEGIES, PLANS AND PROGRAMS						
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> <p>i) submission of an incident report under condition 7 of Schedule 2;</p> <p>ii) submission of an audit report under condition 8 of Schedule 2; or</p> <p>iii) any modification to the conditions of this consent.</p> <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>	Administrative Non-Compliance	<p>Site discussion: DW mentioned there was no incident reports during the audit period that triggered this condition. The closed incident of scarred tree referred to in condition 7 below did not warrant revision of any strategies, plans or programs.</p> <p>However, it is noted that not all the EMP and plans were reviewed (based on documentary evidence sighted) or revised within 3 months of ii) submission of previous IEA reports or other audits by agencies or iii) modification to the DA. This was raised as a Non Compliance in the 2018 IEA.</p>	<p>Traffic Management Plan v.4 dt Aug 2021</p> <p>Flora and Fauna Management Plan v.2 dt sept 2019</p> <p>Consultation with DPIE dated 15 May 2019 on the Flora and Fauna Management Plan 2016.</p> <p>Noise and Vibration Management Plan 2019</p> <p>2018 IEA report by pitt&amp;sherry.</p>	<p>Review all strategies, plans and programs required under this consent within three months of the submission of this audit report.</p>	NC8

COMPLIANCE					
7	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	Compliant	An incident of removal of a registered scarred tree was identified on 15th Oct by Environmental technician Stephen Bodycott (as noted in the employee statement by Exploration Coordinator Karl Flis) and this was notified to DPIE Compliance on 16th Oct. The damaged scarred tree has been left where it fell. The site is identified and monitoring provisions are in place for maintaining the registered Aboriginal sites on mine land. DPIE Compliance referred the incident to DPIE Heritage division. In a letter dated 23 Feb 2021, DPIE Biodiversity and Conservation Division stated that a regulatory response to alleged person responsible acting independently of Aeris Resources, thus the matter was closed.	site discussion: DW undertakes monthly site inspections, fortnightly border inspections.  Employee Statement by Karl Flis Record of online notification to DPIE (16 Oct 2020) informing the incident. Email notification to Aboriginal Councils BAC and NLALC (16 Oct 2020). DPIE Compliance response email (28 Jan 2021) and DPIE Biodiversity and Conservation Division response letter ref DOC21/127657 dated 23 Feb 2021.	
7A	The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.	Compliant			
7B	The Applicant must provide regular compliance reporting to the Department on the development in accordance with the relevant Compliance Reporting requirements (DPE 2018).	Compliant	Compliance reporting is undertaken via annual review reports.	AEMRs 2018, 2019, 2020	
INDEPENDENT ENVIRONMENTAL AUDITING					
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.	Compliant	This audit is being undertaken against MOD6 of the DA.	Evidence of DPIE endorsement of audit team available with GHD	
	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.	Not Triggered	This audit report is under preparation.		
	The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	Non-compliant	Aeris resources responses to previous IEA actions and recommendations sighted and reviewed in this audit and assessed against relevant conditions as relevant. It is noted that not all recommendations have been implemented as noted in this audit.	Aeris Resources 'responses to audit recommendations and proposed timetable'	Include a clear timeline and measures of progress for all responses to audit recommendations to review at subsequent IEA. Discuss progress made in implementing the Action Plan in section 10 of future AEMRs.

NC3

TAILINGS STORAGE FACILITY						
9	The Tailings Storage Facility shall be designed, operated, monitored and maintained and finally stabilised so as to:	Compliant	The 2018 audit raised a non-compliance due to finding of plastic materials and drums placed in TSF. This audit found the management of the TSF to be aligned to its purpose and no loose materials were observed. Drums were placed only to support discharge pipes.	Site observations, Site audit discussions, AEMR 2018, 2019, 2020 2020 Calendar Year Surveillance Review dated 6 Jun 2021 Water Management Plan Sept 2021 TSF Operations and Maintenance Manual & DSC Emergency Action Plans 2021 2018 IEA report by pitt&sherry		
9(a)	be in accordance with the documents referred to in the EIS;		The TSF is maintained as per requirements, based on reviewed documentary evidence and site observations.			
9(b)	be otherwise in accordance with the EIS, the supplementary document prepared in response to Government submissions, and the document titled "Nord Australix Nominees/Straits Mining Joint Venture – Tailings Storage Facility Preliminary Design Report".					
9(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.				No overflow of tailings water was observed at the site audit.	
9(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.				No seepage or leakage of tailings water was observed at the site audit.	
10	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	Not Triggered	Assessed as compliant in previous audit, there has been no update to TSF during this audit period. DW mentioned there is an approval to raise the height by 2m as noted in 2018 audit however no works have been undertaken. A feasibility assessment is reported in 2020 AEMR with further work requirements noted including as per this condition.	Site audit observations and discussions. AEMR 2020		
11	Construction of the TSF shall be supervised at all times and certified by the Applicant's dam design engineer.	Not Triggered	This condition is not triggered for this audit period as operations had commenced prior to the audit period.			
12	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 DoI L&W's Regional Hydrogeologist.	Not Triggered	Piezometers had been installed (prior to this audit period), monitored and reported as per sighted AEMRs, site observations and other sighted evidence. No new piezometers were installed during this audit period.	Site observations AEMRs 2018, 2019, 2020 ALS Environmental lab results e.g. Work Order ES1913107 dated 8 May 2019; ES2042614 dated 10 Dec 2020 Groundwater Sampling Field Record (template TRL-ENV-FRM-012) e.g. bore PZH001 dated 23 Aug 2019; bore PZH002 dated 6 May 2020 Water Management Plan Sept 2021; TSF 2020 Calendar Year Surveillance Review Tailings Dam1 ref PER2020-0510AC rev1 by CMW Geosciences, dated 6 June 2021		
13	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).	Compliant	AEMRs include piezometer monitoring and water quality measurement results- standing water levels are in Table 16 and sampling analysis results are included in Appendix.	AEMRs 2018, 2019, 2020; TSF 2020 Calendar Year Surveillance Review; Tailings Dam1 ref PER2020-0510AC rev1 by CMW Geosciences, dated 6 June 2021; Water Management Plan Sept 2021		
13A	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; and (iii) keep records of the amount of tailings that is extracted and exported from the site each year.	Not Triggered	During the audit discussions, it was explained by Dean Woods that: i) There has been no new cell excavation during this audit period. ii) There were no tailings stored on site during the audit period. iii) no amount of tailings was extracted and exported during this audit period.	Site audit discussions with Dean Woods; Water Management Plan Sept 2021		



13B	<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> <p>(a) be prepared by a suitably qualified expert approved by the Department and prepared in consultation with the EPA and the NSW Dams Safety Committee;</p> <p>(b) include:</p> <p>(i) details of the tailings extraction process, including extraction, deposition, drying, storage, loading and on-site haulage activities;</p> <p>(ii) 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;</p> <p>(iii) an overview of the water and air quality management systems at the tailings storage facility;</p> <p>(iv) a description of the measures that would be implemented to achieve the requirements of condition 13A of Schedule 2 of this consent;</p> <p>(v) a trigger action response plan for dust management; and</p> <p>(vi) a program to monitor and report on the effectiveness of the implementation of the measures in this plan.</p>	Not Triggered	No site works has been commenced/undertaken/planned associated with MOD6 at the time of this audit.	Site audit discussions with Dean Woods		
	The Applicant must implement the approved Tailings Extraction Management Plan.	Not Triggered	This condition is triggered once condition 13B is triggered.	Site audit discussions with Dean Woods		

WATER						
14	Surface water management is to be carried out in accordance with the methods described under Section 4.2 of the EIS in consultation with Dol L&W.	Compliant	Section 4.2 of the EIS provides water management controls and monitoring parameters. Water Management Plan section 5 detail monitoring and management of surface water quality at the site. This is in agreement with the EIS section on Surface Water Management. Section 7 and AEMR section 6.3 state that all water monitoring results are assessed against ANZECC livestock drinking water quality and irrigation guidelines. These are in agreement with EIS. Table 14 in AEMRs (2018, 2019, 2020) provides Surface Water Monitoring Schedule. As per advise by Dean Woods, the AEMRs are provided to various regulatory bodies including Dol. Consultation with NSW Dol L&W sighted as email discussing site water balance and water licence.	Tritton Copper Project EIS Jun 1998 prepared by R W Corkery & Co Pty Ltd; Water Management Plan Sept 2021; Site audit discussion (Dean Woods); AEMRs 2018, 2019, 2020; 2018 IEA report by pitt&sherry; emails with Tim Baker at Dol L&W dt 20/02/2018 and 09/09/2021		
15	Initial groundwater inflows into the mine are to be monitored for volume of inflow and thereafter at 6 monthly intervals, with sampling and a complete water analysis of inflow water being undertaken annually. Results of measurements and sample analysis are to be interpreted and reported in the Annual Review.	Compliant	Section 6.4 of the AEMRs describe groundwater pollution monitoring and report results annually. The groundwater measurement and analysis results are reported in EPL11254 Annual Returns. Water Management Plan section 6.2 details groundwater management and monitoring regime.	AEMRs 2018, 2019, 2020; EPL annual returns 2020 and 2021; Planning advice memo from Arcadis regarding a variation to the EPL dated 27 May 2020 Water Management Plan Sept2021		
16	In respect of the license requirements for the mine, the Applicant shall consult with the Dol L&W's Water Administration Manager (Macquarie); i) to amend the water license arrangements for the Girilambone Mine to reflect the new location of use at the Tritton Site; ii) to obtain the necessary license under the <i>Water Act 1912</i> for the use of groundwater from mine dewatering for any purpose; [ and, iii) to obtain the necessary licence under the <i>Water Act 1912</i> for the construction and use of all monitoring bores (piezometers) associated with the development.	Compliant	(i) Addition of Work Approval 80WA704315 to Licence Number 80AL702815 which allows Tritton to access water via the Albert Priest Channel noted in WaterNSW's iWAS (internet Water Accounting System) sighted.  (ii) and (iii) There were no changes to any water licences during the audit period.	Site audit discussions, Dean Woods; Extract from WaterNSW's iWAS (internet Water Accounting System)		
17	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.	Compliant	The 2018 IEA raised an Observation to this condition with regards to section numbering in the AEMR. As per Section 4.3 in AEMRs, all site surface disturbance activities require the completion of a Surface Disturbance Permit. The procedure noted in AEMR is in accordance with Section 4.4.2 of the EIS. There was one permit request each during 2018 and 2019 and none in 2020.	Tritton Copper Project EIS Jun 1998 prepared by R W Corkery & Co Pty Ltd; Site audit discussion (Dean Woods); AEMRs 2018, 2019, 2020; 2018 IEA report by pitt&sherry		
MULLOCK MANAGEMENT						
18	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.	Compliant	A previous IEA reported this condition as non-compliant due to placement of acid producing mullock being stockpiled in waste rock stockpile area. This practice was not sighted during this audit. The procedure for managing waste rock is detailed in the Waste Rock Characterisation and Management Plan section 6 and reported in AEMR section 4.5. As per the ESCP, water from the area is diverted to the containment dam. The PAF management areas were inspected by the Auditor and were being managed in accordance with the Plan.	Waste Rock Characterisation and Management Plan, Rev 1.1, dated Jan 2016 PAF management procedure Apr 2013 prepared by Mine Geologist Emily Grimsley; Water Management Plan Sept 2021; Audit discussions (Dean Woods); ESCP Site audit Observations		
19	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.	Compliant	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. The process of regular inspections undertaken and details disposing PAF underground are detailed in section 4.5 of the AEMRs. The PAF management areas were inspected by the Auditor and were found to being managed in accordance with the Plan.	Waste Rock Characterisation and Management Plan, Rev 1.1, dated Jan 2016; AEMRs 2018, 2019, 2020; Audit Observations.		

	Should investigations reveal the existence of potentially acid producing mullock, the Applicant shall:				
20	<ul style="list-style-type: none"> <li>prepare an acid mine drainage strategy in consultation with the EPA; and</li> </ul>	Not Triggered	There has been no updates to the acid mine drainage strategy during this audit period. As per a letter from EPA (cited in the 2018 IEA report) dated 21 March 2016 signed by Jessica Creed, A/Head Far West Operations to TRL, in response to ESCP, stated that EPA does not review or comment on plans, programs and strategies prepared to meet statutory obligations, unless there is a specific reason to do so. Dean Woods reported that the plan was not sent to EPA based on this advice by EPA.	Waste Rock Characterisation and Management Plan, Rev 1.1, dated Jan 2016; AEMRs 2018, 2019, 2020; Audit discussions with Dean Woods; 2018 IEA report by pitt&sherry.	
	<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>	Compliant	Section 6.2 of the Waste Rock Characterisation and Management Plan briefly explains the process for encapsulating PAF in the TSF. Site audit discussions: DW mentioned that no acid forming material is brought to the surface, it is managed separately or left underground when encountered in investigations.	Waste Rock Characterisation and Management Plan, Rev 1.1, dated Jan 2016	
20A.	The non acid forming rock waste dump shall be a maximum of 20 metres in height from the land surface.	Compliant	As per height survey record shared via email from Senior Surveyor, the height of top of the rock waste dump from the base (268m RL) was 288mRL, indicating highest point at 20m.	Email from Senior Surveyor Chris Challinor dated 15 Dec 2021; Site observations and discussions.	
<b>FLORA AND FAUNA</b>					
21	The Applicant shall consult with the OEH 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.	Compliant	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). Previous IEA had raised a non-compliance for lack of evidence on consultation with OEH as required. This is now closed based on consultation with EPA.	Site observations Consultation with EPA on 15 May 2019 on the Flora and Fauna Management Plan 2019 updated 2021 and response from EPA (Helen Smith) on 20 May.	
22	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).	Compliant	An Environmental Water 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. Surface water monitoring is included in Table 14 of AEMRs. Aeris Resources advised that the FFMP is the Contingency Strategy as per condition 6(ii). The FFMP and Water Management Plan identify that the water body in the mine area (the Environmental Water Pond) provides a significant resource to a wide variety of fauna.	Site audit observations and discussions - environmental pond with rainwater sighted. Water Management Plan Sept 2021 section 5.7 Flora and Fauna Management Plan updated 2021 AEMRs 2018, 2019, 2020	

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. 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:</p> <p>(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;</p> <p>(ii) A toxic profile of these chemicals and reagents (i.e. in tailings water);</p> <p>(iii) An assessment of expected effects of the chemicals and reagents on the species of concern, particularly threatened species;</p> <p>(iv) Ameliorative measures and contingency planning measures to ensure adverse impacts on wildlife are minimised;</p> <p>(v) Provisions for on-going monitoring of the chemical and reagent concentrations of the tailings dam and wildlife use of the dam; and</p> <p>(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.</p>	Non-compliant	<p>The 2018 IEA raised a Non-Compliance to this condition as the document not addressing specific requirements and for lack of evidence of correspondence with RR (DRE) and EPA, and 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 this audit. 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>Tailings Dam1 Operations and Maintenance Manual &amp; DSC EAP Rev6 Feb 2021</p> <p>2018 IEA report by pitt&amp;sherry. Aeris Resources Response to Audit recommendations and proposed timetable</p>	<p>Update Tailings Dam1 OMM Manual to address requirements of condition 23 including consultation with regulators.</p>	NC9
24	<p>The Applicant shall implement the Management and Monitoring Plan in accordance with its provisions.</p>	Compliant	<p>Tailings Dam 1 Operations and Maintenance Manual Section 13 provides monitoring provisions. As per discussions with Dean Woods, the Tailing Storage Facility is inspected routinely and an annual surveillance report is prepared by specialist consultant. The annual TSF surveillance report includes details of inspection as per the Tailings Dam 1 OMM.</p> <p>Routine site inspection records, sampling and test references sighted that verifies implementation of environmental management and monitoring plan.</p>	<p>Tailings Dam1 Operations and Maintenance Manual &amp; DSC EAP Rev 6 2021; Site audit observations and discussions; AEMRs 2018, 2019, 2020;</p> <p>TSF annual Surveillance Review e.g. Tailings Dam1 ref PER2020-0510AC rev 1 by CMW Geosciences, dated 6 June 2021; TRL-ENV-FRM-003 templates are used for routine site inspection records. Monthly Environmental Monitoring Reports available on Aeris Resources website.</p> <p>ALS Environmental COA work order sighted samples: ES2127610 issued 05 Aug 2021; ES2042614 issued 10 Dec 2020; ES2011164 issued 14 Apr 2020, ES1913107 issued 08 May 2019.</p> <p>MonitorPro database system captures sampling and test lab reference details.</p>		
25	<p>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</p>	Not Triggered	<p>There were no tree clearing around TSF during this audit period</p>	<p>Site observations and discussions with Dean Woods</p>		
26	<p>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</p>	Not Triggered	<p>Construction of the TSF had been completed prior to the audit period.</p>			

27	In relation to the Kultarr, the Applicant shall:					
(a)	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	Compliant	Previous IEA had raised a Non Compliance to update pre-start procedure / check list to include observations for the presence of Kultarr. The Aeris Resources response document offered to implement this recommendation by Jan 2019 and is noted in the 2018 AEMR as completed. A review by OEH sighted dated Jun 2019 and an updated FFMP (2021) section 6 includes detailed pre-start monitoring procedures for threatened fauna including Kultarr. Dean Woods mentioned that no Kultarrs were sighted during the audit period and no targeted surveys were undertaken. The 2021 FFMP cover notes last review as Sept 2019 and there are two document numbers noted on the cover page. Version/Rev number also has not been updated from 2.3 (inside pages note Rev as 2.2).	2018 IEA report by pitt&sherry; Site audit discussions; AEMRs 2018, 2019, 2020; OEH review of 2019 FFMP dt 7 Jun 2019; updated FFMP 2021. Kultarr pre-start monitoring report 2004 by Mjadwesch Environmental Service Support; Pre-start Monitoring Flora and Fauna report 2008 by GHD.	Document control measures need to be improved on the updated FFMP	
(b)	Any captured Kultarr to be relocated shall be held for a period no longer than 10 days in suitable conditions.	Not Triggered				
28	The Applicant shall, where practicable, ensure that the identified communities containing the species <i>Pterostylis cobarensis</i> are protected from mining and mining related disturbance by means of a buffer area at least 20 m wide	Compliant	The Flora and Fauna Management Plan section 5.1.1.2 states that one threatened flora species, Cobar Greenhood Orchid ( <i>Pterostylis cobarensis</i> ) has been previously recorded within ML1544 (GCNRC 1998): "A small <i>Pterostylis cobarensis</i> population was found in a regenerating Green mallee community on a ridge about one kilometre south of the southern boundary of the tailings storage facility". 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 Tailings Storage Facility on the eastern side of Yarrandale Road. 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). The AEMR section 6.6.2 notes no threatened flora species were observed by EnviroKey who conducted surveys or by Tritton Staff.	Site audit discussions, 2018 IEA report  AEMRs 2018, 2019, 2020  Flora and Fauna Management Plan		
<b>LANDSCAPE PLAN</b>						
29	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:	Compliant	As per the 2018 IEA report, the original Landscape Plan was submitted to Council in September 2007. The revised Landscape Plan has now been submitted to the council (Jun 2019). It has been prepared by Aeris Environmental Adviser and Approved by HSET Manager however no names are identified to confirm if suitably qualified. As per the email evidence of submission to Council, Dean Woods revised the plan. The landscape plan need to be revised/reviewed by personnel with relevant qualifications/experience. Tritton advised that the personnel have adequate experience and deemed appropriate to prepare this document.	Visual amenity and landscape management plan (TRL-HSET-MP-ENV-002), Jan 2016, Ver3. rev2019 Email from Dean Woods to Cathy Black dated 26 April 2019 submitting the plan and approval by Cathy Black 21 Jun 2019. 2018 IEA report by pitt&sherry Audit discussions	Landscape plan should be reviewed, and if necessary, revised by a suitably qualified person e.g. ecologist.	Obs 7
(i)	Details on screen planting around the Tailings Storage Facility, with particular attention to minimising the visibility of the facility from Yarrandale Road; and	Compliant	Section 4.7 of the landscape plan states a corridor of woody vegetation maintained between TSF and Yarrandale Road. This was sighted during site visit.	Visual amenity and landscape management plan (TRL-HSET-MP-ENV-002), Jan 2016, Ver3. rev2019; Site audit observations		
(ii)	Details on the proposed landscaping treatment of the mine processing area, Tailings Storage Facility and office area.	Compliant	Section 4 provides details of landscaping works around the mine site including processing area, pastefill plant and site office, TSF etc., as sighted during site visit.			
30	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.	Compliant	The previous IEA reported a non-compliance against this Condition. Observations made during this audit confirmed that additional planting has now been completed between Yarrandale Road and the Waste Rock Emplacement.	Audit Observations AEMR 2018, 2019, 2020		

31	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 OEH's Nyngan Catchment Advisory Officer.	Compliant	Previous IEA had raised an observation to seek acceptance from OEH Nyngan Catchment Advisory Officer on the plant species and fertilisers as required by this condition. OEH advised Dean Woods to contact Local Land Services department (LLS). Correspondence with LLS sighted in this audit which had confirmed satisfaction with the proposed species and fertilisers. Site observations note progressive rehabilitations mainly on the TSF embankment. Auditors also confirm (visual) revegetation around the mine site.	Visual Amenity and Landscape Management Plan (TRL-HSET-MP-ENV-002) rev Jul 2019; Email record of submission to Council (26 Apr 2019) and approval (Cathy Black, 21 Jun 2019); Audit observations and discussions; Correspondence with OEH sighted, dated 9 Nov 2018 Correspondence with LLS dated 13 Nov 2018 and response (Ray Thompson) on 16 Nov.		
	<b>EXTERNAL APPEARANCE OF BUILDINGS AND STRUCTURES</b>					
32	The Applicant shall ensure that the external colour and texture of all structures shall, where practical, blend into the natural surroundings of the locality.	Compliant	The Audit site inspection included several permanent structures on the mine site. The external colour and textures on all structures comply with this requirement.	Site audit observations		
	<b>TRANSPORTATION AND TRAFFIC</b>					
33	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.	Compliant	Previous IEA had raised an Observation to revise the Traffic Management Plan to include access details. Access details and speed limits are included in the TMP. Title of section 7 has typographical error.	Site audit observations; 2018 IEA report by pitt&sherry; Traffic Management Plan rev4 dated Aug 2021		
33A.	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.	Compliant	a) - As per AEMRs and site discussion, waste rock from underground mine is mostly placed in a Waste Rock Emplacement on the mine surface with a small quantity returned underground as backfill. No waste rock is transported off-site. b) AEMRs from the reporting period confirmed that less than 1 million tonnes of ore material is received at site each year - 2018 AEMR reported 521,354 tonnes received from Murrawombie, 2019 AEMR reported 451,501 tonnes received from Murrawombie, 2020 AEMR reported 509,197 tonnes received from Murrawombie.	Site audit discussions; AEMRs 2018, 2019, 2020		
33B.	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.	Not Triggered	As per site discussions, no waste rock was trucked off site. The Transport Code of Conduct addresses these requirements.	Site audit discussions; AEMRs 2018, 2019, 2020 Driver's code of conduct Rev 1.1 (TRL-ENV-FRM-020), dated Jan 2016 RMS review email Jul 2015 Transport Code of Conduct with regard to waste rock transportation		

34	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:					
(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]	Not Triggered	Construction of the mine site occurred prior to the audit period. There has been no updated agreement/discussion with RMS and Council that triggers this condition in this audit period. This condition had been assessed as Compliant in previous IEA.	Site observations and discussions with Dean Woods; 2018 IEA report by pitt&sherry		
(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;					
(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;					
(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;					
(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;					
(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)]					
(vii)	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					
(viii)	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.					
35	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".	Not Triggered	No road works were undertaken during this audit period.	Audit Observations		
36	The Applicant shall ensure that the vehicles engaged in the transport of concentrates:	Compliant				
	<ul style="list-style-type: none"> <li>comply with the design requirements and vehicle specifications for this type of vehicle; and</li> </ul>		<p>The Haulage Contract (TRL_KPC_2018_013 for Concentrate Haulage from Tritton Mine to Hermidale Rail Siding, sighted in this audit) 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.</p>	<p>2018 IEA report by pitt&amp;sherry</p> <p>TRL_KPC_2018_013 (Haulage Contract)</p> <p>TRL-HSET-HMP-WHS-008 Movement of Vehicles and Plant Hazard Management Plan V1 Aug 2018;</p> <p>Traffic Management Plan rev4 dated Aug 2021</p>		
	<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>		<p>Driver's Code of Conduct (2016, sighted in this audit) 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.</p>	<p>Driver's Code of Conduct as per form TRL-ENV-FRM-020 Rev 1.1 Jan 2016</p> <p>AEMRs 2018, 2019, 2020</p> <p>Audit Observations.</p>		

37	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]	Not Triggered	No school buses use Yarrandale Road.	Audit observations and discussion		
37A	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.	Not Verified	The Code of Conduct has been prepared and reviewed by RMS. Evidence of consultation with Council not sighted as required.	Driver's Code of Conduct as per form TRL-ENV-FRM-020 Rev 1.1 Jan 2016 2018 IEA report by pitt&sherry; RMS review email Jul 2015 Transport Code of Conduct with regard to waste rock transportation Email to DPIE on 18 May 2016	Provide evidence of consultation with Council in preparing Driver's Code of Conduct.	NC10
<b>NOISE</b>						
38	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:	Observation	Previous IEA made an Observation, recommending to consider undertaking the noise monitoring at the property residence rather than at the property boundary. Aeris Resources have considered this but decided to continue monitoring noise at the boundary rather than the premises. Given that the monitoring has occurred at the closest point to the mine on the property, that the area is quite flat (thus eliminating noise reflectivity or changes to 'line-of-sight'), and that mine noise was noted as inaudible throughout all measurements in Noise Monitoring Assessment, Aeris Resources have adopted a conservative approach to assessing compliance of noise against the criteria in the approval. The MAC noise report includes site map without the correct North orientation which renders the location of noise monitoring location with respect to mine site incorrect.	AEMRs and EPL Returns, noise monitoring results, Noise Monitoring Assessment report MAC180699RP3V1 dated August 2019, MAC180699-01RP4V1 dated August 2020 and MAC18069901RP5 dated August 2021 by Muller Acoustic Consulting; Site audit discussions with Dean Woods.	Ensure the map orientation is corrected in the 2022 MAC Noise Monitoring Assessment Report.	Obs4
	i) during day time (7am-10pm), an LA10 (15 minute) noise levels of 35dB(A)	Compliant	In all AEMRs (2019, 2020 and 2021) Tritton contribution to noise has been assessed as within the required limits with rural noise such as wind, birds, local residential noise and distant traffic being dominant sources.			
	ii) during night time (10pm-7am), an L A10 (15 minute) noise levels of 33dB(A)					
	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.	Not Triggered	Auditee responded that there have been no noise complaints during the audit period.			
39	The Applicant shall ensure that noise measurements shall be undertaken under prevailing weather conditions, in the absence of temperature inversions and over a period of time sufficient to be representative of the noise levels being emitted from the mine.	Compliant	Noise measurements are undertaken and reported by specialist contractor and reported in AEMR and EPL returns. The MAC noise monitoring reports include measurements under prevailing weather conditions, and assessment thereof.	AEMRs and EPL Returns, noise monitoring results, Noise Monitoring Assessment report MAC180699RP3V1 dated August 2019, MAC180699-01RP4V1 dated August 2020 and MAC18069901RP5 dated August 2021 by Muller Acoustic Consulting		



40	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]	Not Triggered				
41	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.	Not Triggered	There were no blasting undertaken during this audit period.			
42	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.	Not Triggered				
43	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.	Not Triggered				
<b>HERITAGE</b>						
44	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.	Observation	Section 3 of the MOP includes details of aboriginal and non-aboriginal heritage items identified in the area and the management thereof. Section 13 of the MOP shows various plan drawings indicating the changes to the area impacted by mining activity from pre-MOP natural environment to post-mining land use, mining methods and remediation measures including rehabilitation. AEMRs include Figure 8 - Identified Cultural Heritage Artefact Locations. Cultural Heritage Management Plan details the heritage management aspects of the mine. The plan is seven years old (prepared by Straits Tritton Mines). As per section 17.3 of CHMP, it should be reviewed biannually, or on a more regular basis as required. This has not happened.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016 Cultural Heritage Management Plan, Rev 1, dated 23 Jan 2015 AEMRs 2018, 2019, 2020	Review CHMP as per section 17.3 of the plan.	Obs 8
45	The Applicant shall prepare management and protection measures in consultation with the OEH 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.	Compliant	Cultural Heritage Management Plan (CHMP 2015) sighted. The CHMP includes site heritage registers in appendices that were assessed as developed in consultation with OEH and the relevant local Aboriginal Groups in the previous IEAs. No changes to the mine operations have occurred during this audit period that have resulted in any encroachment or impact on archaeological sites or artefacts. No subsequent heritage item surveys have been undertaken during this audit period.	Mining Operations Plan, Prepared by R. W. Corkery & Co Pty Limited, Report No 440/11 dated February 2016 Cultural Heritage Management Plan, Rev 1, dated 23 Jan 2015 2018 IEA report by pitt&sherry.		
	These protective measures are to include the procedures recommended in the Archaeological Report of the EIS prepared by J Kelton.	Compliant	CHMP 2015 section 10 includes protective measures as recommended in the EIS.	Cultural Heritage Management Plan, Rev 1, dated 23 Jan 2015 Tritton Copper Project EIS prepared by R W Corkery & Co Pty Ltd, dated June 1998		
46	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 OEH and the relevant local Aboriginal groups.	Not Triggered	In 2019, TRL constructed an 18-km long pipeline from the Mine to an off-take point on the Nyngan-Cobar pipeline near the village of Hermidale to allow TRL to access its water allocation. As per available information and discussions, there were no new areas being cleared at the mine site during this audit period, including this work, that identified aboriginal artifacts.	Site audit discussions with Dean Woods AEMRs 2018, 2019, 2020		
47	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.	Not Triggered	As per available information and discussions, there were no construction, earthworks or operations resulting in new areas being cleared at the mine site during this audit period.	Site audit discussions with Dean Woods AEMRs 2018, 2019, 2020		

	<b>AIR QUALITY</b>					
48	The Applicant must: (i) minimise the off-site dust emissions of the development; (ii) minimise any visible air pollution generated by the development; (iii) minimise surface disturbance on the site; (iv) ensure that trucks transporting tailings cover their loads during transportation at all times; and (v) define dust trigger levels and identify a plan to respond to any exceedances of the trigger levels.	<b>Non-compliant</b>	Dust Management Plan section 4 details the air quality management measures as required to satisfy condition 48. Site audit observations noted dust being emitted during truck movements and no water cart was observed in operation or on site. Considerable dust was observed to be raising from this. It was also noted that dust was being blown from the drier areas of the TSF.	Dust management plan 2015 Site audit observations	Operate water cart during truck movements around site.	NC 1
49	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.	<b>Compliant</b>	Dust sampling results are included in AEMR which is provided to EPA, Council and DPIE	AEMRs 2018-2020 Site Audit Discussions with Dean Woods		
50	<b>BLASTING PROTOCOL</b> 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: • a means for notifying any property owners within 5 km of the site of the proposed blasting program; [16.10] (b)and • the proposed methods for keeping any records of complaints to enable remedial action to be undertaken to prevent recurrence.	Not Triggered	There were no blasting undertaken during this audit period.	AEMRs 2018-2020 Site Audit Discussions with Dean Woods		
	<b>HAZARDS AND SAFETY</b>					
	<i>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.</i>	Note				
	<i>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.</i>	Note				
51	<b>Pre-Construction Studies</b> 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.	Not Triggered	This is a pre-construction condition, not relevant in this audit period.			
	<b>Final Hazard Analysis</b>					
	<i>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</i>	Note				
52	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'. 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.	<b>Non-compliant</b>	No final hazard analysis was available to sight at this audit. No reference to HIPAP noted in documents provided. No reference to freeboard capacity or overflow frequency in documents provided. Reference to blasting contained within Seismic Hazard Management Plan. Section 13 notes first response and amelioration barriers (including a Trigger Action Response Plan) for blasting and other potential seismic events.	Bowtie analysis register Seismic Hazard Management Plan Principal Hazard Management System Emergency Management Plan 2018 IEA report by pitt&sherry	Prepare final hazard analysis as per HIPAP No6.	NC11

	<b>Pre-Commissioning Studies</b>							
53	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:	Note	This is a pre-commissioning condition, not relevant in this audit period.					
(a)	<b>Emergency Plan</b>							
	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	Non-compliant	Detailed Emergency Management Plan sighted. It is noted that the plan does not specifically refer to the HIPAP No1 or the preliminary hazard analysis as required in this condition.	Emergency Management Plan, rev 3 dated 02 Aug 2021	Update Emergency Plan as per HIPAP No 1 and Preliminary Hazard Analysis.	NC12		
(b)	<b>Safety Management System</b>			Site audit discussion - Dean Woods; Aeris HS&EMS and policies (March 2014)- Aeris HSEMSP 1 - HSE Policies 30th March 2014.pdf Aeris HSEMSP 2 - HSE Hazard Identification, Risk Assessment 30th March 2014 Aeris HSEMSP 3 - HSE Objectives, Targets and KPIs 30th March 2014 Aeris HSEMSP 4 - HSE Improvement Plans 30th March 2014 Aeris HSEMSP 5 - HSE Legal and Other Requirements 30th March 2014 Aeris HSEMSP 6 - HSE Responsibility and Accountability 30th March 2014 Aeris HSEMSP 7 - HSE Training and Competency 30th March 2014 Aeris HSEMSP 8 - HSE Communication 30th March 2014 Aeris HSEMSP 9 - HSE Document and Data Control 30th March 2014 Aeris HSEMSP 10 - HSE Emergency Preparedness and Response 30th March 2014 Aeris HSEMSP 11 - HSE Contractor Management 30th March 2014 Aeris HSEMSP 12 - HSE Monitoring and Measurement 30th March 2014 Aeris HSEMSP 13 - HSE Incident Investigation, Corrective actions 30th March 2014 Aeris HSEMSP 14 - HSE Records Management 30th March 2014 Aeris HSEMSP 15 - HSE Audits 30th March 2014 Aeris HSEMSP 16 - HSE Management Review 30th March 2014; Seismic Hazard Management Plan Jul 2019; Principal Hazard Management Framework; Management Plans provided, including: Fatigue (TCM-HSET-MP-008 Rev1 Mar 2015), Fire & Explosion (TRL-HSET-WHS-011 Ver1 Vol2 Dec 2018), Ground Control MP(Ver 05, Mar 2020), Heat Stress MP (TRL-HSET-HMP-WHS-002 V2 Vol1), Inrush Hazard MP (TRL-HSET-WHS-009 Ver2 Apr 2018), Risk MP (TRL-HSET-RPT-001 Ver3 Vol1 Nov 2017), ROM Pad MP (TRL-HSET-MP-010 Rev 3, Dec 2018) & Working at Heights MP (TRL-HSET-HMP-WHS-				
	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.	Non-compliant	Safety management system components have been sighted in this audit. It is noted that the Policies and the HS&EMS Procedure as sighted are dated 2014 while the principal Hazard Management Framework and plans are more recent. It is noted that the system documentation does not specifically refer to the HIPAP No9 or the preliminary hazard analysis as required in this condition.		Update HSEMS policies and SMS/HS&EMS as per the HIPAP No9 and Preliminary Hazard Analysis.	NC13		

Date	Environmental Protection Authority Environmental Protection Licence Section 55 Protection of the Environment Operations Act 1997	Licence: 11254 File Number: EF13/3736 Licence Anniversary Date
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Criteria/ Requirement		Compliance	Audit Finding	Objective Evidence	Recommendation	NC Risk
<b>Administrative Conditions</b>						
A1	<b>What the licence authorises and regulates?</b>					
A.1.1.	This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.  Scheduled Activity : Mining for minerals Fee Based Activity: Mining for minerals Scale: <500,000 - 2,000,000 T annual production capacity	Compliant	Aeris Resources are conducting mining for copper as per the activity and scale limits. As per section 4.1 of AEMRs, in 2018, production was approx. 1.12Mt ore, in 2019 production was 1.23Mt of ore and in 2020, production was 1.02Mt.	AEMRs 2018, 2019, 2020 Site inspection Audit interviews		
A.2	<b>Premises to which this license applies</b>					
A.2.1	This license applies to the following premises <b>Premises Details</b> Tritton Copper Mine Yarrandale Road Hermidale NSW 2831 PART LOT 13 DP 751346, PART LOT 14 DP 751346, PART LOT 61 DP 875925, PART LOT 62 DP 875925, LOT 41 DP 879206, LOT 42 DP 879206	Compliant	Tritton Copper Mine is located on Yarrandale Rd, Hermidale. This is the site that the audit was undertaken on.	Site inspection		
A3	<b>Other activities</b>					
	This licence applies to all other activities carried on at the premises, including: Ancillary Activity: Crushing, Grinding of Separating Works Mineral Processing or Metallurgical works Waste Facilities - solid and inert waste landfilling	Compliant	As per sighted information (section 4.4 of AEMRs) and site audit discussions, the activities carried on at the premises were as per this condition.	AEMRs 2018, 2019, 2020 Audit interviews		
A4	<b>Information supplied to the EPA</b>					
A4.1	Works or activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to the ' licence application' includes a reference to: (a) the application for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and (b) the license information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Compliant	Based on sighted documentation and site observations, activities are as per the proposal for site activities.	AEMRs 2018, 2019, 2020 Site inspection Audit interviews		
2	<b>Discharges to Air and Water and Applications to Land</b>					
P1	<b>Location of monitoring/discharge points and areas</b>					
P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Compliant	With reference to table provided in condition P1.2, Aeris Resources is conducting monitoring of application of solids and liquids.	Annual Returns for the reporting periods - 2018-2020		
P1.2	The following points referred to the in the table are identified in this licence for the purposes of the monitoring and/or setting of limits for discharge of pollutants to water from the point.	Compliant	Aeris Resources is conducting monitoring at the locations specified. These points are identified in the groundwater monitoring reports and EPL Annual Returns with monitoring results.	Annual Returns for the reporting periods - 2018-2020		

	<a href="#">see tab</a>					
3	<b>Limit Conditions</b>					
L1	<b>Pollution of waters</b>					
L1.1	Except as may be expressly provided in any other conditions of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997	Compliant	Aeris Resources have not reported any incidents/complaints of pollution of waters. This is in line with the sighted reports.	AEMRs/EPL Returns 2018-2020		
L2	<b>Waste</b>					
L2.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	Compliant	Aeris Resources confirmed that no waste is received from outside the premises.	Site audit discussions and observations, AEMRs, EPL Returns		
L2.2	Only the following types of waste may be disposed of at the premises:					
L2.3	For Inert Waste Class 1 Landfill, the following wastes able to be landfilled: waste assessed as inert waste following the technical assessment procedure outlined in Technical Appendix 1 of the Waste Guidelines or that is specified as inert waste in Schedule 1 of the Protection of the Environment Operations Act 1997 and stabilised asbestos wastes in bonded matrix.	Not Triggered	The landfill is not designed and operated as a Inert Waste Class 1 landfill.	Site audit observations - site landfill contains inert waste		
L2.4	For Inert Waste Class 2 Landfill, the following wastes able to be landfilled: Waste that is not a physically, chemically or biologically treated or processed waste that is assessed as inert waste following the technical assessment procedure outlined in Technical Appendix 1 of the Waste Guidelines or that is specified as inert waste in Schedule 1 of the Protection of the Environment Operations Act 1997 except biosolids.	Compliant	Waste received by the landfill is not processed. As per site observations, considerable amount of recyclable materials (metals, plastic) are included in the landfill. Aeris should consider material recovery and recycling from this.	Waste quantity estimates are undertaken via drone survey; Site audit observations and discussions	Aeris should consider material recovery and recycling from the landfilled recyclable materials.	
L2.5	For Solid Waste Class 1 Landfill, the following wastes able to be landfilled: waste, including putrescible waste, that is assessed as inert waste or solid waste following the technical assessment procedure outlined in Technical Appendix 1 of the Waste Guidelines or that is specified as inert waste or solid waste in Schedule 1 of the Protection of the Environment Operations Act 1997 and asbestos waste (including asbestos waste in bonded matrix and asbestos fibre and dust waste resulting from the removal of thermal or acoustic insulating materials or from processes involving asbestos material, and dust from ventilation collection systems).	Not Triggered	No putrescible waste is received at the site landfill.	Site audit observations and discussions - site landfill contains inert waste only		
L2.6	With reference to condition L2.1 above, solid and inert waste generated at the Tritton Resources Limited Girilambone premises (licence no. 4501) only, is permitted to be received at the premises for disposal at the landfill identified in condition L2.7 below.	Note				
L2.7	Wastes identified above as solid or inert may only be landfilled at the location identified in map titled "Tritton Copper Project Proposed Landfill Location" submitted to the EPA in document "DOC07/48105" on the 26 November 2007.	Compliant	Waste is landfilled only at the designated location. Previous IEA noted a non-compliance for waste materials found in TSF and recommended an action to update Waste MP. During this audit, site observations noted that there were no waste materials in the TSF. Waste MP was sighted (Jan 2016) as not updated.	Site audit observations - site landfill contains inert waste, no other areas were sighted to have waste material dumped. Waste Management Plan (2016)		

L3 Noise limits						
L3.1	Noise from the premises is to be measured or computed at the most noise-affected point at boundary of the most affected receiver to determine compliance with this condition.	Observation	As per the sighted noise monitoring reports, noise is measured at the boundary of the most affected receiver. The noise monitoring reports provide details of the noise monitoring and measurement undertaken as per this condition. It is noted that the map orientation (north-point direction) in Fig1 of the sighted MAC reports is incorrect.	AEMRs and EPL Returns, noise monitoring results, Noise Monitoring Assessment report MAC180699RP3V1 dated August 2019, MAC180699-01RP4V1 dated August 2020 and MAC18069901RP5 dated August 2021 by Muller Acoustic Consulting	Ensure the map orientation is corrected in the 2022 MAC Noise Monitoring Assessment Report.	Obs4
L3.2	The noise emission limits identified in this licence apply under all meteorological conditions except: a) during rain and wind speeds (at 10m height) greater than 3m/s; and b) under "non-significant weather conditions". Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.	Note				
L3.3	Noise from the premises must not exceed: (a) an L Aeq noise emission criteria of 50 dB(A) (7am to 6pm) on any day; and (b) an L Aeq noise emission criterion of 45 dB(A) during the evening (6pm to 10pm) on any day; (c) at all other times an L Aeq noise emission criterion of 40 dB(A), except as expressly provided by this licence. Definition: L Aeq if the equivalent continuous noise level - the level equivalent to the energy-average of noise levels emitted by the premises over the stated measurement period.	Compliant	As per the AEMRs and Noise Assessment Reports, the site operations comply with noise limits (as relevant to site operations).	AEMRs and EPL Returns, noise monitoring results, Noise Monitoring Assessment report MAC180699RP3V1 dated August 2019, MAC180699-01RP4V1 dated August 2020 and MAC18069901RP5 dated August 2021 by Muller Acoustic Consulting		
<b>4 Operating Conditions</b>						
<b>O1 Activities must be carried out in a competent manner</b>						
O1.1	Licensed activities must be carried out in a competent manner this includes: (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	Observations made by the Auditor during the site inspections confirmed that the processing, handling, movement and storage of materials and substances used to carry out the activity were being carried out in a reasonably competent manner. Training records for processing staff sighted to verify competency of personnel.	AEMRs, EPL Returns, Site audit observations and discussion Training and competency assessment records		
<b>O2 Maintenance of plant and equipment</b>						
O2.1	All plants and equipment installed at the premises or used in connection with the licensed activities (a) must be maintained in a proper and efficient condition, and (b) must be operated in a proper and efficient manner.	Compliant	Maintenance records are captured in INX InControl system available; details of inspection records and maintenance staff competency assessment records sighted.	INX InControl records/screenshots; Training and competency assessment records		

O3 Dust						
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<b>Non-compliant</b>	Dust deposition gauges are installed across the site. This information is reported annually in the site AEMR report.  See DA condition 48 - Site audit observations noted dust being emitted during truck movements and no water cart was observed in operation or on site. It was also noted that dust was being blown from the drier areas of the TSF (due to operational difficulty, no actions are proposed for this and a non-compliance is not raised).	AEMR 2018, 2019, 2020 EPL Annual Returns 2019, 2020, 2021 Site audit observations and discussions	Operate water cart during truck movements around site.	NC 1
O4 Other operating conditions						
O4.1	Tailings Storage Facility The tailings storage facility must be designed to withhold at least a storm event with a 1 in 100 year return frequency and duration of 72 hours without over topping.	<b>Compliant</b>	The 2017 TSF surveillance report section 5.12.3 states: 'The environmental containment freeboard is the vertical distance between the operational pond limit and the spillway level and is required by the DSC to be a minimum of 0.3 m. Based on a surveyed operating pond level of RL2649 m and the embankment at RL269.0m the difference has been calculated at 4.1 m.' As per Section 5.12.4 Total Freeboard is assessed at 5.1m. As per section 5.14, a 1-in-100 year ARI 72-hour rainfall event could produce maximum 252,120m3 water while the TSF is assessed to have available capacity of 1,500,000 m3. This is considered to satisfactory for this condition.	Tailings Dam 1, 2020 calendar year surveillance review (6 Jun 2021)		
O4.2	Under dry weather conditions, a freeboard (the vertical distance between the free liquid level and the lowest point on the containment wall) must be maintained at not less than one metre.	<b>Compliant</b>	Based on sighted information and field observations, this condition is complied with. The 2020 TSF surveillance report states overall freeboard to be over 5m.	Site Audit visual observations  Tailings Dam 1, 2020 calendar year surveillance review (6 Jun 2021)		
O4.3	The floor and the wall of the tailings dam must be lined with a contiguous layer of clay or other material and this must have a permeability of not more than 1 x 10-9 m/s.	<b>Compliant</b>	This condition was assessed as compliant in the previous IEA. There has been no changes to the TSF during this audit period.	Site audit observations, 2018 IEA report by pitt&shery		
O4.4	Bunding Conditions All areas storing chemical reagents and or hydrocarbon materials on the premises must be built to meet the following:- 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. 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. 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.	<b>Non-compliant</b>	a) Bulk storage fuel for storage was found to be commercially available self-bunded vessels, which provides 110% spill containment capacity. b) Container storage of chemicals were found to be in commercially available self-bunded shipping containers or otherwise in bunded areas. The previous IEA had raised a NC for containers found not to be with bunded areas. <b>This audit found some containers to be in the same situation (see Appendix D of this report). The drainage pit and pump in a bunded area near the maintenance yard was found to be inoperable. Ground contamination was noted in storage yard that appeared to be from contaminated water which was notified to the Environmental Technician who responded that this was from removal of a bin after a recent mill shutdown. During site visit, a diesel tank was spotted near TSF for stormwater dewatering pump, without bunds or trays.</b> c) All pipework was observed to be directed over the bund walls, there was no pipework directed through the bund walls.	Site Audit observations and discussion	Store all chemical and fuel drums within bunds and ensure the bunds have adequate containment volume.  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.	NC14
O4.5	Hose couplings must terminate within bunded areas so that wastes and/or spillages are contained. Where couplings cannot be terminated within bunds, suitable means for collecting and retaining wastes and or/spillages must be provided.	<b>Compliant</b>	No hose couplings outside of bunded areas were sighted at this audit.	Site Audit observations and discussion		

O4.6 The bund(s) for the elevated storage of transportable containers must be designed and constructed to ensure that containers cannot, if dislodged, discharge materials or liquids outside the bunded area(s).

Compliant	Previous IEA had raised an NC due to stacked storage of full IBCs without adequate bunding available. No such practice was sighted during this audit.	Site Audit observations		
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**5 Monitoring and recording conditions**

**M1 Monitoring Records**

M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant	Records of all monitoring undertaken were available for review by the Auditor.  MonitorPro 5 is used for the storage and reporting on all environmental monitoring results.	Groundwater sampling field record form TRL-ENV-FRM-012 - examples sighted completed for PZH003 at 12.40 on 10 Aug 2021; PZH002 at 9.15am on 6 May 2020, PZH005 at 1pm on 30 May 2019, PZH008 at 1.20 on 19 Dec 2019, PZH009 at 8.55am on 10 Dec 2020, PZH014 at 12.30 on 14 Sept 2021.		
M1.2	All records required to be kept by this licence must be: (a) in legible form or in a form that can be readily be reduced to a legible form (b) kept for a least 4 yrs after the monitoring or event to which they relate took place and ( c ) produced in legible form to any authorised officer of the EPA who asks to see them.	Compliant	Examples of groundwater sampling field records were sighted by the Auditor, a template is available for field data entry with the required details included in it. Noise monitoring records are retained in the Noise Monitoring reports from the consultant. Dean Woods confirmed in site audit discussions that records are maintained as required and captured in the MonitorPro system for four years. Monitoring records were sampled for the audit period.	TRL-ENV-FRM-003 templates are used for routine site inspection records.  Monthly Environmental (Water) Monitoring Reports available on Aeris Resources website.		
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this license (a) the date on which the sample was taken (b) the time which the sample was collected ( c ) the point in which the sample was taken and the (d) the name of the person who collected the sample	Compliant	Groundwater sampling field records were sighted, and contain all of the required sample collection data.  All of the required sample collection data is recorded for all samples collected within the MonitorPro 5 database.	Noise monitoring data is captured in the MAC reports.  ALS Environmental COA work order sighted samples: ES2127610 issued 05 Aug 2021; ES2042614 issued 10 Dec 2020; ES2011164 issued 14 Apr 2020, ES1913107 issued 08 May 2019.  MonitorPro database system captures sampling and test lab reference details.		
<b>M2 Requirement to monitor concentration of pollutants discharged</b>						
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Observation	Previous IEA had raised NC to this condition. As per EPL Annual Returns, some of the monitoring points were not sampled - Explanation in the EPL Returns is that Monitoring points were dry thus samples were unable to be collected. An EPL variation application to alter variation frequency, prepared by Arcadis for Aeris Resources, stated: Three (3) locations (PZH-004, PZH-022 and PZH-023) have been monitored and have shown to be dry bores. The variation application requested changes to the monitoring frequency of the dry wells.	Previous IEA report by Pitt&Sherry. EPL Annual Returns 2020 and 2021.  Request for Variation to EPL No 11254, Arcadis, 20 May 2020  Technical Memorandum by Francisco Medina (Arcadis) to Dean Woods, dated 27 May 2020.		Obs 5
M2.2	Water and/or Land Monitoring Requirements (see tab)	Observation	Refer to condition M2.1.		Refer to condition M2.1.	Obs 5

M3 Testing methods - concentration limits						
M3.1	Subject to any express provision to the contrary in this license, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area that must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	Compliant	<p>Previous IEA had raised an NC for pH measurements not following approved methods, as reported in a 2015 EPA Compliance Audit. There were no EPA audits and non-compliances noted during this audit period. Water Management Plan section 6.2 refers to EPL 11254 and AS/NZS 5667.1:1998 - Water Quality Sampling Standard and the ANZECC guidelines.</p> <p>A review of monitoring program by Arcadis (consultant) sighted, in which the Section 6 reviewed the sample collection methods (Appendix B) against best practice procedures endorsed by NSW EPA. The detailed review made recommendations for some edits however advises that the current methods are in line with best practice procedures as per US EPA (Approved Methods).</p>	<p>Arcadis report: Data Review of Monitoring Program dated 25 Jan 2019</p> <p>Audit discussions with Dean Woods</p> <p>Water Management Plan Rev 1.1 Feb 2016</p> <p>2018 IEA report by pitt&amp;sherry</p> <p>AEMRs 2018, 2019, 2020</p> <p>NSW EPA's online POEO register</p>		
M4 Recording of pollution complaints						
M4.1	The licensee must be keep a legible record of all complaints made to licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which the license applies.	Compliant	Public complaints register, maintained as an excel workbook, was reviewed by the Auditors, that has entries from 2008 to 2015 including two contamination/pollution related complaints made in June 2015.	Public Complaints Register; AEMRs 2018, 2019, 2020 Site audit discussions		
M4.2	The record must include details of the following: (a) the dates of the complaint (b) the method by which the complaint was made (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect, (d) the nature of the complaint (e) the action taken by the licensee in relation to the complainant and: (f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	The Public Complaints Register includes all the details as required by this condition. As per AEMRs, no complaints were received in this audit period.	Public Complaints Register; AEMRs 2018, 2019, 2020 Site audit discussions		
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Public complaints register, maintained as an excel workbook, was reviewed by the Auditors, that has entries from 2008 to 2015.	Public Complaints Register; AEMRs 2018, 2019, 2020 Site audit discussions		
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Note				
M5 Telephone Complaints Line						
M5.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the license.	Compliant	The Tritton Mine website has a specific Community page which includes a whistleblower phone number.	Tritton Mine website ( <a href="https://www.aerisresources.com.au/sustainability/">https://www.aerisresources.com.au/sustainability/</a> )		
M5.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	An observation was raised in the 2018 IEA report, that the Tritton Mine website does not clearly indicate a public complaints number. As per the 2018 IEA report observation, this had been noted as a non-compliance in a 2015 EPA audit report and a partial non-compliance in 2015 IEA report. In the current audit, a whistleblower phone number and email address are noted on the company website. Dean Woods mentioned that this has been added following previous IEA.	<p>2018 IEA report by pitt&amp;sherry</p> <p>Audit discussions with Dean Woods</p> <p>Aeris Resources whistleblower policy AIS-COM-POL-026 (on the website)</p>		
M5.3	Conditions of M5.1 and M5.2 do not apply until 3 months after the date the issue of this licence	Note				
M6	Not Used					
6	Reporting conditions					
R1	Annual return documents					
	What documents must an Annual Return contain?					

R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices.	Compliant	EPL Annual Returns as sighted contain these details.	EPA Online database for EPL 11254 EPL Annual Returns 2019, 2020, 2021		
	At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Note				
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Compliant	EPL Annual Returns as sighted	EPA Online database for EPL 11254 EPL Annual Returns 2019, 2020, 2021		
R1.3	Where this licence is transferred from the licensee to a new licensee, (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	Not Triggered				
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.					
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Compliant	As per the EPA online database for this EPL, the relevant Annual Returns were submitted within 60 days (by early September) for each reporting year.	EPA Online database for EPL 11254		
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Compliant	Copies of the previous four years' Annual Returns were available for review by the auditor	Annual Return Reports 2021, 2020, 2019, 2018		
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: (a) the licence holder; or (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	EPL Annual Return 2021 had been signed by Executive Chairman and CFO.	EPL Annual Return 2021		
Note:	The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	Note				
Note:	An application to transfer a licence must be made in the approved form for this purpose.	Note				

<b>R2 Notification of environmental harm</b>					
R2.1	Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.	Not Triggered	There were no incidents that threatened or caused material environmental harm during the audit period to trigger notifications required by Condition R2.1.	EPL Annual Returns AEMRs 2018, 2019, 2020	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	Not Triggered	As per condition R2.1.	Site audit discussions - Dean Woods	
Note:	The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Note			
<b>R3 Written report</b>					
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that:				
(a)	where this licence applies to premises, an event has occurred at the premises; or	Not Triggered	Aeris Resources have not received any requests for a written report from the EPA during the Audit period.		
(b)	where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.				
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Not Triggered	Refer to Condition R3.1.		
R3.3	The request may require a report which includes any or all of the following information:	Not Triggered	Refer to Condition R3.1.		
(a)	the cause, time and duration of the event;				
(b)	the type, volume and concentration of every pollutant discharged as a result of the event;				
(c)	the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and				
(d)	the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;				
(e)	action taken by the licensee in relation to the event, including any follow-up contact with any complainants;				
(f)	details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;				
(g)	any other relevant matters.				
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Not Triggered	Refer to Condition R3.1.		
<b>7 General conditions</b>					
<b>G1 Copy of licence kept at the premises or plant</b>					
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	Existence of EPL copy at the site in folder 'EPA' sighted	Site observations and discussion	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Not Triggered	Aeris Resources advised that they have not had a request for a copy of their licence from the EPA.		
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Not Triggered	Aeris Resources advised that they have not had an employee or agent of the licensee request to see a copy of the licence.		

# **Appendix E**

## **SITE PHOTO LOG**



Photo 1: Survey Mark maintained and protected



Photo 2: Groundwater monitoring well



Photo 3: Some IBCs are randomly placed around the site without bunding (NC20)



Photo 4 and 5: IBCs kept in self-bunded container or with dedicated bunding



Photo 6: Fuel tanks kept without bunding (NC 19)



Photo 7: Random placement of unlabelled containers around plant area (NC 19)



Photo 8: Container storage area near workshop, with inoperable drain pump-out system (NC 19)



Photo 9: Localised erosion on the northern side wall of TSF embankment (Observation 1)



Photo 10: Dust emission from TSF surface



Photo 11: Dust emission during heavy vehicle operation – no water cart was in operation (NC 1)





Photo 12: Surface pollution from recent material movement, not managed (NC 19)



Photo 13: Landfill site with recoverable materials



Photo 14: Environmental Pond

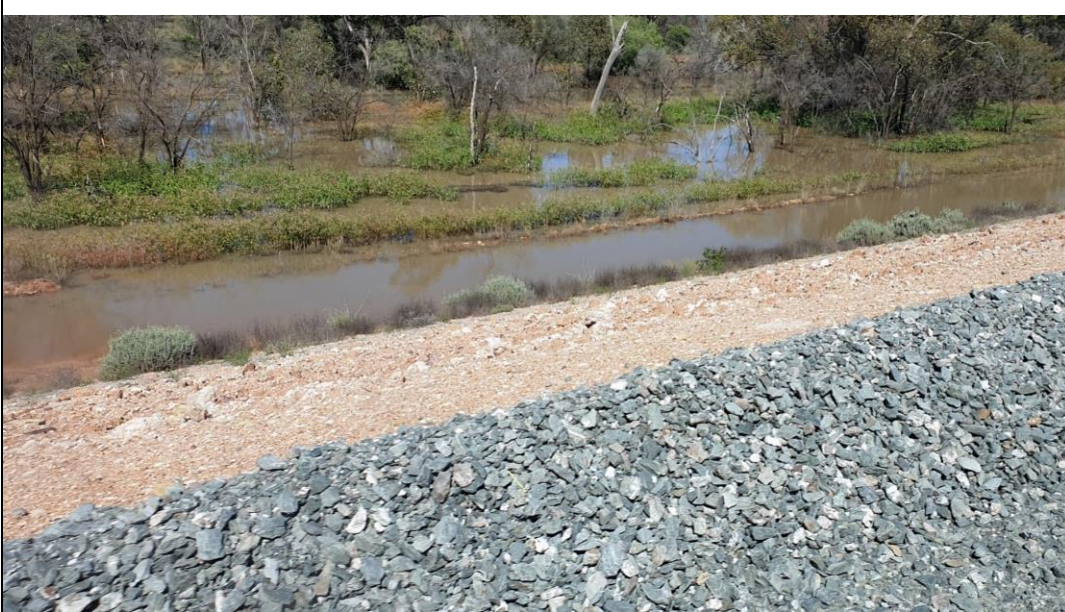


Photo 15: TSR areas surrounding TSF with stormwater inundation



Photos 16 and 17: TSF pump in system



Photo 18: Revegetation and rehabilitation attempts along TSF embankment southern side



Photo 19: Vegetation clearing remnants stored for future rehabilitation work



Photo 20: Rehabilitation on TSF embankment wall



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